

KAYSVILLE CITY PLANNING COMMISSION

October 11, 2018

Members Attending: Chairperson Matthew Anderson, Gary Bullock, Betty Parker, Wilf Sommerkorn, Tamara Tran, Thomas Wood

Excused: Joshua Sundloff

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Lisa McKeown, Karen Nance, Dallin Barton

OPENING

The Planning Commission meeting was held on Thursday, October 11, 2018 at 7:00 p.m. in the Municipal Center.

Chairperson Matthew Anderson opened the meeting by welcoming those present. The minutes of the September 13, 2018 meeting were presented for approval.

Thomas Wood made a motion to approve the minutes of the September 13, 2018 meeting. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, HAIR SALON AT 904 WEST ZENYATTA WAY – LISA MCKEOWN

Lyle Gibson explained that Lisa McKeown recently moved to 904 West Zenyatta Way and is requesting a conditional use permit for a major home occupation “B” to operate a salon from her home. Ms. McKeown is a licensed cosmetologist with the State of Utah who offers hair cutting, coloring and styling. She anticipates that she may have around five clients a week that come while her children are at school.

Lisa McKeown said that she recently moved from Arizona where she also had a hair salon in her home for years. She currently only has a few clients but hopes her business will grow. If she gets to the point where it grows too much she will be looking for a commercial space.

Tamara Tran made a motion to grant a conditional use permit for a major home occupation “B”, hair salon at 904 West Zenyatta Way for Lisa McKeown. Gary Bullock seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B,
PRESCHOOL AT 163 EAST 1400 SOUTH – LISA FERGUSON**

Lyle Gibson explained that Lisa Ferguson lives at 163 East 1400 South and is requesting a conditional use permit for a major home occupation “B” to teach preschool classes from her home. Ms. Ferguson teaches a morning and afternoon class on Tuesdays and Thursdays for three hours each class. Her teaching model includes working with multiple small groups at different learning stations where children are able to focus on their specific needs while still being in a setting where they learn important social skills for their age. Because of this, Ms. Ferguson desires to be able to have as many as fifteen students at one time. To help with the students, she would like to have as many as three parents participate on a voluntary basis during each class. The Ferguson’s home is on the end of a cul-de-sac so there is little to no room for parking on the street. The applicant does have a large driveway where the volunteer parents could park. The rest of the students are dropped off, and at the end of the three hour class Ms. Ferguson would walk the students down the street to a nearby church parking lot for parents to pick up their students. The request being an organized class, per Code 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. Commonly the Planning Commission has used twelve as a limit for organized classes. This number comes from a limit in the ordinance for daycare businesses. However the Planning Commission can determine what might be the best limit for this preschool. Staff is recommending that this request be approved with the condition that the number of students be limited to no more than fifteen per class, and that no more than three adult non-resident helpers are allowed per class. If there are any problems or complaints in the future about Ms. Ferguson’s business, this item can come back to the Planning Commission for review.

Betty Parker asked what hours the preschool will be operating.

Lyle Gibson responded that Ms. Ferguson was unable to be in attendance tonight, but believes her classes are held from 9:00 a.m. to noon, and from 1:00 to 4:00 p.m.

Betty Parker commented that peak traffic hours should be avoided to help with traffic congestion.

Gary Bullock asked what the difference was between a preschool and a daycare.

Lyle Gibson responded that preschools are typically only held for a couple hours at a time, whereas daycares provide childcare all day. Daycares are regulated by the state, which also regulates the number of kids allowed. They are also allowed to have one outside employee to help in the daycare.

Wilf Sommerkorn commented that he has concerns with parking and traffic flow because there could potentially be eighteen cars coming to Ms. Ferguson’s home all at once, two times a day. Cul-de-sacs are usually already limited in their parking.

Matthew Anderson said that it seems more likely that parents will end up picking up their kids at Ms. Ferguson’s house than being walked down to a nearby church parking lot, especially during

bad weather.

Gary Bullock said that he used to live in a cul-de-sac where a neighbor had a preschool and the only time traffic flow and parking became a problem was when they would hold their preschool graduations.

Gary Bullock asked if Ms. Ferguson was already in business.

Lyle Gibson responded that she had already started her business to see what kind of interest there would be for her preschool.

Thomas Wood asked if classes would be held year round.

Lyle Gibson responded that Ms. Ferguson will follow the same schedule as traditional schools.

Thomas Wood said that this item could be tabled until the next meeting when Ms. Ferguson could be here to answer their questions.

Gary Bullock said that he feels that Ms. Ferguson's hours of operation should be restricted.

Wilf Sommerkorn asked if the neighbors were notified of this request.

Lyle Gibson responded that mailed notice is not sent to the neighbors, but there has been a public notice sign posted in the Ferguson's front yard.

Matthew Anderson commented that they could approve this request and have Ms. Ferguson work with Staff to create an acceptable traffic plan.

Gary Bullock made a motion to grant a conditional use permit for a major home occupation "B", preschool at 163 East 1400 South for Lisa Ferguson with the following conditions:

1. The number of students be limited to no more than fifteen per session.
2. There be no more than three adult non-resident volunteers per class.
3. The hours of operation be between 9:00 a.m. to noon and 1:00 to 4:00 p.m.
4. The applicant work with Staff to create an acceptable traffic plan.

Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", HEALTH COACHING AT 311 WEST FLOUR MILL DRIVE – KAREN NANCE

Lyle Gibson explained that Karen Nance is requesting a conditional use permit for a major home occupation "B" to offer group and one-on-one health coaching from her home at 311 West Flour Mill Drive. Sessions would vary by demand and groups may include as many as twelve individuals at a time. There is an office in her home, as well as space for large group sessions. In addition to the three car garage, there is also space for as many as eight vehicles in the driveway that could accommodate clients as they come to the home.

Karen Nance said that she is currently beginning to work with clients as an integrated nutrition health coach where she encourages people to become as healthy as they can through lifestyle changes and better eating habits. Currently most of her sessions are done over the phone and the internet, but she is working toward having clients coming to her home.

Tamara Tran asked how often she would hold group classes.

Karen Nance responded that classes would be held once a week in the evening or on a Saturday morning for about ninety minutes.

Matthew Anderson said that the Planning Commission had received an e-mail from a neighbor concerned about the potential traffic this might bring to the cul-de-sac.

Karen Nance said that she has places to park in her driveway and RV pad. Cars could also park adjacent to her house along Deseret Drive and go through a gate in her back yard. She will inform her clients to avoid parking on the street in the cul-de-sac.

Thomas Wood made a motion to grant a conditional use permit for a major home occupation “B”, health coaching at 311 West Flour Mill Drive for Karen Nance with the condition that the number of clients be limited to no more than twelve per session and that clients not park on the street in the cul-de-sac. Betty Parker seconded the motion and it passed unanimously.

AMENDMENT OF SECTION 17-31-25, TELECOMMUNICATION TOWERS, TOGETHER WITH AMENDMENTS TO APPLICABLE ZONING DISTRICTS WITHIN TITLE 17, PLANNING AND ZONING, TO CLARIFY WHERE TOWER TYPES MAY BE LOCATED AND BY WHICH PROCESS THEY MAY BE CONSIDERED

Lyle Gibson explained that a Public Hearing was held for this item at the September 13, 2018 Planning Commission meeting, and then was discussed at the meeting on September 27, 2018. This item has been brought before the Commission for consideration because the City has found a need for improved cell service for its emergency response services, better coverage for residents, and because the cell industry has sought to provide more options for telecommunications equipment in Kaysville. Staff has been reviewing the City’s existing ordinances and are now proposing amendments to help allow for better telecommunication tower options and more areas than what is currently allowed. With the proposed amendments, it would allow for providers to use more creative ideas to build smaller towers with only one user on them. Providers will be required to locate on existing towers in an area before being allowed to build any new tower. Applicants will also have to show that they need coverage in an area before a new tower could be built. Staff feels that this ordinance still needs a few more revisions before approval, including clarifying the height restriction and other specific parameters regarding stealth towers, and specifying criteria for what’s required of applicants.

Gary Bullock agreed that more specific requirements are needed so that applicants don’t try to go around them.

Lyle Gibson commented that they could require that these towers blend in as much as possible.

A roof mount antenna might be more intrusive depending on how it is designed. The language could also include a provision that the city could come back and require that the tower be aesthetically altered later on if we find it too intrusive to the area. Mr. Gibson added that while these towers would be allowed in a residential area, the properties must be at least ten acres in size and would have to be part of a quasi-public use, such as a church or a school. Staff feels this would help encourage applicants to look into building a stealth tower rather than a monopole.

Matthew Anderson asked who would determine if a tower is considered a stealth tower.

Lyle Gibson responded that it would be up to Staff to make that determination.

Gary Bullock asked if there would be limitation on the number of towers that could be put in one area.

Lyle Gibson responded that at the moment there is no limitation but that Staff will look into possible distance requirements so that towers can't be bunched together.

Tamara Tran suggested that the definition of "stealth tower" be clarified.

Wilf Sommerkorn said that he feels that the more specific the ordinance is, the better it will be. If it is left too vague then other interpretations could be made. The standards of both the permitted and the conditional uses also need to be looked at. What more would be required of a conditional use applicant than a permitted use? There could be general standards, but some of them could be more specific, such as requiring that colors blend into the background.

Betty Parker was excused from the remainder of the meeting.

The Planning Commission directed Staff to take the comments made tonight and incorporate them into the language of the proposed ordinance amendment.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lyle Gibson announced that because of UEA, the City Council had decided to cancel their next regularly scheduled meeting on October 18, 2018. Also there is an upcoming training opportunity with the Utah Land Use Institute at their Fall Conference on October 23-24, 2018 in Sandy, Utah.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, October 25, 2018 at 7:00 p.m.

ADJOURNMENT

Gary Bullock made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:02 p.m.