

KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, February 27, 2020 at 7:00 p.m. in the **Kaysville Fire Station Building at 175 South Main St, Kaysville, UT.**

The agenda shall be as follows:

1. Opening and approval of the minutes from the February 13, 2020 meeting.
2. Conditional use permit for a Major Home Occupation "B" for a Preschool located at 338 South 300 West – Annette Solt.
3. Continued discussion for the consideration of an ordinance amending section 17-31-2 Accessory Buildings, of Title 17, Planning and Zoning (Tabled item).
4. Planning Commission training by Kaysville City staff.
5. Discussion: Future ordinance considerations.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
8. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, February 21, 2020.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Preschool. February 27, 2020

Applicant/Owner: Annette Solt
Location: 338 S 300 W
Zone: R-1-8 (Single Family Residential)

Description:

The applicant is requesting a conditional use permit for Major Home Occupation "B" at the above listed address to run an in-home preschool. The applicant would like to teach classes Tuesday and Thursday mornings from 9:00 am to 11:15 am.

Mrs. Solt anticipates having 12 students in the class held twice a week. She has tried to coordinate the start time of her class so that it does not conflict with drop off and pick up times for kindergarten and elementary classes. She believes half of her students will be neighbor children that are within walking distance.

Because a preschool is an organized class, section 17-26-4 (12) d. it requires that 'limits be placed on the number of students and/or the number of vehicles transporting students to prevent congestion. The applicant's has expressed the intention to work with parents on a consistent drop off and pick up pattern to keep traffic flowing one way through the neighborhood to improve flow and minimize impact.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for a Major Home Occupation "B" preschool, at the above listed address with the following condition:

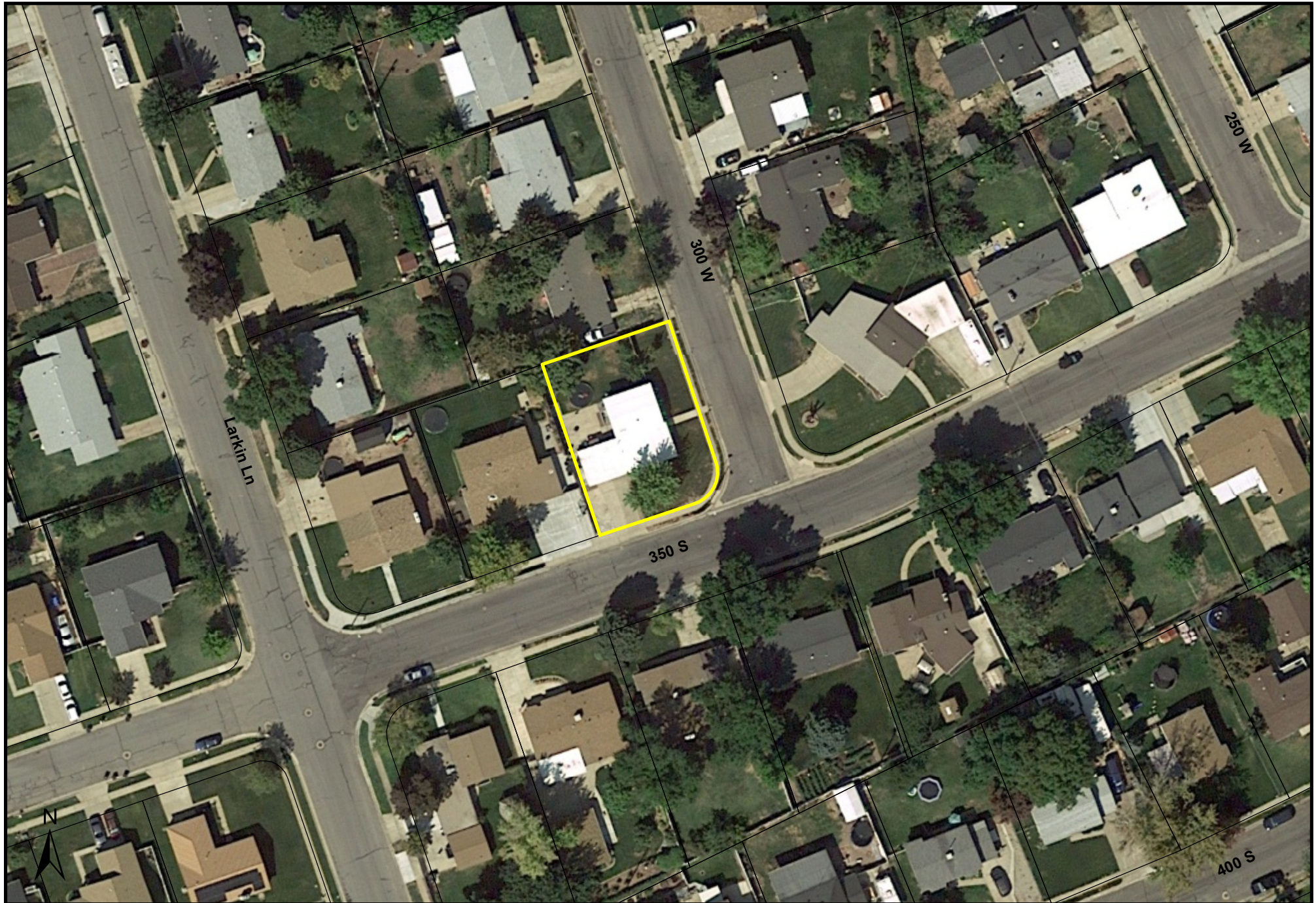
- Groups be limited to no more than 15 students at a time.

Reasoning:

The restrictions of the ordinance together with the recommended condition appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

338 South 300 West





Planning Commission Staff Report

CONSIDERATION OF AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY BUILDINGS, OF TITLE 17, PLANNING AND ZONING. Continued from 2/13/2020

February 27, 2020

Update

At the Planning Commission meeting held 2/13/20, the Planning Commission moved to recommend an ordinance dealing with exceptions to the main dwelling on corner lots. A brief introduction was given to the accessory structure issue from 17-31-2, but it was determined that more time was needed to understand the issues and the proposed ordinance so this section was tabled for additional discussion.

Original report.

The Planning Commission recently gave direction to city staff to put together a draft ordinance that would allow for some reasonable flexibility in the city's ordinances to help provide an alternate option to the variance process for items the commission has dealt with and determined to be acceptable but not legal under the existing code.

As part of the consideration for changes that might be made, the commission asked that city staff review recent variance requests to identify the types of items that residents/businesses are looking to do and attempt to create ordinance language that might have accommodated those issues.

Variance requests are rare as the process and requirement for receiving a variance are so stringent. Over the past 5 years the Planning Commission has seen requests for the following variances:

- Accessory structure location (5)
- Flag Lot Stem Requirements (2)
- Home business sign regulations (1)
- Setbacks relating to a dwelling (1)

Staff will be prepared at the Planning Commission meeting to further detail these requests as needed.

In consideration of these items staff is recommending that the commission look at ordinances to address accessory structure issues and setbacks related to dwelling.

A draft ordinance has been prepared which is included with this report that proposes language to address these 2 items. It is the opinion of city staff that the other variance requests weren't for items that the planning commission felt they would have liked to approve.

Staff is looking for a recommendation to forward to the city council regarding the draft ordinance.

Recommendation:

Staff recommends that the Planning Commission review the proposed ordinance and consider potential impacts from the proposed changes. The planning commission may make a recommendation on the proposed ordinance with or without changes, motion to keep the ordinance as is, or direct staff to provide additional information and/or make changes and continue this discussion at a future meeting.

Attachments:

Attachment 1 – Draft Ordinance

Attachment 2 – Examples of proposed changes.

**KAYSVILLE CITY
ORDINANCE 20-02-02**

SMALL ACCESSORY STRUCTURE PLACEMENT

**AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY STRUCTURES, OF
TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.**

NOW THEREFORE, be it ordained by the Council of Kaysville City, in the State of Utah, as follows:

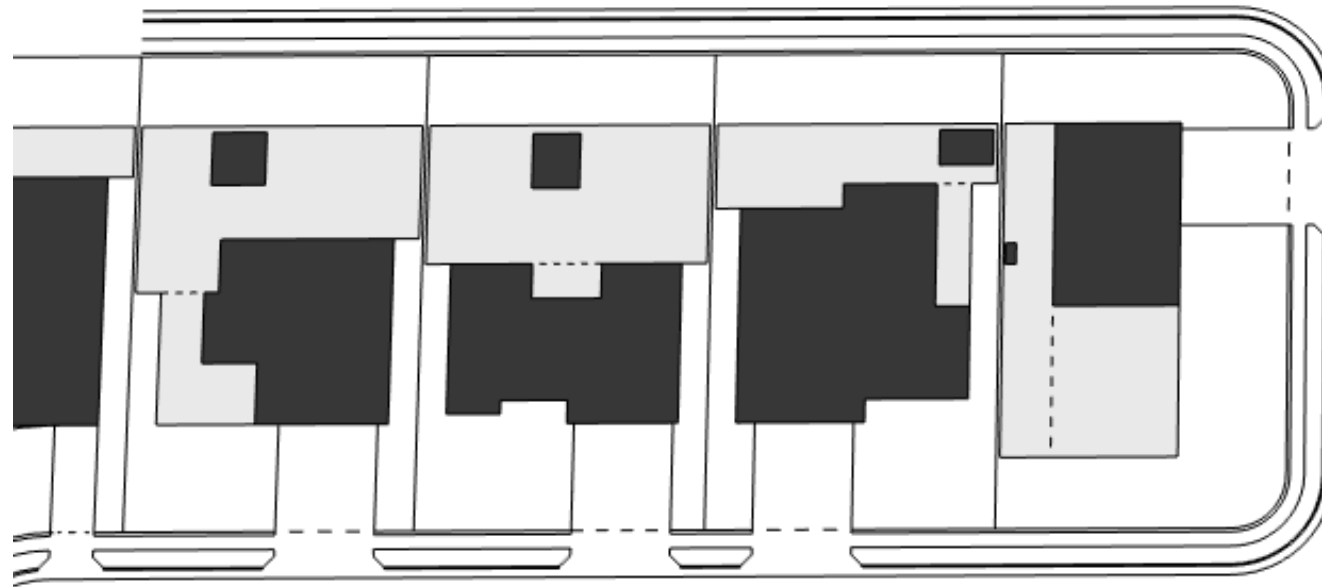
SECTION 1: **AMENDMENT** “17-31-2 Accessory Buildings” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

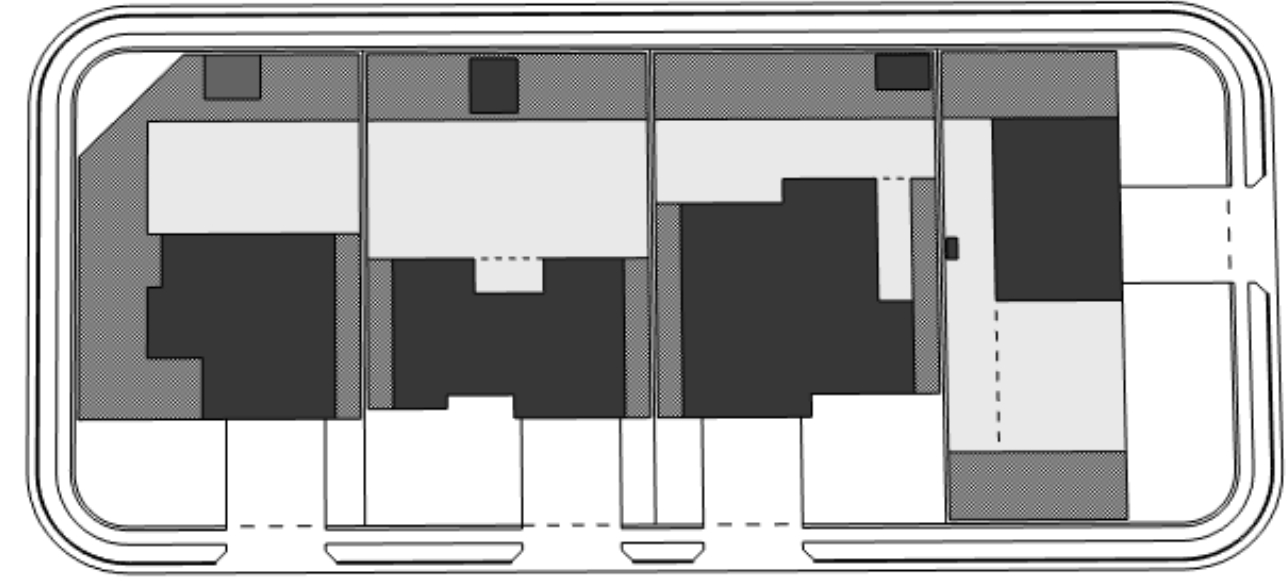
17-31-2 Accessory Buildings

1. All accessory buildings shall comply with the provisions of this Title. No accessory building shall be located in any front yard ~~or required side yard~~. Accessory buildings 200 sq. ft. or larger, or any accessory building which exceeds 10 feet in height shall not be located in a required side yard or yard abutting a street such as a corner lot or double frontage lot. Accessory buildings such as a garden or tool shed which do not exceed 10 feet in height may be located in a rear or side yard abutting a public street.
2. A property owner must obtain written permission from an easement holder in order to locate an accessory structure on any recorded easement. Structures located in an easement such as a Public Utility Easement (P.U.E.) are placed at the property owner's risk and the structure may be required to be removed at the property owner's personal expense should an entity with rights to the easement require access to that easement at any time.
3. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of this Title applicable to the main building.
4. One story detached accessory buildings smaller than 200 square feet shall not be located so that they cause storm water runoff onto the adjacent property. Accessory buildings 200 square feet or larger shall have the required permits and be located not closer than one foot (1') to the adjacent property line and so that storm water does not run off onto the adjacent property.
5. Accessory buildings in any zone shall occupy no more than twenty percent (20%) of the lot area less the footprint area of the main building. An accessory building shall not exceed ten percent (10%) of the lot area or three thousand (3,000) square feet, whichever is more restrictive. Accessory buildings may exceed three thousand (3,000) square feet in area by conditional use in the zones where allowed by conditional use.
6. Accessory building shall not exceed in height the line created by a point twelve feet (12') above ground at the property line and extending upwards from that point at a 45 degree angle towards the interior of the property, up to the maximum building height allowed in the zone.
7. Buildings housing farm animals shall comply with [KCC 17-24-3](#).

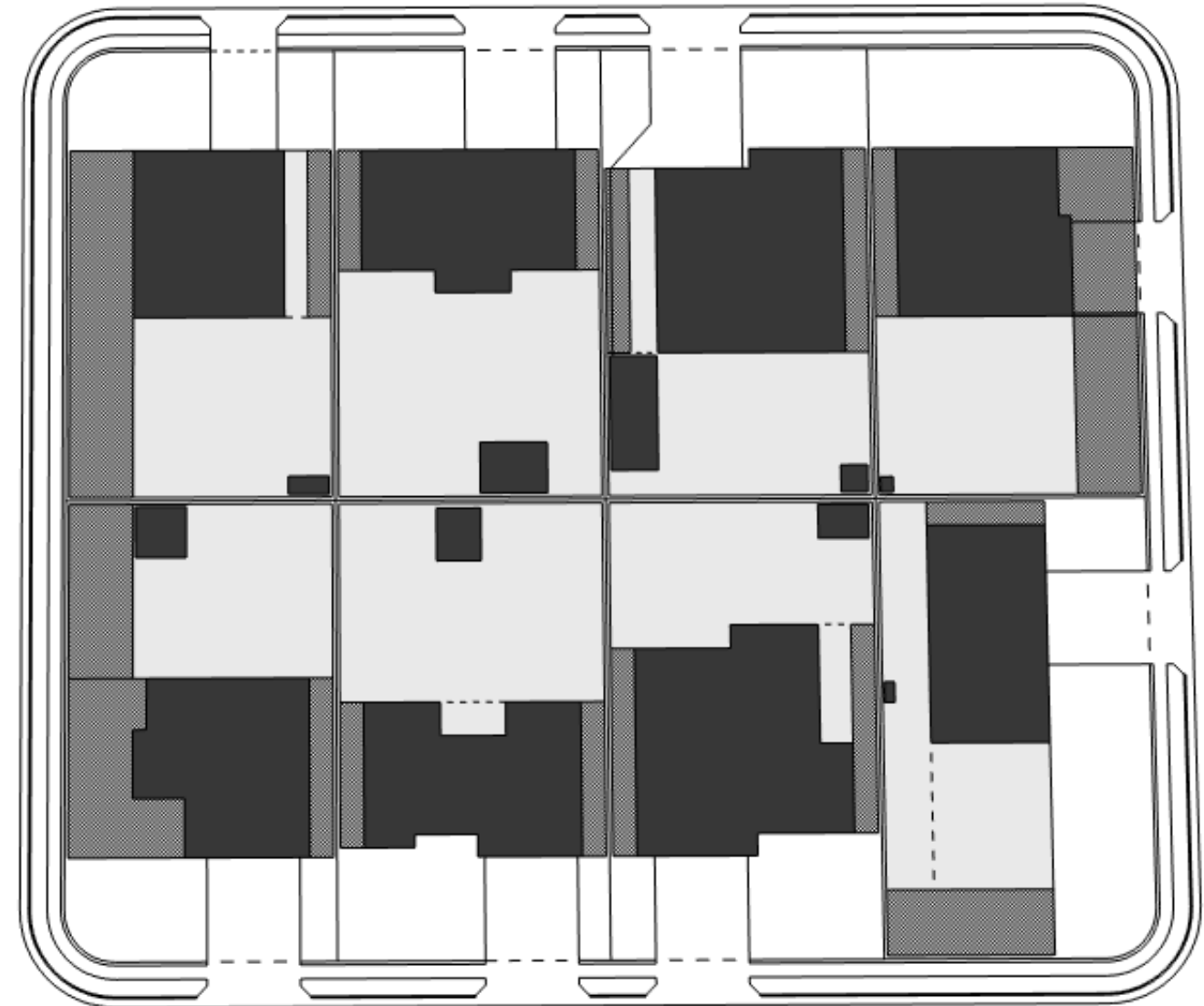
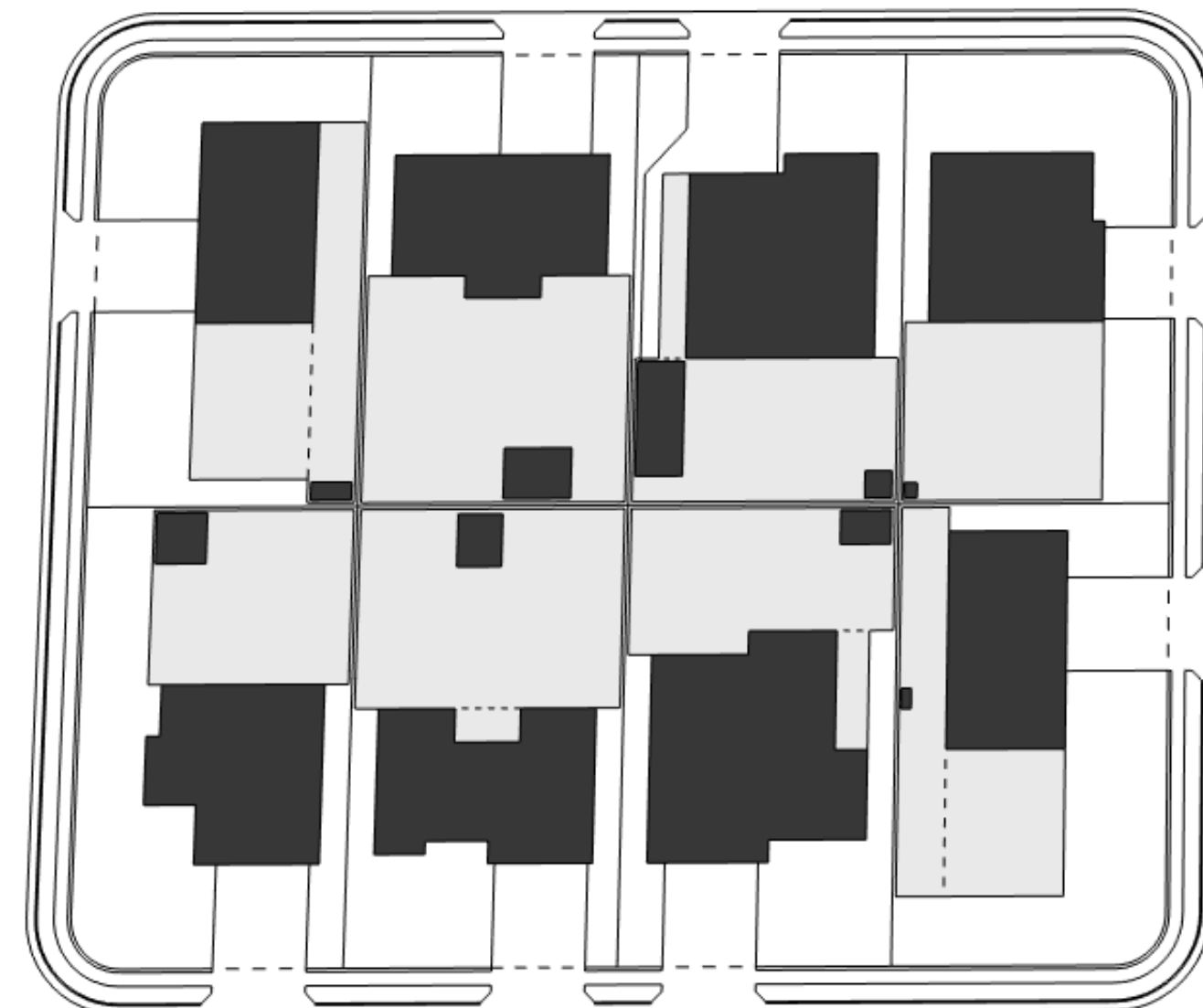
Accessory Structures



Current Ordinance



Proposed Ordinance



 = dwelling or accessory structure

 = area where accessory structures are currently permitted

 = Additional area where small accessory structures may be permitted

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

February 13, 2020

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Vice Chairperson Joshua Sundloff, Quan Nguyen, Toby Barrus, Larry Page, Scott Hess, Jared Doxey.

Absent: Steve Lyon

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

Others Present: Bryce Huff, Wade Watkins, Karin Bourque, Abbigayle Hunt, Steven Tranka, Carl Horne, Jeannine Horne, Marvin Horne, Frank Jameson, Brice Tippetts, Andrea Spears, Steve Einfeldt, Frank D. Kramer, Astrid Kramer, Phil Holland, Chaz Walker, David Werts, Kevin Mathias, Kelli Mathias, Lori Johnson, Steve Johnson, Brenda Pugemire, Annemarie Plaizer, Kaysville City Council members Mike Blackman and Tamara Tran.

OPENING

The Planning Commission meeting was held on Thursday, February 13, 2020 at 7:00 p.m. in the Kaysville Fire Station Building. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

Annemarie Plaizier the Kaysville City recorder had the Planning Commission members and alternates stand to take an oath of office for serving on the Kaysville City Planning Commission.

The minutes of the January 9, 2020 meeting were presented for approval. Quan Nguyen made a motion to approve the minutes. Toby Barrus seconded the motion and it was unanimously approved.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” FOR A GENERAL CONTRACTOR AT 273 EAST 100 SOUTH – BRICE TIPPETTS.

Dan Jessop explained that the applicant is requesting a conditional use permit for a Major Home Occupation “B” at the above listed address. Brice Tippetts hopes to run a general contractor business from his home. Mr. Tippetts explained that no employees will visit the listed address. Mr. Tippetts has a 20 foot trailer that will be stored on the property and will be parked behind a privacy fence.

The applicant has explained to staff that no construction materials will be delivered to his home address; they will only be delivered to the job site. The home occupation will not display any signs on the premises.

Larry Page made a motion to approve the conditional use permit for a Major Home Occupation

“B” for a general contractor at 273 East 100 South for Brice Tippetts. Quan Nuygen seconded the motion and it was unanimously approved.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” FOR LIFE COACHING SESSIONS AT 99 NORTH 760 EAST – JOHN AND ANDREA SPEARS.

Dan Jessop said that the applicant is requesting a conditional use permit for Major Home Occupation “B” at the above listed address. Andrea Spears is currently anticipating doing Life Coaching. She would like to start out having only one or two clients per week at separate sessions, however she is anticipating having a group session of no more than 15 people. There is ample frontage and driveway for client parking.

Organized classes are permitted as a Major Home Occupation “B” per KCC 17-26-4 (12) (c) with the requirement that limits be placed on the number of students and/or the number of vehicles transporting clients to prevent congestion

Staff recommended approval of the proposed Conditional Use Permit for Andrea Spears with the condition that a limit of 15 people be put in place in order to help prevent potential congestion per KCC 17-26-4 (12) (c).

Chairperson Wilf Sommerkorn invited the applicant to the stand. Mrs. Spears said that she would hold sessions a few nights a week for an hour and a half.

Scott Hess made a motion to approve the conditional use permit for a Major Home Occupation “B” for life coaching at 99 North 760 East for John and Andrea Spears with the condition that no more than 15 people be allowed at one session. Larry Page seconded the motion and it was unanimously approved.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B” FOR A FLOORING CONTRACTOR AT 946 EAST 300 NORTH --FRANK JAMESON.

Dan Jessop said that Mr. Jameson is requesting a conditional use permit for Major Home Occupation “B” at the above listed address. Mr. Jameson would like to contract work for flooring installation from his home. He will have no employees or materials delivered to the property. Mr. Jameson will not have any signs or commercial vehicles located at the property.

Staff recommended approval of the proposed conditional use permits for a Major Home Occupation “B,” Flooring installation contractor, at the above listed address without additional conditions.

Chairperson Wilf Sommerkorn invited Mr. Jameson to the stand. Mr. Jameson said that he will not have a truck or trailer parked at the location and that all materials will be delivered to customers’ homes.

Chairperson Wilf Sommerkon asked those in attendance if anyone would like to speak. There were several people who wanted to speak so he invited them to the stand.

Lori Johnson stood and said that there are already four unrelated people in the home and wondered what the cities limit was for unrelated renters. Lyle Gibson responded that five people was the limit.

Karin Bourgue stood and said that Mr. Frank Jameson does not live at the home. She spoke with the other renters and they said that he is just sleeping on the couch. She asked how Mr. Jameson can get a permit for a home business if he doesn't even live at the home.

Chairperson Wilf Sommerkorn asked Frank Jameson if he lives at the home. Mr. Jameson said he currently resides there.

Karin Bourgue continued to say that she does not want any more large vehicles driving on the road or trailers parked on the street there.

Steve Johnson mentioned that the lot just got split and the owner will build a house there that will be rented out to five more people making 10 people and cars on that lot. Having a flooring business with trucks and trailers is just too much traffic for their neighborhood.

Larry Page told the audience that we need to give Mr. Jameson some credit for going through the correct process, because there are tons of people in Kaysville that are illegally running businesses out of their homes.

Quan Nguyen asked if they could put conditions on granting the permit. Vice Chairperson Josh Sundloff said that they could.

Larry Page made a motion to approve the conditional use permit for a Major Home Occupation "B" for a flooring contractor at 946 East 300 North for Frank Jameson with the following conditions:

- No employees will meet at the house
- No materials will be delivered to the house.
- No signs, trailers or commercial vehicles will be parked at the house.
- No customers will visit the house.

Scott Hess seconded the motion and it was unanimously approved.

APPROVAL OF KONGO GYM COMMERCIAL BUILDING DESIGN AND PARKING REQUIREMENT.

Lyle Gibson said that the property along Deseret Drive just south of Boondocks has been under review for some time in consideration of future development. Recently a rezone was approved for the property which changed the zone from the GC (General Commercial) to the existing LI (Light Industrial) zoning district. The intent at the time behind the rezone was to be a bit more flexible in the uses that would be permitted on the property in particular to allow for more uses without the need for conditional use approval. A development agreement was put in place at the

time which gave the LI district but maintained the requirement that buildings constructed on the commercial acreage be subject to the provisions of Chapter 18-5-1 through 18-5-9 of KCC which regulate building design.

Generally staff completes this review and is able to approve commercial building design standards at time of building permit. The applicant is aware of the design standards and has sought to comply with them but is seeking approval from the Planning Commission for their proposed structure primarily due to the type of construction the applicant desires to pursue. The ordinance states in 18-5-5 that ‘facades should be stone, brick, concrete masonry, stucco and/or glass. Wood vinyl and metal may be used as trim, accent, soffit, or fascia materials.’ The proposed building is a steel structure, however the applicant believes that this will comply with the ordinance as the specific product can mimic the look of other approved materials and follows the purpose of the commercial building design chapter.

Staff informed the commission that they were seeking 2 motions.

First, it is staff’s opinion that there are many different building materials available on the market that may not have been around when the ordinance was written that can meet the intent and purpose of the city’s ordinances and create attractive facades, if the Planning Commission feels that the material resembles a material allowed by the ordinance the applicant should be allowed to use it to construct the building.

Second without consideration to the applicant’s specific business model, staff’s recommendation for the parking requirement is 50 spaces per field/court and 2 spaces per 1,000 sq. ft. of space dedicated to other uses. Whatever number is determined to be appropriate by the Planning Commission, staff would recommend that it be approved as a ratio rather than a total number of required stalls as the final building design may change.

Chairperson Wilf Sommerkorn said he would like to talk about the building materials first before they move forward with the parking requirements discussion.

Chairperson Wilf Sommerkorn invited the developer Mr. Chaz Walker to the stand. Mr. Walker presented his reasoning as to why the Planning Commission should allow him to build the building out of IMP metal panels which would be cheaper and less labor intensive but in his view still creates a nice building.

Jared Doxey asked what the gauge of the metal would be. Mr. Walker said he did not know. Mr. Doxey said that he would like to know the gauge of the metal for purposes of bending, denting and rusting. He would also like to see the HVAC units on the roof covered or blocked by a parapet since there are neighborhoods around and home owners don’t want to look at those.

Vice Chairperson Josh Sundloff said that there is no parapet shown in the picture. The architectural drawings are crude and it’s hard to know what to expect based on these. Mr. Walker and his realtor agreed that these drawings didn’t show exactly what they want to do.

Mr. Walker said that no balls will be hitting the buildings walls for bends and dents. The facility is meant to be a practice facility with one coach to eight individuals. This isn't an open gym where you can go in and do what you want.

Chairperson Wilf Sommerkorn, Jared Doxey and Quan Nguyen said that they would like to see better detailed drawings.

Chairperson Wilf Sommerkorn suggested tabling the item with the condition that they are in favor of using a metal building but need a more detailed design.

Scott Hess suggested approving the use of an insulated metal panel for the exterior of the building with a look similar to stucco or a masonry piece.

Steve Traka from the audience stood and asked Chairperson Wilf Sommerkorn if he could speak since this item went with the rezone that had a public hearing. Chairperson Wilf Sommerkorn said that they would take comments from the audience at this time.

Steve Traka said this building will be in his site line from his home and he would like this building to be done right. He said that pictures can be deceiving and we need to look at a sample of the actual metal material they plan to use.

Matt Beckstrand representing Boondocks said that their building takes a lot of abuse. They have balls hitting their walls and ending up on their roof all the time. They have lights broken and a lot of property damage. Since they host the same aged clientele he suggests that they use a more durable building material. He feels that metal will not work over the long term.

Scott Hess asked Lyle Gibson if this was the last time that they would see this building design. Lyle Gibson said if they approve the material it would be the last time the commission sees the design, staff would finish the review for other building design requirements.

Chairperson Wilf Sommerkorn said they should have it come back to them for final design approval.

Scott Hess made a motion to allow the use of a metal material that looks and behaves like stucco however the Planning Commission would like to see more detail on the overall look, design and colors of the building before the final approval is given. Quan Nguyen seconded the motion and it passed unanimously.

Chairperson Wilf Sommerkorn said they would now address the parking requirements for the same site.

Lyle Gibson explained to the Planning Commission that the city does not have a set ratio requirement for parking, therefore, it is up to the Planning Commission to set the hard number. Lyle Gibson said that staff looked at other recreation buildings similar to this and research indicates a need for around 450 parking stalls based on the size of the facility and number of courts.

Scott Hess asked the developer Mr. Walker how many stalls they plan on having. He said 171 stalls. Mr. Walker said they feel that is plenty of spaces since they are not going to hold tournaments and games just practice with coaching.

Vice Chairperson Josh Sundloff asked the developer if they ever anticipate something where all the courts will be used for a tournament therefore filling up the parking lot. Mr. Walker said he is unsure since having tournaments takes a lot of wear and tear on their building.

Vice Chairperson Josh Sundloff said if you are going to use this facility for games with a competitive environment there needs to be more parking. You prepare for the worst case scenario and then scale it back from there. He does not want to see parking on both sides of Desert drive. Vice Chairperson Josh Sundloff made a suggestion to shrink the size of the building or remove a basketball court to fit more parking spaces.

Phil Holland, the overall site developer mentioned that perhaps Kongo Gym could create a shared parking agreement with Big Shots Golf who is building next door. Therefore, in the event that Kongo Gym ever holds games or tournaments they can utilize some of Big Shots parking stalls.

Jared Doxey said he would feel good about an agreement if they could obtain about 50 parking stalls that are close to the Kongo Gym's building.

Mr. Walker, from Kongo Gym said that they could also open up the turf field that they plan on installing next to the building for possible overflow parking. The field will have a hard road base underneath the grass turf so it would be suitable for parking.

Vice Chairperson Josh Sundloff mentioned to Mr. Walker that the field could be ruined as soon as someone's car leaks oil onto it. Mr. Waker said that was a risk he was willing to take since he does not anticipate running out of parking spaces. He again reiterated that he does not want to hold games or tournaments there.

Matt Beckstand from Boondocks stood and said that they have the same peak time for customers and they have 312 parking stalls for a building with half the square footage that Kongo Gym is purposing. Mr. Beckstand was concerned that cross utilization would happen and he does not want people parking in the Boondocks parking lot for the Kongo Gym.

Jared Doxey said he wants to see a shared parking agreement with Big Shots Golf so perhaps they wait for that piece. Phil Holland stood and said that he can make a shared parking agreement happen he is just not sure on the number, however they will aim for 50 stalls near the Kongo Gym.

Quan Nguyen made a motion to approve the parking requirement of 171 stalls as shown for Kongo Gym with the stipulation that the north turf field be open for overflow parking and a shared parking agreement be made with Big Shots Golf. Scott Hess seconded the motion and it was passed unanimously.

PUBLIC HEARING AND REZONE CONSIDERATION FOR 3.98 ACRES OF PROPERTY AT 700 SOUTH DESERET DRIVE FROM THE R-2 (RESIDENTIAL) TO THE LI (LIGHT INDUSTRIAL) ZONING DISTRICT – PRIVET BARROW.

Lyle Gibson explained that the subject property was recently rezoned based on a concept tied to a development agreement. As details of the actual development have shaped out, it has been determined that the recent zoning boundary placement does not match the expected use. The applicant is rezoning to adjust the 3.98 acres at the above address to match the development which is actually occurring. This adjustment is still within the parameters of the development agreement which has been previously approved.

Chairperson Wilf Sommerkorn opened the public hearing.

Wade Watkins stood and said that the mailer for the public notice was not very clear . He was not sure what the intent was. He also said that the rezone and hearing should have been put before the approval of the Kongo Gym and its design on the agenda.

Chairperson Wilf Sommerkorn closed the public hearing.

Larry Page made a motion to recommend approval to Kaysville City Council the rezone for 3.98 acres of property located at 700 South Deseret Drive from the R-2 (Residential) to the LI (Light Industrial) zoning district for Privet Barrow. Bobby Barrus seconded the motion and it passed unanimously.

PUBLIC HEARING FOR THE REZONE AND CONSIDERATION OF A DEVELOPMENT AGREEMENT TO ADD THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE TO 1.5 ACRES OF PROPERTY AT 191 SOUTH FLINT STREET – PHIL HOLLAND.

PUBLIC HEARING FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR THE ELMS ON FLINT SUBDIVISION (3 LOTS) AT 191 SOUTH FLINT STREET – PHIL HOLLAND.

Lyle Gibson introduced the rezone and subdivision plat together and explained that the Planning Commission recently reviewed a proposal at this subject property for a 5 lot subdivision in the R-1-10 PRUD zone. The City Council voted to deny the request stating that 5 homes were too many for the subject lot.

The applicant is back with a proposal that works under the existing R-1-20 zone where all lots are at least 20,000 sq. ft. in size. The subdivision is a private street subdivision which requires the PRUD overlay zone. The proposal would utilize the existing street and infrastructure on site. A development agreement has been created that would allow for the PRUD overlay and private street type development. The agreement would keep all yards the same as a standard R-1-20 subdivision however the developer has asked to be able to put portions of the home as close as

15' to the private street rather than 20'. This would effectively allow a front port to be closer to the private street, the garage must be at least 20' from the street.

Chairperson Wilf Sommerkorn opened the public hearing for the rezone and the preliminary plat for the Elms on Flint subdivision.

Nothing was brought to the commission.

Chairperson Wilf Sommerkorn closed the public hearing.

Vice Chairperson Josh Sundloff made a motion to recommend approval to Kaysville City Council the rezone and consideration of a development agreement to add the PRUD (Planned Residential Unit Development) overlay zone and the building change allowing the 15 foot setback from the street for the 1.5 acres of property at 191 South Flint Street for Phil Holland. Scott Hess seconded the motion and it was unanimously approved.

Vice Chairperson Josh Sundloff made a motion to recommend approval of the preliminary plat to the Kaysville City Council approval of the final plat as proposed, subject to the City Council's approval of the preliminary plat, for the Elms on Flint Subdivision (3 Lots) at 191 South Flint Street for Phil Holland. Scott Hess seconded the motion and it was unanimously approved

PUBLIC HEARING AND CONSIDERATION OF A REZONE OF 2.22 ACRES OF PROPERTY AT 1422 SOUTH SUNSET DRIVE FROM THE R-A (RESIDENTIAL AGRICULTURE) TO THE R-1-LD (SINGLE FAMILY LOW DENSITY) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE – CARL HORNE.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR THE HORNE FLAG LOT SUBDIVISION LOCATED AT 1422 SOUTH SUNSET DRIVE—CARL HORNE.

Lyle Gibson said the 2.22 acre property which is located at the above listed address is zoned R-A (Residential Agriculture). The applicant desires to create a flag lot, behind the existing home. A rezone to R-1-LD with a PRUD overlay would allow him to do so. The front lot will contain an existing family home on an approximately 40,000 square foot lot. The flag lot created would include a 30 ft. projection for access onto Sunset Drive with total lot size approximately 56,800 square feet. This meets the minimum standards of the Flag Lot Subdivision ordinance found in KCC 17-34-9. The property fronts fully developed right-of-way along Sunset Drive.

The R-1-LD zoning would allow for the eventual split of the front lot into 2 approximately 20,000 square ft. lots in the future if desired by a double flag lot configuration. In order to accomplish that, the applicant would have to submit a plat for future review of the 36 foot stem projection with 20 feet wide drive.

Chairperson Wilf Sommerkorn invited the applicant Carl Horne to the stand. Mr. Horne said that his parents would like to create two separate lots on their property for family. Mr. Horne owns the flag lot backing his parent's property. In order for his parents to make two lots they need to rezone the area.

Chairperson Wilf Sommerkorn opened the public hearing.

Nothing was brought to the Planning Commission

Chairperson Wilf Sommerkorn closed the public hearing.

Tobby Barrus made a motion to recommend approval to Kaysville City Council the rezone of 2.22 acres of property at 1422 South Sunset Drive from the R-A (Residential Agriculture) to the R-1-LD (Single Family Low Density) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone for Carl Horne. Jared Doxey seconded the motion and it passed unanimously.

Tobby Barrus made a motion to recommend approval to the Kaysville City Council the preliminary plat approval for the Horne flag lot subdivison located at 1422 south sunset drive for Carl Horne. Larry Page seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR THE ANGEL PLACE SUBDIVISION AMENDED AT 37 SOUTH ANGEL STREET FOR STEVEN AND SHERRILEE EINFELDT.

Lyle Gibson mentioned that the Kaysville City Council recently approved a rezone of the subject property for the purpose of accommodating as many as 5 lots on a private street as shown in the included concept plan presented at the time of rezone.

The applicant is now ready to move forward with the development and has submitted a preliminary subdivision plat for review.

The proposed subdivision plat shows a 5 lot subdivision similar to the concept plan with lots 101 and 102 anticipated to be developed first while the remainder of the property may develop into an additional 3 lots under a future phase. There is a 4 ft. landscape buffer between the private road and the neighboring property on the north side of the street. All lots in the proposed plat are at least 14,000 sq. ft. in size and meet the 90 ft. frontage requirement required by the R-1-14 zone.

Chairperson Wilf Sommerkorn opened the public hearing.

Nothing was brought to the Planning Commission

Chairperson Wilf Sommerkorn closed the public hearing.

Larry Page made a motion to approve the preliminary plat for the Angel Place subdivision amended at 37 south angel street for Steven and Sherrilee Einfeldt. Quan Nuygen seconded the motion and it passed unanimously.

FINAL PLAT APPROVAL FOR THE HOB HILL 2ND AMENDED SUBDIVISION (FORMERLY KOUROSH SUBDIVISION) AT 946 EAST 300 NORTH—KOUROSH HARONI.

Lyle Gibson said Kaysville City Council approved the preliminary plat for this subdivision in November of 2019. The subject property to be divided is 18,930 square feet in size. The applicant Kourosh Haroni is anticipating keeping the existing home fronting 300 North street and creating a new lot of 8,615 square feet with 151 feet of frontage. This will leave the existing home on a 10,315 square foot lot.

The new proposed lot will face 200 North Street 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.

Tobby Barrus made a motion to approve the final plat for the Hob Hill 2nd Amended Subdivision located at 946 East 300 North for Kourosh Haroni. Larry Page seconded the motion and it passed unanimously.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE ENACTING SECTION 17-4-7, APPOINTMENT OF PLANNING COMMISSION ALTERNATES OF TITLE 17, PLANNING AND ZONING.

Lyle Gibson said that the Kaysville City Council recently appointed new Planning Commission members to fill the vacancy of 2 positions with the Kaysville City Planning Commission. In addition to the 2 regular appointments, the council appointed 2 additional members to serve as alternates in the event that a regular member of the planning commission is unable to attend. The proposed ordinance makes it more clear that these alternate members are permitted.

Chairperson Wilf Sommerkorn opened the public hearing.

Nothing was brought to the Planning Commission

Chairperson Wilf Sommerkorn closed the public hearing.

Quan Nguyen made a motion to recommend approval to the Kaysville City Council the consideration of an ordinance enacting section 17-4-7, appointment of Planning Commission

Alternates of Title 17, Planning and Zoning. Scott Hess seconded the motion and it passed unanimously.

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 17 DEALING WITH LOT WIDTH AND YARD REQUIREMENTS, SECTION 17-25-6, PROJECTIONS INTO REQUIRED YARDS, EXEMPTIONS OR MODIFICATIONS, AND SECTION 17-31-2, ACCESSORY BUILDINGS OF TITLE 17, PLANNING AND ZONING.

Lyle Gibson said that the Planning Commission recently gave direction to city staff to put together a draft ordinance that would allow for some reasonable flexibility in the city's ordinances to help provide an alternate option to the variance process for items the commission has dealt with and determined to be acceptable but not legal under the existing code.

As part of the consideration for changes that might be made, the commission asked that city staff review recent variance requests to identify the types of items that residents/businesses are looking to do and attempt to create ordinance language that might have accommodated those issues.

Variance requests are rare as the process and requirement for receiving a variance are so stringent. Over the past 5 years the Planning Commission has seen requests for the following variances:

- Accessory structure location (5)
- Flag Lot Stem Requirements (2)
- Home business sign regulations (1)
- Setbacks relating to a dwelling (1)

Lyle Gibson discussed the implications of the proposed ordinance showing 2 different items being addressed. One that allows for the main dwelling to encroach into a side yard against a street in specific circumstances and another that deals with the allowed location of accessory buildings.

Chairperson Wilf Sommerkorn opened the public hearing.

Bryce Huff approached the stand and said that the current setback requirements for a home only make sense if you are on a 90 degree corner lot, but with the miss matched subdivisions being built it doesn't make sense. He is in favor of an ordinance that would allow for modifications to be allowed by Kaysville City staff.

Chairperson Wilf Sommerkorn closed the public hearing.

Chairperson Wilf Sommerkorn asked the other Planning Commissioners if they would be okay discussing the second part of the ordinance change section 17-31-2 Accessory Buildings at the next meeting due to the late time.

Vice Chairperson Josh Sundloff made a motion to recommend approval to the Kaysville City Council the consideration of an ordinance enacting section 17-25-6, Projections into Required Yards of Title 17, Planning and Zoning and tabling the second part of the ordinance 17-31-2 Accessory Buildings of Title 17, Planning and Zoning. Quan Nyugen seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought forward to the Planning Commission.

CALENDAR

The next regularly scheduled Planning Commission meeting will be held on Thursday, February 27, 2020.

ADJOURNMENT

Chairperson Wilf Sommerkorn made a motion to adjourn the meeting and it passed unanimously. The meeting adjourned at 10:57 p.m.