

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA
AMENDED**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 9, 2018 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening.
2. Conditional use permit for major home occupation B – group swimming lessons at 2052 W. Peach Blossom Drive – Cameron Garner.
3. Conditional use permit for amendment to a public utility substation and storage facility at 485 E. Shepard Lane – Benchland Water District.
4. Conditional use permit for food manufacturing (bakery) at 590 North 900 West, Suites 104 and 112 – Keto Cakes Utah, LLC.
5. Public hearing for an ordinance amending Chapter 19-4, Final Plat, of Title 19 Subdivisions, of The Revised Ordinances of Kaysville City, providing for repealer; providing for severability; and providing for an effective date.
6. Public hearing for an ordinance amending Section 17-34-9, Flag Lot Subdivision, of Chapter 17-34, PRUD Planned Residential Unit Development, of Title 17, Planning and Zoning, of the Revised Ordinances of Kaysville City providing for repealer; providing for severability; and providing for an effective date.
7. Planning and Projects presentation – Lyle Gibson.
8. Call to the public.
9. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
10. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, August 3, 2018.


Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for Major Home Occupation 'B' Group Swimming Lessons August 9, 2018

Applicant/Owner: Cameron Garner
Location: 2052 West Peach Blossom Drive
Zone: R-1-20

Description:

The applicant is requesting a conditional use permit for a major home occupation 'B' to offer swimming lessons from his home. The family teaches swimming lessons during the summer months while school is out. Typical lesson structure includes 30 minute classes starting from 9 am until noon Monday through Friday. Every 30 minutes there may be as much as 2 groups of with 4 students in each.

The request being an organized class per 17-26-4 (12) requires that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a major home occupation 'B' subject to compliance with Title 17-26-4 of the Kaysville City Ordinance and the following condition:

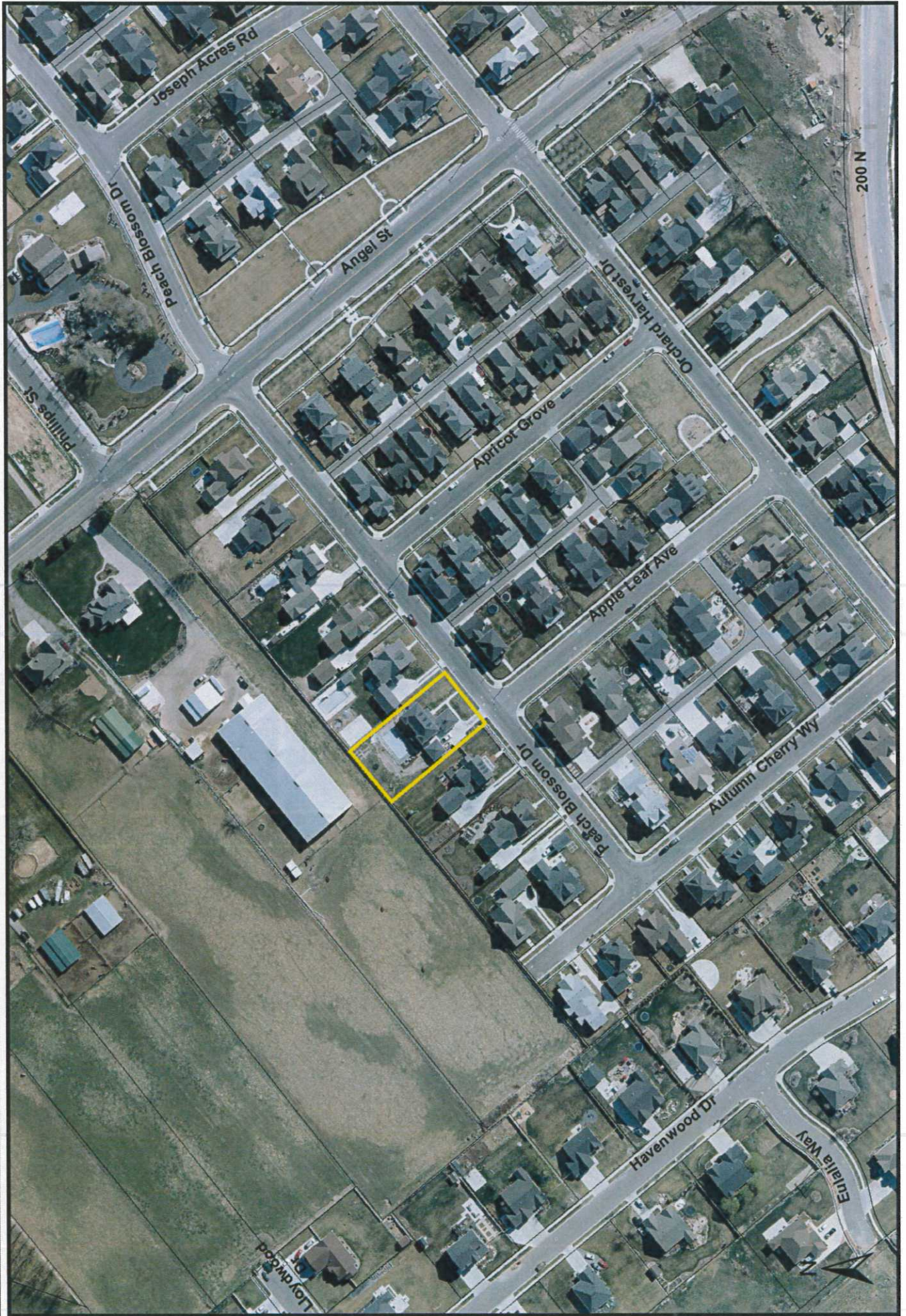
- The number of students be limited to 8 per session.

Reasoning:

The existing conditions on site, the proposed conditions, and the restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

2052 West Peach Blossom Drive





Planning Commission Staff Report

Conditional use permit for amendment to a public utility substation and storage facility.

August 9, 2018

Applicant/Owner: Scott Parsell of Benchland Water District
Location: 485 East Shepard Lane
Zone: A-1 (Light Agriculture)

Description:

In the late 90's Benchland Water District, F.A.P.I.D. at the time, received a conditional use permit for an office and storage at this location. A site plan was approved at the time which indicated the existing office and an open storage area towards the eastern portion of the property. Benchland now desires to add a new utility building and storage bins on site.

The proposal includes 4 storage bins containing material such as road base, sand, and gravel housed in bins made of large concrete blocks. Each bin is roughly 450 sq. ft. in area. Adjacent to the bins is a newly proposed utility building that is just over 1,100 sq. ft. in area. The single story pitched roof structure is proposed as a metal-skinned building with a couple of garage bays in which to store equipment.

The bins and building are 36 feet from the closest property line to the north leaving room for multiple utilities, and over 150 feet to any other property line. The proposed utility building would be considered an accessory structure which is subject to the regulations of 17-31-2. Under these regulations, an accessory structure located in what would be considered the rear yard may be as close as 1 foot to a property line.

The existing approval was granted as follows: 'conditional use permit granted for to FAPID offices and equipment storage at the location indicated on the condition that the staff approve the elevation drawings and exterior for the front of the office building; that it be in some finishes that make it look other than a traditional steel building and attractive; that heavy equipment not be utilized in and out of the facility during the summer months other than to fuel; that the heavy equipment be allowed to be stored inside the building between October 15th and April 1st, and that the staff approve the landscaping and other matters along the street. (PC Minutes 5/28/1998)'

Recommendation:

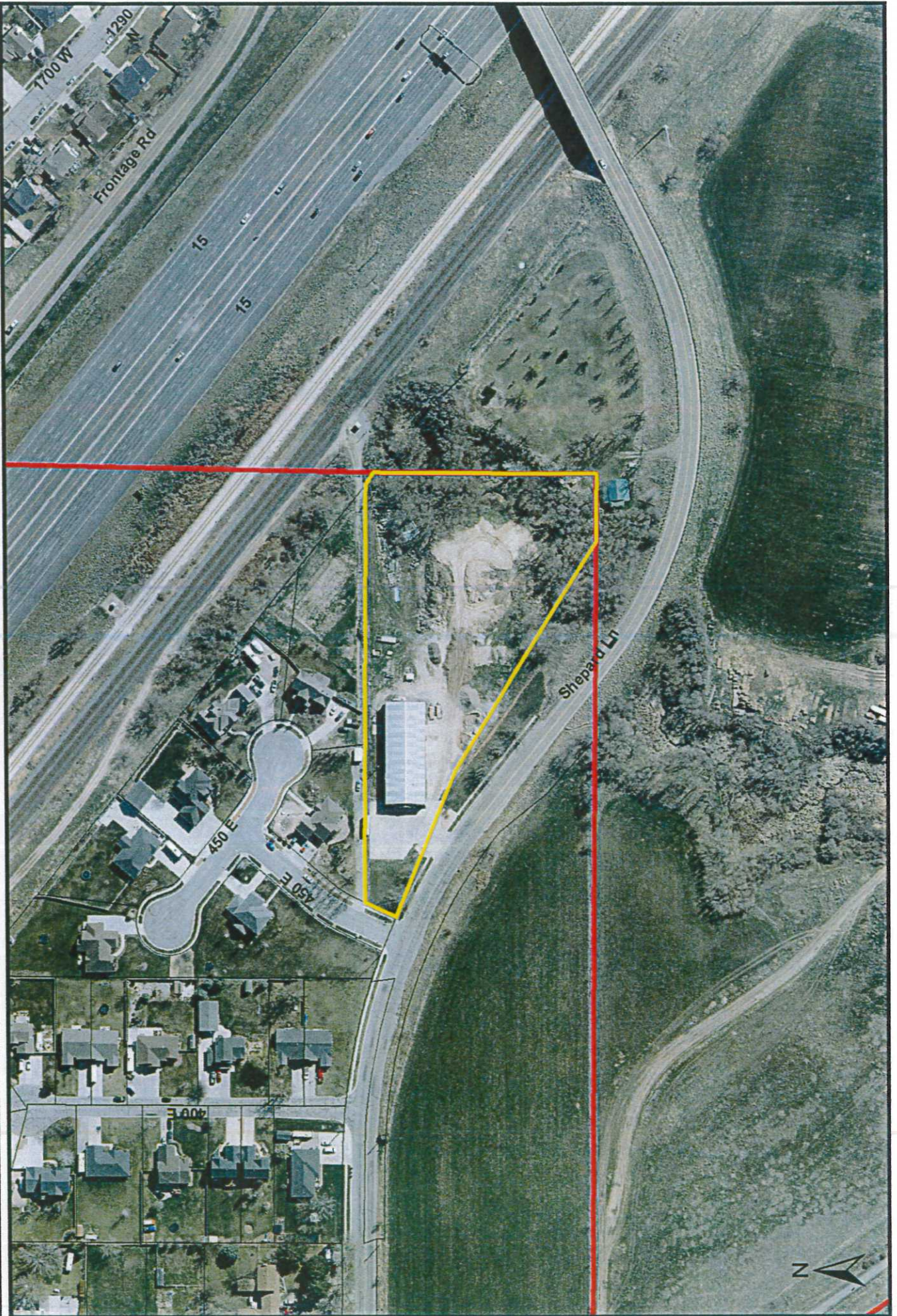
Staff is recommending approval of the amended conditional use permit allowing for the storage bins and utility building as presented without the need for additional conditions.

Reasoning:

It is the opinion of staff that the newly proposed bins and utility building will do more to mitigate impacts from the current use than create additional impacts.

Attachment 1:	Location Map
Attachment 2:	Original Approved Site Plan
Attachment 3:	Site Plan
Attachment 4:	Enlarged Site Plan
Attachment 5:	Floor Plan
Attachments 6-7:	Building Elevations

Benchland Water District - 485 East Shepard Lane





C-101

UTILITY BUILDING AND MATERIAL STORAGE
 BENCHLAND WATER DISTRICT

SITE PLAN

REVIEW			
NO.	DESCRIPTION	DATE	BY



J-U-B ENGINEERS, INC.
 466 North 900 West
 Kaysville, Utah 84037
 Phone: 801.547.0393
 Fax: 801.547.0397
 www.jub.com



FLOOR PLAN

GENERAL NOTES

1. ANY CONFLICTS BETWEEN ARCHITECTURAL, MECHANICAL, ELECTRICAL, PLUMBING, AND STRUCTURAL NOTES SHALL BE RESOLVED BY THE ARCHITECT.
2. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO ANY WORK.
3. THE CONTRACTOR SHALL SUBMIT ANY PROPOSED CHANGES OR MODIFICATIONS OF THE CONTRACT DOCUMENTS IN WRITING TO THE ENGINEER BEFORE PROCEEDING WITH ANY ACTION.
4. CONTRACT DOCUMENTS SHALL BE USED TO DETERMINE THE EXISTING CONDITIONS AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
5. DETAILS ARE PROVIDED FOR VISUAL REPRESENTATION OF DESIGN INTENT. OTHER THE DETAILS ARE BASED ON A BASIS-OF-DESIGN PRODUCT AND/OR MATERIAL AND MAY BE DIAGRAMMATIC.
6. IF A DIFFERENT PRODUCT OR MATERIAL FROM THE INDICATED PRODUCT OR MATERIAL ON THE DRAWINGS OR SPECIFICATIONS IS SUBSTITUTED, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE ALTERNATE DETAILS AS REQUIRED FOR THE ARCHITECT/ENGINEER TO REVIEW.
7. GENERAL DIMENSIONS SHOWN ON ARCHITECTURAL DRAWINGS ARE TAKEN FROM THE CORNER TO CORNER DIMENSIONS UNLESS OTHERWISE NOTED.
8. ANY ADDITIONAL BLOCKING, BRACING, TRIM, FLASHING, SEALANTS, ETC., REQUIRED FOR INSTALLATION OF COMPLETE SYSTEMS PERTAINING TO DOORS, WINDOWS, OPENINGS, PENETRATIONS, ETC., ARE EXPECTED TO BE PROVIDED AND INSTALLED BY THE CONTRACTOR.
9. ALL SURFACES SHALL BE PROTECTED FROM DAMAGE AND SHALL BE LEFT CLEAN AND FINISHED.
10. PAINT ALL MISCELLANEOUS SURFACES, SUPPORTS, METALS, ETC. IF PERMANENTLY ATTACHED TO PAINTED SURFACE OR EXPOSED TO THE ELEMENTS.

KEY NOTES

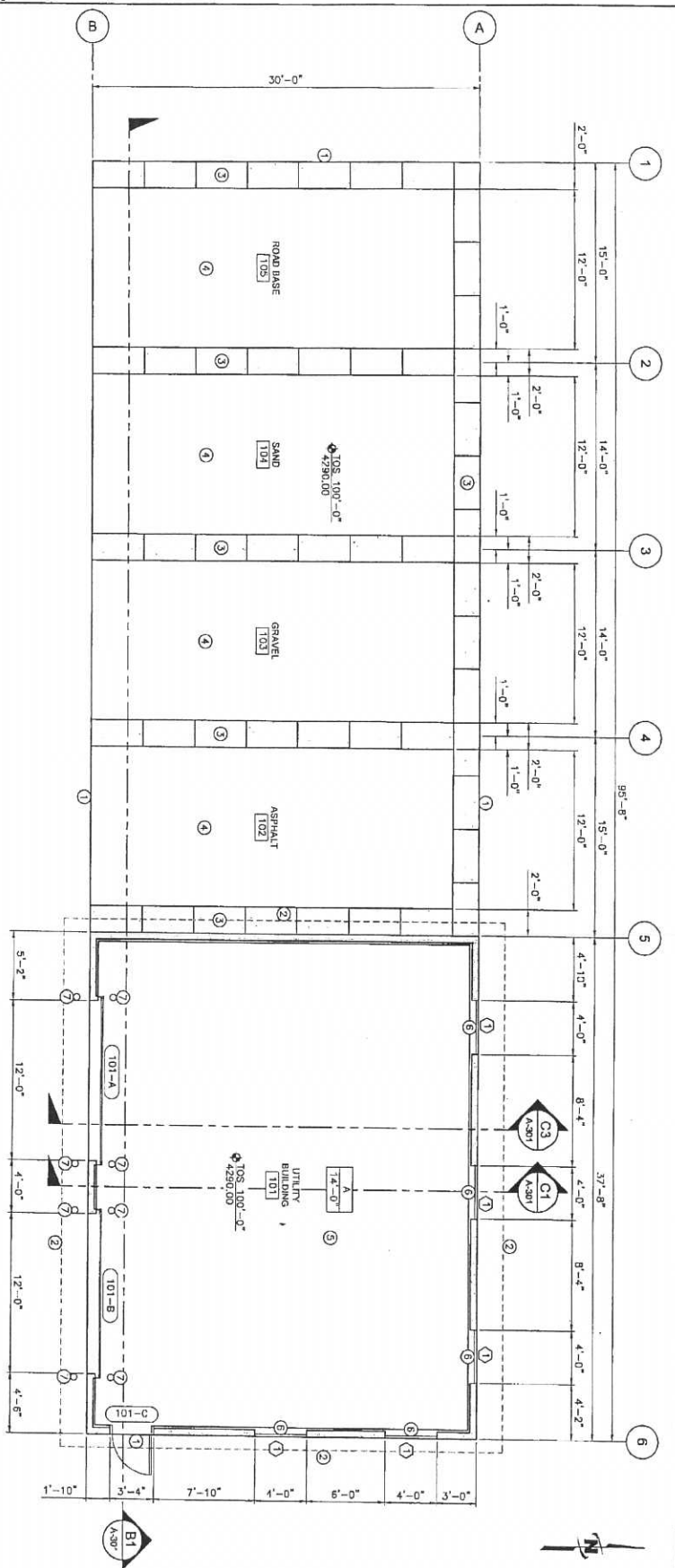
- 1 LINE OF FOOTING AND FOUNDATION. REFER TO STRUCTURAL DRAWINGS.
- 2 LINE OF ROOF ABOVE.
- 3 2'x2'x4" CONCRETE BLOCK, RUNNING BOND, 6" HIGH.
- 4 EXTERIOR CONCRETE SLAB-ON-GRADE. REFER TO STRUCTURAL DRAWINGS.
- 5 EXTERIOR CONCRETE SLAB-ON-GRADE. REFER TO STRUCTURAL DRAWINGS.
- 6 VINYL INSULATED WINDOW SYSTEM.
- 7 STEEL BOLLOWS. REFER TO (02/5-502).

CEILING TYPE

- 1 A EXPOSED PRE-ENGINEERED WOOD TRUSSES

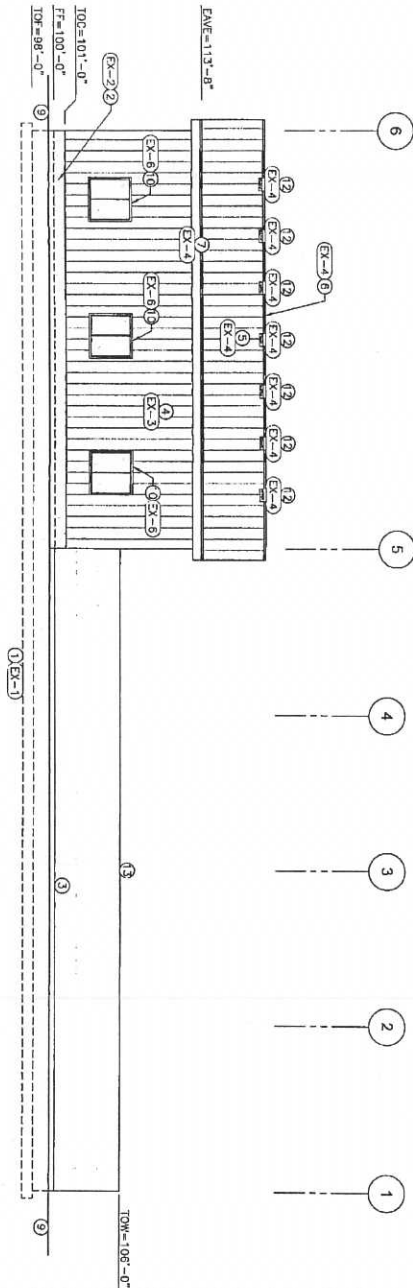
WALL TYPE

- 1 ARCHITECTURAL CONC. EXTERIOR WALL WITH ROCK RUBBER FINISH. REFER TO STRUCTURAL FOR SIZE AND REINFC.
- 2 EXTERIOR WOOD FRAMED WALL: 2x6 WOOD STUDS AT 16" ON CENTER, 1/2" GYPSUM BOARD, AND EXTERIOR FINISH ON EXTERIOR SIDE. SEE STRUCTURAL FOR SIZE AND INFORMATION. REFER TO EXTERIOR ELEVATIONS FOR COLOR AND FINISH.

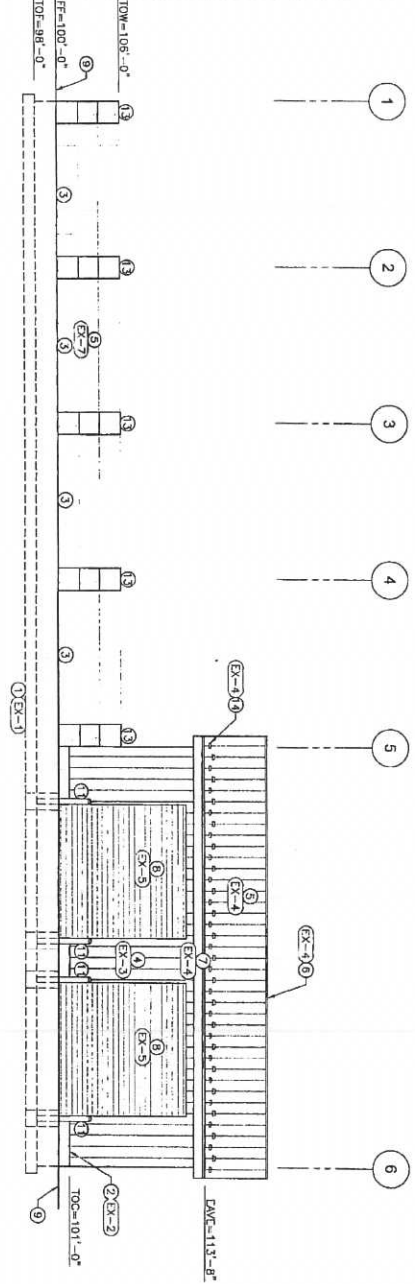


UTILITY BUILDING AND MATERIAL STORAGE BENCHLAND WATER DISTRICT		FLOOR PLAN	
REVISION NO. DESCRIPTION BY DATE		REVIEW NO. DESCRIPTION BY DATE	
DISCREPANCY NO. DESCRIPTION BY DATE		DISCREPANCY NO. DESCRIPTION BY DATE	
REUSE OF DRAWING JUB SHALL REPAIR, CORRECT, AND RE-USE OF THIS DRAWING. COPYRIGHT AND OTHER INTELLECTUAL PROPERTY RIGHTS OF JUB ENGINEERS, INC. SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JUB ENGINEERS, INC.		REUSE OF DRAWING JUB SHALL REPAIR, CORRECT, AND RE-USE OF THIS DRAWING. COPYRIGHT AND OTHER INTELLECTUAL PROPERTY RIGHTS OF JUB ENGINEERS, INC. SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF JUB ENGINEERS, INC.	
JUB ENGINEERS, INC. 466 North 900 West Kaysville, Utah 84037 Phone: 801.547.0393 Fax: 801.547.0397 www.jub.com		JUB ENGINEERS, INC. 466 North 900 West Kaysville, Utah 84037 Phone: 801.547.0393 Fax: 801.547.0397 www.jub.com	
AGENCY BENCHLAND WATER DISTRICT		AGENCY BENCHLAND WATER DISTRICT	
SHEET NUMBER A-101		SHEET NUMBER A-101	

D1
 NORTH ELEVATION
 SCALE: 3/16" = 1'-0"



B1
 SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"



GENERAL NOTES

1. CONTRACTOR SHALL FINISH AND INSTALL TRIMS, FLASHING, AND FINISH PIECES TO PRESENT A FINISHED APPEARANCE.
2. EX-2 INDICATES EXTERIOR COLOR, SEE EXTERIOR COLOR SCHEDULE.

KEY NOTES

1. LINE OF FOOTING AND FOUNDATION, SEE STRUCT DWGS
2. ARCHITECTURAL CONCRETE FOUNDATION WALL
3. EXTERIOR CONCRETE FAYWORK, SEE STRUCT DWGS
4. STANDING SEAM METAL ROOF
5. ROOF WITH STANDING SEAM SYSTEM, SEE ROOF PLAN
6. CONTINUOUS PRE-FINISHED METAL RIDGE CAP
7. METAL VENTED SOFFIT AND FASCIA (MBC FLASH SEAM PANEL SYSTEM OR APPROVED EQUAL) MECHANICALLY FASTEN TO STUDS
8. 12'-0"x12'-0" ROLL-UP DOOR, REFER TO DOOR SCHEDULE
9. APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
10. WINDOW AND FRAME, REFER TO WINDOW SCHEDULE
11. PIPE BOLLARD, TYPICAL, SWEET YELLOW
12. SLANT BACK ROOF VENT
13. 2'x2'x4' PRECAST CONCRETE BLOCK, STACKED RUNNING BOND
14. SNOW GUARD, REFER TO ROOF PLAN

SHEET NUMBER:
 A-201

UTILITY BUILDING AND MATERIAL STORAGE
 BENCHLAND WATER DISTRICT

ARCHITECTURAL ELEVATIONS

NO.	DESCRIPTION	BY	DATE

REVIEW



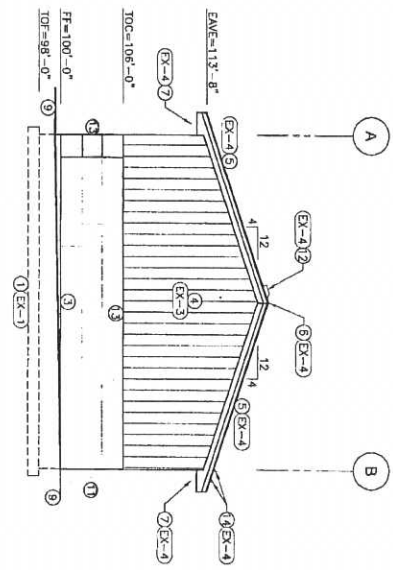
AGENCY

J-U-B ENGINEERS, INC.
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 Kayville, Utah 84037
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 www.jub.com



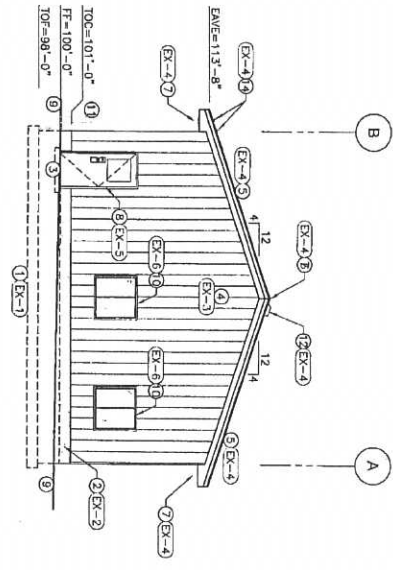
B1 WEST ELEVATION

SCALE: 3/16" = 1'-0"



D1 EAST ELEVATION

SCALE: 3/16" = 1'-0"



GENERAL NOTES

1. CONTRACTOR SHALL FINISH AND INSTALL TRIMS, FLASHING, AND FINISH PIECES TO PRESENT A FINISHED APPEARANCE.
2. EX-X INDICATES EXTERIOR COLOR, SEE EXTERIOR COLOR SCHEDULE.

KEY NOTES

1. LINE OF FOOTING AND FOUNDATION, SEE STRUCT. DWGS
2. ARCHITECTURAL CONCRETE FOUNDATION WALL
3. EXTERIOR CONCRETE FLOWWORK, SEE STRUCT. DWGS
4. STANDING SEAM METAL ROOFING
5. ROOF WITH STANDING SEAM SYSTEM, SEE ROOF PLAN
6. CONTINUOUS PRE-FINISHED METAL RIDGE CAP
7. METAL VENTED SOFFIT AND FASCIA (MFG. FLASH SEAM PANEL SYSTEM OR APPROVED EQUIV.) MECHANICALLY FASTEN TO STRUCTURE
8. DOOR AND FRAME, REFER TO DOOR SCHEDULE
9. APPROXIMATE FINISHED GRADE, SEE CIVIL DRAWINGS
10. WINDOW AND FRAME, REFER TO WINDOW SCHEDULE
11. PIPE BOLLARD, TYPICAL, SAFETY YELLOW
12. SLANT BACK ROOF VENT
13. 2x2x4 PRECAST CONCRETE BLOCK, STAKED RUNNING BOND
14. SNOW GUARD, REFER TO ROOF PLAN

UTILITY BUILDING AND MATERIAL STORAGE
 BENCHLAND WATER DISTRICT

ARCHITECTURAL ELEVATIONS

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A-202



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Planning Commission Staff Report

Conditional Use Permit for food manufacturing (bakery). July 26, 2018

Applicant/Owner: Keto Cakes Utah, LLC – Jessica Pond and Allison Adams
Location: 590 Kays Drive
Zone: LI (Light Industrial)

Description:

The LI zoning district that exists within the Kaysville Business Park lists 'Food and kindred product manufacturing or processing' as a conditional use.

The applicants are looking to locate their bakery at the above listed address and are seeking a conditional use permit prior to relocating.

Keto Cakes Utah, LLC bakes and sells low carb, sugar free, gluten free cupcakes. They sell preorders online and deliver to several pickup locations across the Wasatch Front in a refrigerated truck. They plan to bake 5,000 to 8,000 cupcakes per week, employing 15 people total, with about 5 employees per shift typically baking from 8am-5pm. Sysco delivers twice a week in the morning, as well as wholesale deliveries a few times a week. This location will occasionally be used for a will call pickup.

The location is newly developed. Each suite has large bays to handle shipments and deliveries. The applicant is looking to take 2 of the 16 suites and based on employee count is required to have 6 available off-street parking spaces. While parking is not assigned, the average per business parking at this location is 5 stalls per suite, so the bakery would essentially have 10 stalls per its use which exceeds what is required per 17-32-5 (j).

Recommendation:

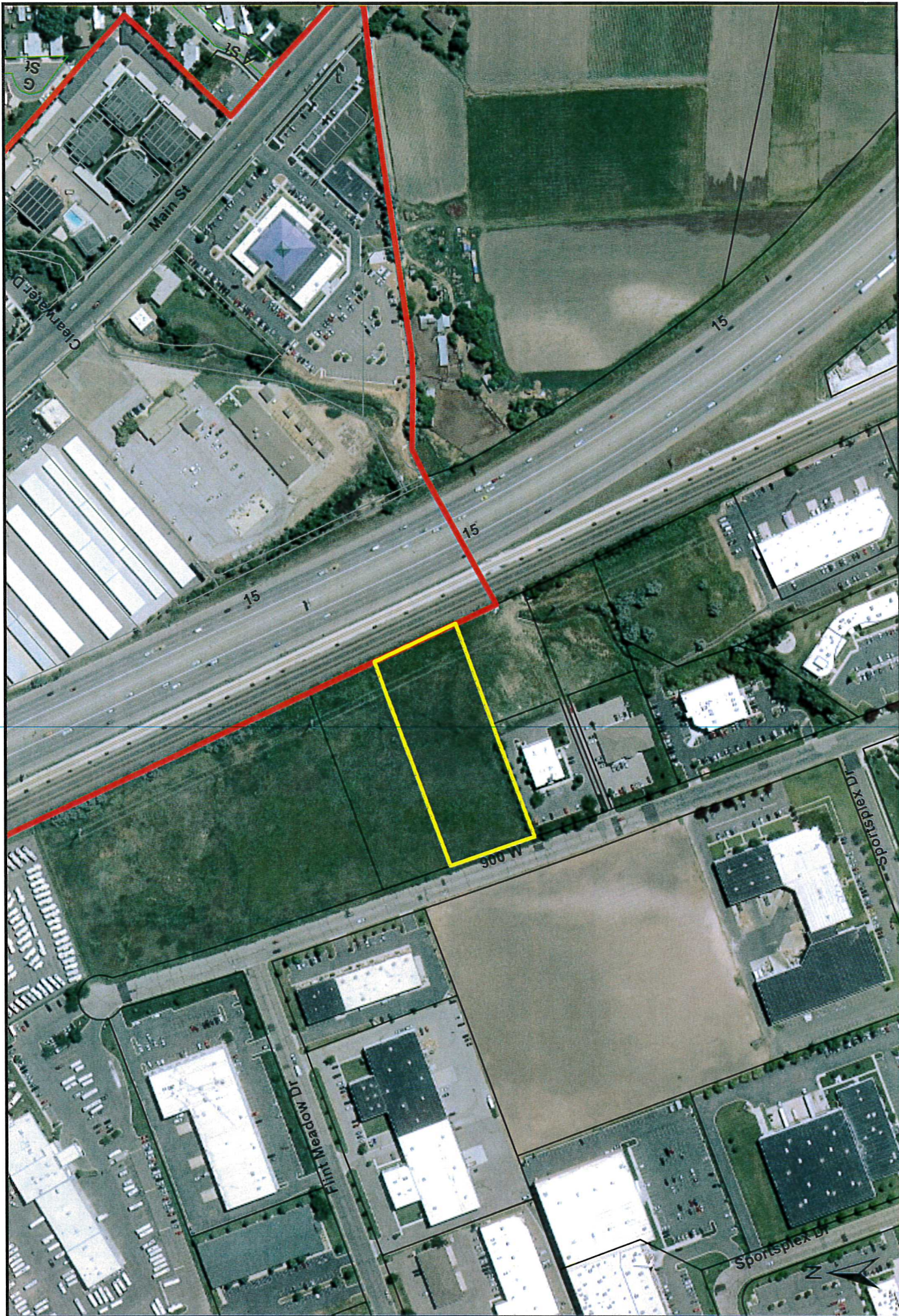
Staff has reviewed the proposal and is recommending approval of the conditional use permit for a bakery without the need for additional conditions.

Reasoning:

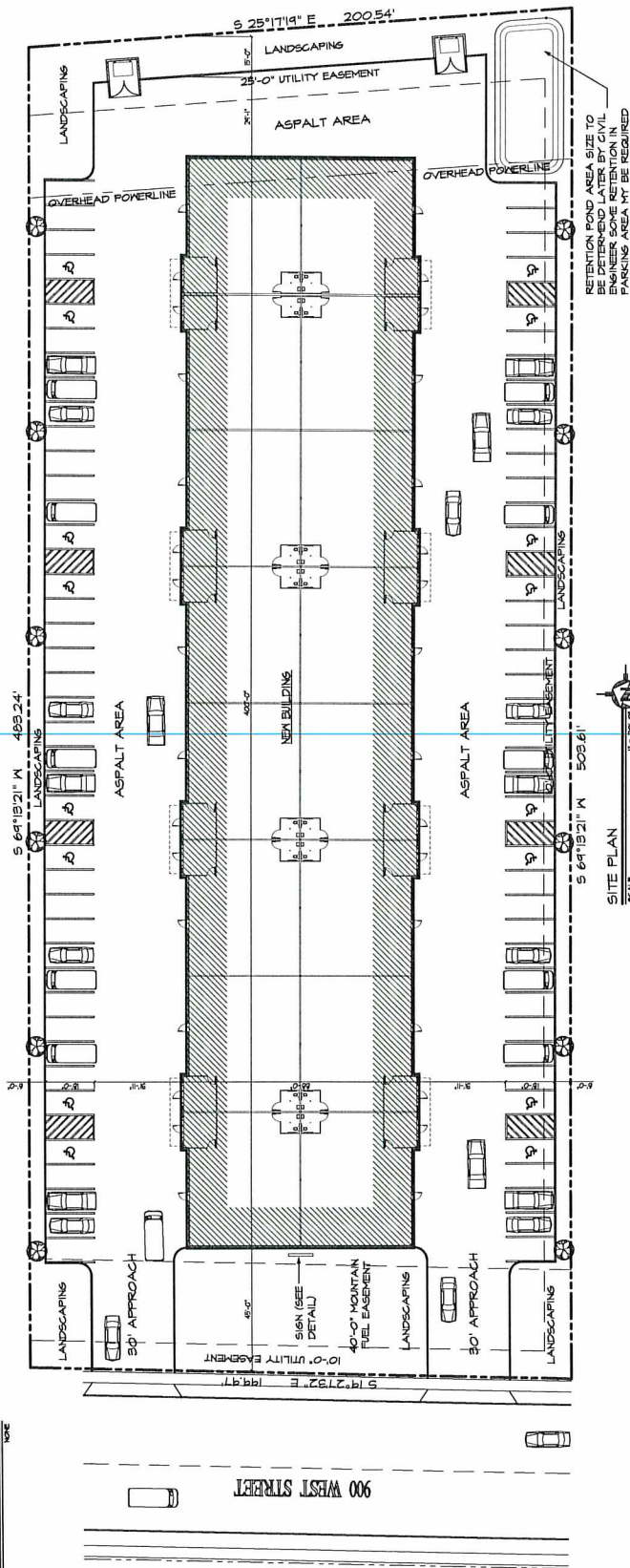
The bakery as proposed appears capable of existing at the proposed location without creating negative impacts that require mitigation through additional conditions.

Attachment 1: Location map.
Attachment 2: Site Plan

Lot 117 C - Kaysville Business Park



1930



SITE PLAN

GENERAL INFORMATION

TOTAL LOT AREA = 10,642 S.F. 2.26 ACRE
LANDSCAPING AREA = 16,300 S.F. (16.5%)
REQUIRED TREES = 37 ACRESX30 = 12 TREES
TOTAL BUILDING AREA = 34,048 S.F. (34.5%)
HARD SURFACE AREA = 48,394 S.F. (44%)
PARKING STALLS = 80 (16 HANDICAP STALLS)

SITE PLAN

RIDGELINE DESIGN
ARCHITECTS

2485 Grant Ave. Suite 105 Ogden, UT 84403
Phone 801-392-0002 Fax 801-321-1494
Phone 801-392-0002

date 02-10-16 job no 1602
 project
 SILVERCREEK KAYSVILLE LOT 117C
 KAYSVILLE UT



Planning Commission Staff Report

AN ORDINANCE AMENDING CHAPTER 19-4, FINAL PLAT, OF TITLE 19 SUBDIVISIONS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

August 9, 2018

Description:

Recently the City Council following the recommendation of the Planning Commission approved Ordinance 18-3-2 making the Planning Commission the final approval body for Final Plat applications. The attached ordinance makes a correction to other parts of city code that were in conflict with this recent ordinance. While there severability clause exists with the previous ordinance, the City Attorney stated that it would be prudent to pass another ordinance cleaning up the conflicting text.

The proposed ordinance also modifies the number of hard copies and requires a digital copy of the plat to be submitted for review reflective of current needs and review methods.

Recommendation:

Staff recommends the Planning Commission forward a recommendation for approval of the proposed ordinance as written.

Reasoning:

The proposed ordinance eliminates conflicting text within city code affirming the City Council's actions to make the Planning Commission the approval body for Final Plats.

Attachment 1: Final Plat Ordinance.

AN ORDINANCE AMENDING CHAPTER 19-4, FINAL PLAT, OF TITLE 19, SUBDIVISIONS, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a final plat approval is an administrative decision wherein the approval body does not have legislative discretion; and

WHEREAS, it has been determined that the Planning Commission is desired to function as the approval body for Final Plat Applications providing sufficient oversight and added efficiency to the process; and

WHEREAS, the City Council of Kaysville City determines it is in the best interests of its citizenry to amend this ordinance as outlined below.

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

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

SECTION II: Enactment. Section 19-2-1, SUBDIVISION DEVELOPMENT PROCESS, of Chapter 19-2, DEVELOPMENT PROCEDURES, of Title 19, SUBDIVISIONS, of the Revised Ordinances of Kaysville City, 1993, is amended as follows:

19-4-1 Tentative Final Plat Required

1. Prior to the submission of the final plat, the Subdivider shall submit ~~six (6) copies~~ a digital and hard copy of the tentative final plat to the City Engineer who shall check the tentative final plat against the requirements and conditions of approval of the preliminary plat.
2. The City Engineer shall return one (1) copy of the checked tentative final plat to the Subdivider indicating thereon any changes required.

19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
2. The final plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision final plat. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.

3. ~~The final plat shall be reviewed by the City Council. The Council shall then either approve or reject the subdivision final plat.~~ If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City Engineer.
4. No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.
5. Approval of the final plat shall be effective until the later of:
 - a. One (1) year after the date of approval by the ~~City Council~~ Planning Commission; or
 - b. Thirty (30) days after the last date on which construction of improvements was done; or
 - c. The last day of the extension period approved by the ~~City Council~~ Planning Commission.

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

6. It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City Engineer is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: Effective Date. This Ordinance shall take effect 20 days after being passed and adopted by the City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder

Planning Commission Staff Report



AN ORDINANCE AMENDING SECTION 17-34-9, FLAG LOT SUBDIVISION, OF CHAPTER 17-34, PRUD PLANNED RESIDENTIAL UNIT DEVELOPMENT, OF TITLE 17, PLANNING AND ZONING, OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

August 9, 2018

Description:

The Planning Commission has had multiple discussions recently in consideration of flag lot development on cul-de-sac streets. Historically this type of development was permitted in Kaysville City by conditional use, but has been prohibited for nearly a decade. A large amount of interest from property owners for this type development has continued, thus following up on the conversations that have been had with the Planning Commission staff has pursued additional discussion internally to determine whether or not allowing flag lots on cul-de-sac streets was problematic from a utility and public safety standpoint.

The ordinance proposed eliminates one sentence from the criteria for a flag lot in 17-34-9 which currently states 'Flag lot subdivisions are not allowed on cul-de-sac streets.' It is the opinion of staff that removing this text is an appropriate action because of how flag lots are permitted. A Flag Lot subdivision can only be approved with the PRUD overlay zone. Because approval of a zone or overlay zone is a legislative decision it allows for case by case discretion.

Experience with existing development and discussion with city department heads has yielded little to no concern regarding distance from through streets and providing utilities, even at the end of the City's longest cul-de-sac streets. Any hesitations have been softened by the ability to provide input case by case on a subdivision proposal for the consideration of the Planning Commission and City Council before approving the necessary zoning.

Recommendation:

Staff recommends the Planning Commission forward a recommendation for approval of the proposed ordinance as written.

Reasoning:

The proposed ordinance allows an additional option for development while keeping the City's ability to permit flag-lots on a case by case basis where appropriate.

Attachment 1: Flag Lot Ordinance.

AN ORDINANCE AMENDING SECTION 17-34-9, FLAG LOT SUBDIVISION, OF CHAPTER 17-34, PLANNED RESIDENTIAL UNIT DEVELOPMENT, OF TITLE 17 PLANNING AND ZONING OF THE REVISED ORDINANCES OF KAYSVILLE CITY PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, residents of Kaysville City have expressed interest in subdividing property by means of a flag lot on cul-de-sac streets; and

WHEREAS, the Kaysville City Planning Commission has held a public hearing regarding this matter; and

WHEREAS, the Kaysville City Council has determined that the proposed changes are in the best interest of the City and its residents;

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

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

SECTION II:

Section 17-34-9, FLAG LOT SUBDIVISION, of Chapter 17-34, PLANNED RESIDENTIAL UNIT DEVELOPMENT, of Title 17, PLANNING AND ZONING, of the Revised Ordinances of Kaysville City, 1993, is amended to read as follows:

17-34-9 Flag Lot Subdivision

1. **Development requirements:**

- a. The area of each flag lot shall be at least 10,000 square feet or meet the lot area required by the underlying zone district, whichever is greater.
- b. Flag lots shall have access to a street by way of a projection of at least thirty feet (30') in width along its entire length. Two flag lots with projections side-by-side may each have projections eighteen feet (18') or greater in width (for a total of not less than 36 feet) and share a common paved driveway twenty feet (20') or more in width covered by an easement so that the driveway cannot be divided.
- c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
- d. Accessory buildings shall comply with KCC 17-31-2.

2. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a flag lot subdivision shall be those uses which are permitted in the zoning district in which the flag lot subdivision is located. Two family dwellings on flag lots as conditional uses are prohibited.

3. **Applicability:**

- a. Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.
- ~~b. Flag lot subdivisions are not allowed on cul-de-sac streets.~~

SECTION VI: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VII:

This Ordinance shall take effect 30 days after final passage by the Kaysville City Council.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this ___th day of _____, 2018

Katie Witt
Mayor

ATTEST:

Maria T. Devereux
City Recorder