

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, November 8, 2018 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening.
2. Conditional use permit for residential child care at 469 North 300 East – Shelley Ross.
3. Final plat approval for Trailside Subdivision (formerly Peterson Subdivision) located at 849 and 881 South Sunset Drive – Elisha Peterson.
4. Public hearing and request to rezone 0.36 acre of property at 120 South Main Street from PB (Professional Business) to the HC (Health Care) zoning district – Jordan Burningham.
5. Public hearing and request to rezone 0.78 acre of property at 167 North 200 West from GC (General Commercial) to the R-T (Old Kaysville Townsite Residential) zoning district – James Pearson.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
8. 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, November 2, 2018.


Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for Residential Child Care November 8, 2018

Applicant/Owner: Shelley Ross
Location: 469 North 300 East
Zone: R-1-8

Description:

Ms. Ross is requesting a conditional use permit for residential child care. She is planning on groups of up to four (4) children at a time. Children would range in age from 0 to 3 years old. She has previously worked at commercial day care center and desires to start her own daycare from her Kaysville home.

17-26-6 Residential Child Care

Residential child care of not more than twelve (12) children may be allowed by conditional use permit in all zones. The following regulations shall apply to all residential child care.

1. The child care shall comply with all regulations of the State of Utah. A child care provider who cares for five (5) to eight (8) children shall obtain a State Residential Child Care Certificate. A child care provider who cares for nine (9) or more children shall obtain a State license.
2. One (1) person not residing in the dwelling may work in the residential child care. There may be more than one non-resident employee, but only one may be on the premises at a time.
3. Off street parking shall be provided for the residents and employees.

Ms. Ross does not anticipate having a non-resident employee. She has a room designated in the home for the use of the daycare and an enclosed yard.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for Residential Child Care subject to compliance with 17-26-6 of the Kaysville City Ordinance.

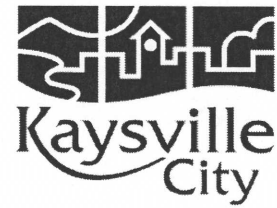
Reasoning:

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

Attachment 1: Area Map

469 North 300 East





Planning Commission Staff Report

Trailside Subdivision (Formerly Peterson Subdivision) Final Plat November 8, 2018

Applicant/Owner: Elisha Peterson
Location: 849 and 881 South Sunset Drive
Current Zone: R-1-LD

Description:

The zoning and preliminary plat for this subdivision was approved in January of this year. During the meeting on 1/18/18 the City Council voted to approve the preliminary plat without the need for sidewalk along the private street.

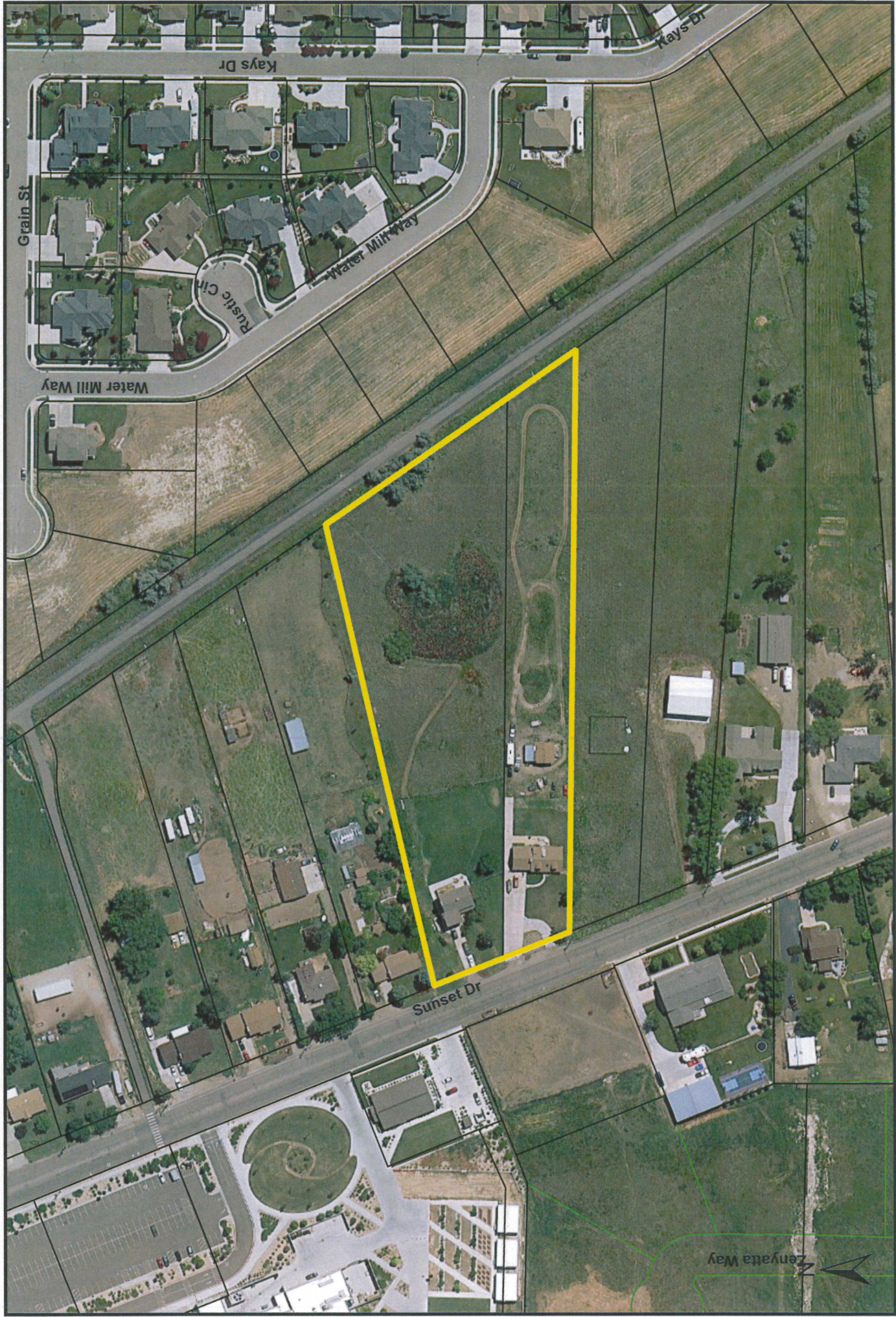
The original plat included a private lane cul-de-sac street with 9 lots. The applicant has now completed the engineering and is requesting final plat approval for this subdivision. The final plat includes only 8 lots still on a private cul-de-sac street.

Recommendation:

The plat is in compliance with the preliminary plat, the existing R-1-LD zone, and the engineering is in good order, therefore, Staff recommends that the Planning Commission grant approval for the final plat of the Trailside Subdivision.

Attachment 1: Location Map
Attachment 2: Preliminary Plat
Attachment 3: Final Plat

Trailside Subdivision - 849 and 881 South Sunset Drive





TRAILSIDE SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
KAYSVILLE CITY, DAVIS COUNTY, UTAH

SURVEYOR'S CERTIFICATE
I, STEPHEN J. JACKELL, CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 191517, ISSUED BY THE STATE OF UTAH, AND THAT I HAVE CONDUCTED THIS SURVEY IN ACCORDANCE WITH THE UTAH SURVEYING ACT, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, I, THE SURVEYOR, HAVE BEEN ADVISED BY THE OWNER THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE WEST LINE OF THE OLD IN RE ROAD RIGHT OF WAY SAID POINT BEING THE CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, QUARTER CORNER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE SOUTH 34°40'57" EAST ALONG SAID WEST LINE 415.67 FEET; THENCE NORTH 69°46'47" WEST 100.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 79°07'24" EAST 341.78 FEET TO THE POINT OF BEGINNING.
CONTAINS: 197,235 SQ FT 4.53 ACRES (8 LOTS)

DATE _____
STEPHEN J. JACKELL
LICENSE NO. 191517

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____ THE _____ (UNDERSIGNED OWNER) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SURVEYED INTO LOTS AS SHOWN ON THIS PLAT, AND HAVING CAUSED THE SAME TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF UTAH, DO HEREBY DEDICATE TO THE PUBLIC ALL PUBLIC STREETS AND PUBLIC UTILITY AND DRAINAGE EASEMENTS AS SHOWN HEREON.
IN WITNESS WHEREOF _____ HAVE HEREUNTO SET _____ THIS _____ DAY OF _____ A.D. _____

ACKNOWLEDGMENT

STATE OF UTAH)
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, THE SIGNER (_____) OF THE ABOVE OWNERS DEDICATION, _____ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT _____ SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

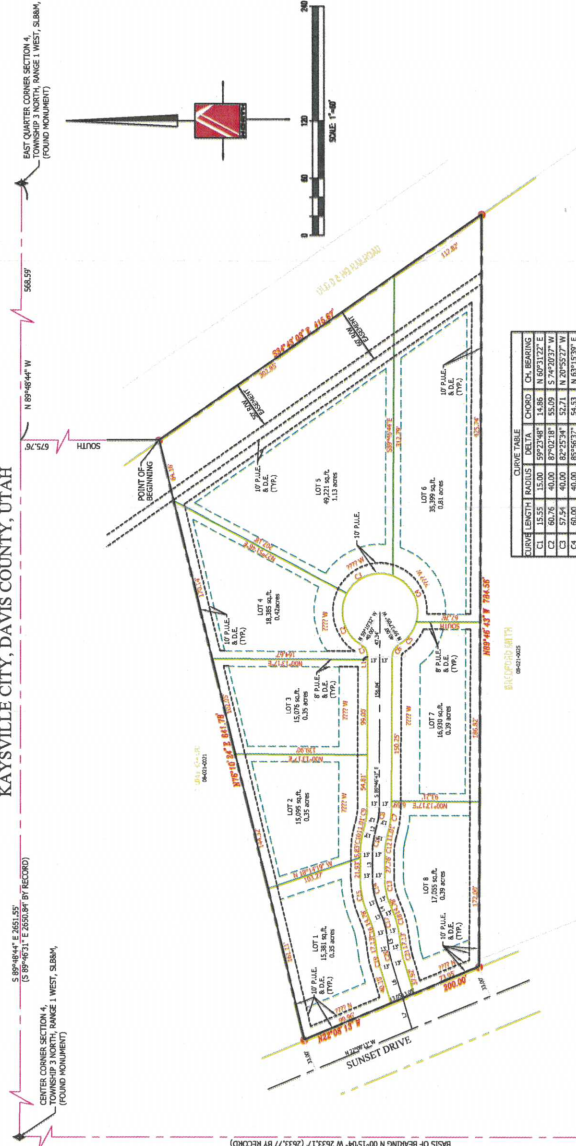
MY COMMISSION EXPIRES: _____
NOTARY PUBLIC
RESIDING IN DAVIS COUNTY
UTAH

TRAILSIDE SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 3 NORTH, RANGE 1 WEST,
SALT LAKE BASE AND MERIDIAN,
KAYSVILLE CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER
ENTRY NO. _____
PAID _____
RECORDED THIS _____ DAY OF _____ 20____ AT _____
OFFICIAL RECORDS PAGE _____

CITY COUNCIL APPROVAL
APPROVED THIS _____ DAY OF _____ 20____
BY THE KAYSVILLE CITY COUNCIL
ATTEST:
KAYSVILLE CITY RECORDER KAYSVILLE CITY MAYOR

PINNACLE
Engineering & Land Surveying, Inc.
327 West Center Ave. 40
Lehi, UT 84043
Phone: (801) 734-4349
Fax: (801) 734-4349

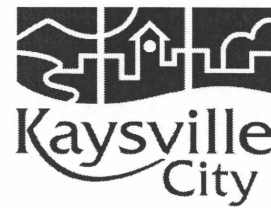


LINE	BEARING	LENGTH
L1	N 89°46'47\"	3.04
L2	N 89°46'47\"	3.04
L3	S 89°46'47\"	27.36
L4	S 89°46'47\"	14.78
L5	S 72°29'14\"	23.12
L6	S 72°29'14\"	23.12

CURVE	LENGTH	RADIUS	DELTA	CURVED	CH. BEARING
C1	68.76	40.00	87°42'18\"	55.09	S 74°02'27\"
C2	57.54	40.00	82°23'24\"	52.71	N 20°25'27\"
C3	40.00	40.00	90°00'00\"	0.00	N 90°00'00\"
C4	40.00	40.00	90°00'00\"	0.00	N 90°00'00\"
C5	15.55	15.00	99°23'40\"	14.86	N 69°46'47\"
C6	21.13	85.00	17°40'27\"	21.09	S 82°35'12\"
C7	14.50	42.00	13°40'04\"	14.86	S 82°35'12\"
C8	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C9	15.55	15.00	99°23'40\"	14.86	N 69°46'47\"
C10	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C11	15.55	15.00	99°23'40\"	14.86	N 69°46'47\"
C12	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C13	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C14	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C15	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C16	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C17	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C18	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C19	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"
C20	21.42	85.00	17°40'27\"	21.37	N 82°35'12\"

- LEGEND**
- PROPERTY LINE
 - LOT LINE
 - CENTER / SECTION LINE
 - STREET RIGHT-OF-WAY LINE
 - EASEMENT LINE
 - ADJOINING PROPERTY LINE
 - SET BACK LINE
 - SURVEY MONUMENT
 - SECTION CORNER
 - PUBLIC UTILITY AND DRAINAGE EASEMENT
 - REBAR & CAP TO BE SET

Planning Commission Staff Report



Public Hearing for the Rezone of 0.36 acres at 120 South Main Street from PB (Professional Business) to the HC (Health Care) zoning district. November 8, 2018

Applicant/Owner: Jordan Burningham / Kaysville Clinic LLC.

Description:

The property is currently zoned to allow for professional offices and has been home to the Kaysville Clinic for many years where family medicine is practiced. The request for the rezone would allow for the Kaysville Clinic to continue operation but would accommodate an expanded use where patients who need extended care could receive aid. In addition to family medicine, the Kaysville Clinic offers outpatient addiction treatment. In partnership with Diamond Tree Recovery, the Kaysville Clinic is looking to allow patients to stay for a period of 5 to 7 days where they could have 24-hour care and assistance as they seek help to begin their recovery from addictive substances. Patients would only be at this location for that short term before being moved to a longer term recovery facility where additional help can be offered.

While the service continues to be medical in nature, the use most closely fits within the HC zoning district because of the type and length of care provided.

Existing Zoning Regulations:
PB Zoning District

17-18-1 Purpose

To provide sites for offices in which the intensity of use, in terms of hours of operation and number of customers, is less than that of a commercial zone. The Professional Business District may be applied to properties that front on Main Street or front on 200 North Street.

17-18-2 Site Plan Review

A site plan review is required and a site plan shall be submitted for all permitted and conditional uses. (Consult KCC Chapter 18-4.)

17-18-3 Permitted Uses

1. Business and professional offices.
2. Accessory uses and structures considered incidental and customary to a permitted use subject to the provisions of KCC 17-31-2.

17-18-4 Conditional Uses

There are no conditional uses.

Requested Zoning Regulations:

HC Health Care District

17-17-1 Purpose

To provide areas in appropriate locations where residential health care facilities with various support services for residents may be established, maintained and protected. The regulations of this district are designed to promote and encourage longer term health care facilities.

17-17-2 Site Plan Review

A site plan is required and a site plan shall be submitted for all permitted and conditional uses (consult KCC Chapter 18-4).

17-17-3 Permitted Uses

1. Residential facilities for persons with a disability.
2. Assisted living facilities.
3. Nursing care facilities.
4. Accessory uses and buildings considered incidental and customary to a permitted use, subject to the provisions of KCC 17-31-2.

17-17-4 Conditional Uses

There are no conditional uses.

17-17-5 Accommodations For Persons With Disabilities

1. Reasonable accommodations that may be necessary for persons with disabilities to have an equal opportunity to use and enjoy dwellings shall be determined through an interactive process resulting in a development agreement. The rezone to Health Care District will be approved if a development agreement is approved by the developer and City Council. The development agreement shall be in effect before the zone is effective and the zone shall be voided if the provider of the residential health care facility fails to comply with the development agreement.
2. Accommodations for persons with disabilities shall be granted if the requested accommodations are found to be:
 1. Necessary to afford persons or groups of persons with disabilities, as defined by the Fair Housing Act, an equal opportunity to use and enjoy a dwelling; and
 2. Reasonable. A requested accommodation is reasonable if it will not:
 1. Impose an undue financial or administrative burden on a local government; or
 2. Create a fundamental alteration in the land use and zoning scheme.

17-17-7 Area, Lot Coverage And Yard Requirements

There are no lot size or yard requirements except that where a lot in the Health Care District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20'). An existing building may have the twenty feet (20') yard requirement reduced to the yard requirement of the abutting residential zone if the reduced yard contains only landscaping.

The City's **General Plan** states, among other things:

GOALS AND POLICIES

I. Identity and Character

A. Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

II Defining Features

A. The City Center should be developed as a traditional main street. 1. Create a large and varied grouping of uses to sustain civic and economic activity.

LAND USE

Background Land use in Kaysville is mostly low density residential with agriculture and open space, businesses and industries. Housing will be the greatest use of land with business, industry, recreation, education, and other uses to support that housing.

II. Business and Industry

A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

(Main Street is classified as a Major Street per Kaysville City's Major Street Plan in Section 8-3-2.)

Recommendation:

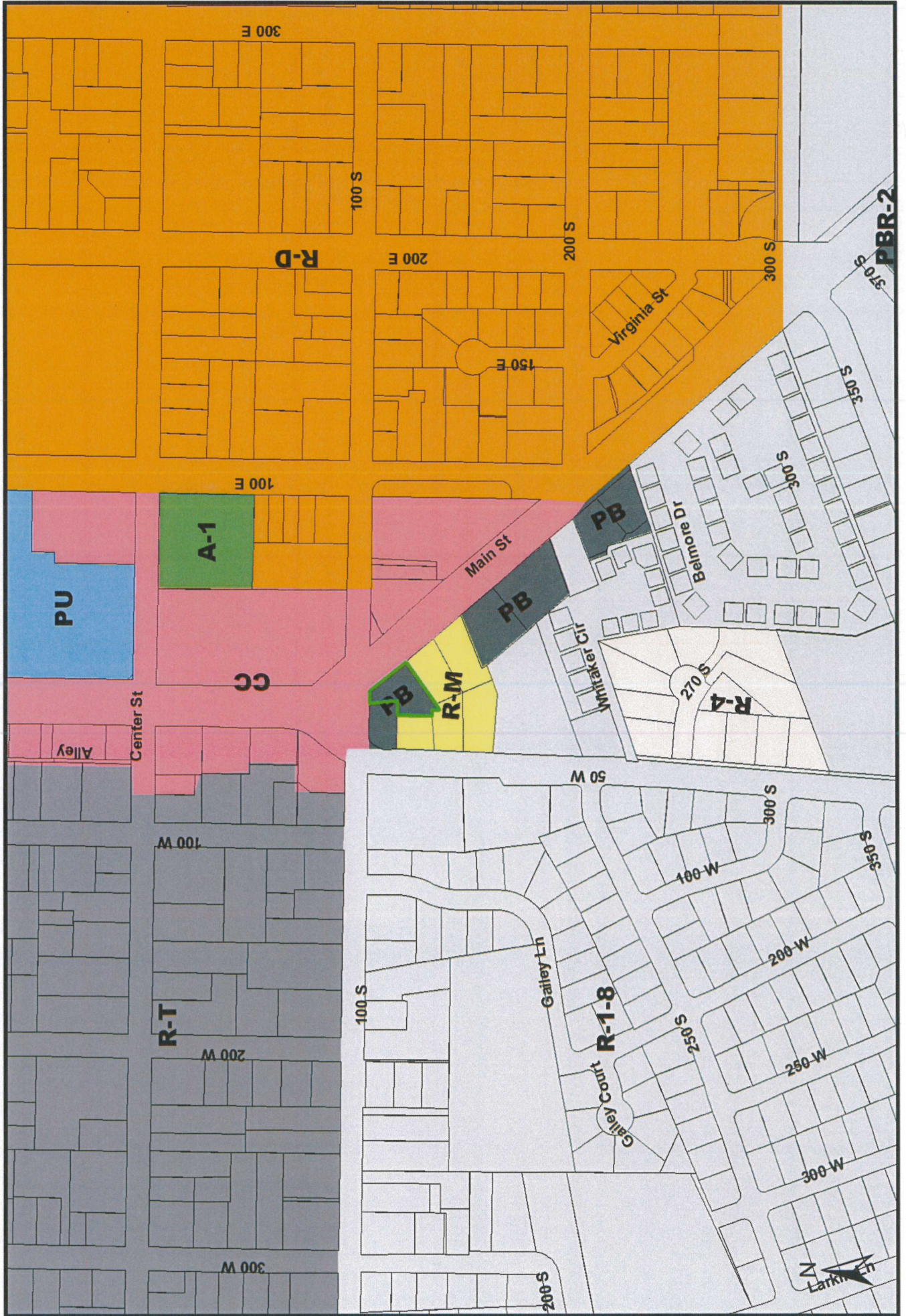
In consideration of a rezone request, the Planning Commission is looking to give a recommendation to the City Council and has the ability to use broad discretion as to whether or not the request is appropriate based on the city's general plan and how the request fits at the specific location.

Attachment 1: Area Map
Attachment 2: Zoning Map

Rezone of 120 South Main Street from PB to HC



120 South Main Street - Rezone from PB to HC





Planning Commission Staff Report

Public Hearing for the Rezone of 0.78 acres at 167 North 200 West from the GC (General Commercial) to the R-T (Old Kaysville Townsite Residential) zoning district. November 8, 2018

Applicant/Owner: James Pearson

Description:

While the subject property is located in the General Commercial zoning district just south of 200 North Street. The property currently has a home and detached garage and exists as a legal but non-conforming dwelling. The applicant/property owner has informed staff of his desires to rezone the property due to the difficulty of selling and developing the property for commercial use.

While the property may continue to have a dwelling under the existing non-conforming status, Chapter 17-29, Non-Conforming Uses, of the Kaysville City Ordinance restricts what can be done with such a property. 17-29-1 states the purpose of this ordinance is 'to control and gradually eliminate those uses of land or buildings, which although [legal when established], do not now conform to the use regulations of the district within which they are located.' Meaning that additions and significant changes to the home which may make it more desirable for use as a dwelling would not be permitted.

The existing zoning matches properties along 200 north while the requested zone would match the neighborhood to the south.

Existing Zoning Regulations:
GC Zoning District

17-19-1 Purpose

To provide for appropriate uses in locations in which business, commercial, industrial, entertainment, and related activities may be established. The regulations of this district are designed to provide for a suitable environment for those uses which are vital to the economic life of the city.

17-19-3 Permitted Uses

1. Offices.
2. Retail sales and services, not including storage services, sale of beer for consumption on the premises, sale of liquor for consumption on the premises and conditional uses in KCC 17-19-4.
3. Government offices and services.

17-19-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Single family dwellings which are an integral part of a commercial use and serves as housing for the proprietor or an employee.
2. Light industry/research uses subject to the provisions of KCC Chapter 17-23.
3. Buildings of height greater than thirty-five feet (35').
4. Recreational vehicle parks subject to the provisions of KCC 17-31-24.
5. Telecommunication towers and telecommunication towers of height greater than thirty-five feet (35') subject to the provisions of KCC 17-31-25.
6. Public utility substations.
7. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
8. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.

Requested Zoning Regulations:

R-T Old Kaysville Townsite Residential District

17-11-1 Purpose

To preserve the character and historic nature of the area known as the Old Kaysville Townsite through the establishment of uses and goals intended to assure greater compatibility of new construction with the existing neighborhood that displays a unique historical appeal. This zoning district promotes a consistent streetscape with sidewalks on only one side of the street, large street trees and swales and promotes the preservation, continuity, beauty and feel of the area. The area within the R-T zone conveys a certain sense of time and place associated with its history. New construction should, to the greatest extent possible, maintain the established mass, scale, height, width, and form of other buildings on the street. New buildings and additions may be larger than existing buildings, but should not be so dramatically greater in scale such that the visual continuity of the street is compromised.

17-11-3 Permitted Uses

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of KCC Chapter 17-26.
5. Two household pets per dwelling unit.
6. Private swimming pools subject to the provisions of KCC 17-31-9.
7. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of KCC 17-31-2.
8. Fowl, rabbits, or similar animals subject to the provisions of KCC Chapter 17-24.

17-11-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Major home occupations A and B subject to the provisions of KCC Chapter 17-26.
3. Residential child care subject to the provisions of KCC Chapter 17-26.
4. Temporary buildings for uses incidental to construction work subject to the provisions of KCC 17-30-7, which buildings must be removed upon the completion or abandonment of the construction.
5. Public utility substations subject to the provisions of KCC 17-31-15.
6. Farm animals other than those allowed as a permitted use subject to the provisions of KCC Chapter 17-24.
7. Swimming clubs subject to the provisions of KCC 17-31-10.

The City's **General Plan** states, among other things:

GOALS AND POLICIES

I. Identity and Character

A. Kaysville should be primarily a residential community with a vision to promote business, industry and public use.

III. Growth and Development

A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.

1. Refurbish or replace deteriorating structures so that land is used to its longterm potential.
2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
3. Encourage businesses and industries to locate and invest within the City.
4. Regulate the more intensive uses that create traffic and public service problems and costs.

LAND USE

Background Land use in Kaysville is mostly low density residential with agriculture and open space, businesses and industries. Housing will be the greatest use of land with business, industry, recreation, education, and other uses to support that housing.

II. Business and Industry

A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

B. Home occupations should be located throughout the City, but not be allowed to change or interfere with the character of residential areas.

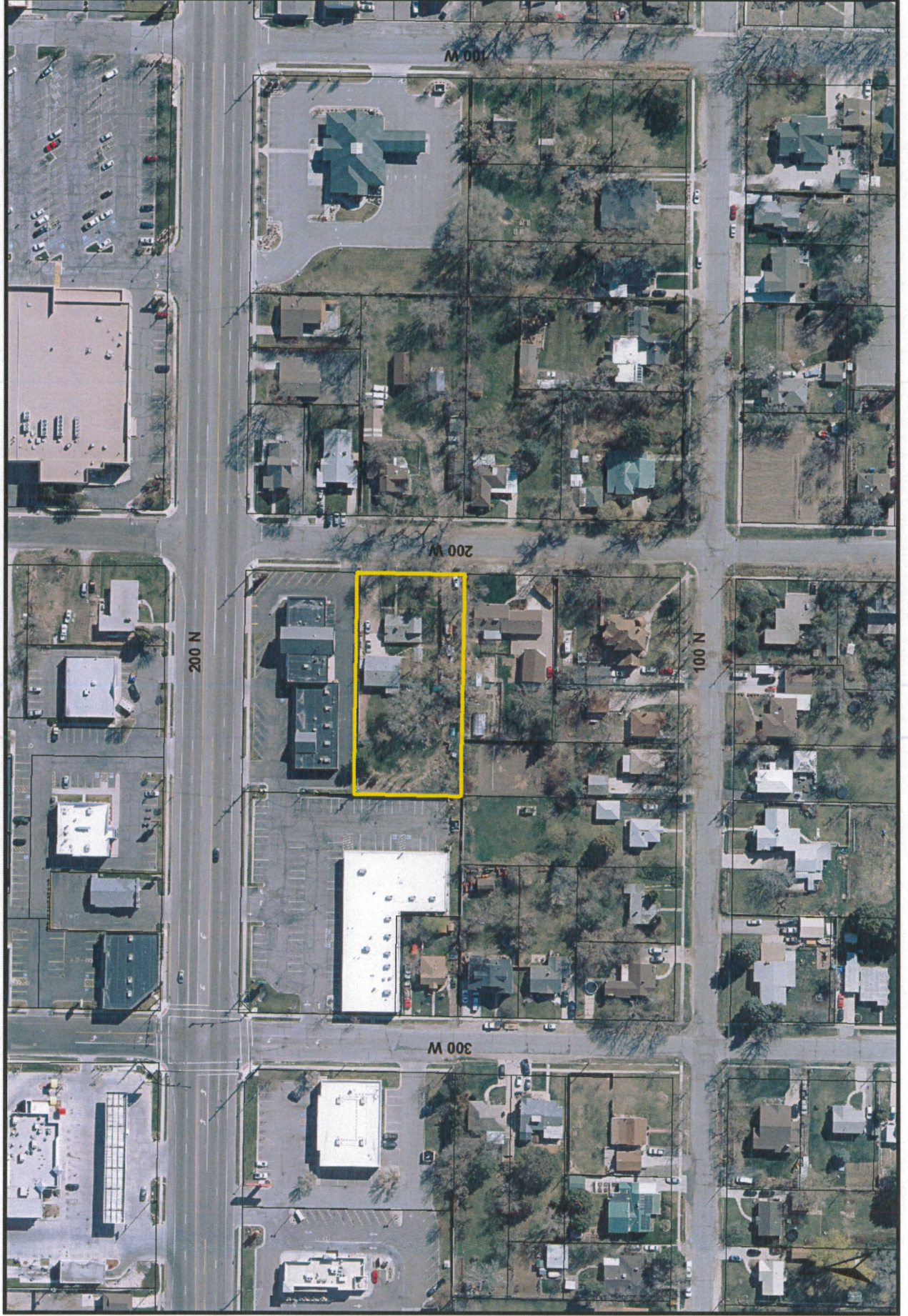
(200 North Street is classified as Major Streets per Kaysville City's Major Street Plan in Section 8-3-2.)

Recommendation:

In consideration of a rezone request, the Planning Commission is looking to give a recommendation to the City Council and has the ability to use broad discretion as to whether or not the request is appropriate based on the city's general plan and how the request fits at the specific location.

Attachment 1: Area Map
Attachment 2: Zoning Map

Rezone of 167 North 200 West from GC to RT



167 North 200 West - Rezone from GC to R-T

