

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 8, 2019 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of the minutes from the meeting July 11, 2019.
2. Public Hearing for the rezone of .38 acres of combined property at 520 and 540 E. 200 N. from RD (Diverse Residential) to the RM (Multi Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Brent Burningham.
3. Public Hearing for the rezone of 25.34 acres of property at 700 S. Deseret Drive from GC (General Commercial) to LI (Light Industrial) and R-2 (One to Two Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Phil Holland.
4. Public Hearing and preliminary plat approval for The Cottages at Harvey Estate at 1955 W. 200 N. – Capital Reef Management/Brad Frost.
5. Final plat approval for Westgate Subdivision at 2301 W. Schick Lane– Perry Development.
6. Review Planning Commission bylaws—Wilf Sommerkorn.
7. Call to the public.
8. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
9. 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 2, 2019.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Public Hearing and Request to rezone 0.38 acres of property at 520 and 540 East 200 North to include the PRUD overlay zone.

August 8, 2019

Applicant/Owner: Brent Burningham

SUMMARY

The subject property is currently developed. Each address includes an existing duplex along 200 North Street. The existing buildings were constructed in the early 1960's and the applicant/property owner is interested in options for redevelopment of the property.

The existing zoning district allows single family dwellings as a permitted use or multiple dwellings by conditional use if they are pre-existing, meaning in staff's opinion that the same number of existing units could be replaced.

The applicant is requesting the R-M zoning district to allow for the possibility of additional units and the PRUD overlay zone to allow for more flexibility in their configuration and the ability to plat each unit separately.

The property is surrounded by the R-D zoning district to the west, south, and east with R-1-8 zoning to the north.

As a rezone request, this is a legislative decision and the Planning Commission will be seeking to make a recommendation to the City Council where the final decision will be made.

EXISTING ZONING – R-D – CHAPTER 17-13

17-13-1 Purpose

To provide for areas in appropriate locations where quiet medium density neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, many of whom will have children. To this end, the regulations permit the establishment of a mix of mostly single-family dwellings with two-family dwellings and some multiple family dwellings, and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

17-13-2 Site Plan Review

Conditional uses in an R-D Zone District, except for temporary buildings and temporary offices and the keeping of farm animals, shall be subject to a site plan review as specified in [KCC 18-4](#). On a case-by-case basis, the Commission may also require temporary buildings and temporary offices to obtain site plan approval.

17-13-3 Permitted Uses

1. Single-family dwellings.
2. Agriculture.
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 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. Two household pets per dwelling unit.
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
9. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

HISTORY

Amended by Ord. [19-07-01](#) on 7/2/2019

17-13-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Multiple dwellings, not to exceed six (6) dwelling units per building, legally existing upon the effective date of this Chapter. The lot area shall be not less than eight thousand (8,000) square feet for a two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, and sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling.
2. 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.
3. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. 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.
6. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).
7. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
8. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
9. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
10. Public utility substations subject to the provisions of [KCC 17-31-15](#).

17-13-5 Height Regulations

1. No building shall exceed thirty feet (30') in height, except as provided in [KCC 17-25-2](#).
2. No accessory building shall exceed fifteen feet (15') in height, except as provided in [KCC 17-25-2](#) and [KCC 17-31-2](#).
3. No main building shall be less than ten feet (10') in height, or no accessory building less than six feet (6') in height.

17-13-6 Area, Lot Width, And Yard Requirements

The following minimum requirement shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be sixty-four feet (64') measured at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').

5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The minimum rear yard for any main building shall be fifteen feet (15').

REQUESTED ZONING: R-M – 17-16

17-16-1 Purpose

To provide for areas in appropriate locations where neighborhoods of varying degrees of density may be established, maintained, and protected. The regulations of this district are designed to promote and encourage an intensively developed residential environment suitable primarily for adult living. To this end, the regulations permit, in accordance with stated regulations, dwellings ranging from single-family to multiple and necessary public services and activities subject to proper controls.

17-16-2 Site Plan Review

All permitted and conditional uses in an R-M Zone District, except for single-family and two-family (duplex) dwellings, temporary buildings and temporary offices, and the keeping of farm animals, shall be subject to a site plan review as specified in [KCC 18-4](#). On a case-by-case basis, the Planning Commission may also require temporary buildings and temporary offices to obtain site plan approval.

17-16-3 Permitted Uses

1. Single-family dwellings.
2. Multiple 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 17-26](#).
5. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
6. Two household pets per dwelling unit.
7. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
8. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of [KCC 17-31-2](#).

17-16-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type; not including storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Residential child care subject to the provisions of [KCC 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. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).
6. Twin homes subject to the provisions of [KCC 17-28](#).
7. Public utility substations subject to the provisions of [KCC 17-31-15](#).
8. Farm animals subject to the provisions of [KCC 17-24](#).
9. Business, professional, and government offices.
10. Swimming clubs subject to the provisions of [KCC 17-3-10](#).

17-16-5 Height Regulations

1. No building shall exceed thirty feet (30') in height, except as provided in [KCC 17-25-2](#).

2. No accessory building shall exceed fifteen feet (15') in height, except as provided in [KCC 17-25-2](#) and [KCC 17-31-2](#).
3. No main building shall be less than ten feet (10') in height, and no accessory building less than six feet (6') in height.

17-16-6 Required Conditions

1. Multiple dwellings shall provide usable functional open space, excluding planting strips, for outdoor leisure of at least: 800 square feet per unit per one (1) and two (2) family dwellings; 600 square feet per unit per three (3) and four (4) family dwellings, and 400 square feet per unit per each additional dwelling unit.
2. Multiple dwellings shall provide enclosed outside storage space of at least twenty (20) square feet for each dwelling unit.

17-16-7 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed, except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet for a one or two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling, and not less than two thousand, eight hundred (2,800) square feet per dwelling unit.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16'). For each additional dwelling unit above two (2) units in a building, each side yard shall be increased by two (2) additional feet.
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner lots, the yards which abut a street shall be not less than twenty feet (20') for both main and accessory buildings.
7. The minimum rear yard for any main building shall be fifteen feet (15').

REQUESTED ZONING: PRUD OVERLAY ZONE – 17-34

17-34-1 Purpose

The purpose of the Planned Residential Unit Development is to encourage a better living environment through greater flexibility of design that is not possible solely through the application of the standard zoning requirements; to encourage diversification in the relationship of residential uses and structures to their sites; to permit a more flexible development of such sites; to preserve meaningful open space, conservation areas, and sensitive lands such as wetlands, steep slopes, and unique vegetation; to preserve character, and assure greater compatibility of new construction with the existing neighborhood; to encourage good neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans so as to give imagination and variety in the physical pattern of the development. New construction in already developed areas should, to the greatest extent possible, maintain the established mass, scale, height, width, and form of the surrounding buildings.

17-34-2 Planned Residential Unit Development Defined

Planned Residential Unit Developments are either common open space subdivisions, private street subdivisions, flag lot subdivisions, or a combination.

17-34-3 Planned Residential Unit Development Overlay Zone

The Planned Residential Unit Development overlay zone may be allowed in the agricultural and residential districts after review and approval of the subdivision and development agreement as applicable. Application for a Planned Residential Unit Development does not guarantee the applicant nor the property owner the right to exercise the provisions of this Chapter.

17-34-4 Zone Flexibility

The Planned Residential Unit Development overlay zone shall be used in combination with existing conventional zones. The Planning Commission and City Council may, in the process of approving conceptual, preliminary, or final Planned Residential Unit Development plans, approve variations from applicable development standards in the underlying zone.

17-34-5 Additional Criteria

1. In considering the application for Planned Residential Unit Development overlay zone, the following shall be evaluated:
 1. A comprehensive and harmonious arrangement of buildings, circulation ways, parking and development amenities.
 2. The relationship to existing and proposed land uses and circulation plans of the community, and avoidance of any disrupting element in the neighborhood.
 3. Housing Types.
 4. Impacts of the roads, lanes or driveways on adjacent properties.
 5. Impacts on the privacy of adjacent properties.
2. These may be mitigated by imposing conditions such as:
 1. Fencing.
 2. Landscaping for screening and/or aesthetics.
 3. Building placement, height and mass.
 4. Building design, such as number of stories, exterior building materials and placement of windows on corner lots and second levels.
 5. Reduction in density.
 6. Grading.

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

Identity and Character:

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

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 long-term 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

Housing

A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

1. West of I-15, allow zero to two units per acre with some higher density housing along the major streets.

B. The majority of the housing should be one unit per structure (single unit). About ten percent (10%) of the housing should be more than one unit per structure (multiple unit). Multiple unit

housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.

C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.

D. Housing developments should essentially pay for themselves.

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

Recommendation:

Rezone:

The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan, and how well the proposal works at this specific location. The Planning Commission may make recommendations to approve, or deny the request.

Attachment 1: Location Map

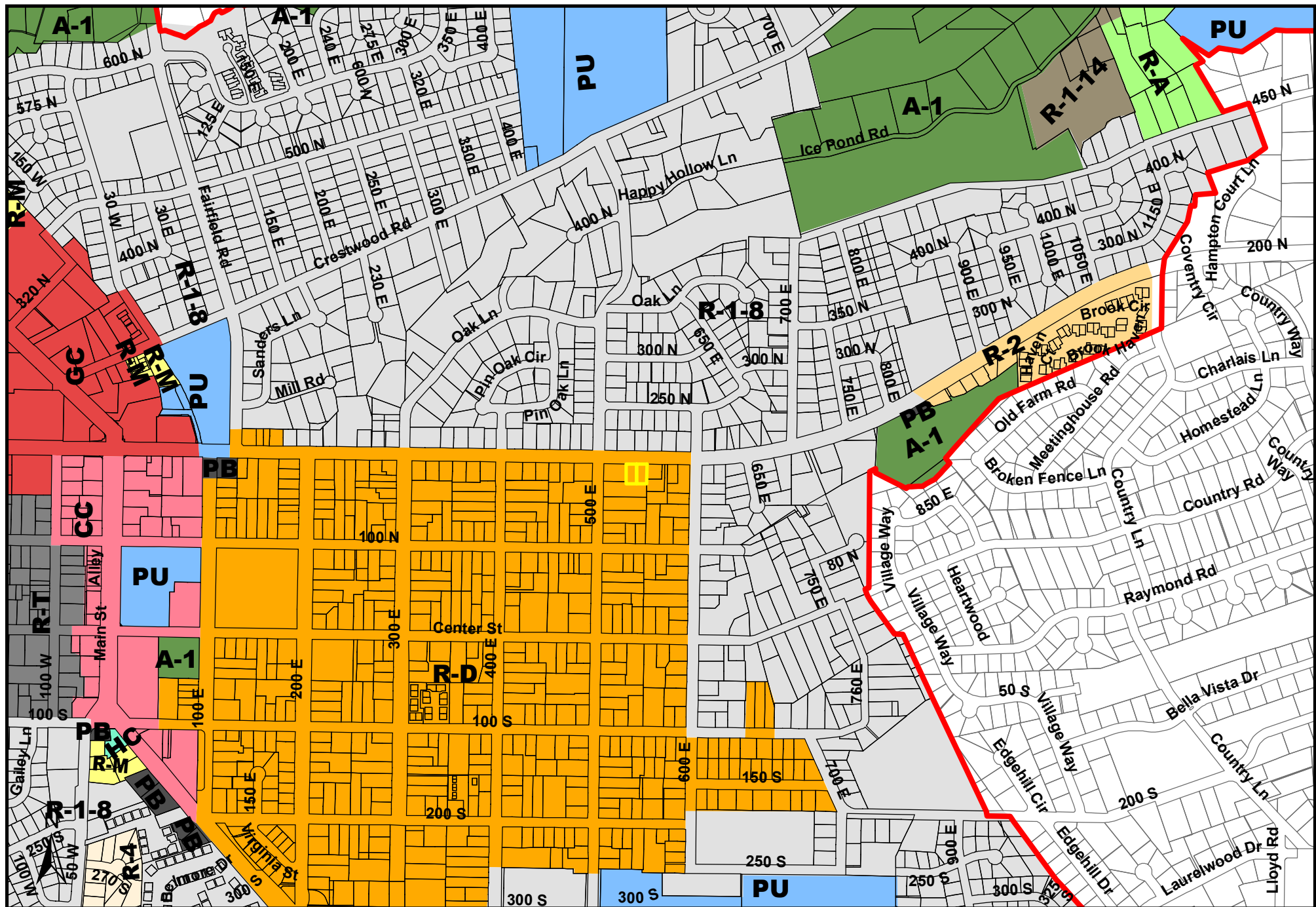
Attachment 2: Zoning Map

Attachment 3: Picture of existing site

520 and 540 East 200 North



520 and 540 East 200 North - Rezone from R-D to R-M PRUD





520 and 540 East 200 North



Planning Commission Staff Report

Public Hearing and consideration of a rezone of approximately 25 acres of property at 700 South Deseret Drive from the GC (General Commercial) to the LI (Light Industrial) zoning district and the R-2 (Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone.

August 8, 2019

Applicant/Owner: Phil Holland / Privet Barrow
Location: 700 South Deseret Drive

Description:

The applicant is proposing a rezone of the property that sits just south of Boondocks between Deseret Drive and the Freeway for the purpose of potential development. A development agreement has been provided as part of the rezone application for consideration of the City which shows the desired use of the property where half of the area would be developed under the R-2 PRUD zone for single family residential use at 5.5 units per acre and the other half of the property would be developed under the LI zone with architectural standards to match the existing GC zoning district. Development in the LI zone per the proposal would include office, flex space, and storage units to replace existing units elsewhere in the city.

The proposed residential includes its largest lots up against the existing residential subdivision to the south. It would be considered a common open space subdivision and requests a 20 foot front yard and 5 foot side yard consideration as opposed to a typical 25 foot front yard and 8 foot side yard.

As a rezone the Planning Commission is tasked with making a recommendation to the city council based on its findings of how well the proposal works at the specific location and how well it conforms with the city's general plan.

More details are found in the Development Agreement included with this report.

Current Zoning: GC – 17-19

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.

17-19-2 Site Plan Review

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

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 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 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. Public utility substations.
6. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.
7. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.

17-19-5 Special Provisions

The design of off-street parking facilities shall assure compatibility of vehicular and pedestrian circulation. Site plan drawings prepared for site plan review shall illustrate clearly all existing and proposed vehicular and pedestrian paths. (See [KCC 18-4](#).)

17-19-6 Height Regulations

1. No building shall exceed thirty-five feet (35') in height, except pursuant to [KCC 17-19-4](#).
2. No building shall be less than ten feet (10') in height.

17-19-7 Area, Lot Coverage And Yard Requirements

There are no lot size or yard requirements except that where a lot in the General Commercial District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20').

Proposed Zoning: LI – 17-21

17-21-1 Purpose

The Light Industrial District is established to provide for industrial, manufacturing and commercial uses in Kaysville and to protect such uses from encroachment of uses adverse to their operation and expansion.

17-21-2 Site Plan Review

A site plan review is required and a site plan shall be submitted for all uses listed below. (Consult [KCC 18-4](#).)

17-21-3 Permitted Uses

1. Experimental research and testing laboratories.
2. Utility substations and offices.
3. Manufacturing, compounding, processing, assembling, or packaging of articles or merchandise of the following products:
 1. Cameras and photographic equipment.
 2. Ceramics.
 3. Electrical appliances and electronic instruments, devices, small objects, and handicrafts.
 4. Jewelry, art objects, and handicrafts.
 5. Medical and dental instruments.
 6. Pens, pencils, and artists' materials.
 7. Scientific instruments.
 8. Small tools and light metal products.
 9. Sporting and athletic goods.
 10. Wearing apparel.
4. Offices.
5. Printing and publishing industries.
6. Warehousing and storage services.
7. Wholesale trade and distribution.
8. Resident quarters for a watchman or caretaker on the same premises on which employed.
9. Retail sales and services, not including sale of beer for consumption on the premises and sale of liquor for consumption on the premises.

17-21-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 17-30](#).

1. Food and kindred product manufacturing or processing.
2. Textile products manufacturing.
3. Furniture and fixtures manufacturing.
4. Stone, clay and glass products manufacturing.
5. Fabricated metal products industries (not to include primary metal industries).
6. Contract construction services.
7. Buildings of height greater than thirty-five feet (35') or less than ten feet (10').
8. Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
9. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

17-21-5 Height Regulations

1. No building shall exceed thirty-five feet (35') in height, except pursuant to [KCC 17-21-4](#).
2. No building shall be less than ten feet (10') in height, except pursuant to [KCC 17-21-4](#).

17-21-6 Area, Lot Coverage And Yard Requirements

1. There are no lot size or yard requirements except that where a lot in the Light Industrial District abuts a residential district, the yard abutting the residential district shall be at least thirty feet (30').
2. No building, structure or combination of such shall cover more than seventy percent (70%) of the total lot area.

17-21-7 Industrial Performance Standards

Proposed Zoning: R-2 – 17-14

17-14-1 Purpose

To provide for areas in appropriate locations where quiet medium density neighborhoods may be established, maintained, and protected. The regulations of this district are designed to promote and encourage a suitable environment for families, many of whom will have children. To this end, the regulations permit the establishment of one and two-family dwellings, and also permit, with proper controls, those public and quasi-public activities such as schools, libraries, churches, parks and playgrounds, which serve the needs of families. The regulations are intended to prohibit the establishment or operation of any activity which would be adverse to such a residential environment.

17-14-2 Site Plan Review

Conditional uses in an R-2 Zone District, except for temporary buildings and temporary offices and the keeping of farm animals, shall be subject to a site plan review as specified in [KCC 18-4](#). On a case-by-case basis, the Commission may also require temporary buildings and temporary offices to obtain site plan approval.

17-14-3 Permitted Uses

1. Single-family dwellings.
2. Two-family dwellings.
3. Agriculture.
4. 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.
5. Minor home occupations subject to the provisions of [KCC 17-26](#).
6. Major Home Occupation 'C' subject to the provisions of [KCC 17-26](#).
7. Two household pets per dwelling unit.
8. Private swimming pools subject to the provisions of [KCC 17-31-9](#).
9. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of [KCC 17-31-2](#).
10. Fowl, rabbits, or similar animals subject to the provisions of [KCC 17-24](#).

HISTORY

Amended by Ord. [19-07-01](#) on 7/2/2019

17-14-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to [KCC 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 17-26](#).
3. Residential child care subject to the provisions of [KCC 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. Temporary tract offices and development signs subject to the provisions of [KCC 17-30-7](#) and [KCC 17-33](#).
6. Twin homes subject to the provisions of [KCC 17-28](#).
7. Farm animals subject to the provisions of [KCC 17-24](#).
8. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
9. Public utility substations subject to the provisions of [KCC 17-31-15](#).

17-14-5 Height Regulations

1. No building shall exceed thirty feet (30') in height, except as provided in [KCC 17-25-2](#).
2. No accessory building shall exceed fifteen feet (15') in height, except as provided in [KCC 17-25-2](#) and [KCC 17-31-2](#).
3. No main building shall be less than ten feet (10') in height, or no accessory building less than six feet (6') in height.

17-14-6 Area, Lot Width, And Yard Requirements

The following minimum requirements shall be observed except where increased for conditional uses.

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The minimum rear yard for any main building shall be fifteen feet (15').

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

Identity and Character:

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

Housing:

A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

2. East of I-15, allow zero to five units per acre with some higher density housing.

B. The majority of the housing should be one unit per structure (single unit).

About ten percent (10%) of the housing should be more than one unit per structure (multiple unit).

Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.

C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.

D. Housing developments should essentially pay for themselves.

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.

Deseret Drive is identified as a Major Street in the City's Major Street Plan. I-15 is also a major street.

Recommendation:

As a legislative item the Planning Commission has broad discretion in its ability to make a recommendation to the City Council. They may recommend approval as presented or with changes to the development agreement, or recommend denial of the requested rezone.

Attachment 1: Area Map

Attachment 2: Zoning Map

Attachment 3: Development Agreement and Exhibits

Rezone of 700 S. Deseret Dr. from GC to LI and R-2 PRUD



When Recorded, Return to:

PB Kaysville, LLC
Justin Atwater
1170 Goldspur Lane
Fruit Heights, Utah 84037

Affecting Tax Parcels No.: 08-001-0082 and 08-001-0025

DESERET LANDING
SUBDIVISION DEVELOPMENT AGREEMENT
(+/- 25 Acres on Deseret Drive, Kaysville, UT)

For ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, THIS DESERET LANDING SUBDIVISION DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the _____ day of _____, 2019, by and between Kaysville City, a municipal corporation of the State of Utah ("City"), and PB Kaysville, LLC, a Utah limited liability company ("Developer"), sometimes referred to jointly herein as "Parties."

RECITALS:

- A. Developer owns real property within the City located at approximately 700 South Deseret Drive more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property").
- B. Developer and the City desire the Property be developed in a unified and consistent fashion according to the terms set forth herein.
- C. Developer has pending a zone amendment application for purposes of amending the zoning of the Property from the GC (General Commercial) zoning district to the LI (Light Industrial) zoning district and the (R-2 Two Family Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone as depicted in Exhibit "B".
- D. Developer and the City desire to enter into this Agreement to specify the rights and responsibilities of Developer to develop the Property as expressed in this Agreement and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.
- E. The Parties understand and intend that this Agreement is a "development agreement" within the meaning of, and entered into pursuant to the terms of Utah Code Ann. §10-9a-102.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Recitals Incorporated.

The above Recitals are integrated into the terms and conditions of this Agreement.

2. Development Requirements.

Subject to the City's approval of the Project as a subdivision, together with all necessary zoning changes, entitlements and approvals, and subject to the terms and conditions of this Agreement, Developer shall proceed with the Project as follows:

a. Compliance with City Ordinances and Development Requirements. The Project shall be developed in accordance with the ordinances and development requirements of the City governing preliminary and final subdivisions. All required plats, drawings and other supporting documents for the Project, and each phase thereof, shall be prepared and submitted to the City for its review and approval.

b. Dedication or Donation. Prior to or simultaneously with recording of the final plat for the Project, or any phase thereof, at the office of the Davis County Recorder, Developer agrees to dedicate, transfer or donate to the City all required easements and public right-of-ways for the purpose of constructing, installing, operating and maintaining public utilities and improvements of every nature and kind as determined necessary by the City.

c. Commercial; Light Industrial Uses. The Property shall consist of a minimum of thirteen (13.0) acres of uses permitted within either the General Commercial (GC) and/or Light Industrial (LI) zones of the City (the "Minimum Commercial Acreage"). All other portions of the Property, above the Minimum Commercial Acreage, may be designated by Developer as residential as described in this Agreement.

d. Commercial Building Design and Architectural Standards. Notwithstanding anything set forth in this Agreement to the contrary, any buildings constructed on the Minimum Commercial Acreage shall be subject to the provisions of Chapters 18-5-1 through 18-5-9 of the Kaysville City Municipal Code. All development applications on Minimum Commercial Acreage shall address the guidelines found in Chapters 18-5-1 through 18-5-9 as part of their application submittal.

e. Limitation on Self-Storage. Notwithstanding anything set forth in this Agreement to the contrary, self-storage use on the Minimum Commercial Acreage shall: (i)

not exceed three and one half (3.5) acres; and (ii) only be permitted if Developer relocates a self-storage use existing within the City as of the date of this Agreement. If self storage is constructed in accordance with this Section 2(e), any existing self-storage relocated to satisfy this Section 2(e) must be specifically identified by the Developer prior to commencement of construction of replacement self-storage on the Property and such identified existing self-storage must be closed within thirty (30) days of receipt of a certificate of occupancy of the self-storage on the Property.

f. Residential Lot Density. The residential portion of Developer's project for development of the Property shall consist of a maximum of 66 units or a maximum density of 5.5 units per acre consisting solely of single-family detached homes and no multi-family housing, which multi-family housing is specifically prohibited within the project pursuant hereto. The residential portion of Developer's project shall substantially resemble the concept plan attached hereto as Exhibit "B". Lots with border the existing Old Mill Village Subdivision along the south side of the Property shall be a minimum of 80 feet wide.

g. Residential Development Yard Modifications. As allowed per Section 17-34-4 Zone Flexibility, variations from the development standards of the underlying zoning district may be approved. To this end to accommodate the proposed development the following setbacks are applicable to the proposed residential subdivision:

- Front Yard: 20 feet
- Side Yard: 5 feet
- Rear Yard: 15 feet

3. Construction Standards and Requirements.

All Construction shall be conducted and completed in accordance with the ordinances and development standards of the City. All required improvements for the Project shall be constructed in accordance with the City's construction standards and/or plans specifically approved for this project and all required Public improvements and easements shall be dedicated to the City. Prior to commencing any construction or development of any building, structures or other work or improvements within the Project, the Developer shall secure any and all permits which may be required by the City or any other governmental entity having jurisdiction over the work. The Developer shall construct, or cause to be constructed, all improvements for the Project in conformity with all applicable federal, state and/or local laws, rules and regulations.

4. Payment of Fees.

The Developer shall pay all required fees to the City in a timely manner pertaining to the Project or any portion thereof.

5. Reimbursement for "Upsizing".

In addition to the credits set forth above in Section 4, the City shall not require Developer to “upsized” any public improvements (i.e., to construct the improvements to a size larger than required or not necessary to service the Project) unless financial arrangements reasonably acceptable to Developer and the City are made to compensate Developer for the costs associated with upsizing the improvements. In the event any off-site infrastructure or on-site infrastructure designed, constructed, or developed by Developer are oversized for the benefit of any property other than the Property, Developer shall be entitled to reimbursement for the portion of the costs attributable to the oversizing of such improvements within ninety (90) days of submitting an invoice for such work to the City.

6. City Obligations.

Subject to the Developer complying with all of the City’s Ordinances, rules, regulations and the provisions of this Agreement, the City agrees to:

- a. Provide standard municipal services to the Project including police and fire protection, subject to payment of all fees and charges invoiced or levied therefor by the City.
- b. Cause the City’s administrative personnel, with reasonable diligence, to take or cause to be taken all actions required or advisable to be taken preparatory to, but not including, final legislative action by the City Council or the Planning Commission, in connection with adoption of the pending zone amendment and approval of this Agreement.
- c. Maintain all utilities, roads, and other infrastructure and improvements dedicated to the City as part of the Project.
- d. Assign the LI (Light Industrial) and the R-2 (Two-Family Residential) zoning districts as shown on Exhibit “B” to include the PRUD (Planned Residential Unit Development) overlay zone along the residential property.

7. Assignment.

The Developer shall not assign this Agreement or any rights or interests herein without the consent of the City. The City may only withhold its consent if the City is not reasonably satisfied of the assignee’s financial ability to perform the obligations of Developer proposed to be assigned or there is an existing breach of a development obligation owed to the City by the assignee or related entity that has not either been cured or in the process of being cured in a manner acceptable to the City.

8. Default.

If Developer or the City fails to perform their respective obligations hereunder or to comply with the terms hereof, the party believing that a Default has occurred shall provide Notice to the other party. Said Notice of Default shall, (1) specify the claimed event of

Default; (2) identify the provisions of this Agreement claimed to be in Default; (3) identify why the Default is material; and (4) (optional) propose a method and time for curing the Default. Upon the issuance of a Notice of Default, the parties shall engage in a "Meet and Confer". If the issue is not resolved during the "Meet and Confer" process, the parties shall engage in a mediation process. If a mediation process is necessary based on the foregoing, the parties shall appoint a mutually acceptable mediator within ten (10) days of the "Meeting and Confer". If the parties are unable to agree on a single acceptable mediator, each shall, within ten (10) days, appoint their own representative. These two representatives shall choose the single mediator. Developer shall pay the fees of the chosen mediator. After being named mediator, such individual shall within fifteen (15) days, review the positions of the parties regarding the mediation issues and promptly attempt to mediate the issue between the parties. If the parties are unable to reach agreement, the mediator shall notify the parties in writing of the resolution that the mediator deems to be appropriate. The mediator's opinion shall not be binding on the parties. If the parties are not able to resolve the Default by "Meet and Confer" or by mediation then the parties may have all rights and remedies available at law and in equity, including, but not limited to, injunctive relief, specific performance and/or damages.

9. Notice.

Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

To the Developer:
PB Kaysville, LLC.
Attn: Justin Atwater
1170 Goldspur Lane
Fruit Heights, Utah 84037

To City:
Kaysville City
Attn: City Manager
23 E. Center St.
Kaysville, UT 84037

Any party may change its address for notice by giving written notice to the other party in accordance with provisions of this Section.

10. Attorneys' Fees.

In the event of any lawsuit between the parties hereto arising out or relating to this Agreement, or any of the documents provided for herein, the prevailing party or parties shall be entitled, in addition to the remedies and damages, if any, awarded in such proceeding, to recover reasonable attorneys' fees and costs.

11. Integration.

This Agreement, together with the exhibits hereto, integrates all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements or previous agreements between the parties hereto with respect to the subject matter hereof. Any amendments hereto must be in writing and signed by the perspective parties hereto.

12. Headings.

The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.

13. No Third Party Rights/No Joint Venture.

This Agreement does not create a joint venture relationship, partnership or agency relationship between the City and Developer. Further, the Parties do not intend this Agreement to create any third-party beneficiary rights. The parties acknowledge that this Agreement refers to a private development and that the City has no interest in, responsibility for or duty to any third parties concerning any improvements to the Property unless the City has accepted the dedication of such improvements at which time all rights and responsibilities for the dedicated public improvement shall be the City's.

14. Binding Effect.

This Agreement shall inure to the benefit of, and be binding upon the parties hereto and their respective heirs, representatives, officers, agents, employees, successors and assigns (if any assignments are allowed as provided hereinabove).

[SIGNATURES TO FOLLOW]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective, duly authorized representatives as of the day and year first hereinabove written.

Developer:

PB KAYSVILLE, LLC,
a Utah limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this ____ day of _____, 2019, personally appeared before me _____, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the _____ of PB Kaysville, LLC, a Utah limited liability company, and acknowledged to me that said limited liability company executed the same.

Notary Public

City:

KAYSVILLE CITY

By _____

Katie Witt, Mayor

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by Katie Witt, Mayor.

Notary Public

EXHIBIT "A"

PROPERTY DESCRIPTION

Parcel ID 08-001-0082:

BEG 367.70 FT S & S 66°31'10" W 290.89 FT & S 15°37'20" E 1012.66 FT FR NE COR SEC 4-T3N-R1W, SLM; SD PT BEING ON THE E'LY LINE OF DESERET DR DEDICATED 01/08/2007, E# 2234041 BK 4194 PG 514; & RUN TH ALG SD LINE 3 COURSES AS FOLLOWS: S 15°37'20" E 259.01 FT TO A PT ON THE ARC OF A 1000.00 FT RAD CURVE TO THE LEFT 116.74 FT (LC BEARS S 18°58'00" E 116.68 FT) & S 22°18'40" E 874.17 FT; TH S 88°06'40" E 139.66 FT; TH N 21°27'40" W 1209.28 FT ALG EXIST FENCE; TH N 63°31'05" E 654.31 FT ALG SD FENCE TO W'LY LINE OF RR R/W; TH N 19°36'30" W 69.50 FT ALG SD R/W; TH S 65°53'22" W 766.74 FT TO POB. CONT. 5.08 ACRES

And

Parcel ID 08-001-0025:

BEG S 367.7 FT ALG SEC LINE & N 66°31'10" E 400.67 FT TO W'LY LINE OF A RR R/W & S 19°36'30" E 1107.93 FT ALG SD R/W FR NW COR SEC 3-T3N-R1W, SLM; TH S 63°31'05" W 654.31 FT ALG AN EXIST FENCE LINE; TH S 21°27'40" E 1209.28 FT ALG A FENCE LINE TO S LINE OF THE NW 1/4 OF SD SEC 3; TH S 88°13' E 639.9 FT, M/L, ALG S LINE OF SD NW 1/4 TO W LINE OF SD RR R/W; TH N 19°44' W 1520 FT, M/L, ALG SD RR R/W TO POB. CONT. 20.26 ACRES

EXHIBIT “B”

SITE PLAN



SAMUEL J. BRADY
ARCHITECTS

200 E. South Temple
Salt Lake City, Utah 84111
(801) 595-1752
www.sambrady.com

NOTE: THE DRAWING IS PROVIDED
FOR INFORMATION ONLY AND IS NOT FOR
CONSTRUCTION. DIMENSIONS COULD VARY.

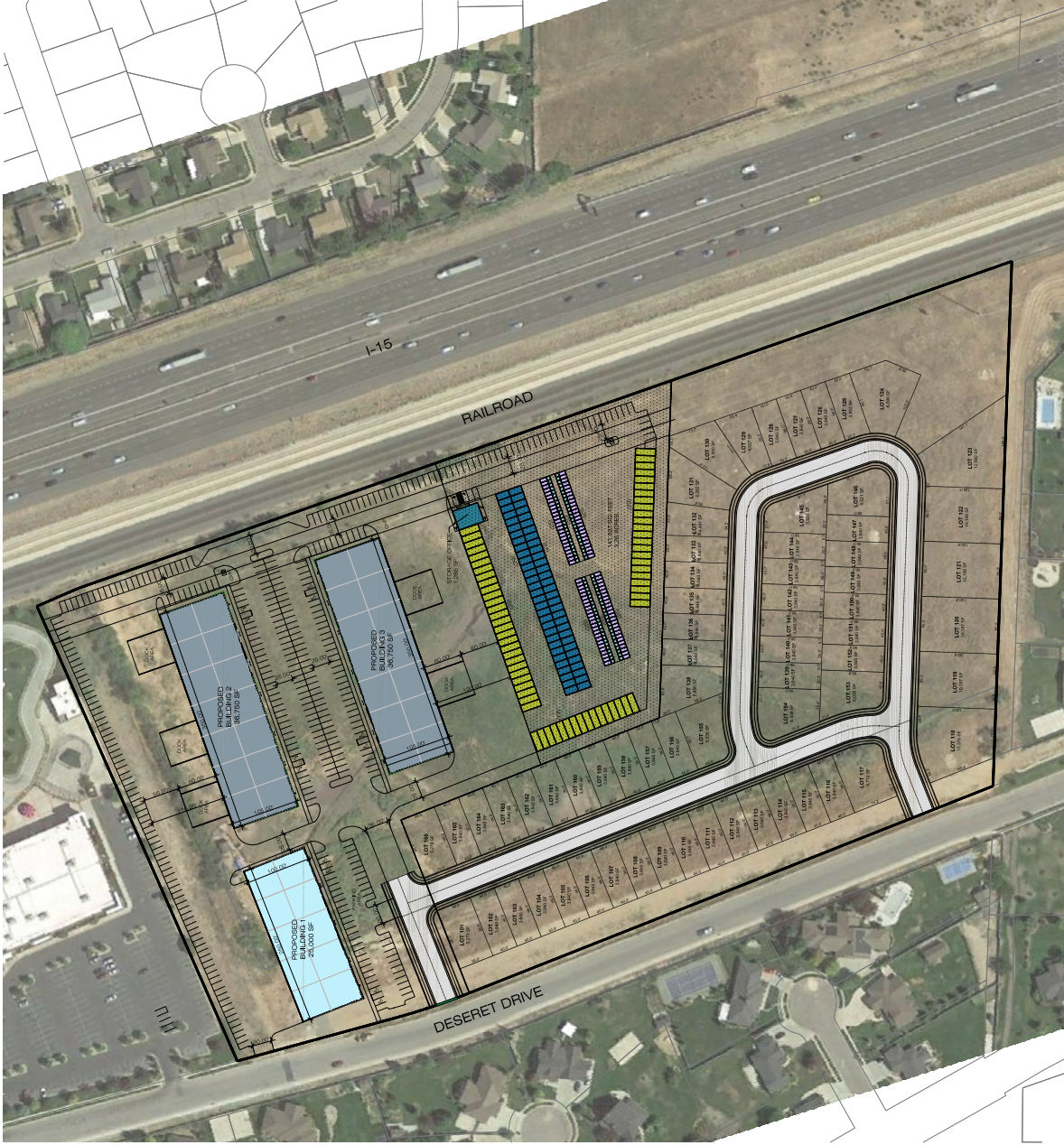
500 DESERET DRIVE

KAYSVILLE, UT
PROPOSED
BUILDINGS

SITE PLAN

SCALE: 1" = 60'-0"
JUNE 4, 2019
SITE-2.dwg

AS.1



PROJECT SUMMARY	
10' X 30'	69 UNITS
10' X 20'	58 UNITS
9' X 10'	100 UNITS
9' X 5'	100 UNITS
TOTAL STORAGE UNITS	
327 UNITS	



Planning Commission Staff Report



Preliminary Plat for the Cottages at Harvey Estates August 8, 2019

Applicant/Owner: Ovation Homes / Brad Frost
Location: 1955 West 200 North
Zone: R-1-8 / PRUD

Description:

The city council following the recommendation of the Planning Commission recently voted to approve a rezone and development agreement at the subject property to accommodate the proposed development.

The project presented at the time of rezone included 22 lots on the 5 ½ acres of property with open spaces along 200 North and another at the west end of the cul-de-sac street for use as detention of storm water. The overall layout and number of lots has remained consistent with what was approved. The size of the lots have adjusted some in order to comply with the common open space provisions of the PRUD ordinance.

The lots range in size from 6,708 sq. ft. to 19,191 sq. ft. in size. The development will continue 1700 West street through to 200 North Street. Per the development agreement the developer will be providing an island median at the entrance the subdivision along 200 North Street as well as improvements at angel street and 75 S. that are off the subdivision plat.

The proposed preliminary plan has been reviewed by multiple agencies including utility providers and public safety. There are a few utilities where different options are still being considered for final engineering design, but each reviewer believes that the general layout and number of lots can be served.

Recommendation:

Staff recommends the Planning Commission forward a positive recommendation to the City Council for the approval of the preliminary plat for the Cottages at Harvey Estates with the following conditions to be addressed at final plat.

- As part of the final review, detail of both traffic medians be provided for the applicable locations outlined in the development agreement for the subject property.

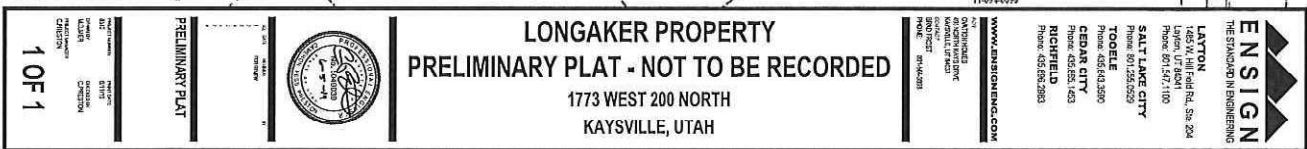
Reasoning:

The subdivision is consistent with what has been approved with the proposed development agreement in place for the property and meets applicable standards and ordinances for a preliminary plat.

Attachment	1:	Area Map
Attachment	2:	Concept Plat (considered at time of rezone)
Attachment	3:	Preliminary Plat

1955 West 200 North





811
CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.
Know what's below.
Call before you dig.

BENCHMARK
BENCHMARK IS THE EAST QUARTER CORNER
OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1
WEST, SALT LAKE BASE AND MERIDIAN
FOUND BRASS CAP
ELEVATION = 4286.01

BOUNDARY DESCRIPTION

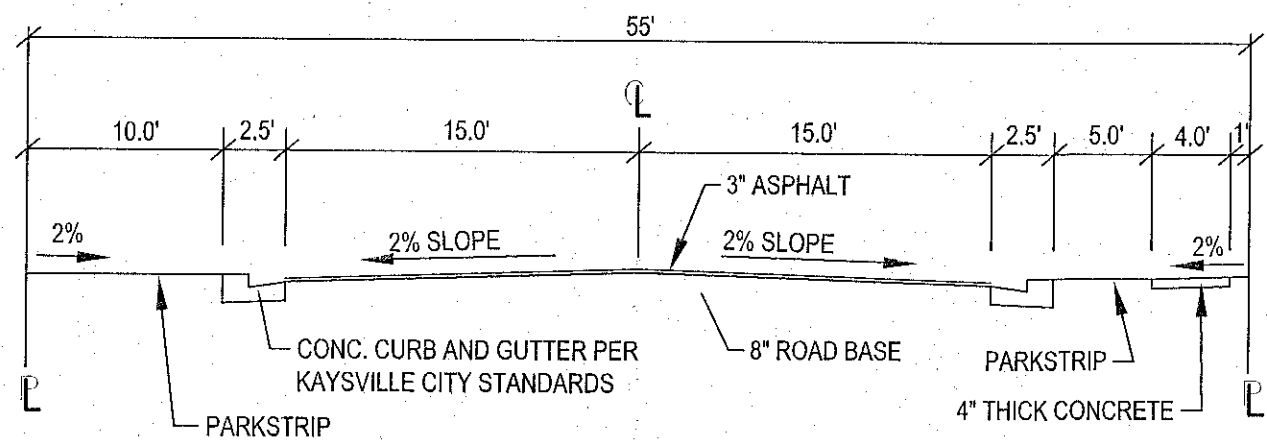
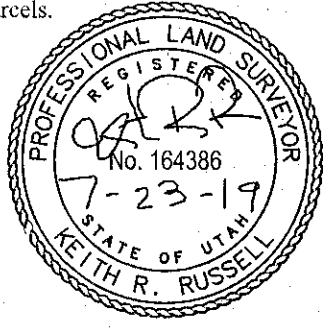
Beginning at the Northeast Corner of Pheasant Cove Subdivision, said point being South 89°54'00" West 1186.73 feet along the quarter section line and South 254.19 feet from the East Quarter Corner of Section 32, Township 4 North, Range 1 West Salt Lake Meridian, and running:
Thence South 52°00'00" West 776.39 feet along the north line to the Northwest Corner of Pheasant Cove Subdivision, being on the east line of Clifton Subdivision;
Thence North 39°08'37" West 288.23 feet along the east line of Clifton Subdivision and beyond to the extension of a fence line running northeasterly;
Thence North 52°43'00" East 445.71 feet to and along a fence line to a fence corner;
Thence North 36°13'01" West 20.24 feet along a fence line to a fence corner;
Thence North 52°40'28" East 64.46 feet along a fence line;
Thence North 22°20'55" West 124.40 feet;
Thence North 0°10'39" East 47.00 feet to the south line of 200 North Street;
Thence South 89°48'43" East 7.65 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 105.29 feet along to the south line of 200 North Street;
Thence South 0°11'17" West 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 8.00 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 54.62 feet along to the south line of 200 North Street;
Thence South 0°11'17" West 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 8.00 feet along to the south line of 200 North Street;
Thence North 0°11'17" East 5.00 feet along to the south line of 200 North Street;
Thence South 89°48'43" East 65.58 feet along to the south line of 200 North Street;
Thence North 16°15'39" East 10.77 feet;
Thence North 89°54'00" East 12.10 feet;
Thence South 38°50'51" East 291.29 feet to the point of beginning.

Contains 250,047 square feet, 5.740 acres, 22 lots, 3 Open Space Parcels.

7-23-19

Date

Keith R. Russell
License no. 164386



TYPICAL 55 FOOT ROAD CROSS SECTION

LEGEND

- SECTION CORNER
- EXISTING MONUMENT
- EXISTING REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- WATER METER
- WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- SANITARY SEWER MANHOLE
- STORM DRAIN CLEAN OUT BOX
- STORM DRAIN CATCH BASIN
- STORM DRAIN COMBO BOX
- ELECTRICAL MANHOLE
- ELECTRICAL BOX
- UTILITY POLE
- EXISTING LIGHT
- PROPOSED LIGHT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- TELEPHONE MANHOLE
- TELEPHONE BOX
- SIGN
- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER LINE
- PROPOSED SANITARY SEWER SERVICE LINE
- EXISTING LAND DRAIN LINE
- PROPOSED LAND DRAIN LINE
- EXISTING CULINARY WATER LINE
- PROPOSED CULINARY WATER LINE
- PROPOSED CULINARY WATER SERVICE LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING

DAVID AND KATHERINE
JOHNSON
11-094-0016

HARVEY SUBDIVISION
LOT 1

JAMES HARVEY
11-094-0082

STANLEY HARVEY
11-094-0098

TYLER JOHNSON
11-094-0099

CAROLYN ANDERSON
11-094-0100

SALT GRASS LAND AND
CATTLE LLC
11-094-0096

POINT OF BEGINNING
NORTHEAST CORNER
PHEASANT COVE
SUBDIVISION

PHEASANT COVE
SUBDIVISION

LOT 102

NOTES

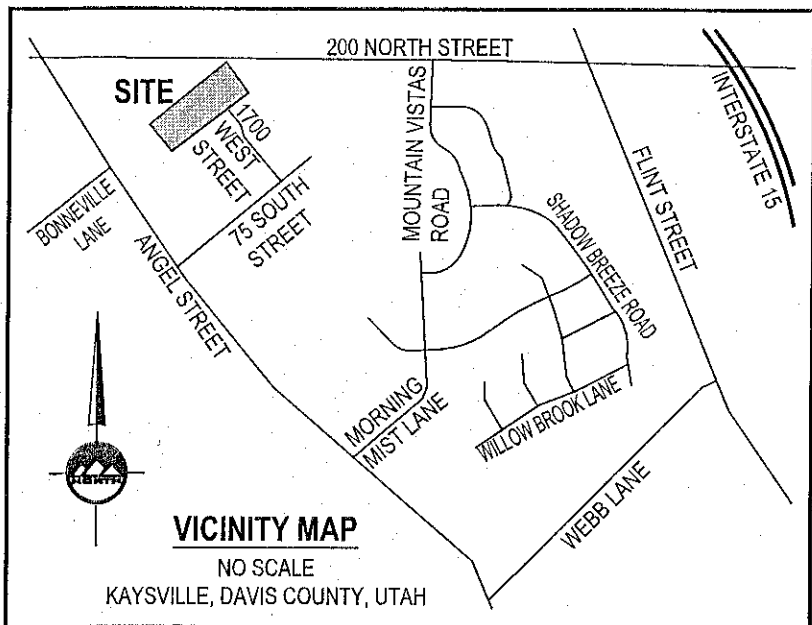
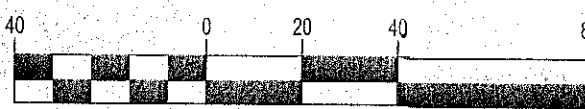
- PROPERTY IS TO BE ZONED R-1-B.
A. FRONT YARD SETBACK IS 20'
B. SIDE YARD SETBACK IS 10' BETWEEN STRUCTURES
C. REAR SETBACK IS 15'
- PARCELS A, B AND C (OPEN SPACE) ARE ALSO PUBLIC UTILITY AND DRAINAGE EASEMENTS

LAND USE TABLE

OVERALL AREA	250,005 sq.ft.
TOTAL LOTS	22
AVERAGE LOT SIZE	7,682 sq.ft.
DENSITY	3.83 UNITS/ACRE
OPEN SPACE PROVIDED	26,422 sq.ft.
OPEN SPACE REQUIRED	26,343 sq.ft.



HORIZONTAL GRAPHIC SCALE



LAYTON

1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

SALT LAKE CITY

Phone: 801.255.0529

TOOELE

Phone: 435.843.3590

CEDAR CITY

Phone: 435.865.1453

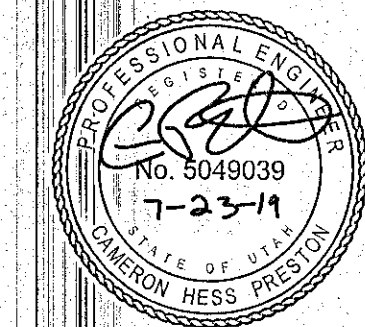
RICHFIELD

Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
OVATION HOMES
498 NORTH KAYS DRIVE
KAYSVILLE, UT 84037
CONTACT:
BRIAN FROST
PHONE: 801-584-3899

COTTAGES AT HARVEY ESTATES
PRELIMINARY PLAT - NOT TO BE RECORDED
1773 WEST 200 NORTH
KAYSVILLE, UTAH



PRELIMINARY PLAT

PROJECT NUMBER: 8510
DRAWN BY: MEUMER
PROJECT MANAGER: C PRESTON
PRINT DATE: 7/23/19
CHECKED BY: C PRESTON

1 OF 1



Planning Commission Staff Report

Final Plat for Westgate Subdivision Phase 1.

August 8, 2019

Applicant/Owner: Perry Homes
Location: 2300 West 200 North (Schick Lane)
Zone: R-1-8, R-1-LD

Description:

The applicant has been working on the engineering details for the initial phase of the Westgate Subdivision. The phasing is consistent with the original phasing plan presented to the city with the preliminary plat for the property. It consists of 28 total lots. 16 of which are in the R-1-LD zoning district and another 12 in the R-1-8 zoning district.

Phase one will connect to Bonneville lane and 200 North Street (Schick Lane). Lots range from 8,077 sq. ft. in size to 23,810 sq. ft. in size. The developer will be improving an extension of Bonneville Lane, Leach Lane, and Westgate Lane together with all the required utility improvements to serve the subdivision.

Recommendation:

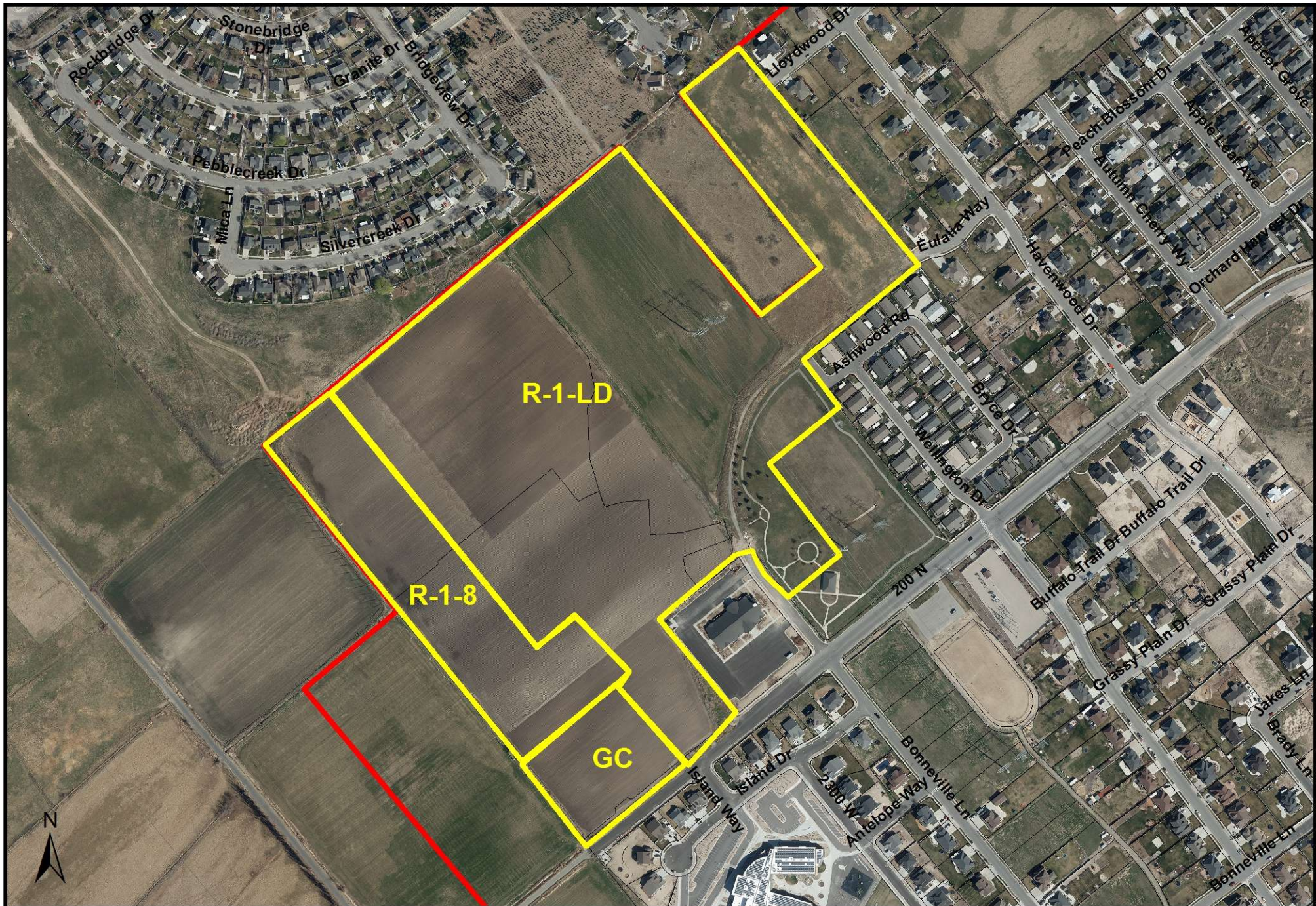
Staff recommends that the Planning Commission approve the final plat for Westgate Subdivision Phase 1.

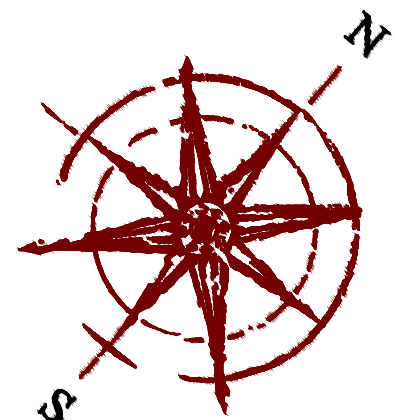
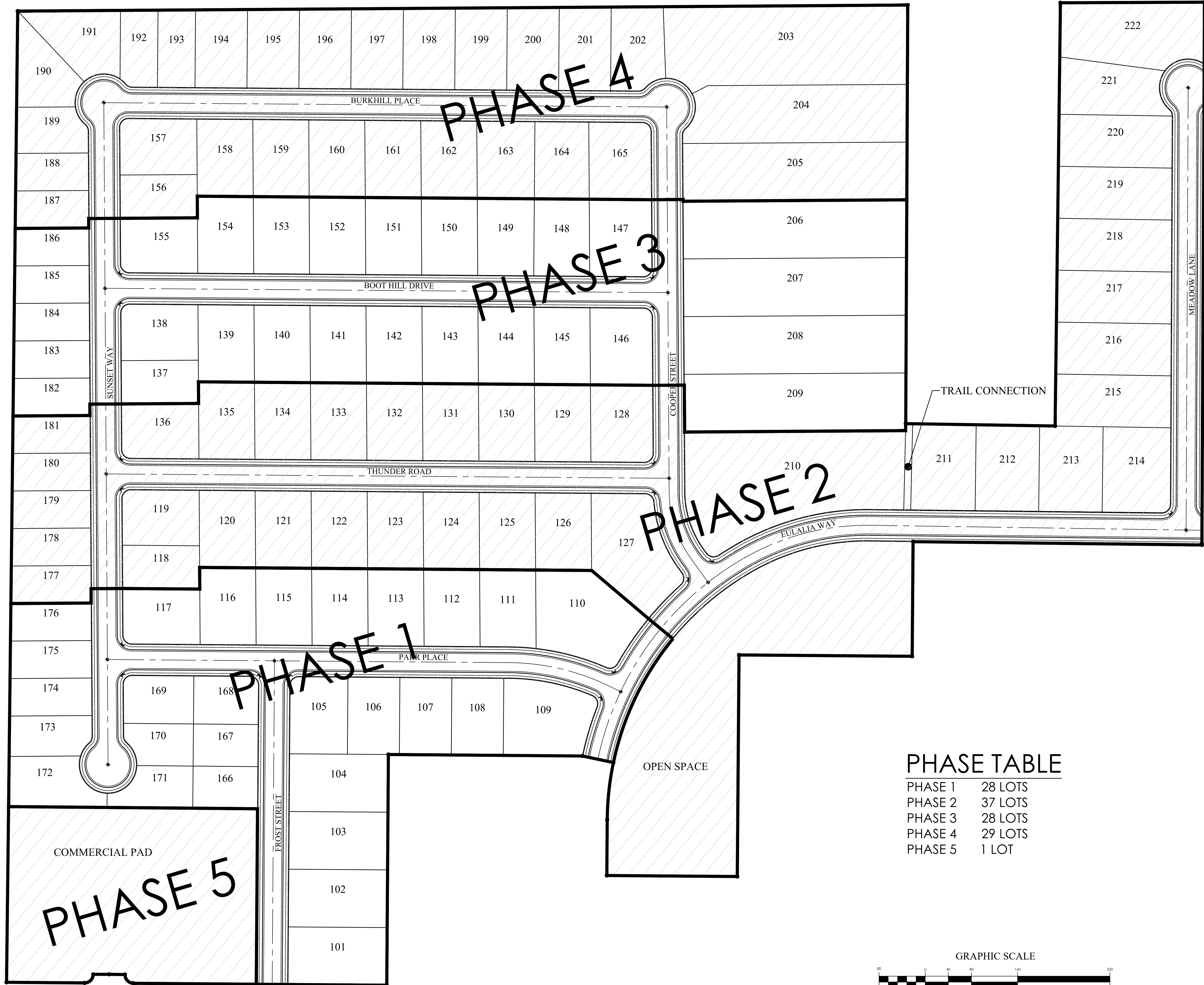
Reasoning:

The final plat is consistent with the preliminary plat approval and meets applicable zoning. The engineering and construction details and drawings have been reviewed by all applicable agencies and found to be compliant with applicable standards and ordinances.

Attachment 1: Area Map
Attachment 2: Preliminary Plat Phasing Plan
Attachment 3: Subdivision Zoning
Attachment 4: Final Plat

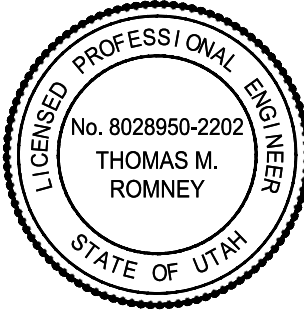
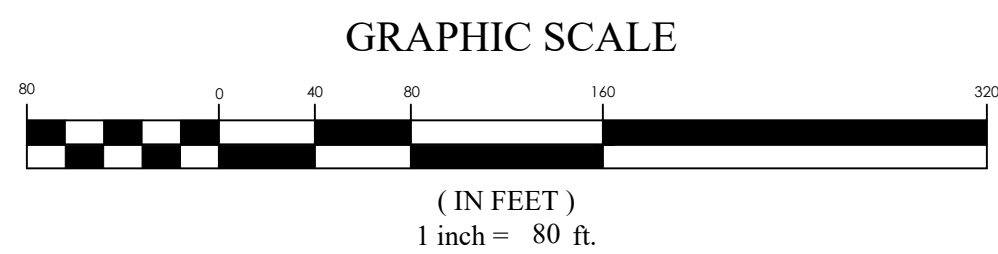
Rezone of 2300 West Schick Lane (200 North) from R-A to GC, R-1-LD, and R-1-8





PHASE TABLE

PHASE 1	28 LOTS
PHASE 2	37 LOTS
PHASE 3	28 LOTS
PHASE 4	29 LOTS
PHASE 5	1 LOT



WESTGATE KAYSVILLE, UT PHASING PLAN

REVISION BLOCK		DESCRIPTION	
#	DATE		
1			
2			
3			
4			
5			
6			

PHASING PLAN

Scale: 1"=80'	Drawn: JRB
Date: 01/15/19	Job #: 17-319
Sheet:	

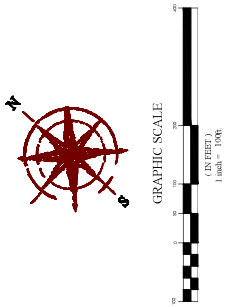
C3.1



WESTGATE KAYSVILLE, UTAH ZONE EXHIBIT

REVISION BLOCK	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

ZONE EXHIBIT			
Scale:	1"=500'	Drawn:	EBB
Date:	01/10/19	Job#:	1-210
Sheet:			



GENERAL COMMERCIAL ZONE

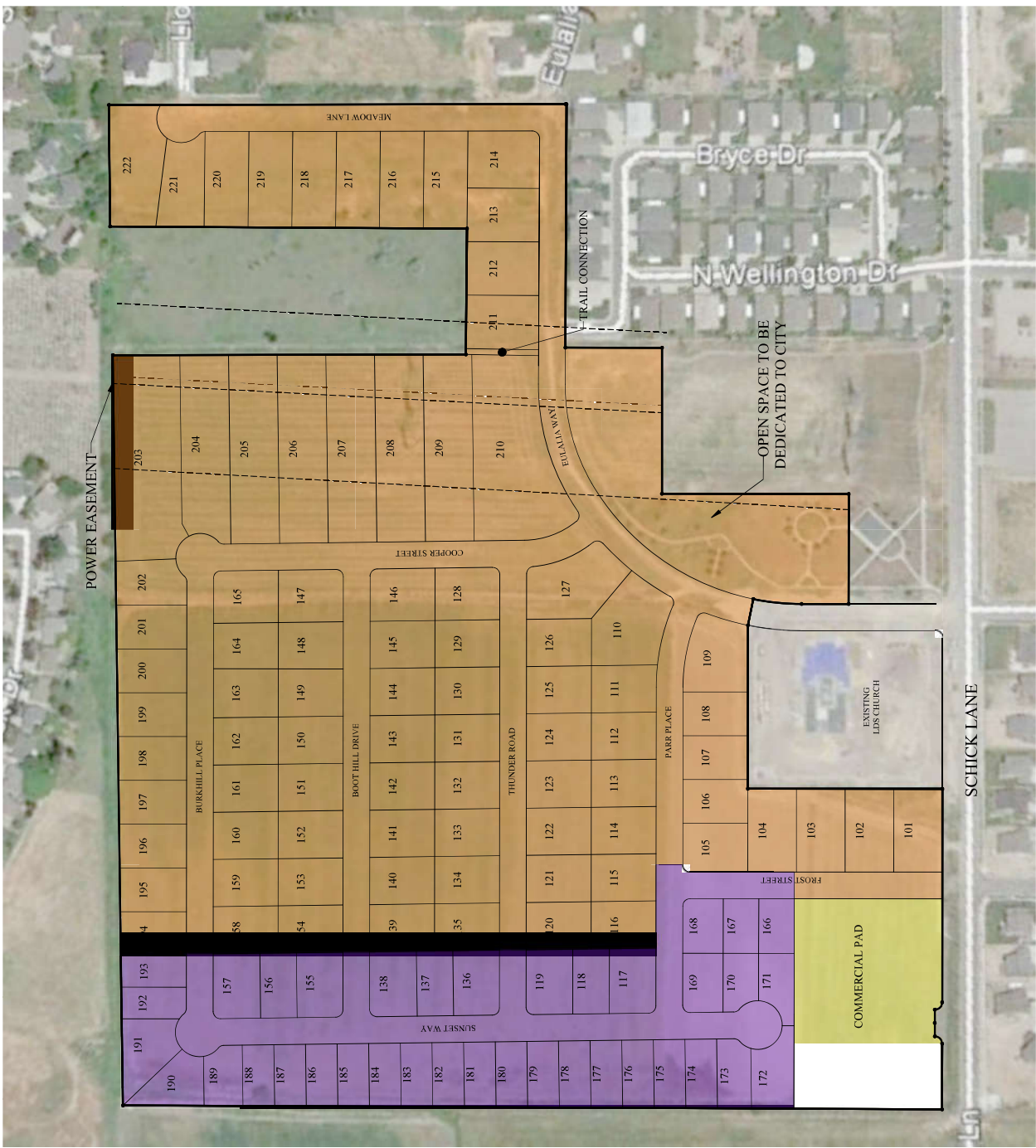
TOTAL AREA BEING REZONED: 3.00 ACRES
 NUMBER OF LOTS: 1
 DENSITY: 0.33 LOTS/ACRE

R-1-LD ZONE

LOT SIZE: 12,000 SF
 FRONT SETBACK: 30'
 LOT WIDTH: 90'
 TOTAL AREA BEING REZONED: 44.39 ACRES
 NUMBER OF LOTS: 85
 DENSITY: 1.91 LOTS/ACRE

R-1-S ZONE

LOT SIZE: 6,000 SF
 FRONT SETBACK: 25'
 LOT WIDTH: 60'
 TOTAL AREA BEING REZONED: 37.01 ACRES
 NUMBER OF LOTS: 37
 DENSITY: 3.30 LOTS/ACRE





Planning Commission Staff Report

Review of Planning Commission bylaws. August 8, 2019

Description:

The existing Bylaws for the Kaysville City Planning Commission were last amended in 2013.

A proposed revamp of the bylaws for the commission is being proposed for consideration in order to more clearly define how the Planning Commission functions.

Attachment 1: Current Bylaws

Attachment 2: Proposed PC Bylaws

BYLAWS
KAYSVILLE CITY PLANNING COMMISSION
Adopted March 28, 2013

Meetings

SECTION 1. REGULAR MEETINGS:

Regular meetings of the Planning Commission shall be held in the Municipal Center at 7:00 p.m. on the second and fourth Thursday of each month. At such meetings the Commission shall consider all matters properly brought before the Commission. A regular meeting may be cancelled or rescheduled by the Commission at a prior meeting.

SECTION 2. SPECIAL MEETINGS:

Special meetings of the Planning Commission shall be called and held at a time and place designated by the Chair or Vice Chair. Written notice thereof shall be delivered to each member's usual place of abode not less than twenty-four hours prior to the meeting.

SECTION 3. QUORUM:

At any meeting of the Planning Commission, a quorum shall consist of four members of the Commission. No official action shall be taken in the absence of a quorum, except to adjourn the meeting to a subsequent date.

SECTION 4. VOTING:

At all meetings of the Planning Commission, each member shall be entitled to cast one vote. Voting shall be by voice. Should any member of the Commission have a conflict of interest of any kind in a matter then before the Commission, he or she shall disqualify himself from voting upon the matter, and the Secretary shall record in the minutes that no vote was cast by such member. Action shall be taken upon a majority vote of a quorum voting.

SECTION 5. PROCEEDINGS:

- a. At any regular meeting of the Planning Commission, the following may be the regular order of business:
 - (1) Minutes of the preceding meeting
 - (2) Public hearings
 - (3) Old and new business
 - (4) Call to the public

- (5) Other matters:
 - (a) Reports
 - (b) Correspondence
 - (c) Calendar
- (6) Adjournment

b. Each formal action of the Planning Commission required by law, rule or regulation shall be embodied in a formal motion duly entered in full in the Minute Book after a vote has been taken as provided in Section 4 hereof.

c. Public hearing shall be noticed and held to consider any agenda item that received public hearing and then was tabled for longer than one (1) calendar year.

SECTION 6. RULES OF PROCEDURE:

All meetings of the Planning Commission shall be conducted in accordance with Robert's Rules of Order.

Officers

SECTION 7. OFFICERS:

The officers of the Planning Commission shall consist of a Chair and a Vice Chair. The Planning Commission shall elect a Chair and Vice Chair to serve a term of one year. The Zoning Administrator shall be the Secretary of the Commission. In the event the Secretary shall be absent from any meeting, the Zoning Administrator shall designate an acting Secretary.

SECTION 8. DUTIES OF OFFICERS:

The duties and powers of the officers of the Planning Commission shall be as follows:

- b. Chair:
 - (1) To preside at all meetings of the Commission.
 - (2) To call special meetings of the Commission in accordance with these Bylaws.
 - (3) To sign documents of the Commission.
 - (4) To see that all actions of the Commission are properly taken.
- c. Vice Chair:

During the absence, disability or disqualification of the Chair, the Vice Chair shall exercise or perform all the duties and be subject to all the responsibilities of the Chair.

d. Secretary:

- (1) To keep the minutes of all meetings of the Commission in an appropriate Minute Book.
- (2) To give or serve all notices required by law or by these Bylaws.
- (3) To prepare the agenda for all meetings of the Commission.
- (4) To be custodian of Commission records.
- (5) To inform the Commission of correspondence relating to business of the Commission and to attend to such correspondence.
- (6) To handle funds allocated to the Commission in accordance with its directives, the law, and City requirements.
- (7) To sign official documents of the Commission.

SECTION 9. VACANCIES:

Should any vacancy occur among the members of the Planning Commission or among its officers, immediate notice thereof shall be given to the City Recorder by the Secretary.

Amendments

SECTION 10. AMENDING BYLAWS:

These Bylaws may be amended at any meeting of the Planning Commission provided that notice of said proposed amendment is given to each member in writing at least twenty-four hours prior to said meeting.

BYLAWS OF THE KAYSVILLE CITY PLANNING COMMISSION

PURPOSE

These policies and procedures, as amended, are designed and adopted for the purpose of providing guidance and direction to the members of the Kaysville City Planning Commission in the performance of their duties.

ARTICLE 1 - GENERAL PROVISIONS

The Kaysville City Planning Commission, hereinafter referred to as "the Commission", shall be governed by the following statutes, ordinances and rules:

1.1 Applicable State Statutes and Local Ordinances and Rules

To the extent that they remain in force and in effect, as they are amended, or as they are added to, the Commission and its members shall be governed by state statutes and local ordinances and policies including the following:

- a. State statutes applying to public boards, members and officials.
- b. State statutes governing the activities of City Planning Commissions.
- c. The Zoning Ordinance/Development Code of Kaysville City as adopted by the City Council.
- d. The rules and policies of the Commission as set forth herein.

1.2 Requirements of Familiarity with State Statutes and Local Ordinances and Rules Affecting the Commission

Upon taking office, all members of the Commission shall familiarize themselves with the foregoing and, while in office, shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Commission affairs.

1.3 Rules of the Commission to be Available from Kaysville City

A current copy of the rules of the Commission shall be available as a public record in the Kaysville City office. A copy of the rules of the Commission shall be provided to new Commission members upon appointment. Additional copies shall be provided to the Commission and made available to the public upon request.

ARTICLE II - MEMBERS

2.1 Appointment, Resignations and Removals

The membership and appointment of the Commission shall be governed by the provisions of the Utah Code and applicable ordinances of Kaysville City.

Members proposing to resign shall give reasonable notice of such intent to the City Council, Planning Commission and the Mayor of the City, and make the date of resignation effective in such a manner as to allow time for appointment of replacements.

Failure to attend three consecutive regular meetings, or three of any seven consecutive meetings, without the recorded consent of the Chair, shall be construed by the Chair as grounds for resignation from the Commission by absence. The Chair would then recommend removal of the Commissioner to the ~~City Council~~ Mayor to then be approved by the City Council.

ARTICLE III - OFFICERS, COMMITTEES, STAFF, DUTIES

3.1 Regular Election of Chair, Vice Chair

Annually, as the first item of business at the first regular meeting of the Commission in the month of July, the Commission shall elect a Chair and Vice Chair. If a quorum is lacking, the Commission will hold an election at the next regularly scheduled meeting at which a quorum is available.

3.2 Succession of Vice Chair to Office of Chair

If the Chair becomes no longer a member of the Commission, the Vice Chair shall succeed to the office for the remainder of the term. If the Vice Chair becomes no longer a member of the Commission or succeeds to the office of Chair, a special vote shall be held to fill the vacancy of the Vice Chair. Said vote shall occur at the next regularly scheduled meeting of the Commission at which a quorum is available.

3.3 Duties of the Chair and Vice Chair; Appointment of Temporary Chair to Preside at Meetings

If present and able, the Chair shall preside at all meetings and hearings. If the Chair is absent or unable to preside, the Vice Chair shall preside. If both are absent or unable to preside, the members present shall appoint a Temporary Chair to preside for that meeting. The Temporary Chair shall abide by all rules and policies set forth herein.

3.4 Delegation to Vice Chair

The Chair may delegate duties generally to the Vice Chair, or may authorize the Vice Chair to perform specific duties during his/her absence or in the case of his/her disability to perform necessary Commission functions in a timely manner.

3.5 Managerial Responsibilities

The Chair shall conduct all meetings of the Commission, interface with Mayor in the conduct and affairs of the Commission, and exercise management of the affairs of the Commission consistent with these rules, [the ordinances of Kaysville City](#) and State Law.

3.6 Appointment of Committees

The Chair may designate members of the Commission to make personal inspections when necessary for proper consideration of agenda items. The Chair may appoint standing or ad hoc committees as may be found necessary to successfully and efficiently carry out the function of the Committee.

3.7 Appointment of Secretary: Duties

The secretary to the Commission shall be appointed by the Mayor. The Secretary shall attend to all correspondence of the Commission, send out and cause to be published all notices required, attend all meetings of the Commission and all public hearings (or arrange for a qualified substitute when unable to attend), compile and maintain all required records, schedules, minutes, files and indexes; and generally perform all clerical work of the Commission. [This office need not be filled by an appointed member of the Commission.](#)

ARTICLE IV - CONDUCT OF COMMISSION MEMBERS

4.1 Representation of Applicants and Petitioners

No member of the Commission shall represent applicants or petitioners on matters on which the Commission is to make determinations or recommendations.

4.2 Conflict of Interest

No member of the Commission shall participate in or discuss any case in which they have financial or personal interest in the property or action concerned, or will be directly affected by the decision of the Commission, or has or believes they have any other conflict of interest. A member who has a question as to whether a conflict of interest exists should raise the matter

with the Commission members and the City Attorney in order that a determination may be made.

4.4 Voting

No Commission member shall discuss or vote on any matter deciding an application or petition except after attending the public meeting(s) and/or hearing(s) on the matter and listening to or being informed of testimony presented. A member may qualify to participate in further discussion and vote on the matter by examining the evidence, or being informed of the evidence or reviewing the record of the meeting(s) and/or hearing(s) or portion thereof at which the member was absent.

ARTICLE V - MEETINGS, HEARINGS

5.1 Regular Meetings

Regular meetings of the Commission will be held twice monthly on the second and fourth Thursday of each month at 7:00 p.m. unless the Planning Commission determines another date and time during a regularly scheduled meeting for upcoming meetings. ~~with the date and time to be determined at the regular December meetings and notice made public.~~ These regularly scheduled meetings may be cancelled pursuant to section 5.9.

5.2 Open to Public

All meetings of the Commission are open to the public, in accordance with the Utah Public and Open Meetings Act.

5.3 Conduct During Hearings

During all meetings and hearings, persons providing testimony shall proceed without interruption except that from the Commission. All comments, arguments and pleading shall be addressed to the Chair. There shall not be debate or argument between individuals. The Cchair shall maintain order and decorum, and to that end, may order removal of disorderly or disruptive persons. The Chair, after consultation with other members, may determine a time limit of speakers at the beginning of any public hearing.

5.4 Rules of Order

In accordance with these rules, the Chair shall decide all points of procedure and order, unless otherwise directed by a majority vote of the members in attendance. Where necessary in

deciding points of order, the Chair may use as a reference the *Robert's Rules of Order, Newly Revised, In Brief*.

5.5 Study Sessions

Study Sessions of the Commission shall be held if found necessary. Notice of the Study Session shall be in accordance with City and State law.

5.6 Special Meetings and Study Sessions

Special Meetings and Study Sessions, for any purpose, may be held at the call of the Chair. Notice of such meeting shall be in accordance with City and State law.

5.7 Field Trips

Field trips, as the Commission may determine to be useful or necessary, shall be scheduled by the Chair during Regular meetings. Commission members shall establish an optimal time through group consensus. Field trips shall be noticed in accordance with City and State law.

5.8 Recess or Adjournment

Any Regular or Special Meeting may be recessed or adjourned from day to day, or to the time of any previously announced Regular or Special Meeting, and such recess or adjournment to a certain time and place shall be noticed as required by Utah State Code or Kaysville City Ordinance.

5.9 Cancellation

If no business is scheduled before the Commission, or if it is apparent that a quorum of the Commission will not be available, any meeting may be canceled by the Chair by giving notice to all members, and posting appropriate public notice.

5.10 Quorum

A quorum of the Commission shall consist of four (4) members. An affirmative vote of at least three (3) members and no less than a majority of the Commission present at the meeting shall be required for any matter to pass.

5.11 Tie Votes

If a motion before the Commission receives an equal number of votes, and a subsequent motion on the matter is either not made or cannot achieve a majority vote, the matter before the Commission shall be deemed denied.

5.12 Agenda, Order of Business

The Secretary shall prepare an agenda for each Commission meeting. The order of business shall be as follows:

- (1) Minutes of preceding meetings
- (2) Items of business for consideration by the Commission
- (3) Call to the public
- (4) Other matters (reports, correspondence, calendar)
- (5) Adjournment

The order of business for a given agenda may be modified upon a vote of the Commission.

ARTICLE VI – PROCEDURE: ORDER OF BUSINESS

6.1 Representation

Any applicant may appear or be represented by authorized agents. Such agents shall present documented evidence of their authorization.

6.2 Order of Consideration

The following procedure for items of business before the Commission will normally be observed. However, it may be rearranged by the Chair for individual items as may be necessary for the expeditious conduct of business:

- a. The Chair introduces the item.
- b. Staff presentation and recommendation.
- c. Applicant presentation. The Chair, after consultation with the Commission, may impose a time limit upon the presentation, as may be expeditious.
- d. Public Comment. If the item is required by Code or Ordinance to have a public hearing, the Chair shall declare the opening of the public hearing portion of the meeting. If a public hearing is not required, the Chair may, at his/her discretion, allow for limited public comment. The Chair may,

as necessary for expeditious conduct of business and without objection from the Commission, impose a time limit for each speaker presenting public comment.

- e. Upon completion of public comment, the Chair shall declare the public hearing closed., without objection from the Commission.
- f. The Chair may allow the applicant to address issues raised by the public comment.
- g. The Chair shall allow members of the Commission to discuss the matter without further comment from the applicant, staff and the public. Commission members may, however, with the permission of the chair, ask questions as desired of the applicant and staff.
- h. Upon completion of the Commission discussion, the Chair may call for a motion and a second by the Commission on the application.
- i. With a valid motion and second on the table, the Chair shall allow for discussion of the motion by the Commission. Other appropriate motions may be made during this time.
- j. Upon completion of discussion, or upon a call for the question by a Commission member, the Chair will call for a roll call vote of the Commission members.

If during the proceedings the Chair rules a motion out of order, the Chair shall explain why it is so and advise the mover of corrections needed to make the motion in order.

ARTICLE VII - FINDINGS AND DECISIONS

7.1 Timing of Decisions

With due consideration to the length of the Agenda, the nature of the case, the complexity of the evidence, and the findings required, the Chair may elect, subject to approval by the Commission, one of the following alternatives:

- a. To proceed immediately to determination and decision upon conclusion of the hearing of the case; or
- b. To defer determination and decision until a Regular or Special Meeting of the Commission as specified by the Chair.

7.2 Form and Procedure of Decisions

All such decisions shall be made at a public meeting by motion, made and seconded, and a voice vote.

Decisions of the Commission shall be final when the minutes of the meeting at which the decision was made are approved.

7.3 Notification

Notice of action taken by the Commission shall be given by the Commission to the applicant, petitioner or any party making a written request for such within ten days following approval or the decision.

ARTICLE VIII - REQUEST TO WITHDRAW, CONTINUE OR RE-HEAR APPLICATIONS

9.1 Withdrawal

Upon written request or upon verbal request during an item's consideration in a public meeting from the applicant or authorized agent, an application or petition may be withdrawn at any time before the Commission makes a decision in the case.

9.2 Continuance

The Commission may defer the hearing of cases or provide for later continuance of cases on which hearings have begun. Continuances will show cause for such stated in the motion, and, unless time and place are stated in said motion, will require public re-notice.

ARTICLE X - AMENDING OR WAIVING BY-LAWS

10.1 Amending By-Laws

These by-laws may be amended by a majority vote of the Commission except where such amendment would be contrary to the requirements or limitations set forth by State Law or City Ordinance. An amendment may be proposed at any meeting of the Commission. Members shall receive a copy of the proposed or amended by-laws not less than two days prior to the meeting at which said proposed changes shall be heard.

10.2 Waiving or Suspending Rules

A rule of procedure may be suspended or waived at any meeting by a majority vote of Commission members present, unless such rule is set by State Law or City Ordinance.

10.3 Temporary Rule

A temporary rule of procedure, in conformity with State Law and City Ordinance, may be adopted by the Commission for a meeting or agenda item following a unanimous vote of the Commission members present.

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

July 11, 2019

Planning Commission Members Attended: Joshua Sundloff, Tamara Tran, Wilf Sommerkorn, Matthew Anderson, Toby Barrus, Stephen Lyon

Absent: Quan Nguyen

Staff Present: Zoning Administrator Lyle Gibson, Dan Jessop, Secretary Heather Nielsen

Others Present: Rock Schujter, Barbara R. Thompson Jones, Scott Jones, Eric Larmore, Ron Hanson, Elizabeth Nielson

OPENING

The Planning Commission meeting was held on Thursday, July 11, 2019 at 7:00 p.m. in the Municipal Center. Chairperson Matthew Anderson opened the meeting by welcoming those present. He then asked the new Planning Commission members present Toby Barrus and Stephen Lyon to introduce themselves.

Matthew Anderson opened the floor for nominations for the Planning Commission Chairperson and Vice-Chairperson. Stephen Lyon nominated Wilf Sommerkorn as Chairperson. Josh Sundloff seconded the nomination. No other nominations were made. Wilf Sommerkorn was approved as Planning Commission Chairperson by unanimous vote.

Wilf Sommerkorn nominated Josh Sundloff as Vice-Chairperson. Tamara Tran seconded the nomination. No other nominations were made. Josh Sundloff was approved as Vice Chairperson for the Planning Commission by unanimous vote.

Kaysville City Attorney Nic Mills took a couple of minutes and discussed the roles and responsibilities of the Planning Commission. He explained what the difference is between an administrative and legislative decision. He reviewed conditional use permit decisions.

Nic Mills reminded members of the Planning Commission that they represent the community and its plan for expansion. He stated that all communication with community members should be shared with the entire Planning Commission. Matthew Anderson asked Lyle Gibson if there was a way they could create an email address that would be forwarded to all members of the Planning Commission. He felt that would be more beneficial than having individual emails.

The minutes of the June 27, 2019 Planning Commission meeting were presented for approval. Tamara Tran made a motion to approve the minutes. Josh Sundloff seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION ‘B’, FOR GROUP TENNIS INSTRUCTION AT 102 S. SHADOW WAY –MICHAEL SCOTT JONES.

Lyle Gibson explained that the applicant is requesting a conditional use permit for a major home occupation ‘B’ to offer Tennis lessons from his home. Mr. Scott will offer the lessons during the summer months. Lessons are private, semi-private one on one or small group lessons. Classes or groups will likely be four students or less at any particular time. The tennis court on site is behind the house on a corner lot, there is ample parking on site. The lessons are anticipated to be Monday through Friday, between 9am and 1pm.

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.

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 class.

Tamara Tran asked how many sessions they would hold a day. The applicant’s wife Barbara Thompson Jones responded that they would hold four sessions lasting an hour each. She further explained that they have ample room for parking and don’t anticipate more than 2 cars per lesson.

Wilf Sommerkorn made a motion to grant a conditional use permit for a Major Home Occupation ‘B’, for group tennis lessons at 102 S. Shadow Way for Michael Scott Jones. Tamara Tran seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION ‘B’, CONTRACTOR-FENCE INSTALLER AT 595 E. 100 S.—ERIC LARMORE.

Lyle Gibson said the applicant is requesting a conditional use permit for a Major Home Occupation ‘B’, at the above listed address. Mr. Eric Larmore is currently anticipating doing a fencing repair and handyman service. Eric has an unmarked, “no signage” pickup truck with limited various tools contained inside, and a twenty-foot trailer. Eric has no employees. He has no materials delivered to his home, and does not store material on his property.

Matthew Anderson invited the applicant to the stand. Wilf Sommerkorn asked if there would be any equipment parked at the home. The applicant Eric Larmore said nothing would be stored at his home location.

Tamara Tran asked if any extra materials would be stored at the home. Mr. Larmore said everything would be dropped off at the site. He wouldn’t store anything at his house.

Joshua Sundloff made a motion to grant a conditional use permit for a Major Home Occupation ‘B’, for contractor-fence installer at 595 E. 100 S. for Eric Larmore. Stephen Lyon seconded the

motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A NEW TELECOMMUNICATION TOWER AT APPROXIMATELY 950 WEST SPORTSPLEX DRIVE (BARNES PARK)—T-MOBILE/ROCK SCHUTJER (TABLED ITEM).

Lyle Gibson explained that at the last Planning Commission meeting concerns were raised regarding the location of the proposed cell tower. Staff has reviewed the options within Barnes Park and based on the applicants location requirements, distance restrictions from residential properties within the ordinance, access, impact on park function, and utility availability/feasibility the proposed location is the preferred option within the park. The proposed structure would replace an existing light pole near the northeast ballfield in the Barnes Park Sports Complex.

The applicant has been working with city staff to explore the area for a location that is suitable for their coverage needs and that also has the least impact on the park and its surroundings. The proposed location would include an equipment compound that would use brick/block to match the materials found in nearby buildings in the park. There is space for 2 total users. The pole would replace the existing 70 foot tall light pole with a 90 foot cell tower. T-Mobile would take the top position, with room for a future user above field lights which would replace the light pole being removed.

This would be the first tower built under the city's revised telecommunications tower ordinance and the first 'Stealth Tower'.

Staff is recommending approval of a conditional use permit for a telecommunications tower as proposed with the following conditions: Plans submitted for a building permit be designed to meet a 150 mph V-Ult wind speed.

Matthew Anderson said the main concern regarding the telecommunications tower came from the property owners adjacent to the proposed tower. They were concerned that the tower would impact their office building's views.

The Planning Commission was concerned about trees having to be removed to erect the telecommunications tower.

Tamara Tran remarked that their decision should not be based on the look of the tower but should be based on whether or not it meets the conditional use.

Josh Sundloff asked the Planning Commission members to define the detrimental impact for the adjacent business owners. Josh Sundloff said, there is no hard data supporting the idea that this company will lose business due to the construction of the telecommunications tower.

Wilf Sommerkorn reminded the Planning Commission that cities put these cell towers in local parks because it is easier. People don't notice them and the city gets money back to help with their parks.

Matthew Anderson provided a brief moment to Elizabeth Nielson who is the adjacent business property owner. She stated that they talked with T-Mobile about putting the cell tower on their property but that they had heard nothing back. She also re-irritated that the telecommunications tower would ruin the views out of their office windows.

Matthew Anderson invited Rock Schutjer with T-Mobile to the stand. Mr. Schutjer said that the Access Park property with Elizabeth Nielson would not work for them because it was too far away from their optimal location at the park.

Tamara Tran asked Lyle Gibson if they could require T-Mobile to replace the trees that they are removing. Lyle Gibson said yes, they could add that as a condition.

Joshua Sundloff made a motion to grant a conditional use permit for a new telecommunication tower at approximately 950 W. Sportsplex drive (Barnes Park) for T-Mobile/Rock Schutjer. Stephen Lyon seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought to the commission.

WORK SESSION: CONTINUED DISCUSSION ON HOUSING OPTIONS.

Lyle Gibson explained that at the last Planning Commission meeting, this item was discussed very briefly. Primarily it was determined that on 8/14/19 staff would host an open house where the public could come learn about housing choices and affordability issues being considered in light of SB 34. They hope the public can provide input to better guide the Planning Commission.

Staff will come prepared with additional data and maps to further inform the public on key issues. Staff is seeking direction from the Planning Commission for items to prepare for the open house.

Lyle Gibson stated that it was not getting any cheaper to live in Kaysville City. These SB 34 items we need to implement will help us locate areas to provide more affordable housing options.

Stephen Lyon asked Lyle Gibson when was the last time Kaysville City did a density study? Lyle Gibson said he was not sure, but it has not been done within the last five years. Stephen Lyon said that Davis County did a study in 2014 that would be a helpful resource for Kaysville City. Stephen Lyon will provide Lyle Gibson with a copy of the study.

Josh Sundloff said more data is a good idea. He would like to know what the current picture is; what is existing in terms of affordable housing in Kaysville City. With more current data they can decide where they want to go as a city. A data driven decision will help them as Planning Commissioners plan out the city better.

Lyle Gibson reminded the Planning Commissioners about the open house Kaysville City staff plans on holding August 14, 2019. He asked the Planning Commissioners if they would be willing to help out with some small assignments. The Commissioners said that they would be

willing to help.

CALENDAR

The next regularly scheduled Planning Commission meeting July 25, 2019 will be canceled due to the holiday and Planning Commission members being absent. The next regularly scheduled meeting will be held on Thursday, August 8, 2019 at 7:00 p.m.

ADJOURNMENT

Josh Sundloff made a motion to adjourn the meeting and it passed unanimously. The meeting adjourned at 9:10 p.m.