

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, October 10, 2019 at 7:00 p.m. in the **Parks and Recreation Building at 85 North 100 East.**

The agenda shall be as follows:

1. Opening and approval of the minutes from the meeting on September 26, 2019.
2. Conditional use permit for a major home occupation "B" tree removal services at 1901 Bonneville Lane for Christy Hampton.
3. Conditional use permit for a major home occupation "B" daycare services at 562 East 1475 South for Terri K. Mills.
4. Public Hearing and preliminary plat approval for Kourosh subdivision at 946 East 300 North for Kourosh Haroni.
5. Planning Commission Bylaws discussion.
6. Kaysville City General Plan amendment discussion.
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 Wednesday, September 25, 2019.



Lyle Gibson
Zoning Administrator

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

September 26, 2019

Planning Commission Members Attended: Vice Chairperson Joshua Sundloff, Tamara Tran, Quan Nguyen, Toby Barrus, Steve Lyon.

Staff Present: Zoning Administrator Lyle Gibson, Heather Nielsen.

Others Present: Jim Neuner, Becky Needham, Lauren Johnson, Marilyn Killpack, Ken Needham, Dale Maxfield, Karen Maxfield, Chris Gitus, Ron Titus, Heidi Naylor, Michael Haus, David Volante, Phil Holland, Kevin Collier, Carole Gran Valtein.

OPENING

The Planning Commission meeting was held on Thursday, September 26, 2019 at 7:00 p.m. in the Kaysville City Parks and Recreation building. Vice Chairperson Josh Sundloff opened the meeting by welcoming those present.

The minutes of the September 12, 2019 meeting were presented for approval. Steve Lyon made a motion to approve the minutes. Toby Barrus seconded the motion and it passed unanimously.

PUBLIC HEARING FOR AN AMDENDMENT TO THE KAYSVILLE CITY GENERAL PLAN.

Lyle Gibson explained that over the past few months the Planning Commission has been discussing options for addressing moderate income housing requirements mandated by the State of Utah through SB 34 during the 2019 legislative session. The Planning Commission identified a refined list from the required options that it felt merited additional research and consideration and further asked that there be an opportunity for the public to provide input in order to determine what changes to the city's moderate income housing plan may be appropriate.

Lyle Gibson presented a draft which included three of the required options from SB34 and the city's current active transportation plan as a starting point.

Vice Chairperson Joshua Sundloff opened the public hearing.

Michael Halls said it has been interesting learning about SB 34. He agrees with the principles and that people need to live somewhere. He would like to encourage Kaysville City to establish a historic district to keep historic places in tack. He also stated that Kaysville City should stop building so many houses in west Kaysville, because of the liquefaction potential in an earthquake.

Vice Chairperson Joshua Sundloff closed the public hearing.

Vice Chairperson Joshua Sundloff asked Lyle Gibson why we had to make these changes in the

general plan if Kaysville City is going to overhaul the entire general plan in 2020. Lyle Gibson said we need to make these changes to comply with the State Senate Bill before the end of the 2019 year.

Steve Lyon mentioned that it was good for cities to periodically update their general plans since the needs of the city change.

The Planning Commission decided to discuss the amendments to the general plan further during the next two meetings.

CONDITIONAL USE PERMIT FOR A TWO-FAMILY DWELLING AT 188 NORTH 650 EAST FOR DUSTIN PARKE.

Lyle Gibson explained that the applicant is requesting approval to build a new two-family dwelling at the proposed address. The property which is at the corner of 650 East Street and 200 North has an existing home which faces 650 East. The applicant is looking to remodel the home to add a unit in the basement.

In the R-1-8 zoning district, a single-family dwelling is a use by right, however a two-family dwelling is allowed only by conditional use according to KCC 17-12-4 (9). Specifically this section allows two-family dwellings by conditional use as follows: ‘Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.’

Staff has reviewed the 500 foot radius from the center of the duplex site and has identified 2 duplexes (4 units) within the 500 foot radius. It is staff’s interpretation of this ordinance that this property is eligible for consideration of the conditional use permit based on this finding.

The applicant has provided plans indicating the interest in creating an access via a staircase on the east side of the property to a basement unit of about 960 sq. ft. The applicant is proposing to pour a new driveway on the north side of the property to accommodate parking to the new unit.

Vice Chairperson Joshua Sundloff invited the applicant to the stand. The applicant Dustin Parke was not present for the meeting.

Vice Chairperson Joshua Sundloff allowed neighbors from the audience to comment on the conditional use permit even though it was not a public hearing.

Dale Maxfield asked if the applicant could add another duplex to the property in the backyard. Lyle Gibson said that they might be able to split the property but he can’t add another duplex because there are already two within the 500 feet radius. If his duplex is approved then that would hit the maximum duplexes allowed in that area.

Grant Bessinger asked Lyle Gibson about Kaysville City’s multifamily housing code. He also asked if the applicant needed to continue the sidewalk around the left side of the property. Lyle

Gibson said only if the Planning Commission required the applicant to do so, otherwise it is not an outward city demand, because this isn't a subdivision processes.

Marilyn Killpack and Heidi Naylor were concerned about their property values being decreased. They were also worried about an increase in traffic and the limited parking situation. Marilyn Killpack felt that parking will be too close to the corner and cause problems.

Kevin Collier was concerned about safety. He said there are several ATV's that drive around the neighborhood and having more residents just adds to the problem.

Kenneth Needham said that since the applicant has purchased the property he has not lived there or taken care of the property. He felt that the applicant would not improve the property but is only after easy money.

Beck Needham said they have lived in the neighborhood for 17 years. She feels that if the house is turned into a rental property there would be more crime. She also stated renters do not take care of property.

Karen Maxwell said it is a nice place to live and does not want to see it go downhill. She said renters are not invested. She used to rent her house out and they thought they had good renters but theirs ended up trashing the house and yard. She is also concerned with parking since there will be at least four more cars parking at the house.

Chris Titus was representing her 90 yr. old parents. They are concerned about safety in the neighborhood with renters. She would also like to see a better drawing of what the applicant plans to do. Exactly what are the measurements from the driveway to the stop sign? Is his driveway legal?

Vice Chairperson Joshua Sundloff closed time for public comment and opened up discussion with the Planning Commission members.

Vice Chairperson Joshua Sundloff explained to the audience exactly what a conditional use permit is. It is a special permit to do certain things on your land. They as a Planning Commission cannot deny it just because they don't want it there, however they can impose conditions on such properties to accommodate certain circumstances.

Toby Barrus asked about the required setbacks from the stop sign. Lyle Gibson said that the Kaysville City ordinances require 20 ft. from a stop sign so that cars can get out of their driveway. Toby Barrus asked if the applicant will need to move the proposed driveway location to meet that requirement. Lyle Gibson said that we need to obtain exact measurements.

Vice Chairperson Joshua Sundloff said he would like to obtain more information than these crude hand drawn images. He would like to know how close the proposed driveway is from 200 North and the stop sign.

Tamara Tran made a motion to table the conditional use permit for a two-family dwelling at 188 North 650 East for Dustin Parke until the applicant can appear and address these questions. The

commission would like to obtain a scaled drawing and measurements of the property with the purposed driveway. Steve Lyon seconded the motion and it was unanimously tabled.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR GREEN MANOR SUBDIVISION AT 1576 WEST 200 NORTH FOR PRIVET BARROW / PHIL HOLLAND AND JUSTIN ATWATER.

Lyle Gibson said that 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 21 lots on the 3 acres of property in a common open space subdivision layout with open space parcels and private streets. The overall layout and number of lots has remained consistent with what was approved.

The lots range in size from 3,600 sq. ft. to 4,746 sq. ft. in size. The development's road pattern is a road that comes in at one point along 200 North Street across from the Mtn. Vistas Subdivision and creates a circle back to the same point of entry. This entry includes a 4 ft. wide center island to be landscaped. The HOA will maintain all common areas including the landscaping at the entry to the subdivision and along 200 North Street. All lots are for single family detached housing product. As platted the lots have a front yard of 15 ft. / 18 ft. to the garage, 5 foot side yards, and 15 foot rear yards. This is consistent with the approved development agreement and plans presented to the city council during the rezone process.

The plan includes a trail access, 7 guest parking stalls, perimeter fencing, and provides potential access to future development of property to the north. The property has sidewalk within the subdivision only around the interior block. The project has sufficient open space based on the number and size of lots in accordance with the PRUD chapter of the city's ordinances.

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.

The development of the property is subject to the provisions of Chapter 17-14 R-2, and 17-34 PRUD. Staff recommends the Planning Commission forward a positive recommendation to the City Council for the approval of the preliminary plat for the Green Manor Subdivision.

Vice Chairperson Joshua Sundloff opened the public hearing.

Nothing was brought from the public and Vice Chairperson Joshua Sundloff closed the public hearing.

Steve Lyon asked Lyle Gibson about the access turning into the subdivision and dealing with the rail trail. Lyle Gibson said they are currently looking at options for better signaling or something on the street to make drivers more aware of people crossing.

Tamara Tran asked Lyle Gibson if there was any way they could make traffic turn out a certain way from the subdivision. Lyle Gibson said he would look at this further, but there has not been concern from reviewers regarding limited turn movements.

Toby Barrus made a motion to recommend approval to the Kaysville City Council the preliminary plat for Green Manor Subdivision at 1576 West 200 North for Privet Barrow / Phil Holland and Justin Atwater. Tamara Tran seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Michael Halls stood and said that he would like to save the historic school house on the Harvey Estates property that is set for development. The building was built in 1875 and is one of only 3 old school houses that were built during this time period. This is the only one left standing. The Kaysville City historic committee would like to find a way to save this building. Lyle Gibson said that he would talk with the developer to see what could be done to possibly save the building.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, October 10, 2019.

ADJOURNMENT

Vice Chairperson Joshua Sundloff made a motion to adjourn the meeting. Steven Lyon seconded the motion and it passed unanimously. The meeting adjourned at 9:20 p.m.



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Clean Cuts Trees, tree trimming service. October 10, 2019

Applicant/Owner: Joshua and Christy Hampton
Location: 1901 West Bonneville Lane
Zoning: R-1-20

Description:

The applicant is requesting a conditional use permit for a Major Home Occupation B at 1901 West Bonneville Lane. The Hampton family is looking to purchase the property for their home and tree trimming service. The applicant is going to provide a 6 ft. privacy fence and a 15 ft. access gate entering their corner lot from Angel Street to provide an area that screens their equipment. The home business will have 2 trucks under 22 feet in length, two chippers and one small flatbed trailer. Clean Cut Trees will not have any employees coming to home, and they will not have stored materials delivered.

A Home occupation B is subject to the provisions of [KCC 17-26-4](#).

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation B, tree trimming service with the following conditions:

Applicants provide a 6 ft. privacy fence to obscure business related equipment. Fencing shall allow for access from Angel Street for their equipment.

Reasoning:

Having discussed the use with the applicant, staff feels that the restrictions already in place within the ordinance are sufficient for mitigating reasonably potentially detrimental impacts.

Attachment 1: Area Map

1901 West Bonneville Lane



To whom it may concern,

We are purchasing the property at 1901 Bonneville Ln. We currently own the home at 400 N 100 E and run our business Clean Cuts Trees out of that. Clean Cuts Trees currently provides tree services for Kaysville City and wishes to continue to do so. We love being centered in Kaysville. We have out grown our current home, this is why we have purchased the bigger lot on Bonneville. We plan on immediately fencing the entire lot with a 6' fence and parking all of our equipment inside the fence. We currently have 2 commercial vehicles and 3 trailers none of which is over 22' long by its self. If the business grows we will purchase equipment that stays inside the city requirements for vehicle size and this business license. We would like the conditional use Home Occupation B business license to transfer to our new home. Our office staff work from home. We currently meet our couple employees at the job sites or designated pick up areas and will continue to do so. No customers come to our residence. Thank you for your consideration and we look forward to staying your local tree company.

Christy Hampton

Clean Cuts Trees



Planning Commission Staff Report

Conditional Use for a Residential Day Care October 10, 2019

Applicant/Owner: Teri Mills
Location: 562 East 1475 South

Description:

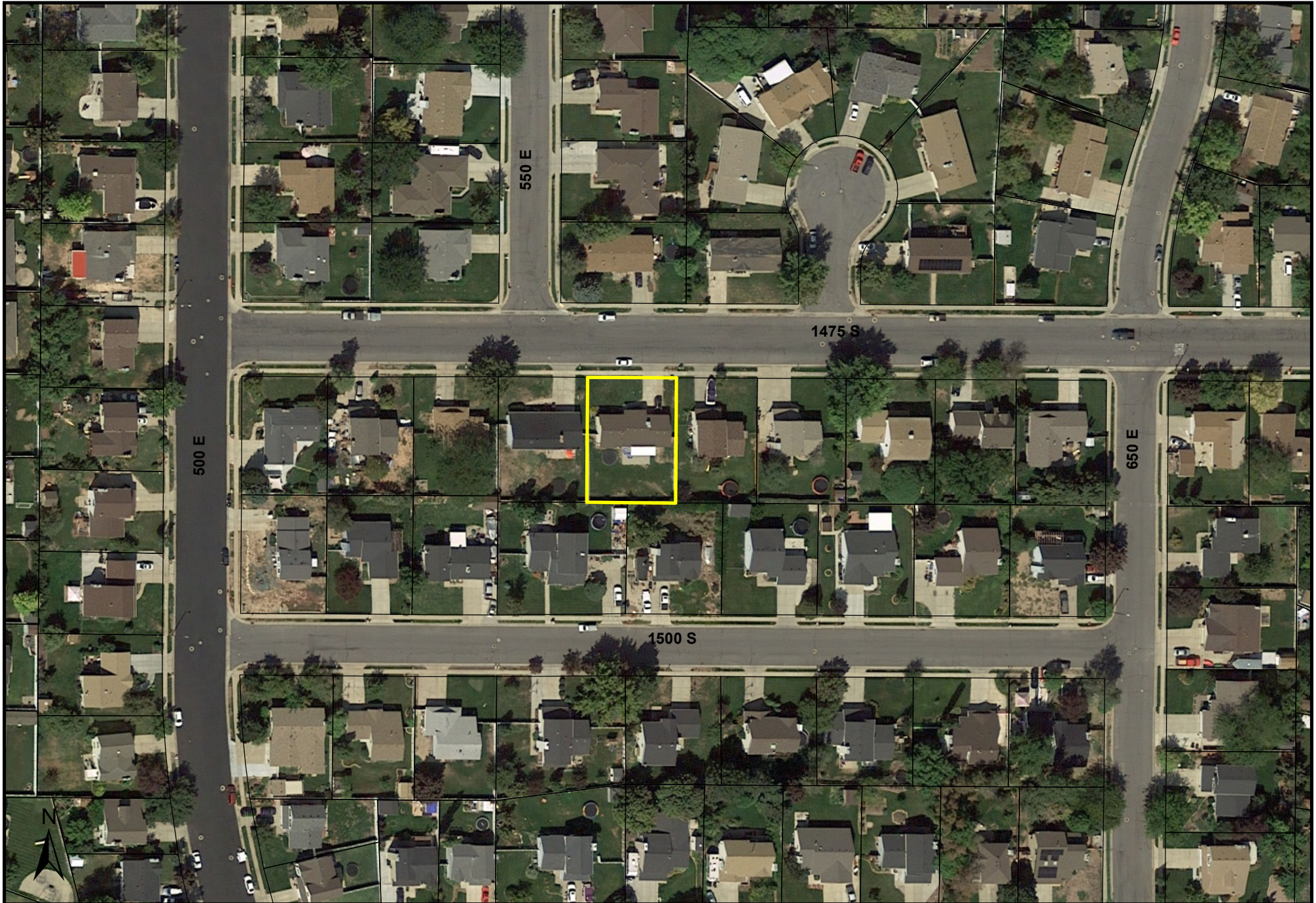
In Title [17-26-6](#), it states that residential child care may be allowed by conditional use permit in residential zones with a maximum of 12 children.

Mrs. Mills has been providing child care services from her home for some time but was unaware of the licensing requirements. She will be providing child care for 6 to 9 children. After receiving approval from the Planning Commission, she will then go through a licensing process with the State of Utah, including a home inspection. In the case of residential child care, one outside employee is allowed to work in the home occupation according to the City's Ordinance.

Recommendation:

Staff recommends approval of this proposed residential child care business without the need for additional conditions.

562 East 1475 South





Planning Commission Staff Report

Preliminary Plat for Kourosh Subdivision. October 10, 2019

Applicant/Owner: Kourosh Haroni
Location: 946 East 300 North
Zone: R-1-8

Description:

The property is located at 946 East 300 North and is currently zoned [R-1-8](#). The existing lot is 18,609 square feet in size. The applicant Kourosh Haroni is anticipating creating a new lot of 8,616 square feet with 151 feet of frontage. This will leave the existing home on a 9,903 square foot lot. The new proposed lot will face 200 North at approximately 939 East. Both the existing and new proposed lot meet the frontage and square footage requirements for the existing R-1-8 zoning district. The new lot facing 200 North is deep enough to provide a building pad that meets the minimum dwelling size requirements of [17-31-16, Dwellings](#). Mr. Haroni will provide either a hammerhead or circular driveway for safe access to the 200 North Street.

All street improvements are in place and no dedication is needed for the 200 North right-of-way.

Recommendation:

Staff is recommending approval of the proposed preliminary plat for the Kourosh Subdivision.

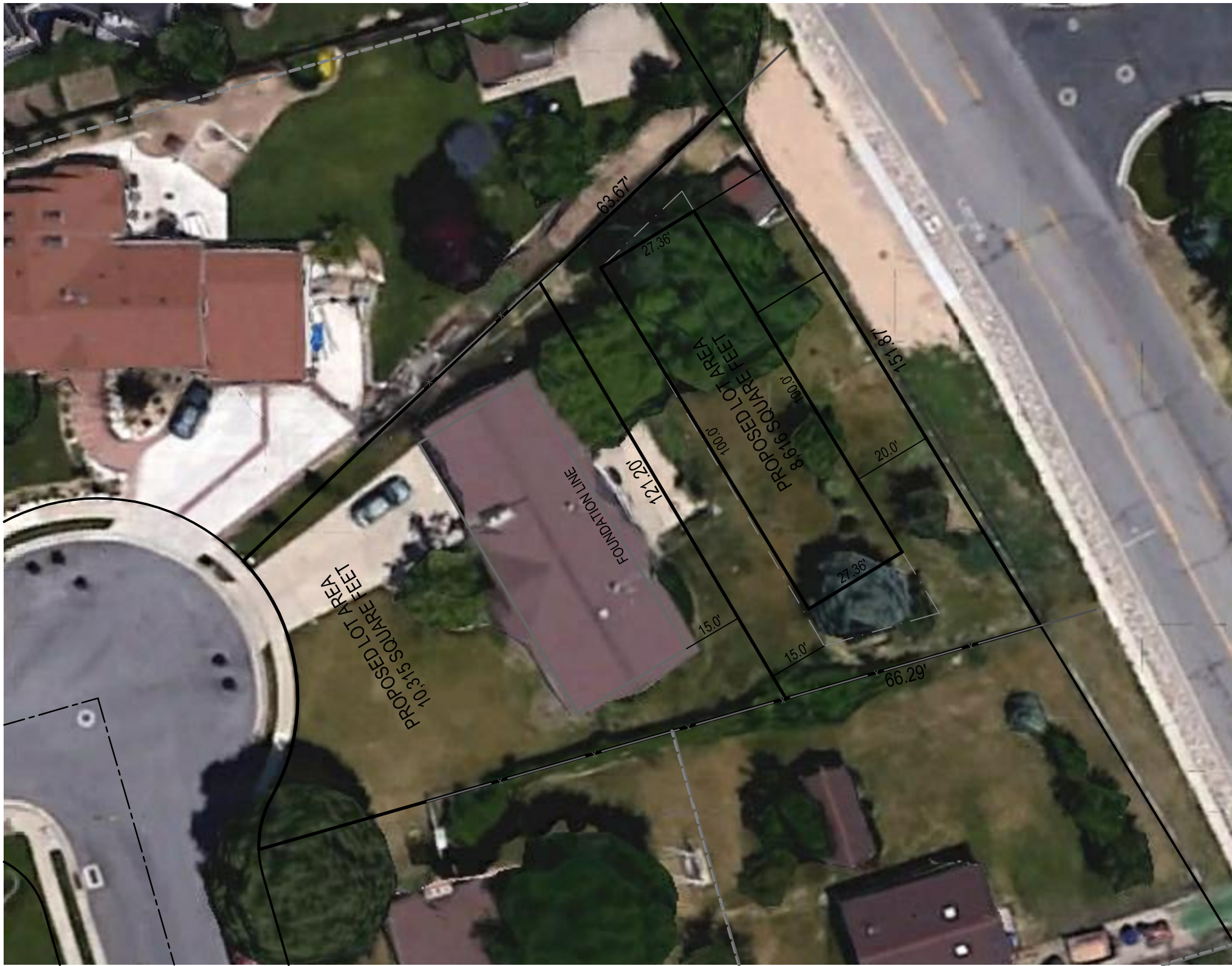
Reasoning:

The plat is consistent with zoning requirements and meets applicable ordinances and standards.

Attachments: Area Map, Preliminary Plat.

946 East 300 North





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 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 the 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 if they: 1) have financial or personal interest in the property or action concerned, 2) will be directly affected by the decision of the Commission, or 3) believe 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 to determine whether the member can participate 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, being informed of the evidence or reviewing the record of the meeting(s) and/or hearing(s) that the member missed.

4.5 Electronic Participation

When necessary to form a quorum, a member of the planning commission may participate by electronic media such as telephone, video call, or other means wherein they can communicate with the commission and vote on an item.

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. 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 from any party except the Commission. All comments, arguments and pleading shall be addressed to the Chair. There shall not be debate or argument between individuals. The Chair 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 to another 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 take action on the item immediately after the hearing of the case; or
- b. To defer action 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 voice vote after a motion has been made and seconded.

Decisions of the Commission shall be accompanied by a reason for the decision made.

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

8.1 Withdrawal

An application or petition shall be withdrawn from consideration if an applicant makes a written withdrawal request before the meeting in which the application or petition will be considered. The application or petition may be withdrawn at a meeting if the applicant verbally makes that request before the Commission takes action on the application or petition.

8.2 Continuance

The Commission may defer the hearing of cases or continue a hearing to another time. A motion for a continuance must state the cause for the continuance. Unless a time and place are stated in said motion, the continued hearing will require public re-notice.

ARTICLE IX - AMENDING OR WAIVING BY-LAWS

9.1 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 the proposed changes shall be heard.

9.2 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.

9.3 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.

Planning Commission Staff Report



Work Item General Plan Amendment 10/10/2019

Description:

The Planning Commission recently held the required public hearing in consideration of a general plan amendment which addresses moderate income housing requirements mandated by the State of Utah through SB 34 during the 2019 legislative session. The Commission has been discussing this over the past few months and has identified a refined list from the required options that it felt merited additional research and consideration has sought public input from an open-house, online survey, and public hearing to date.

Staff would like the Planning Commission to provide staff with direction for any changes that it feels warranted for its consideration before discussing the item again and making a recommendation to the City Council during its October 24, 2019 meeting.

SB 34 requires that Kaysville City's General Plan include a moderate-income housing element which coordinates with transportation, employment, and population growth in a 5-year planning horizon accommodating a variety of people at different stages of life including residents at 80%, 50%, and 30% of AMI. To do this, Kaysville City must implement at least 3 moderate-income housing strategies from the list of 23 provided in SB 34 to remain eligible for TIF and TTIF funding from the State. These strategies need to be a part of the city's general plan by 12/1/2019.

The strategies listed in SB 34 are as follows, with those in bold having been identified by the Planning Commission as options of interest for further exploration.

- (A) rezone for densities necessary to assure the production of moderate income housing;**
- (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;**
- (C) facilitate the rehabilitation of existing uninhabitable housing stock into moderate income housing;**
- (D) consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the city;
- (E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones;**
- (F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;**
- (G) encourage higher density or moderate income residential development near major transit investment corridors;
- (H) eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) allow for single room occupancy developments;

- (J) implement zoning incentives for low to moderate income units in new developments;
- (K) utilize strategies that preserve subsidized low to moderate income units on a long-term basis;
- (L) preserve existing moderate income housing;**
- (M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate income housing;
- (N) participate in a community land trust program for low or moderate income housing;
- (O) implement a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality;
- (P) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing;**
- (Q) apply for or partner with an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity;**
- (R) apply for or partner with an entity that applies for affordable housing programs administered by the Department of Workforce Services;
- (S) apply for or partner with an entity that applies for programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act;**
- (T) apply for or partner with an entity that applies for services provided by a public housing authority to preserve and create moderate income housing;
- (U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;
- (V) utilize a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency; and
- (W) any other program or strategy implemented by the municipality to address the housing needs of residents of the municipality who earn less than 80% of the area median income.

In addition to the changes addressing the moderate income strategies, the city is also required to have an Active-Transportation Plan as an element of its General Plan. Kaysville City has recently created such a plan, however it is currently only referenced in the General Plan.

The process for an amendment to a city's General Plan is outlined by the State in Title 10-9a-2. Following the appropriate process, notice has been provided to affected entities and public accordingly. Staff is anticipating that this evening the Planning Commission will simply take comment on the matter, then continue to discuss and prepare a recommendation for the City Council during the month of October. The City Council would then make a final determination on the General Plan Amendment during the month of November.

The draft General Plan amendment included with this report is based on the areas of interest identified by the planning commission and feedback received at the public open house held specific to the conversation of housing choice and affordability and the online survey completed by nearly 500 individuals.

Recommendation:

Staff recommends simply taking input from the public during the hearing at this meeting in preparation for working with staff on refining the General Plan Amendment during the month of October.

Attachment 1: Draft General Plan Amendment (Cover page only for Active

KAYSVILLE CITY GENERAL PLAN

Adopted by the City Council ~~December 16, 2014~~ November 7, 2019

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COMMUNITY

Background Kaysville is located approximately 20 miles north of Salt Lake City between the Wasatch Mountain Range and the Great Salt Lake. Stream channels with dense vegetation run through the City from the mountains to the lake. The community enjoys panoramic views and the appropriate use of these many features.

Kaysville was settled in 1850 as a farming community and began to grow as a place of residence between the employment centers of Salt Lake City and Ogden. Steady growth continues today making Kaysville a destination of choice for safe residential community with supporting businesses and public facilities.

In keeping with the City theme, “Utah’s Hometown in the middle of everything,” community leaders continue to provide appropriate services to maintain the distinct character of the City.

The residents are family-oriented, have a strong commitment to quality education, and enjoy a peaceful lifestyle with a sense of community that makes it an attractive place to live, work, shop and play.

The community enjoys recreation programs and parks located throughout the City. Residents and community leaders work closely to create and maintain an atmosphere of cooperation and civic pride.

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.
- B. The City should preserve and strengthen family orientation, public order, personal safety and security.
 - 1. Strengthen each public safety agency, upgrade equipment and add personnel as needed.
 - 2. Provide public safety education and harm prevention programs.
 - 3. Involve the public in community safety, personal security and emergency preparedness activities.
- C. The sense of cohesive community should be preserved and enhanced.
 - 1. Provide meeting places, functions, and events.

2. Promote organizations and activities that meet community standards.
- D. The cultural heritage of the City should be promoted by using genuine architecture to continue the Kaysville story.

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.
 2. Interconnect all sites for pedestrian and vehicular access.
- B. The historical character and appearance of the Old Kaysville Townsite should be preserved.
- C. Historical landmarks, sites and structures should be preserved and renovated. Consider historical value in property use decisions.
- D. The natural environment should be enhanced.
1. Enlarge and improve the community forest.
 2. Beautify the entrances to the City with landscaping.

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 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.
- B. Small areas adjacent to the City should be annexed when development occurs. Implement the Annexation Policy Plan.

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.

Goals and Policies

I. 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-four~~ units per acre with some higher density housing of up to 10 units per acre along the major streets.
 - 2. East of I-15, allow zero to five units per acre with some higher density housing of up to 16 units per acre along major streets or within commercial areas.
- 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~~The City will seek to provide a variety of housing choices throughout the community (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.

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.

III. Agriculture

- A. Agriculture (tilling of the soil) should be allowed in all residential areas.

- B. Animal husbandry should be allowed in all residential areas on those lots that are adequate in size.

IV. Recreation

A wide variety of accessible, developed and undeveloped recreation lands should be provided.

1. Natural recreation lands include Great Salt Lake, trail systems, ponds, streams, Wasatch National Forest, Bonneville Shoreline Trail, and East Mountain Wilderness Park.
2. Working recreation lands include hobby farms, garden plots, Utah State University Botanical Center, and other agricultural lands.
3. Developed recreation lands include parks, playgrounds, recreation centers, schools, school sites, churches, church sites, golf courses, and commercial recreation sites.
4. Implement the Recreation Facilities Impact Fee Facilities Plan.

V. Education

- A. Providers should be encouraged to locate schools on appropriate sites.
 1. Locate junior high and high schools on a major street emphasizing safety and access.
 2. Locate elementary and private schools emphasizing safety and access.
- B. Expansion of Davis Applied Technology College (DATC) should be supported.
- C. Utah State University should be encouraged and supported to fully develop Utah Botanical Center.

VI. Public Buildings and Grounds

- A. Most public buildings should be located near Main Street.
- B. Adequate Cemetery facilities should be developed and maintained.
- C. Places of worship should be allowed to service the community.
 1. Locate buildings for worship in residential areas.
 2. Locate buildings for worship with dispersed congregations on a major street.

VII. Open Space

- A. Kaysville should contain abundant public and private natural, working and developed open space.
- B. The natural resources of Kaysville should be protected, conserved, and improved.
 - 1. Protect and improve stream channels and flood hazard areas through stream channel and flood damage prevention regulations.
 - 2. Assist the owners in protecting ponds and reservoirs for the delivery of secondary water.
 - 3. Conserve and improve wetlands through federal regulation.
 - 4. Preserve natural landscapes and wildlife habitat such as hillsides and woodlands.
 - 5. Preserve East Mountain Wilderness Park as a recreational site and natural landscape and wildlife habitat in association with Wasatch National Forest.

TRANSPORTATION AND TRAFFIC CIRCULATION

Background Transportation facilities consist of streets, transit, railroads, airports, and pipelines.

Kaysville City lies between the Wasatch Mountains on the east and the Great Salt Lake on the west. Traffic to and from this area travels north or south using Interstate 15 and U.S. 89, and may use the proposed State Route (SR) 67 in the future. These are State facilities and the principal arterial streets affecting Kaysville. Main Street and 200 North Street link the major traffic generators, the City Center, and the principal arterials, and provide access to the four quadrants of the City. They are the minor arterial streets. Collector streets link the local areas and the arterial streets and are located at appropriate intervals. Significant local streets provide other necessary connections. Local streets are all others.

Kaysville City participates in the Wasatch Front Regional Council's Active Transportation Committee and supports the Bicycle and Trails Plan. Routes within the city should be categorized per the Council's recommendation. Kaysville City benefits by supporting active routes and trails, which has an increasing role of transporting people throughout the city.

Bus routes of the Utah Transit Authority serve Kaysville and will have an increasing role and importance in transporting people to, from and within the City.

Kaysville is crossed by two rail corridors. The Union Pacific Railroad and FrontRunner Commuter Rail transport freight and passengers through Kaysville.

Kaysville is well served by the International Airport in Salt Lake City and the municipal airport in Ogden. Flights from Hill Air Force Base affect Kaysville, but the resulting impacts are addressed in special studies and regulations.

Eight fuel pipelines in four locations cross Kaysville.

Goals and Policies

I. Streets and Bicycle Facilities

A. An adequate street system should be provided.

1. Implement the Major Street Plan.
2. Design and develop streets to encourage traffic speeds that are appropriate for adjacent land uses.
3. Restrict development that is not compatible on arterial and collector streets to preserve their function.

B. Bicycle facilities should be provided.

1. Implement the Kaysville Active Transportation Plan (See Appendix A).
 - ~~2. Design and develop streets to accommodate bicycles on Shared Roadway in accordance with the American Association of State Highway and Transportation Officials (AASHTO) "Guide for Development of Bicycle Facilities."~~
 - ~~3. Designated north-south bicycle routes.~~
 - ~~a. Main Street from Farmington to Layton; with signage and marking applicable for the highest level of shared roadway.~~
 - ~~b. Denver Rio Grande Western Rail Trail.~~
 - ~~4. Designated east-west bicycle routes; with signage and marking applicable for the highest level of shared roadway.~~
 - ~~a. 200 North Street from Denver Rio Grande Western Rail Trail to U.S. Route 89, accessing Mountain Park and Bonneville Shoreline Trail.~~
 - ~~b. Burton Lane from Denver Rio Grande Western Rail Trail to Main Street.~~
- 5.2. Provide public facilities on public property (open spaces, parks).
- 6.3. Encourage owners to provide bicycle facilities with public access on private property.

II. Transit

- A. The City should work with the Utah Transit Authority to provide improved bus facilities and services to, from and within Kaysville.
- B. Paratransit should be encouraged within and around Kaysville.

PLAN FOR ADDITIONAL MODERATE INCOME HOUSING

Background This is “an estimate of the need for development of additional moderate income housing within the City, and a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.” (Utah Code 10-9a-403(2)(a)(iii)).

Goals and Policies

Approximately fifteen percent (15%) of the additional housing should be moderate income housing. Kaysville will continue to use the following means and techniques to provide a realistic opportunity for development of a variety of housing, including moderate income housing:

1. Zoning properties townsite (R-T), single family (R-1), diverse (R-D), two-family (R-2), one to four family (R-4), and multiple family (R-M) residential and central commercial (CC) which allows housing.
2. Clustering in residential areas.
3. Permitting multiple unit structures in single family residential zones.
4. Permitting less costly size, design, materials and construction of housing.
5. Facilitating the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.
6. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.
7. Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.
- 5-8. Preserve existing moderate income housing.

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GLOSSARY

Agriculture

The tilling of the soil, the raising of crops, horticulture and gardening, but not including the keeping or raising of farm animals and fowl.

Animal Husbandry

The keeping or raising of farm animals and fowl.

Business

An occupation, profession, trade, or profit-seeking enterprise.

City Center

The area of Main Street and 200 North Street from I-15 to Fairfield Road.

Collector

Collector streets penetrate neighborhoods to distribute traffic to local streets, collect traffic from local streets, and channel traffic into the arterials. Use of collectors by through traffic should be discouraged. Collectors should “collect” traffic and provide for access.

Flood Hazard Area

The area along a stream that is subject to flooding and the area below 4217 feet elevation.

Flood Hazard Zone

The flood risk premium zones on Flood Insurance Rate Maps.

Functional Classification

The streets and highways of an area form a system. They have two main functions: (1) to allow vehicles to move safely and efficiently, and (2) to allow access to property. These functions of a street are basically incompatible. Efficient traffic movement results from clear traffic lanes with minimum interference from the sides so that higher speeds and larger volumes can be maintained. Access to land requires many side movements, called side friction, to and from traffic lanes which interfere with efficient movement within the lanes. Streets are, therefore, classified by function and the characteristics of that function stressed in design.

Hobby Farm

A parcel of land used for agriculture or animal husbandry as an avocation.

Home Occupation

A business or industry conducted in a residential area and incidental and secondary to the housing use.

Housing

A structure or portion thereof that is used for human habitation.

Industry

Activity involving manufacturing or technical production.

Local Street

Local streets are all streets not otherwise classified and provide direct access to abutting land and linkage to other streets. Through traffic movement is deliberately discouraged on these streets.

Major Street

A principal arterial, minor arterial, collector or significant local street identified in the Major Street Plan.

Minor Arterial

Minor arterials connect with and augment the principal arterials and provide for travel to geographic areas within Kaysville. More access to land is provided which results in less movement efficiency. Minor Arterials provide continuity through the City but should not penetrate identifiable neighborhoods.

Moderate Income Housing

Housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

Multiple Unit Housing

Housing with more than one dwelling unit per structure including attached units.

Natural Landscape

An ecosystem not maintained by humans.

Natural Waterway

Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels where water flows.

Old Kaysville Townsite

The area between I-15 and Main Street and 200 North and 100 South Street, consisting of the west half of blocks 7 and 18, Blocks 8, 9, 10, 11, 14, 15, 16, 17, and the south half of Blocks 32, 33, 34 and 35.

Open Space

Any parcel or area of land or water relatively unoccupied by buildings and set aside, dedicated, designated, or reserved for public or private use or enjoyment.

Paratransit

A form of public transportation service characterized by the flexible routing and scheduling of small vehicles such as taxis, vans, and small buses, to provide shared-occupancy, doorstep, or curbside personalized transportation service.

Principal Arterial

These streets provide for the movement of traffic with as little interference as possible. There is limited access to these streets and they carry a high proportion of the traffic at higher speeds.

Private Open Space

Open space to which access may be restricted.

Public Open Space

Open space maintained for the use of the public.

Recreation

Mental or physical refreshment after work.

Residential

Used for housing.

Significant Local Street

These streets “collect” traffic in shorter distances than collectors and provide for even more land access.

Single Unit Housing

Housing with one dwelling unit per structure.

Transit

A public common carrier transportation system for people, having established routes and fixed schedules.

Wetlands

An area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wildlife Habitat

The natural environment of undomesticated animals living in the wild.



Kaysville Active Transportation Plan

Connecting Our Community
Through Safe Walking & Bicycling

MARCH 2016

