



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, September 10, 2020 starting at 7:00 p.m. in the **Business Resource Center of the Davis Technical College, 450 South Simmons Way, Kaysville, UT.**

In consideration of the COVID-19 pandemic, attendance may be limited. Because of the room occupancy limitation, it is encouraged that those wishing to direct comments to the Planning Commission regarding items on the agenda do so through the Planning Commission Form Center at:

kaysvillecity.com/FormCenter/Planning-Commission-17/Contact-the-Planning-Commission-71

Davis Tech requires that masks be worn in their facility at this time. No participation using Zoom will be available. The audio from the meeting will be posted on kaysvillecity.com/AgendaCenter/Planning-Commission-4 by the end of the business day on Friday September 11, 2020.

The agenda shall be as follows:

1. Opening and approval of the minutes from the August 27, 2020 meeting.
2. Public Hearing for the rezone of 0.65 acres of property at 686 South Wellington Drive from the R-1-20 (Single Family Residential) to the R-1-14 (Single Family Residential) to allow for an additional single family lot for Shane and Angie Arbon.
3. Public Hearing for the rezone of 0.78 acres of property at 717 East 100 South to include the PRUD (Planned Residential Unit Development) overlay zone to allow for flag lot development for Jennifer Romney.
4. Public Hearing for the Consideration of a Preliminary Plat for the Romney Double Flag Lot Subdivision located at 717 East 100 South for Jennifer Romney.
5. Public Hearing for the rezone of 0.47 acres of property at 293 East 500 North from the R-1-8 (Single Family Residential) to the R-1-6 (Single Family Residential) zone to allow the creation of a new single family lot for Keith Potter.
6. Public Hearing for the rezone of 3.87 acres of property at approximately 600 South Deseret Drive from the LI (Light Industrial) to the R-2 (Residential) zone to include the PRUD (Planned Residential Unit Development) overlay zone to accommodate a private street subdivision with common open space for Phil Holland.
7. Public Hearing for the Preliminary and Final Plat of the Deseret Landing Subdivision at approximately 600 South Deseret Drive for Privet Barrow.
8. Public Hearing for the Preliminary Plat of the Deseret Landing Business Park subdivision at approximately 600 South Deseret Drive for Privet Barrow.

9. Public Hearing for the Preliminary Plat of the Old Mill Landing Subdivision at approximately 600 South Deseret Drive for Privet Barrow.
10. Call to the public.
11. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
12. 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 Thursday September 3, 2020.



Lyle Gibson – Community Development Director

To contact the Community Development Office please call 801-546-1241.



Planning Commission Staff Report

Public Hearing and consideration of a rezone of approximately .65 acres of property at 686 South Wellington Drive from the R-1-20 (Single Family 20,000) to the R-1-14 (Single Family 14,000) zoning district.

September 10, 2020

Applicant/Owner: Shane Arbon
Location: 686 South Wellington Drive

Description:

The subject property is currently a lot zoned R-1-20 approximately .65 acres. Shane has requested to rezone his property from R-1-20 to R-1-14 in order to utilize the western portion of the lot to create a second single family building lot. This new single family home lot would front the stub road west of Wellington Drive (Leola Drive). The existing lot has a total of 28,126 square feet allowing for two lots that would meet frontage, square footage, and buildable set back requirement under the requested R-1-14 zoning district.

Both the existing and requested zone are regulated by chapter 17-12 and are identical in uses allowed and required setbacks, the difference between the zoning districts is the minimum lot size.

As a rezone, this decision should be looked at based on its compatibility with the City's [General Plan](#) and how well the proposed development allowed by the zoning district fits at the specific location.

Excerpt from the City's General Plan

- 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 for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).

- B. The majority of the housing should be single unit attached or detached. The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes. 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.

Recommendation:

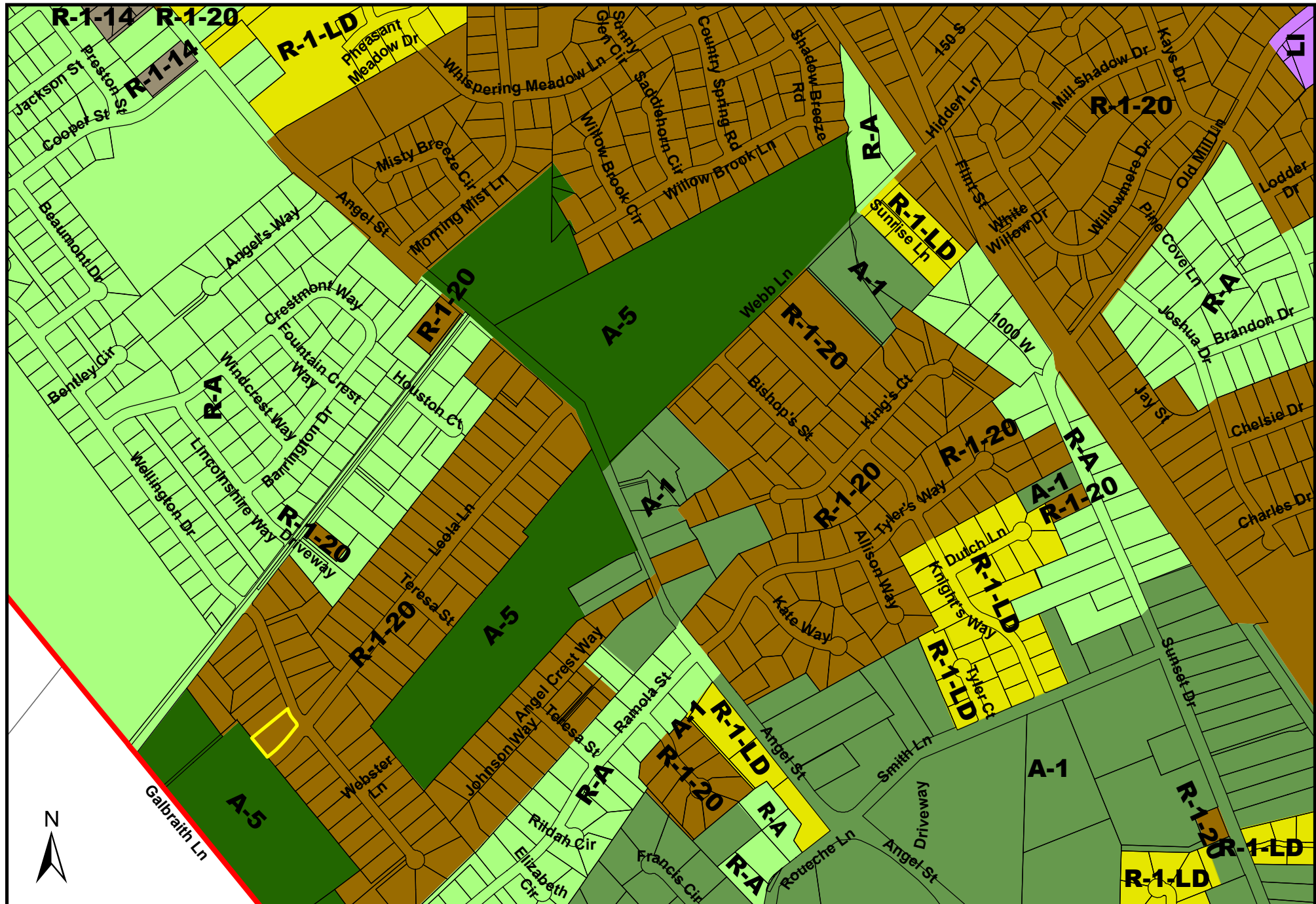
As a legislative item the Planning Commission has broad discretion in its ability to make a recommendation to the City Council.

Attachment 1: Area Map
Attachment 2: Zoning Map
Attachment 3: Letter from Applicant
Attachment 4: Concept and site photos
Attachment 5: Rezone Ordinance

686 S. Wellington Dr. - Rezone to R-1-14



686 S. Wellington Dr. - Rezone to R-1-14



August 27, 2020

To Whom it May Concern,

After residing in West Kaysville at 686 Wellington Drive for the last 13 years, we feel the most efficient use of the back half of our unique and unused property, which runs along a dead end street that backs a field and powerlines, would be to create a new building lot.

Based on the facts noted below, the size and location of our property and the provided Plat and pictures we are requesting a rezone to a R-1-14.

We feel this is in line with the Goals and Policies of Kaysville Planning & Zoning. In relation to higher density housing near busy streets. Such as Wellington Drive and the West Davis Corridor, which will be located directly behind the property.

1. Lot # 84 Webster Farms No. 4 is 28,126 sq. ft or approximately .65 of an acre. This would provide 2 lots of both over 14,000 sq. ft. This would also meet all the setbacks and frontage requirements of an R-1-14. Please see attached Plat and initial measurements from Great Basin Engineering North.
2. The location of this corner property provides easy access from Leola Drive. The property runs alongside to where the street dead ends. The back of the property line backs up to a field with major power lines running through the middle. Please see attached Ariel view.
3. We have contacted Jill Jones, General Manager at Central Davis Sewer District. She will support and allow an additional home on the property if the rezone is approved.
4. Over the last 13 years people and or neighbors will park cars & trailers in the dead for extended periods of time. Occasionally, we have to clean up left behind trash and garbage. Please see attached picture of what it has looked like for the last several months.
5. We do not feel this would have any negative impact on any homeowners or the neighborhood. Prior to this letter, we asked both neighbors directly to the north & south as they would be the closet to a new home on the property. Both were supportive and did not voice any concerns.

Sincerely,

Shane and Angie Arbon

NARRATIVE:
This Survey and Subdivision plat was done at the request of Mr. Howard Kent of SUI Commercial Real Estate, for the purpose of platting nine (9) residential lots. Kaysville City Monuments were found along the centerline of Angel Street. A Brass Cap monument was also found (Laying on its side) at the East 1/4 corner of Section 5. A line bearing North 50°19'46" West between two centerline monuments in Angel Street along the tangent line North of Webb Lane was used as the basis of bearings. Property corners were monumented as depicted.

Webster Farms No. 4

All of Parcel "B" Webster Farms No. 1, also A part of the East Half of Section 5, T3N, R1W, SLB&M, U.S. Survey Kaysville City, Davis County, Utah



Scale: 1" = 50'

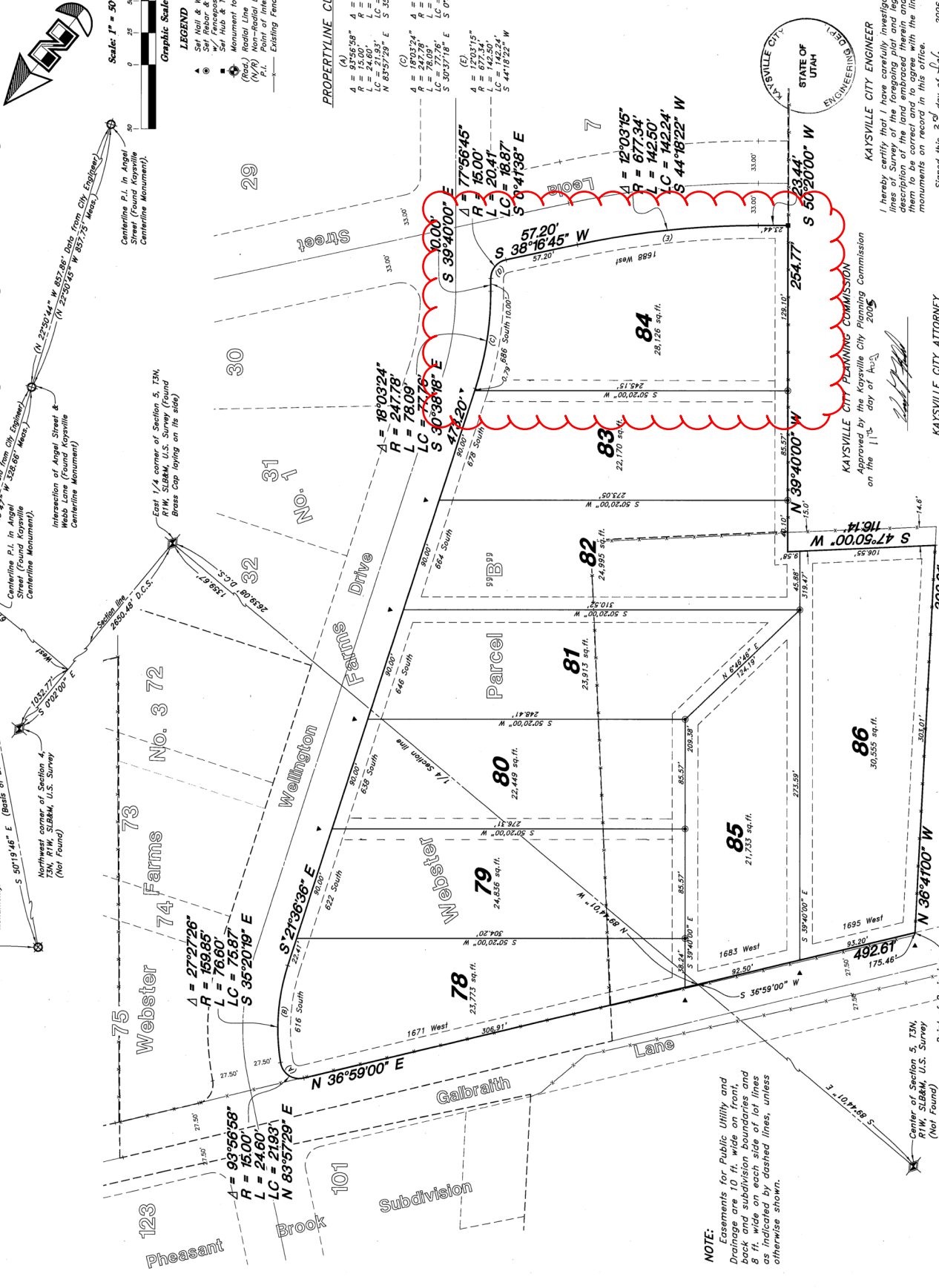
Graphic Scale

LEGEND

- Set Nail & Washer
- Set Rebar & Cap
- Set Hub & Tack
- Monument to be set
- (Rock) Radial Line
- (N/R) Non-Radial Line
- P.I. Point of Intersection
- Existing Fence

PROPERTY LINE CURVE DATA

(A)	(B)
$\Delta = 93^{\circ}56'58"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(C)	(D)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(E)	(F)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(G)	(H)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(I)	(J)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(K)	(L)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(M)	(N)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(O)	(P)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(Q)	(R)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(S)	(T)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(U)	(V)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(W)	(X)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$
(Y)	(Z)
$\Delta = 18^{\circ}03'24"$ $R = 247.78'$ $L = 78.09'$ $LC = 77.76'$ $S = 30^{\circ}38'18" E$	$\Delta = 27^{\circ}27'26"$ $R = 159.85'$ $L = 76.60'$ $LC = 76.60'$ $S = 35^{\circ}20'19" E$



NOTE:
Easements for Public Utility and Drains 10 ft. wide on front, back and subdivision boundaries and 8 ft. wide on each side of lot lines as indicated by dashed lines, unless otherwise shown.

KAYSVILLE CITY ENGINEER
I hereby certify that I have carefully investigated the lines of Survey of the foregoing plat and find a description of the land embraced therein and find monuments on record in this office.
Signed this 3rd day of Feb., 2006.
Attest: *[Signature]*
City Recorder

KAYSVILLE CITY ATTORNEY
I have examined this plat and in my opinion it conforms with the City Ordinances applicable thereto and now in force and effect.
Signed this 3rd day of February, 2006.
Attest: *[Signature]*
City Attorney

KAYSVILLE CITY PLANNING COMMISSION
Approved by the Kaysville City Planning Commission on the 11th day of Feb., 2006.
Attest: *[Signature]*
City Planning Commission

STATE OF UTAH
KAYSVILLE CITY
ENGINEERING DIVISION
I, Gary L. Newberry, Surveyor, do hereby certify that this plat has been correctly represented in the survey made on this day.

GREAT BASIN ENGINEERING NORTH
CONSULTING ENGINEERS AND SURVEYORS
5746 South 1475 East, Suite 200
P.O. Box 150048, Ogden, Utah 84415
Phone (801)398-4815 Fax (801)398-7444

STATE OF UTAH
KAYSVILLE CITY
ENGINEERING DIVISION
I, Gary L. Newberry, Surveyor, do hereby certify that this plat has been correctly represented in the survey made on this day.

$\Delta = 18^{\circ}03'24''$
 $R = 247.78'$
 $L = 78.09'$

$LC = 77.76'$
 $S 30^{\circ}38'18'' E$

$473.20'$

678 South

$S 50^{\circ}20'00'' W$
 $273.05'$

83
 $22,170 \text{ sq.ft.}$

$S 50^{\circ}20'00'' W$
 $245.15'$

84
 $28,126 \text{ sq.ft.}$
 approx 40'

$109.8'$

$14,000' \times 59.8'$

$129.10'$

$14,000' \times 59.8'$

"Not to Scale"

Back of house

1688 West

$S 38^{\circ}16'45'' W$
 $57.20'$

$S 39^{\circ}40'00'' E$
 $10.00'$

$\Delta = 77^{\circ}56'45''$
 $R = 15.00'$
 $L = 20.41'$
 $LC = 18.87'$
 $S 0^{\circ}41'38'' E$

$\Delta = 12^{\circ}03'15''$
 $R = 677.34'$
 $L = 142.50'$
 $LC = 142.24'$
 $S 44^{\circ}18'22'' W$

Leola

Per Andy at Great Basin Engineering

from Northwest corner 109.8' to the east and straight across to the South gets just over 14,000 sq.ft.

from back of existing house to new property line. Actual survey will be provided upon approval

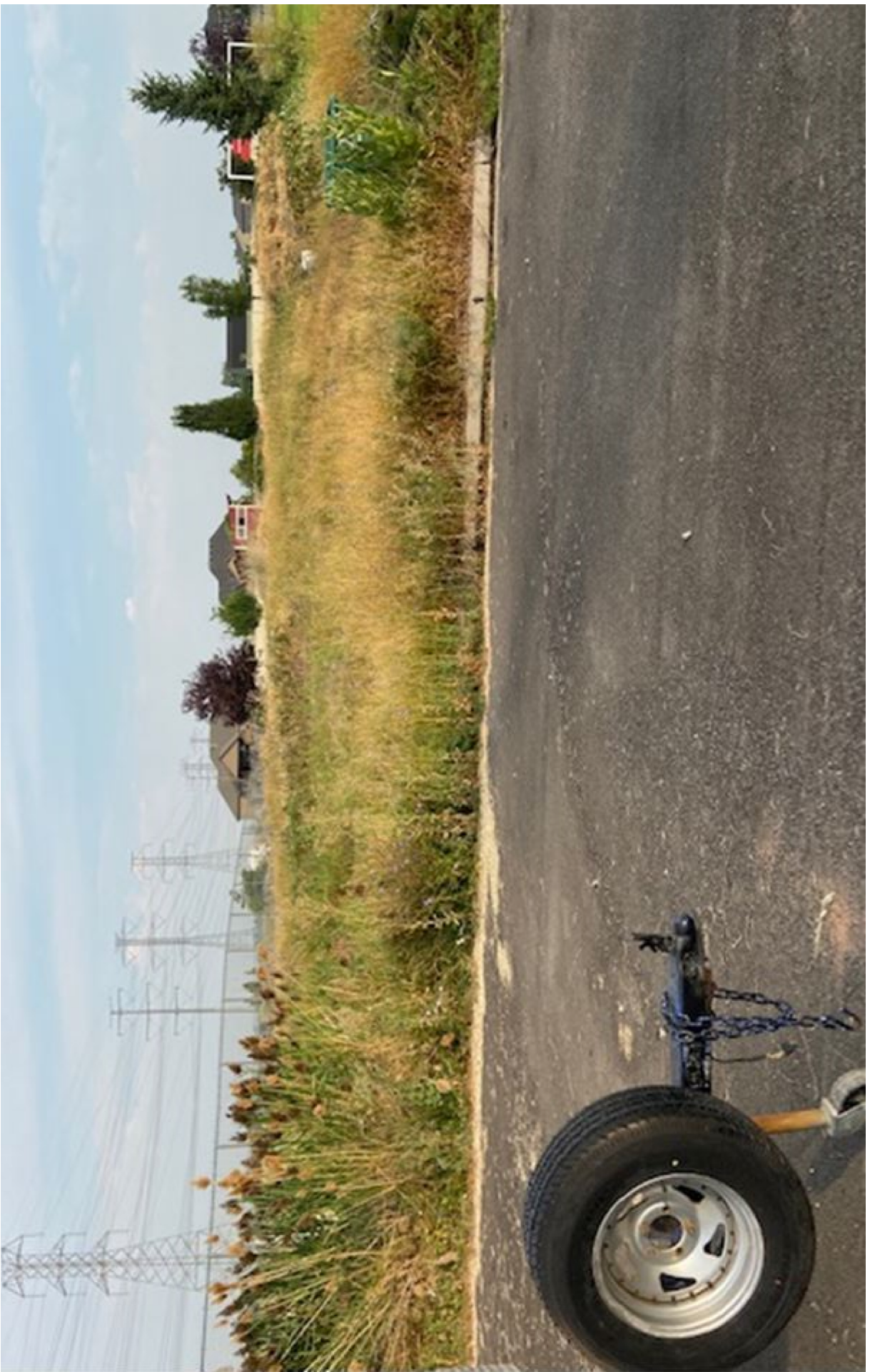
DAYSVILLE CIV

$L = 24.60'$
 $LC = 21.93'$
 $N 83^{\circ}57'29'' E$

$\Delta = 18^{\circ}03'24''$
 $R = 247.78'$
 $L = 78.09'$
 $LC = 77.76'$
 $S 30^{\circ}37'18'' E$

$\Delta = 12^{\circ}03'15''$
 $R = 677.34'$
 $L = 142.50'$
 $LC = 142.24'$
 $S 44^{\circ}18'22'' W$





ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-1-14 (RESIDENTIAL SINGLE FAMILY) DISTRICT TO, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property from the R-1-20 district to the R-1-14 district for the purpose of creating an additional single family lot; and

WHEREAS, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the Kaysville City Planning Commission has made a recommendation to the City Council on said zoning action; and

WHEREAS, the City Council after due consideration of said district overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zone be implemented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.65 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing it from the Kaysville City R-1-20 district and rezoning it to the R-1-14 (Residential) district.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney



Planning Commission Staff Report

Public Hearing for the PRUD (Planned Residential Unit Development) overlay zone and Preliminary Plat for the Romney Double Flag Lot Subdivision located at 717 East 100 South.

Applicant/Owner: Jennifer Romney

Description:

OVERLAY ZONE

The .78 acre property which is located at the above listed address is zoned R-1-8 (Residential single family - 8,000). The applicant desires to create 2 new lots in a double flag lot configuration while keeping the existing home on the lot fronting 100 South. The existing home and two flag lots behind would create three lots on this parcel. The underlying zone remains the same, but the PRUD overlay would allow her to do to develop in this manner. The front lot will contain an existing single family home on an 8,048 square foot lot. The flag lots created would include a 36 ft. projection for access onto 100 South. One flag lot will contain 10,267 sq. ft. and the second will contain 11,116 sq. ft.

Consideration of the PRUD overlay zone is a legislative action thus it gives the Planning Commission and ultimately the City Council broad discretion as to where it is applied. While it gives discretion as to where, there are specific standards setting the minimum as to what is developed within this overlay.

17-34-9 Flag Lot Subdivision

1. Development requirements:

1. The area of each flag lot shall be at least 10,000 square feet or meet the lot area required by the underlying zone district, whichever is greater.
2. Flag lots shall have access to a street by way of a projection of at least thirty feet (30') in width along its entire length. Two flag lots with projections side-by-side may each have projections eighteen feet (18') or greater in width (for a total of not less than 36 feet) and share a common paved driveway twenty feet (20') or more in width covered by an easement so that the driveway cannot be divided.
3. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
4. Accessory buildings shall comply with KCC 17-31-2.

2. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a flag lot subdivision shall be those uses which are permitted in the zoning district in which the flag lot subdivision is located. Two family dwellings on flag lots as conditional uses are prohibited.
3. **Applicability:**
 1. Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.

It is the opinion of staff that the minimum requirement of 17-3-9 have been met. Still, the Commission should consider how well the development works at the specific location and determine whether or not it is consistent with the vision of the city as found in the General Plan.

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

Identity and Character:

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

Growth and Development

- A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.
 1. Refurbish or replace deteriorating structures so that land is used to its long-term potential.
 2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
 3. Encourage businesses and industries to locate and invest within the City.
 4. Regulate the more intensive uses that create traffic and public service problems and costs

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 for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).
 2. East of I-15, allow for housing compatible with and complimentary to existing neighborhoods while considering medium densities along major streets and higher densities near transit stops and arterial streets (200 North, Main Street, Interstate 15, and U.S. 89).
- B. The majority of the housing should be single unit attached or detached. The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes. 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.

Recommendation:

Rezone:

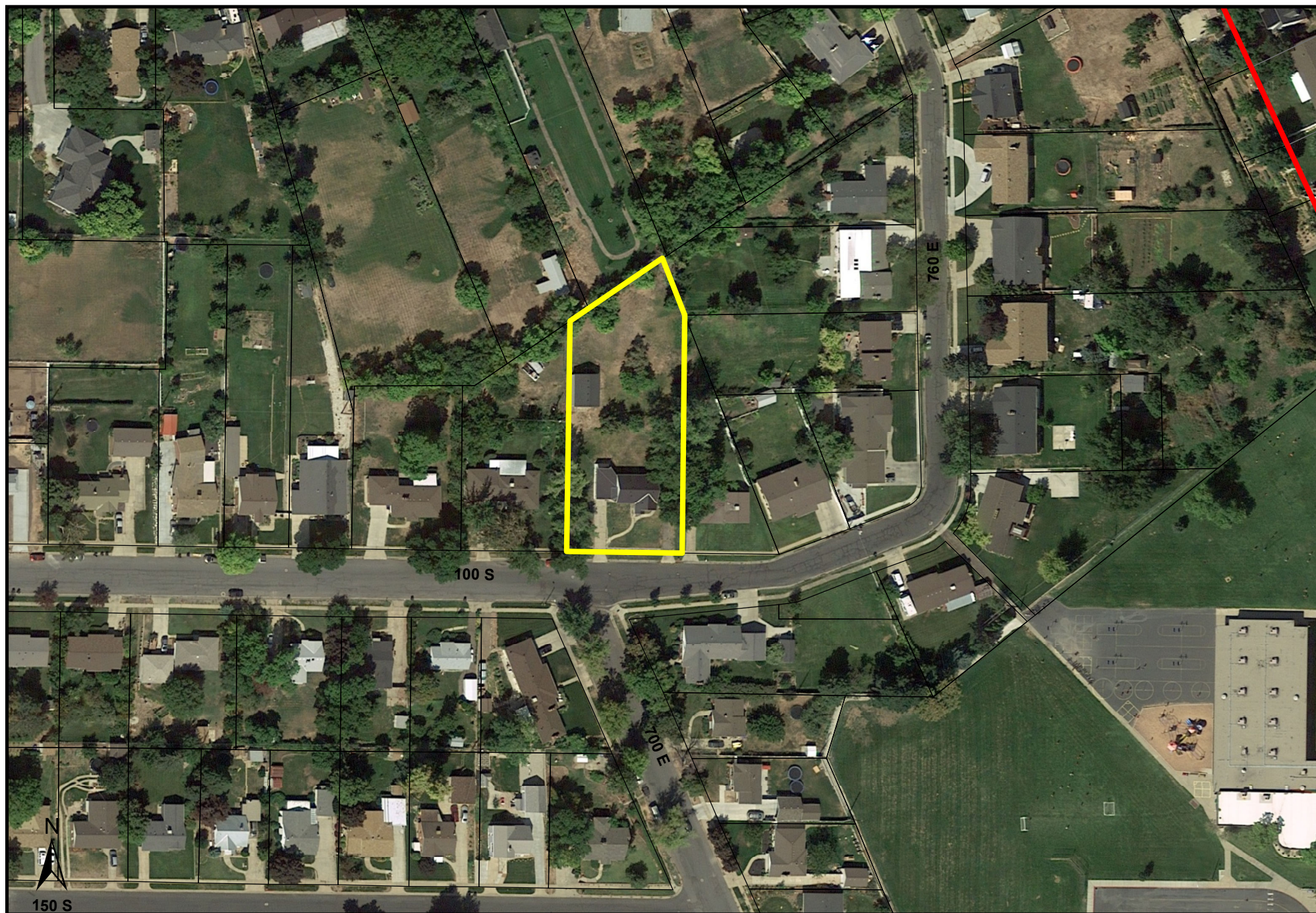
The Planning Commission should make a recommendation regarding the PRUD allowing flag lots based on its findings of compatibility with the area and the city's General Plan.

Subdivision – Preliminary Plat:

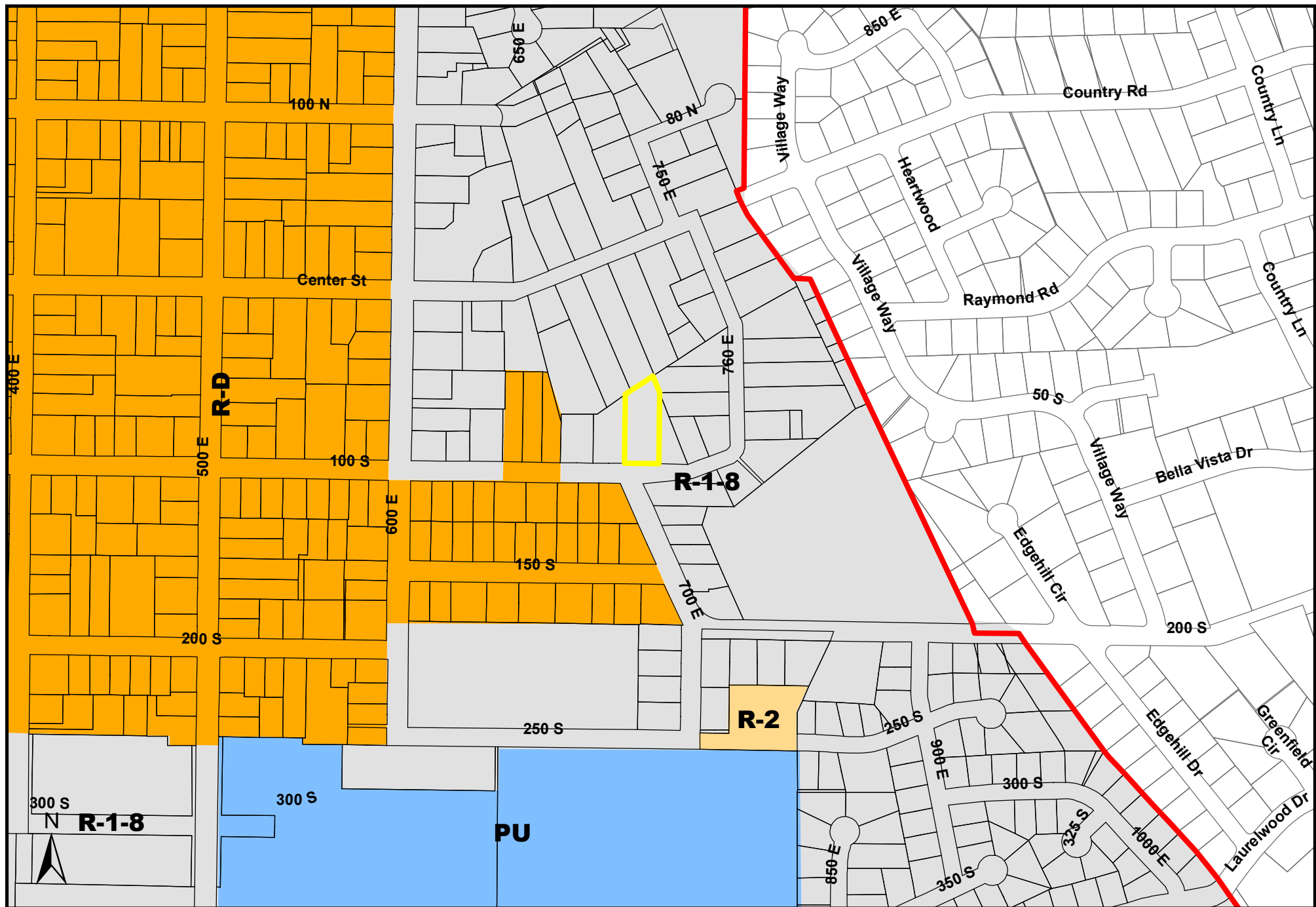
As the proposed preliminary plat meets the applicable requirements and standards for a flag lot subdivision, staff recommends that the Planning Commission forward a favorable recommendation to the City Council for approval of the Preliminary Plat for the Romney flag Lot Subdivision subject to approval of the PRUD overlay zone. Approval of the Preliminary Plat is ultimately subject to receiving the PRUD overlay zone approval.

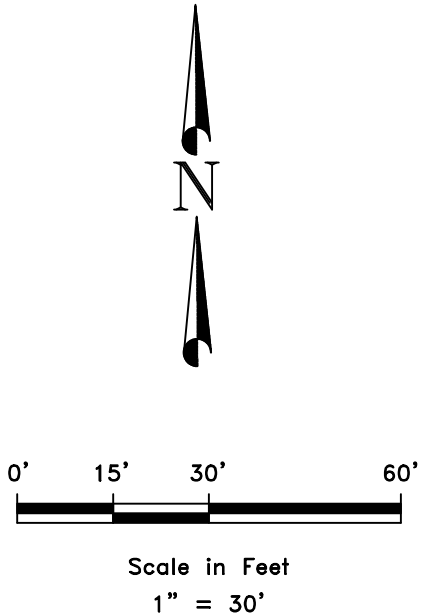
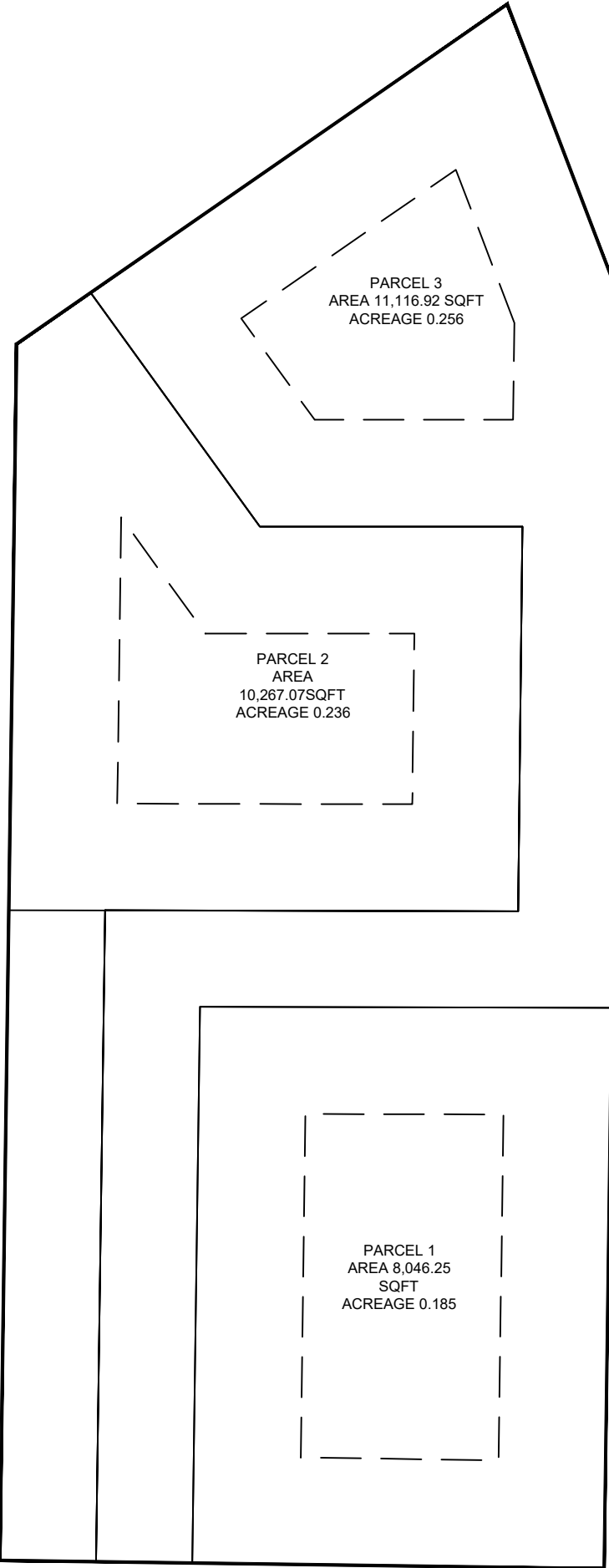
- Attachment 1: Area Map
- Attachment 2: Zoning Map
- Attachment 3: Preliminary Plat
- Attachment 4: PRUD Rezone Ordinance

717 E. 100 S. - Rezone to include PRUD overlay for Flag Lots



717 E. 100 S. - Rezone to include PRUD overlay for Flag Lots





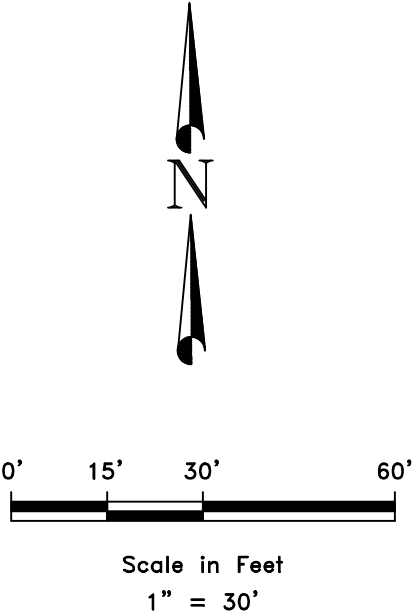
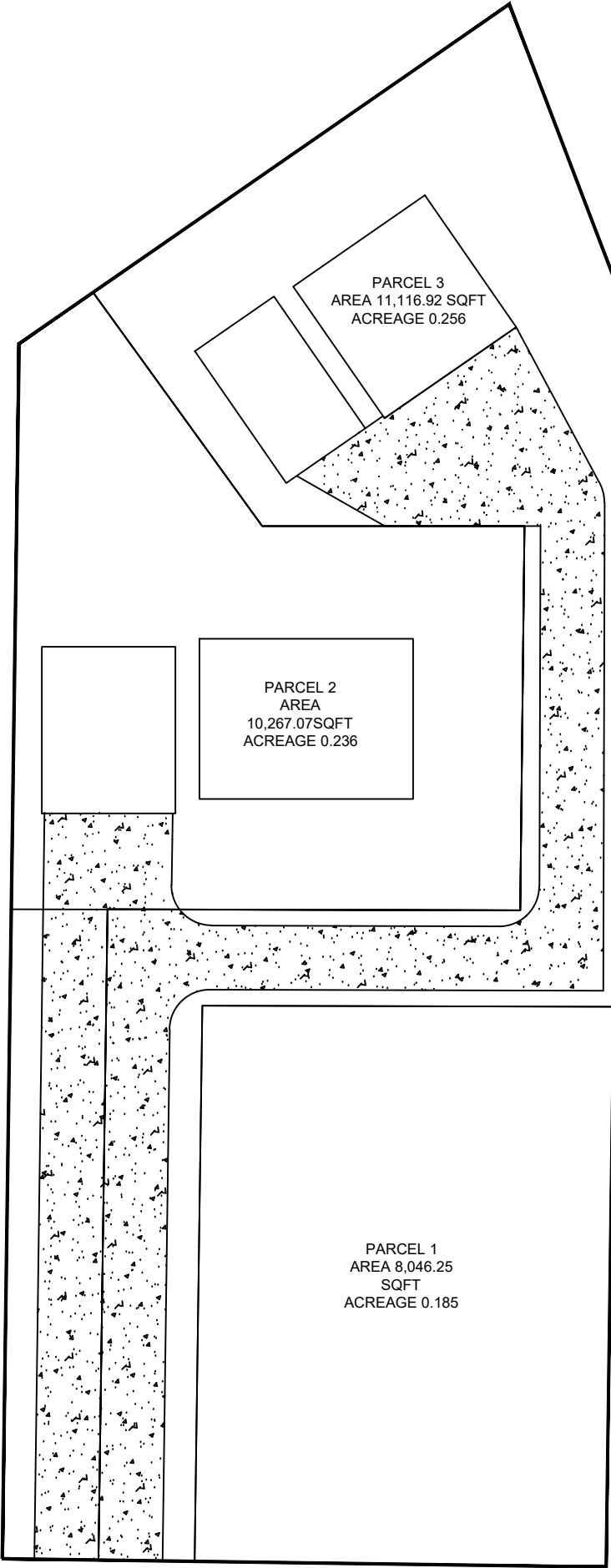
P 4
P 4

LAYTON SURVEYS
Professional Land Surveying
(801) 698-5997 www.gradconcepture@aol.com
1812 West 2575 South
Syracuse, UT 84075

CONCEPT ACREAGE

KAYSVILLE, UTAH

Revisions		Date: 8-16-2020
Date	Description	Scale: 1" = 30'
		Designed: DESIGN
		Drafted: DRAWN
		Checked: CHECKED
Path:		



P 3
P 4

LAYTON SURVEYS
Professional Land Surveying
(801) 698-5997 www.gradconcepture@aol.com
1812 West 2575 South
Syracuse, UT 84075

CONCEPT HOMES ON LOTS

KAYSVILLE, UTAH

Revisions		Date: 8-16-2020
Date	Description	Scale: 1" = 30'
		Designed: DESIGN
		Drafted: DRAWN
		Checked: CHECKED
Path:		

ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE FOR A FLAG LOT DEVELOPMENT, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property to include the PRUD (Planned Residential Unit Development) overlay for the purpose of creating an flag lot subdivision; and

WHEREAS, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the Kaysville City Planning Commission has made a recommendation to the City Council on said zoning action; and

WHEREAS, the City Council after due consideration of said district overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zone be implemented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.78 acres, shall be and the same is hereby rezoned and the Zoning Map amended by including the PRUD overlay zone.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney



Planning Commission Staff Report

Public Hearing and consideration of a rezone of approximately .466 acres of property at 285 East 500 North from the R-1-8 (Single Family 8,000) to the R-1-6 (Single Family 6,000) zoning district.

September 10, 2020

Applicant/Owner: Keith Potter
Location: 285 East 500 North

Description:

The subject property is currently a lot zoned R-1-8 approximately .466 acres. This property was platted as 2 lots years ago and Keith has requested to rezone from R-1-8 to R-1-6 in order to re-establish the building lot that was approved about 40 years ago. His father in law previously owned both lots at 285 East as well as their home at 293 East 500 North, and completed a garage addition some 30 years ago that encroached the required side yard at 293 East. This home addition required the use of both lots in order for the home to meet yard requirements and so the properties were combined.

Keith now anticipates using the lot at 285 now for another single family home, however the existing home still requires a width that makes an additional R-1-8 (60 foot wide lot) infeasible. Staff has worked with the applicant to explore different routes for splitting the property again, including potential purchase of neighboring ground. In the end the solution is to consider a rezone of the property to the R-1-6 district which requires less lot frontage that needed to make 2 lots work. Both lots will maintain the 8,000 square foot size as per the R-1-8 zoning. Keith is just looking for the reduced frontage from 60 to 55 feet that R-1-6 would provide. Also of note, the amount of street frontage of the subject property will limit the amount of homes to 2 even under the R-1-6 zone.

The allowed uses are the same in the R-1-6 and R-1-8 districts. The difference between the two designations is as follows:

Proposed Zoning: R-1-6:

Minimum Lot size – 6,000 sq. ft.
Side Yard – 5 ft.

Existing Zoning: R-1-8

Minimum Lot size – 8,000 sq. ft.
Side Yard – 8 ft.

As a rezone, this decision should be looked at based on its compatibility with the City's [General Plan](#) and how well the proposed development allowed by the zoning district fits at the specific location. Some of the General Plan language specific to consideration of housing is below:

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

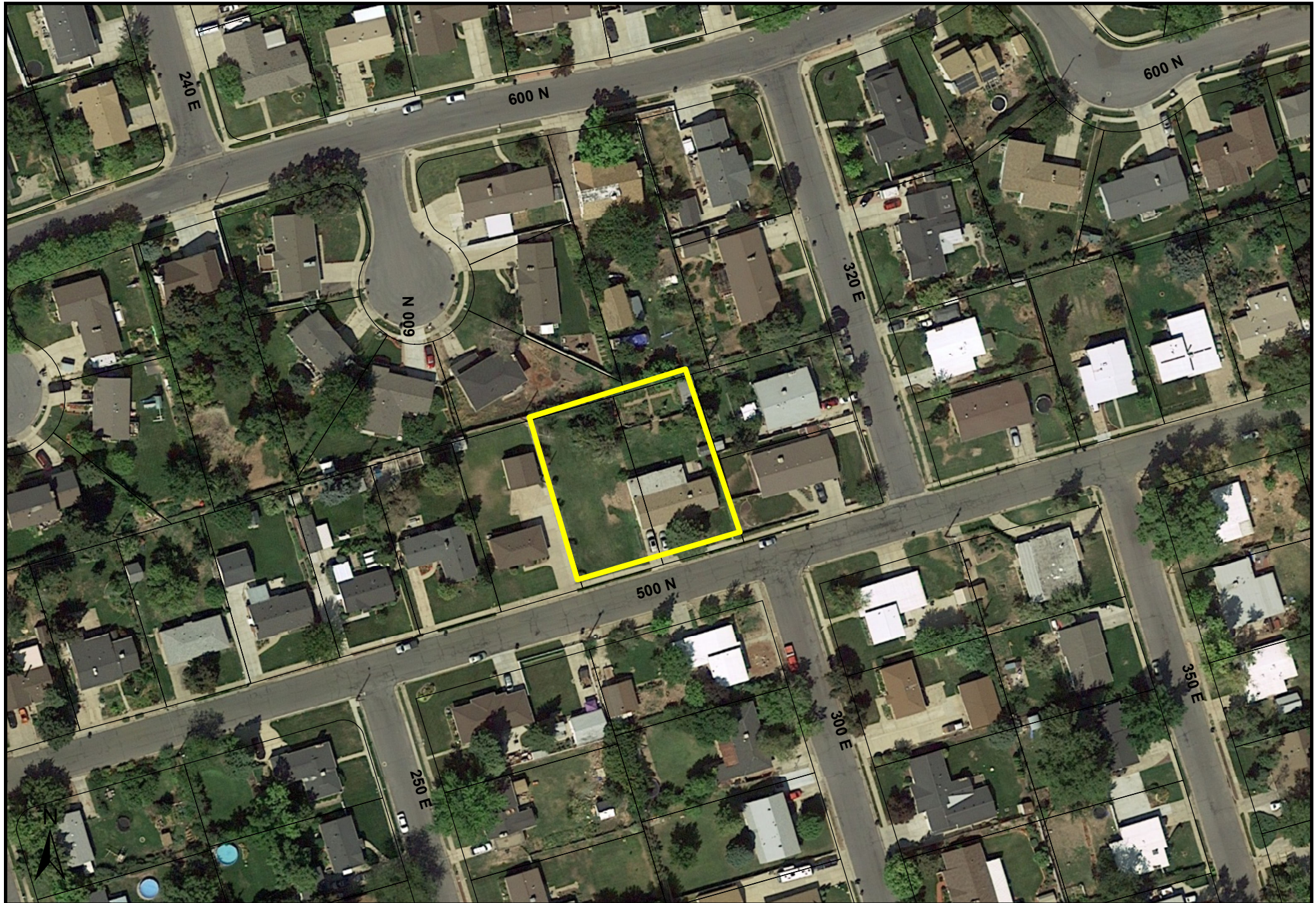
- A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.
 - 1. West of I-15, allow for similar housing densities in existing neighborhoods while considering medium density housing along the major streets and higher density housing near transit stops and arterial streets (200 North, Interstate 15, and the West Davis Corridor).
 - 2. East of I-15, allow for housing compatible with and complimentary to existing neighborhoods while considering medium densities along major streets and higher densities near transit stops and arterial streets (200 North, Main Street, Interstate 15, and U.S. 89).
- B. The majority of the housing should be single unit attached or detached. The City will seek to provide a variety of housing choices throughout the community including a means for allowing homes of a variety of sizes. 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.

Recommendation:

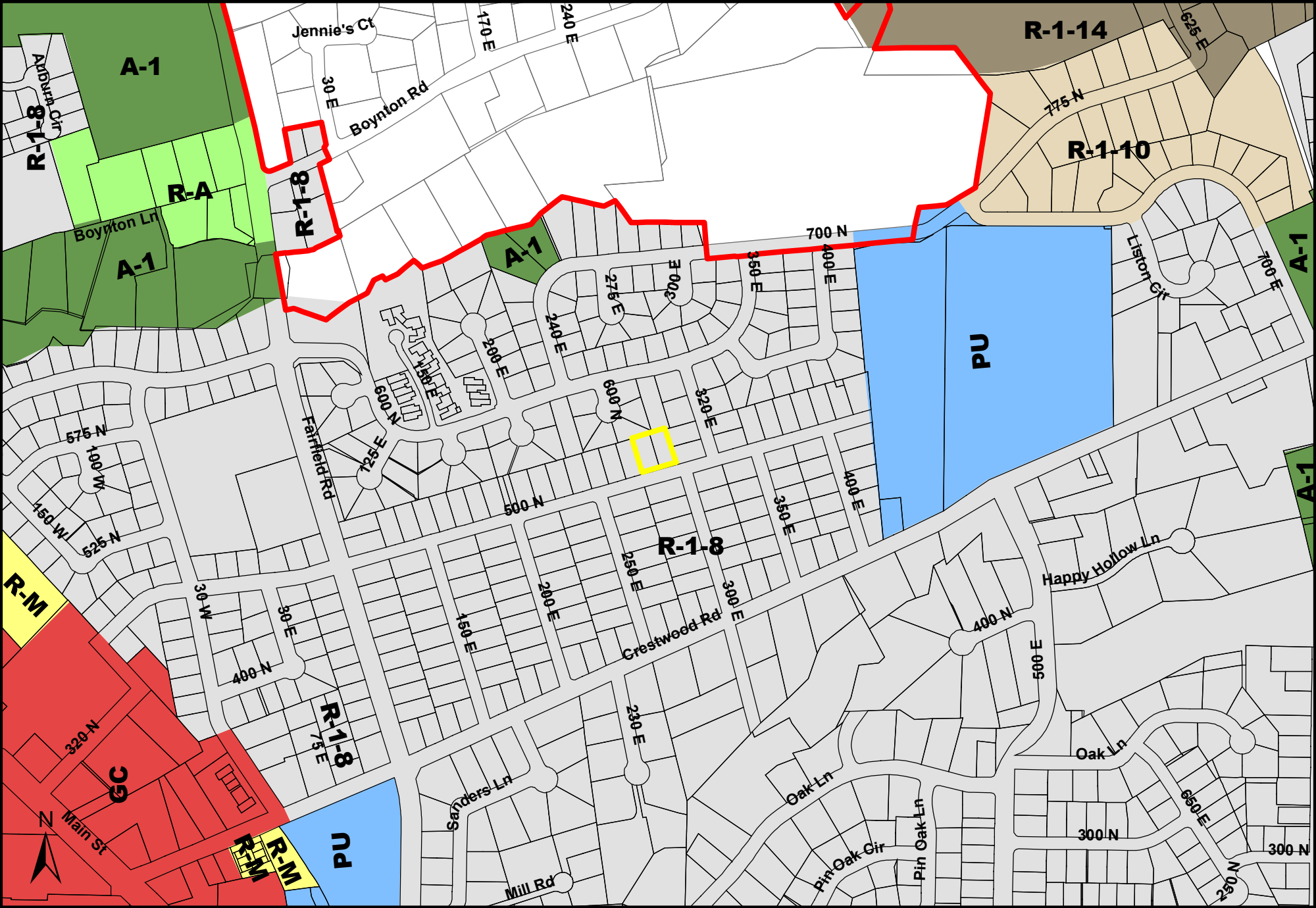
As a legislative item the Planning Commission has broad discretion in its ability to make a recommendation to the City Council.

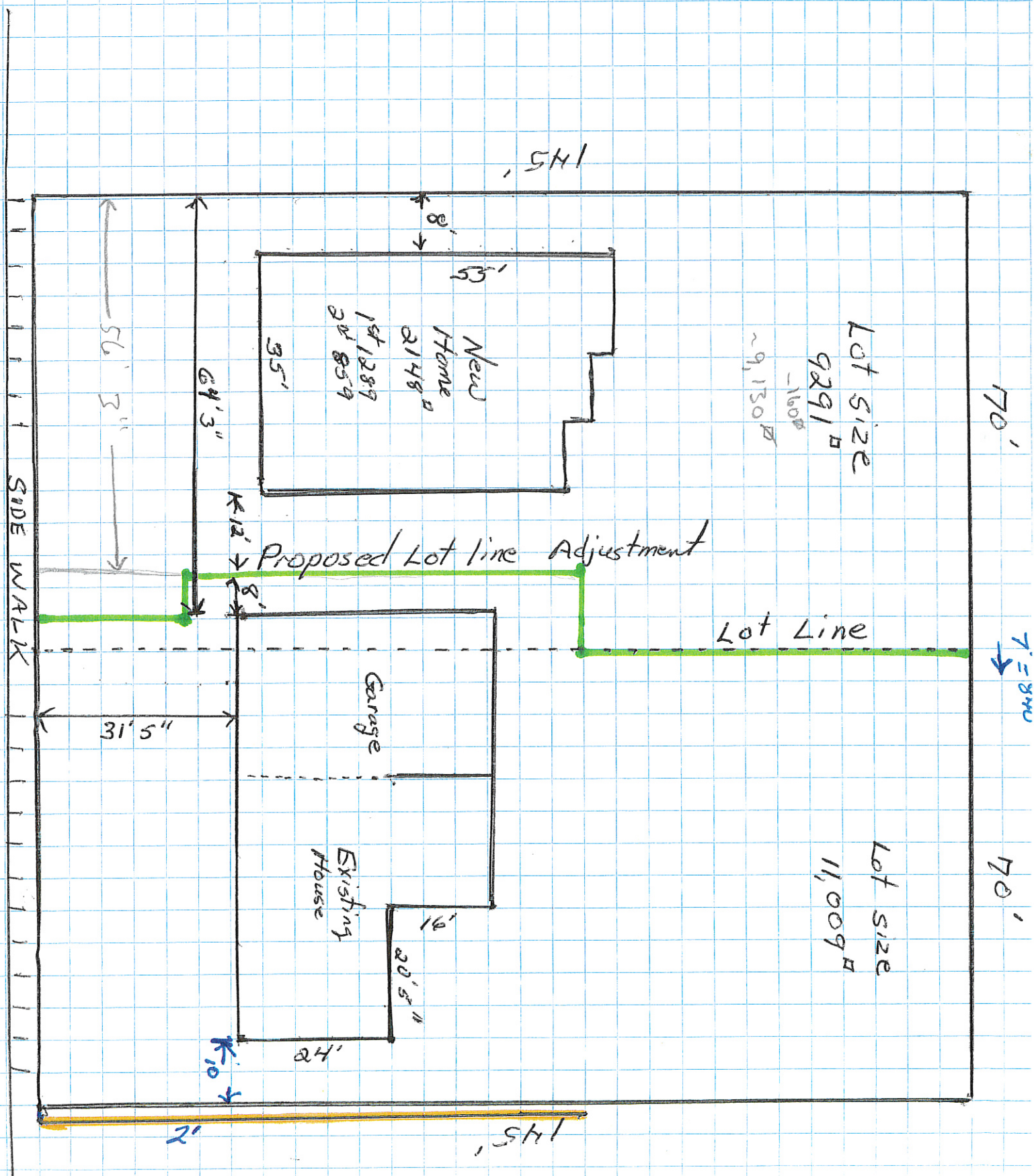
- Attachment 1: Area Map
- Attachment 2: Zoning Map
- Attachment 3: Concept Plat
- Attachment 4: Rezone Ordinance

293 E. 500 N. - Rezone to R-1-6



293 E. 500 N. - Rezone to R-1-6





ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-1-6 (RESIDENTIAL SINGLE FAMILY) DISTRICT TO, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property from the R-1-8 district to the R-1-6 district for the purpose of creating an additional single family lot; and

WHEREAS, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the Kaysville City Planning Commission has made a recommendation to the City Council on said zoning action; and

WHEREAS, the City Council after due consideration of said district overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zone be implemented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 0.46 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing it from the Kaysville City R-1-8 district and rezoning it to the R-1-6 (Residential) district.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney



**Planning Commission
Staff Report**

September 10, 2020

Public Hearing for the Rezone of 3.87 Acres of property at approximately 600 South Deseret Drive from the LI (Light Industrial) zoning district to the R-2 (Residential) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone.

AND

Public Hearing for the Preliminary and Final Plat of the Deseret Landing Subdivision

AND

Public Hearing for the Preliminary Plat of the Deseret Landing Business Park subdivision.

AND

Public Hearing for the Preliminary Plat of the Old Mill Landing Subdivision

Applicant: Phil Holland – Privet Barrow

Description:

REZONE

Several items are being addressed under the same staff report as they relate to the same development agreement and property. Consideration in the order listed will help procedurally to deal with the bigger picture considerations and then hone in on the more specific development proposals.

The subject property which is located between Deseret Drive and I-15 just south of Boondocks has an applicable development agreement that was approved by the Kaysville City Council Nearly a year ago. In the agreement, which is included with this report, the developer was allowed to develop as many as 66 detached single-family residential homes. The zoning was originally put in place to match the anticipated configuration of this development, but was modified shortly thereafter in order to reduce the amount of residential development and accommodate 2 specific commercial users that were considering the property. These specific commercial uses are no longer at the table and the developer is interested in putting the residential units allowed by the development agreement back into consideration.

Originally the residential development that was removed fronted along Deseret Drive putting the commercial property between it and the freeway. The current request is to put the single family homes abutting the residential project currently under construction along the south side of the property providing more Deseret Drive frontage for commercial users.

The agreement requires that at least 13.0 acres of the subject property remain available for commercial/light industrial development. This request leaves the 13 acres required.

The existing development agreement already place restricts the type of residential development that can be done. In addition, the developer has provided subdivision plats, including the preliminary plat for the residential component to show how these homes would be developed.

RECOMMENDATION FOR MOTION:

With the need to modify zoning district boundaries there is still some discretion in the recommendation the Planning Commission may make to the City Council in determining if the proposal is consistent with the existing development agreement.

DESERET LANDING SUBDIVISION

As the developer moves forward finding users for both the commercial property and a builder for the residential component, it is necessary to divide the property through a subdivision process. The Deseret Landing Subdivision creates a lot 3.87 acres in size (the area being considered for a rezone) that will later be further divided into a residential development (the Old Mill Landing Subdivision). It also creates 3 commercial lots ranging from 3 acres to 6 acres in size. This commercial portion will also go through a separate and more detailed subdivision process (the Deseret Landing Business Park Subdivision) where further review of the engineering and technical details can be conducted.

RECOMMENDATION FOR MOTION:

It is the opinion of staff that this first subdivision step is appropriate to support potential transfer of property while the preliminary and final plats for the detailed improvements within each is actively under consideration. Staff recommends approval of the preliminary and final plat for the Deseret Landing Subdivision.

DESERET LANDING BUSINESS PARK SUBDIVISION – Preliminary Plat

This subdivision plat includes 3 lots accessed via a cul-de-sac road off of Deseret Drive. While the development agreement applicable to this property requires that at least 13 acres be developed as commercial/light industrial use, The LI zoning district does not have minimum lot size or width requirements. The 3.08 acre, 3.93 acre, and 6 acre lots combine to the minimum 13 acre requirement. The Cul-de-sac as currently indicated is part of lot 102 so would function as a private street. The lots have been designed to accommodate the new anticipated uses that are permitted within the existing

zone. The plat also accounts for known gas line, power, and detention basin easements that will be needed. Additional public utility easement will be considered with the final plat process.

RECOMMENDATION FOR MOTION:

Staff recommends that the Planning Commission forward a favorable recommendation to the city council for the Deseret Landing Business Park for the Preliminary Plat.

OLD MILL LANDING SUBDIVISION – Preliminary Plat

This is return of 22 units of single family detached residential to this site that is the purpose of the rezone request. The subdivision consists of 22 lots on a cul-de-sac street with open spaces along the rail line to the east and Deseret Drive to the West. Each lot is 4,500 sq. ft. in size with those near the cul-de-sac bulb and street approach increasing in size. All homes would front the new cul-de-sac street which is designed as a private road.

The subdivision abuts 41 single family home lots currently under development to the south and would bring the total number of residential units to 63 which is under the maximum limit of the approved development agreement.

The private road is a 26 ft. wide facility with a standard cul-de-sac for use as a turn-around at the east end. This road is about 570 feet in length with the city's maximum allowed dead end street being 600 feet.

RECOMMENDATION FOR MOTION:

In the opinion of staff the subdivision meets the minimum expectations of the applicable development agreement and ordinance. The Planning Commission may also consider items such as configuration, use of open space, parking, sidewalks, etc. and place conditions to address these items as part of its motion.

Attachment 1: Location Map

Attachment 2: Rezone Map

Attachment 3: Development Agreement

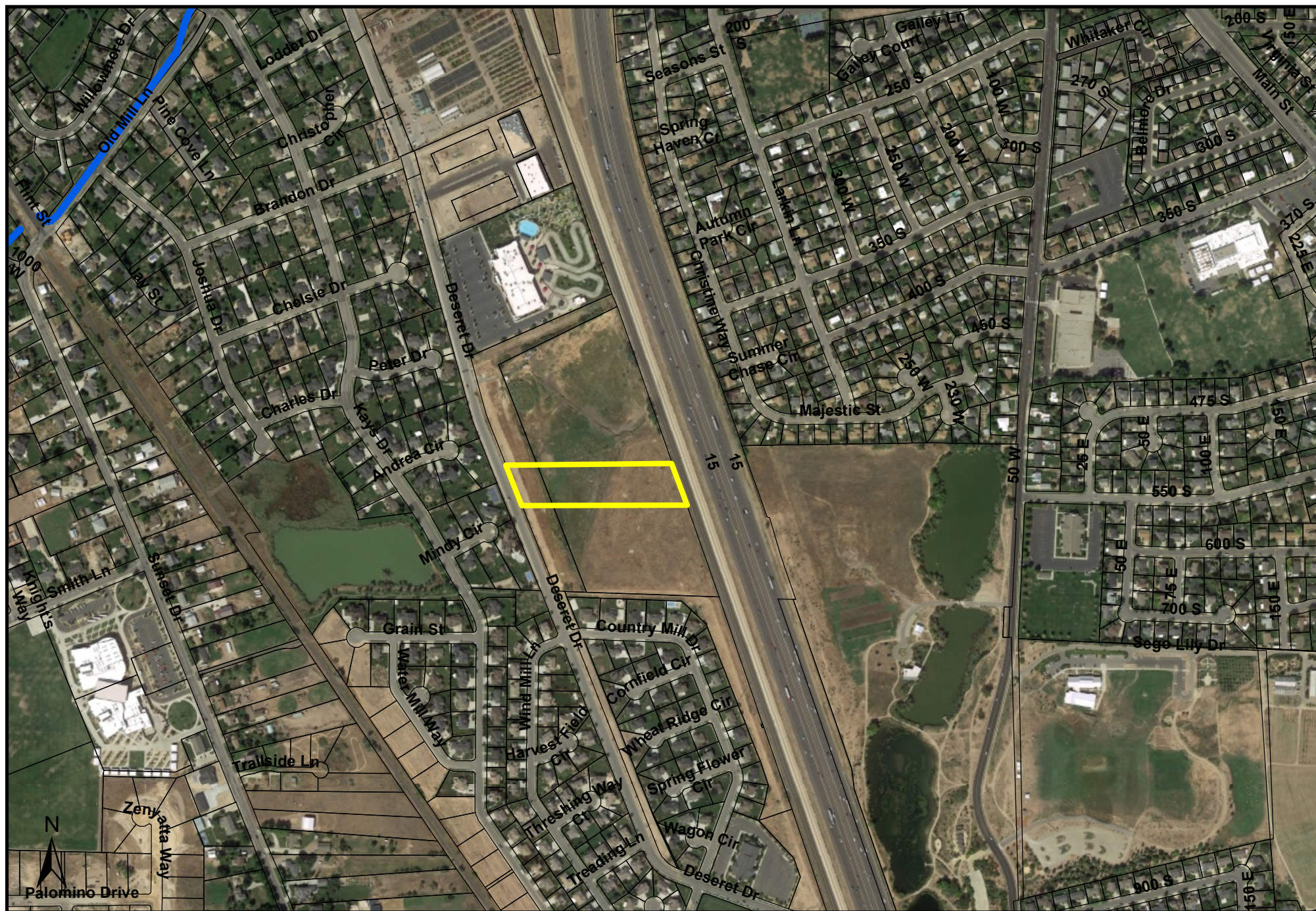
Attachment 4: Rezone Ordinance

Attachment 5: Deseret Landing Subdivision Plat

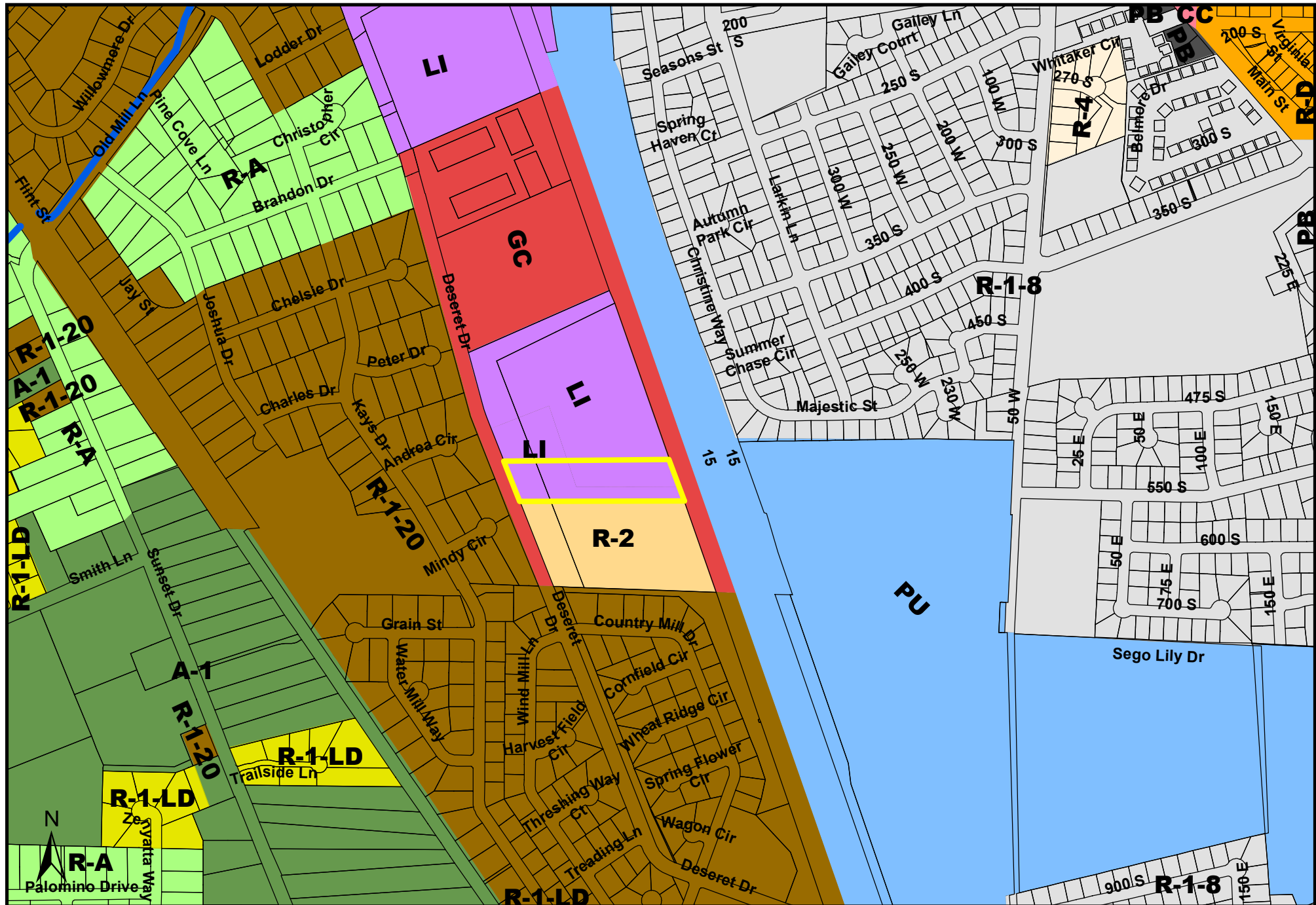
Attachment 6: Deseret Landing Business Park Preliminary Plat

Attachment 7: Old Mill Landing Subdivision Preliminary Plat

Approximately 600 South Deseret Drive - Rezone from LI to R-2 PRUD



Approximately 600 South Deseret Drive - Rezone from LI to R-2 PRUD



When Recorded, Return to:

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

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

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

For ten dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, THIS DESERET LANDING SUBDIVISION DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the 15th day of January, 2019, by and between Kaysville City, a municipal corporation of the State of Utah ("City"), and PB Kaysville, LLC, a Utah limited liability company ("Developer"), sometimes referred to jointly herein as "Parties."

RECITALS:

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

AGREEMENT:

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

1. Recitals Incorporated.

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

2. Development Requirements.

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

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

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

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

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

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

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

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

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

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

3. Construction Standards and Requirements.

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

4. Payment of Fees.

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

5. Reimbursement for "Upsizing".

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

6. City Obligations.

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

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

7. Assignment.

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

8. Default.

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

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

9. Notice.

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

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

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

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

10. Attorneys' Fees.

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

11. Integration.

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

12. Headings.

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

13. No Third Party Rights/No Joint Venture.

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

14. Binding Effect.

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

[SIGNATURES TO FOLLOW]

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

Developer:

PB KAYSVILLE, LLC,
a Utah limited liability company

By: [Signature]

Name: Phillip S. Holland

Its: Manager

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this 15 day of Jan, 2020, personally appeared before me Phillip S. Holland, known or satisfactorily proved to me to be the person who signed the foregoing instrument, and acknowledged to me that he/she is the Manager of PB Kaysville, LLC, a Utah limited liability company, and acknowledged to me that said limited liability company executed the same.

[Signature]

Notary Public

City:



KAYSVILLE CITY

By: [Signature]

Katie Witt, Mayor

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

The foregoing instrument was acknowledged before me this 15 day of Jan 2020, 2018, by Katie Witt, Mayor.

[Signature]
Notary Public

EXHIBIT "A"

PROPERTY DESCRIPTION

Parcel ID 08-001-0082:

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

And

Parcel ID 08-001-0025:

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

EXHIBIT "B"

SITE PLAN



SAMUEL J. BRADY
ARCHITECTS

200 E. South Temple
Salt Lake City, Utah 84111
(801) 595-1752
WWW.SAMBRADY.COM
NOTE: THIS DRAWING IS PROVIDED FOR INFORMATION ONLY. NO GUARANTEE IS MADE FOR THE ACCURACY OF THE INFORMATION. DIMENSIONS COULD VARY.

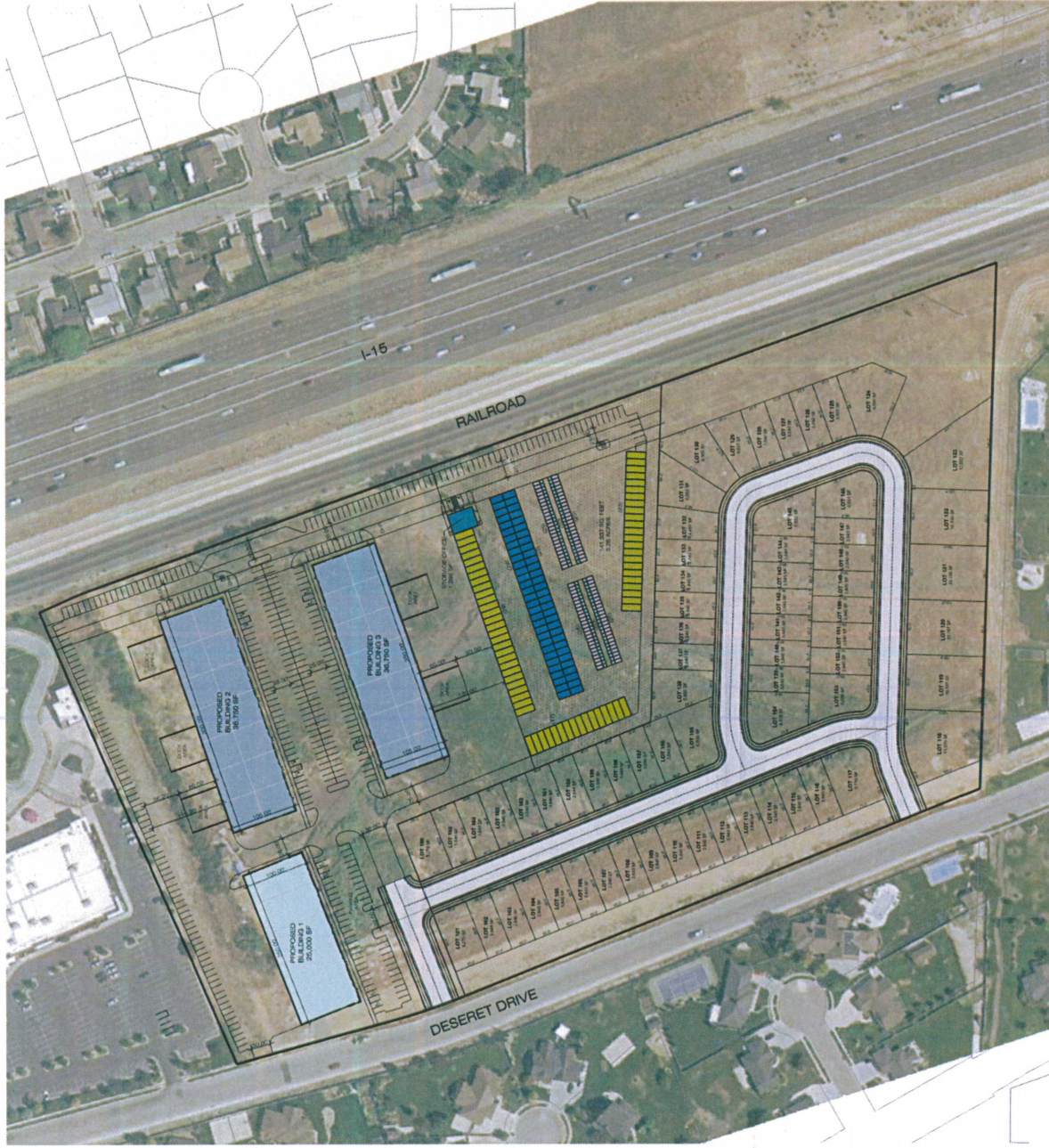
500 DESERET DRIVE

KAYSVILLE, UT
PROPOSED
BUILDINGS

SITE PLAN

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

AS.1



PROJECT SUMMARY	
10' X 20'	69 UNITS
10' X 20'	56 UNITS
5' X 10'	100 UNITS
5' X 5'	100 UNITS
TOTAL STORAGE UNITS	
327 UNITS	

ORDINANCE NO. 20-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY TO THE R-2 (RESIDENTIAL) DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE, HEREINAFTER FULLY DESCRIBED; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open meeting to rezone the subject property from the LI district to the R-2 district to include the PRUD overlay zone for the purpose of accommodating a common open space subdivision on a private street; and

WHEREAS, said meeting was duly and regularly held and the interested parties were given an opportunity to be heard; and

WHEREAS, the Kaysville City Planning Commission has made a recommendation to the City Council on said zoning action; and

WHEREAS, the City Council after due consideration of said district overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zone be implemented;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF KAYSVILLE CITY, UTAH:

SECTION I: Repealer. If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

SECTION II:

The real property as shown on the attached map, which is made a part hereof, containing approximately 3.87 acres, shall be and the same is hereby rezoned and the Zoning Map amended by removing it from the Kaysville City LI district and rezoning it to the R-2 (Residential) district and adding the Kaysville City PRUD (Planned Residential Unit Development) overlay zone.

SECTION III: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI:

This Ordinance shall take effect upon approval of a final subdivision plat found to be consistent with the provisions of the approved development agreement for the subject property.

PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this __th day of _____, 2020

Katie Witt
Mayor

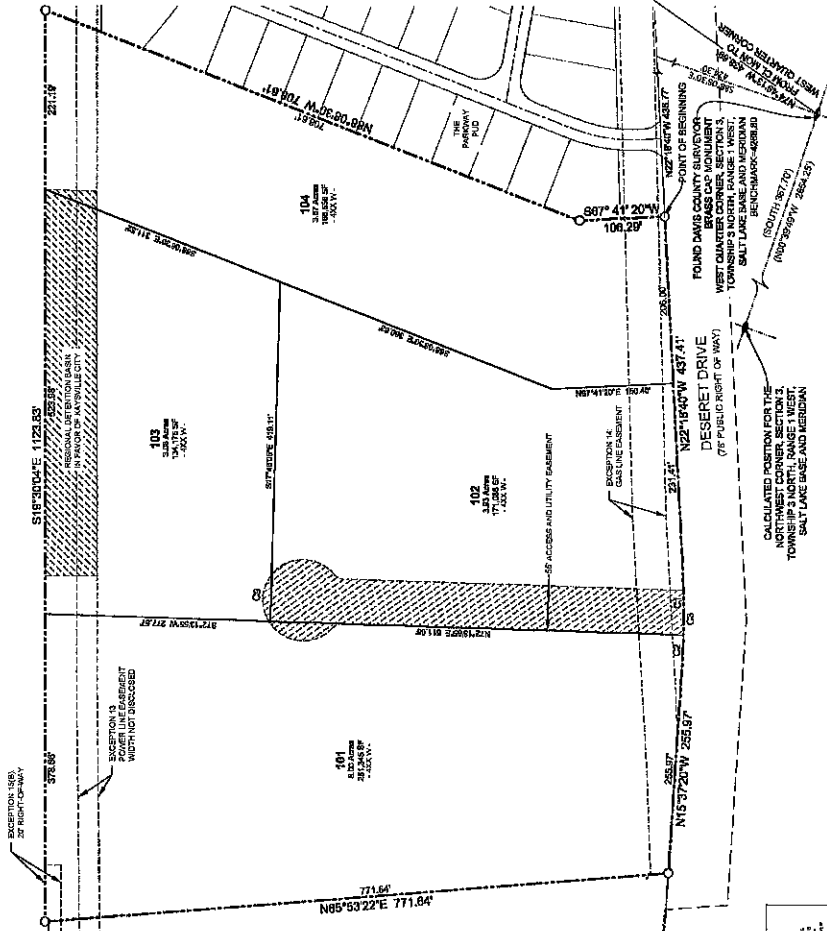
ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney

LOCATED IN THE SOUTH WEST QUARTER OF SECTION 3,
TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH
AUGUST 2020



	SECTION CORNER
	NEW STREET LAYOUT DOT
	REFERENCE MONUMENT
	CENTERLINE
	RIGHT OF WAY
	SECTION LINES
	PUBLIC UTILITY AND DRAINAGE
	BOUNDARY LINE
	BOUNDARY PROPERTY CORNER
	UTILITY AND ACCESS EASEMENT
	REGIONAL DETENTION BASIN

DOMINION ENERGY UTAH
 400 WEST CENTERBLVD. SUITE 2000, SALT LAKE CITY, UT 84119-1000
 TEL: 801-524-4000 FAX: 801-524-4001

[illegible][illegible]

BASIS OF BEARING

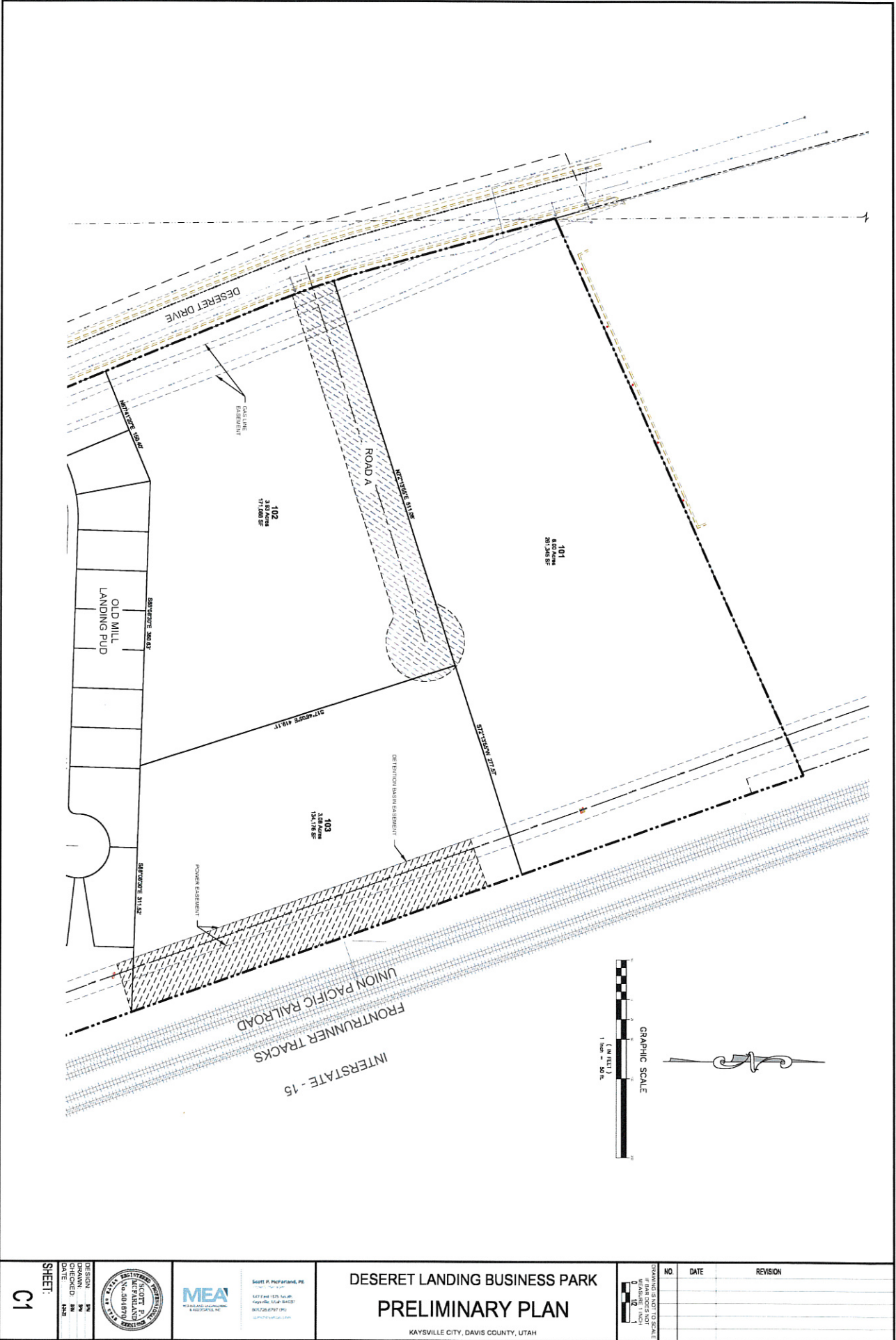
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DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____ 2020
AT _____ IN BOOK _____ PAGE _____

DAVIS COUNTY RECORDER
DEPUTY RECORDER

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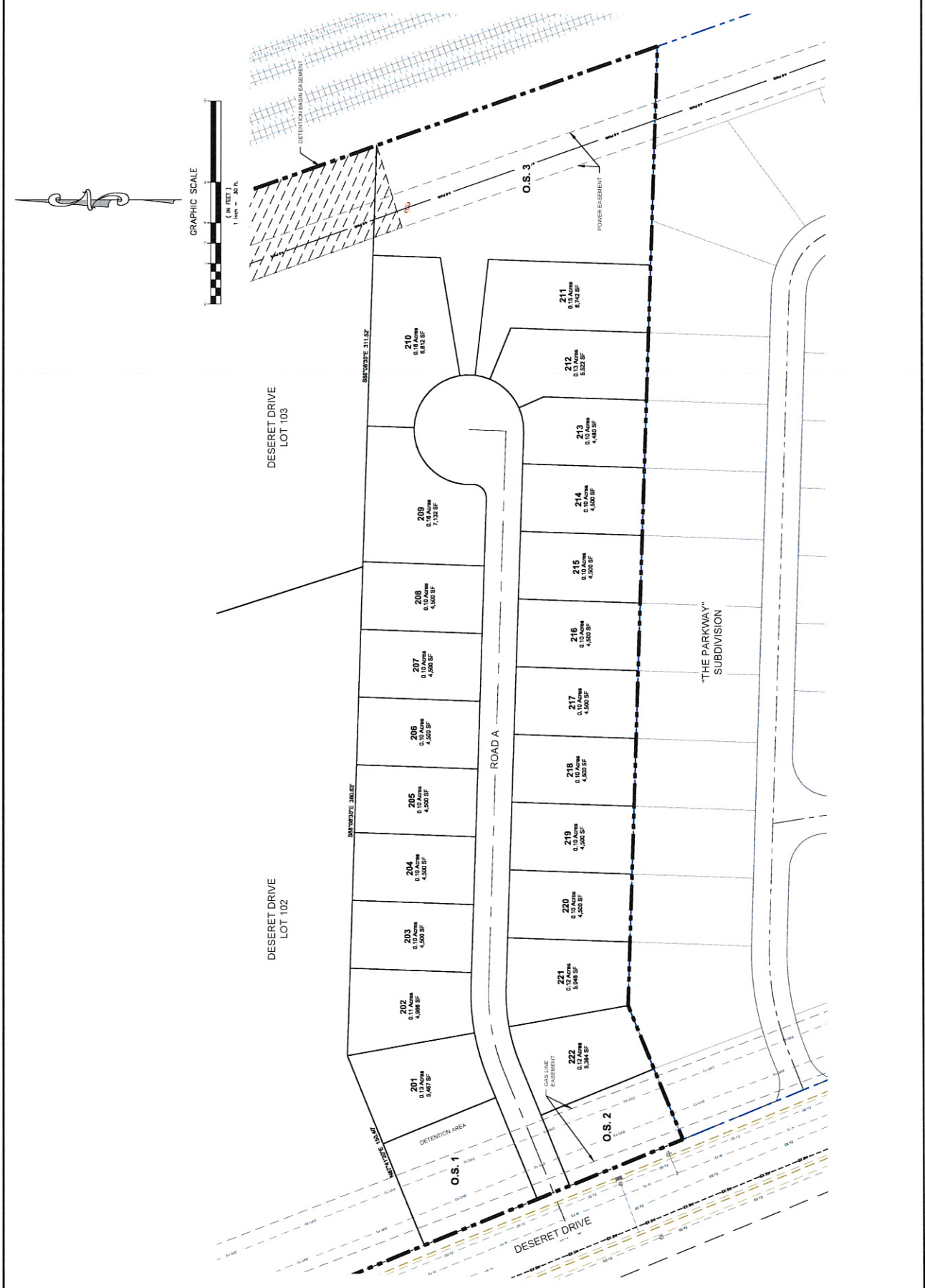
DESIGN: [Signature]
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DATE: [Date]

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No. 381879
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DESERET LANDING BUSINESS PARK
PRELIMINARY PLAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH

NO.	DATE	REVISION



KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

August 27, 2020

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

Staff Present: Lyle Gibson, Dan Jessop, Heather Nielsen.

Public Attendees: Aaron Van Noy

OPENING

The Planning Commission meeting was held on Thursday, August 27, 2020 at 7:00 p.m. at the Business Resource Center for the Davis Technical College. Chairperson Joshua Sundloff opened the meeting by welcoming those present.

Toby Barrus made a motion to approve the minutes from the August 13, 2020 meeting. Larry Page seconded the motion and they were unanimously approved.

Chairperson Joshua Sundloff asked the Planning Commission if they could move the, “call to the public” section of the agenda to discuss now so that Mr. Aaron Van Noy could present an idea he had about creating a Kaysville City forest.

Mr. Van Noy said he would like Kaysville City to purchase or talk to the owners of property along Webb Lane to donate land to the city to create a tree park. He wants to provide an area filled with trees for Kaysville City residents to enjoy for years to come.

He was hoping to get members of the Planning Commission to help him approach property owners to see if his idea of a tree park was a viable goal. Quan Nugyen volunteered to help Mr. Van Noy approach land owners with this idea.

Steve Lyon said this would be a hard sale for property owners because land is selling for so much money and Kaysville City does not have the money to purchase this land to preserve it.

PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) ORDINANCE DISCUSSION - REVIEW OF COMMON OPEN SPACE, PRIVATE STREET, AND FLAG LOT PROVISIONS AND WHAT MAY BE ALLOWED BY DEVELOPMENT AGREEMENT.

Lyle Gibson explained that the PRUD section of the Kaysville City ordinance allows for more diversity in development than the standard requirements of the city’s residential zoning districts.

The ability to have a common open space subdivision, private street subdivision, or flag lot subdivision is done under the PRUD overlay zone allowing for discretion as to when it is allowed, so there is no guarantee that development will be allowed the flexibility granted by this chapter.

The PRUD provisions of the city's ordinance are found in Chapter 17-34 PRUD.

A number of recent developments have brought into question how the overlay zone is being used and what type of flexibility is in fact appropriate as written. There has also been a question raised by a member of the commission as to the desirability of flag lots or if a minimum acreage should be required to consider PRUD type developments.

At the behest of the city council, staff will be noticing a public hearing to consider changes to this chapter to at a minimum clarify some provisions related to what can be done by development agreement. Are there items that a development agreement should not be able to modify? Staff is anticipating the creation of a section under the Common Open Space and Private Street sections of the ordinance of standards that cannot be modified, and leaving other standards in a section that could be considered for modification. Staff is also seeking input from the Planning Commission prior to the public hearing as to other items that may can be reviewed for a recommendation to the council at a future meeting.

Wilf Sommerkorn said we need to focus on what we are looking for standards wise and then grant the flexibility needed on a case by case basis. Kaysville City needs to have the set standards. He would like something added to the affect that if they receive a variation from the standard than this is what we expect in return. There needs to be approved minimums, for instance provide more open space or something else to trade.

Lyle Gibson said that we will take this issue to a public hearing to get further feedback and discussion on it.

GENERAL PLAN UPDATES

Lyle Gibson said that they are still trying to figure out how to obtain more feedback from the public for the general plan. Lyle Gibson went over the survey results that they have collected so far from the public engagement survey.

CALENDAR

The next regularly scheduled Planning Commission meeting is anticipated to be held on Thursday, September 10, 2020 at the Business Resource Center for the Davis Technical College.

Reminder October 6, 2020 there will be a combined meeting with the Kaysville City Council.

ADJOURNMENT

Larry Page made a motion to adjourn the meeting at 8:30pm. Steve Lyon seconded the motion and it was approved unanimously.