



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, March 25, 2021 starting at 7:00 p.m. at the Kaysville City Municipal Building located at 23 East Center Street. No participation using Zoom will be available, however the public can view the meeting online via www.Kaysvillelive.com.

The agenda shall be as follows:

1. Opening and approval of the minutes from the March 11, 2021 meeting.
2. Conditional Use Permit for a Major Home Occupation 'B,' group music lessons located at 707 West Pegasus Drive for Laurissa Neuenschwander.
3. Public Hearing and consideration of an ordinance amending section 17-18-7 Area, Lot Coverage and Yard Requirements, of Chapter 17-18, Professional Business District, of Title 17 Planning and Zoning, of The Kaysville City Ordinances.
4. Public Hearing and consideration of an ordinance amending multiple sections of Title 17, Planning and Zoning, of the Kaysville City Ordinances to clarify what flexibility a planned unit development may be eligible for, the process for permitting flag lot subdivision, and amendments to what is required in common open space subdivisions for open space and amenities.
5. Call to the public.
6. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
7. 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 March 19, 2021.

Lyle Gibson – Community Development Director



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Group Music Lessons.

March 25, 2021

Applicant/Owner: Laurissa Neuenschwander
Location: 707 W. Pegasus Drive
Zone: R-A (Single Family Residential)

Description:

Laurissa Neuenschwander is looking to offer group music lessons from her home at the above listed address. She has taught one on one piano and voice lessons from her home for the past year but would now like to offer group classes.

She would like to hold three group classes a day Monday through Thursday from: 4:00pm to 5:00pm, 5:05pm to 6:05pm, and 6:10pm to 7:10pm. Then on Friday she would like to offer three classes from 1:45pm to 2:45pm, 2:50pm to 3:50pm, and 3:55pm to 4:55pm. She would have no more than 12 students per class.

She also anticipates holding four summer piano camp classes Monday through Friday from 10am to 12pm and 1pm to 3pm with no more than 12 students per class.

Parents will only be able to drop off and pick up students for these classes. The five minute buffer in-between classes helps control traffic for the scheduled pick-up and drop-off.

[KCC 17-26-4 \(12\) d.](#) states 'Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion.' Staff has visited with the applicant and reviewed the restrictions of Title 17-26-4 Major Home Occupations "B".

Recommendation:

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

- The number of students be limited to no more than 12 students at any one time.

Reasoning:

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

Attachment 1: Area map

707 West Pegasus Drive





Planning Commission Staff Report

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING SECTION 17-18-7 AREA, LOT COVERAGE, AND YARD REQUIREMENTS, OF CHAPTER 17-18, PROFESSIONAL BUSINESS DISTRICT, OF TITLE 17 PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES. 3/25/2021

Description:

At the last Planning Commission meeting, staff was given direction to make a small text change to the PB Zoning District in order to provide more flexibility in placement of buildings in the PB zoning district.

An ordinance has been prepared based on this direction and notice has been published so that the change may be considered.

The Planning Commission is tasked with making a recommendation to the City Council on the proposed ordinance.

Recommendation:

Staff is recommending approval of the proposed ordinance amendment as it will better accommodate potential business development while still providing appropriate buffering to residential zones.

Reasoning:

The change allows for consistency with existing and new construction.

Attachment 1: Proposed Ordinance

**KAYSVILLE CITY
ORDINANCE 21-3-2**

AN ORDINANCE AMENDING THE YARD REQUIREMENT OF THE PB ZONING DISTRICT.

WHEREAS, the Kaysville City Planning Commission has made a recommendation in favor of the proposed ordinance change; and

WHEREAS, the Kaysville City Council has determined that the proposed ordinance change will help foster better development;

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

SECTION 1: **AMENDMENT** “17-18-7 Area, Lot Coverage And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-18-7 Area, Lot Coverage And Yard Requirements

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

AFTER AMENDMENT

17-18-7 Area, Lot Coverage And Yard Requirements

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



Planning Commission Staff Report

PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 17, PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES TO CLARIFY WHAT FLEXIBILITY A PLANNED UNIT DEVELOPMENT MAY BE ELIGIBLE FOR, THE PROCESS FOR PERMITTING FLAG LOT SUBDIVISIONS, AND AMENDMENTS TO WHAT IS REQUIRED IN COMMON OPEN SPACE SUBDIVISIONS FOR OPEN SPACE AND AMENITIES.

3/25/21

Description:

This proposed ordinance amendment is the result of differing interpretation of the city's existing ordinance regarding the amount of flexibility the Commission and City Council have when considering a PRUD type subdivision. To better clarify what items may have unique standards and to what extent the proposed amendment is being proposed.

Also of note, the proposed ordinance removes flag lot subdivisions from the PRUD overlay zone and makes them a use by right in certain residential zoning districts.

The Planning Commission has had some limited discussion regarding this section of the ordinance within the past year but this is the first introduction to the ideas in the ordinance after having been considered by staff.

The Planning Commission is tasked with providing a recommendation to the City Council regarding the proposed ordinance.

Recommendation:

After holding the public hearing, staff recommends that the Commission forward a recommendation to the council if the current text is very close or fully acceptable to the Commission. The Planning Commission may also motion to table the item giving specific direction to staff for changes to come back before the Commission at a future meeting if it desires changes before making a recommendation.

Attachment 1: Proposed Ordinance

**KAYSVILLE CITY
ORDINANCE 21-3-1**

AN ORDINANCE AMENDING THE AMOUNT OF FLEXIBILITY ALLOWED BY THE PRUD OVERLAY ZONE AND AMENDING THE PROCESS BY WHICH FLAG LOTS ARE CONSIDERED.

WHEREAS, Clarification in the meaning of the city's ordinances particular to what a developer may request when proposing a Planned Residential Unit Development is desirable; and

WHEREAS, the Kaysville City Planning Commission has provided a recommendation regarding the proposed ordinances; and

WHEREAS, the Kaysville City Council has determined in an open and public meeting that the proposed ordinance changes will enhance the manner in which the city develops;

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

SECTION 1: AMENDMENT “17-34-4 Zone Flexibility” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-34-4 Zone Flexibility

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

AFTER AMENDMENT

17-34-4 Zone Flexibility

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

SECTION 2: AMENDMENT “17-34-5 Additional Criteria” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-34-5 Additional Criteria

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

AFTER AMENDMENT

17-34-5 Additional Criteria

1. In considering the application for Planned Residential Unit Development overlay zone, the following shall be evaluated:
 - a. A comprehensive and harmonious arrangement of buildings, circulation ways, parking and development amenities.
 - b. The relationship to existing and proposed land uses and circulation plans of the community, and avoidance of any disrupting element in the neighborhood.
 - c. Housing Types.
 - d. Impacts of the roads, lanes or driveways on adjacent properties.
 - e. Impacts on the privacy of adjacent properties.
 - f. Buildings shall reflect similar exterior quality to surrounding properties, in terms of exterior materials and design, or be set back and buffered from adjacent uses as approved.
 - g. Every effort shall be made, by creative site planning, to preserve substantial trees and shrubs on the development site.
2. These may be mitigated by imposing conditions such as:
 - a. Fencing.
 - b. Landscaping for screening and/or aesthetics.
 - c. Building placement, height and mass.
 - d. Building design, such as number of stories, exterior building materials and placement of windows on corner lots and second levels.
 - e. Reduction in density.
 - f. Grading.

SECTION 3: AMENDMENT “17-34-7 Common Open Space Subdivision” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-34-7 Common Open Space Subdivision

1. **Development requirements.** The following development standards shall apply unless variations are approved in a Development Agreement.
 - a. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone:

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

- b. Buildings shall reflect similar exterior quality to surrounding properties, in terms of exterior materials and design, or be set back and buffered from adjacent uses as approved.
- c. The open space and amenities should be located adjacent to all dwelling units or easily accessible therefrom.
- d. Block, lot, lot area, lot width, setbacks, building height, and lot coverage regulation shall be determined by approval of the development plan. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.
- e. Every effort shall be made, by creative site planning, to preserve substantial trees and shrubs on the development site.
- f. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be provided and designated on the plat. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. The required common open space may include natural areas. and/or areas totally designed and landscaped. Any open space that is not common open space cannot be used to fulfill the open space requirements.
- g. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
- h. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
- i. All common facilities shall be improved as set forth in **KCC 19-2-1** of the Subdivision Ordinance.
- j. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 - ii. The common facilities restrictions shall be permanent and not just for a period of years.
 - iii. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
- k. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

Conceptual Plans. The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, fencing and screening.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

Preliminary Subdivision Plat. The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.
5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:
 - a. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
 - b. The plant names, locations, qualities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
 - c. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
 - d. Existing and proposed fencing or screening and identification of the fencing material.
 - e. Any proposed tot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
 - f. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.
10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

Final Subdivision Plat. The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

AFTER AMENDMENT

1. Development requirements. ~~The following development standards shall apply unless variations are approved in a Development Agreement.~~

- a. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone ~~as indicated in the following table. The number of units determined by this calculation cannot be exceeded.~~

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

2. ~~The following development standards indicate the maximum extent to which variation from the normal development standards of the underlying zone may be altered.~~

- a. ~~The open space and amenities should be located adjacent to all dwelling units or easily accessible therefrom.~~
b. ~~Block size, lot, lot area, lot width, setbacks,~~ building height, and lot coverage regulations shall be determined by approval of the development plan ~~and shall not vary from the normal standard of the underlying zone by more than 20%.~~
c. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.
d. ~~Every effort shall be made, by creative site planning, to preserve substantial trees and shrubs on the development site.~~

3. Common Open Space Requirements

- a. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be provided and designated on the plat. ~~Usable open space shall be considered improved space such as a garden, park, clubhouse, pool, trail, playground, or similar improvement determined acceptable by the City Council based on the size of the development.~~
b. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. ~~A maximum of 30% of~~ the required common open space may include natural areas. ~~The remaining common open space must be designed, improved or landscaped to quality as usable open space.~~ Any open space that is not common open space cannot be used to fulfill the open space requirements.
c. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
d. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
e. All common facilities shall be improved as set forth in KCC 19-2-1 of the Subdivision Ordinance.
f. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
i. Membership in the Association shall be mandatory for each lot purchaser, their guaranties, successors and assigns.
ii. The common facilities restrictions shall be permanent and not just for a period of years.
iii. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
vi. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
g. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

Acceptable Uses. Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

Conceptual Plans. The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, fencing and screening.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

Preliminary Subdivision Plat. The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.
5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:
 - a. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
 - b. The plant names, locations, quantities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
 - c. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
 - d. Existing and proposed fencing or screening and identification of the fencing material.
 - e. Any proposed lot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
 - f. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.

10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

Final Subdivision Plat. The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

SECTION 4: AMENDMENT “17-34-8 Private Street Subdivision” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-34-8 Private Street Subdivision

1. **Development requirements.** The following development standards shall apply unless variations are approved in a Development Agreement.
 - a. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
 - b. Private street improvements shall include curb. Requirements shall be determined by approval of the development plan. Private streets are defined as that area within the private street easement.
 - c. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
 - d. No building shall be closer than twenty feet (20') to any street improvement.
 - e. All private streets shall be improved as set forth in KCC 19-2-1 of the Subdivision Ordinance.
 - f. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guaranties, successors and assigns.
 - ii. The private street restrictions shall be permanent and not just for a period of years.
 - iii. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted in the zoning district in which the private street subdivision is located.

AFTER AMENDMENT

17-34-8 Private Street Subdivision

1. **Development requirements.** ~~The following development standards shall apply unless variations are approved in a Development Agreement.~~
 - a. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
 - b. Private street improvements shall include curb. ~~Requirements shall be determined by approval of the development plan.~~ Private streets are defined as that area within the private street easement.
 - c. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
 - d. ~~No building shall be closer than twenty feet (20') to any street improvement.~~
 - e. All private streets shall be improved as set forth in KCC 19-2-1 of the Subdivision Ordinance.
 - f. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:
 - i. Membership in the Association shall be mandatory for each lot purchaser, their guaranties, successors and assigns.
 - ii. The private street restrictions shall be permanent and not just for a period of years.
 - iii. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 - iv. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 - v. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 - vi. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. ~~The following development standards indicate the maximum extent to which variation from the development standards of the underlying zone may be altered upon specific approval of the City Council.~~
 - a. ~~No building shall be closer than twenty feet (20') to any street improvement.~~
3. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted in the zoning district in which the private street subdivision is located.

SECTION 5: AMENDMENT “17-34-9 Flag Lot Subdivision” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-34-9 Flag Lot Subdivision

1. **Development requirements:**
 - a. 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.
 - b. 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.
 - c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
 - d. 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:**
 - a. Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.

AFTER AMENDMENT

17-34-9 Flag Lot Subdivision

1. **Development requirements:**
 - a. ~~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.~~
 - b. ~~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.~~
 - c. ~~Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.~~
 - d. ~~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:~~
 - a. ~~Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.~~

SECTION 6: AMENDMENT “17-10-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-10-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than 21,780 square feet.
2. The lot width shall not be less than one hundred feet (100') at a distance fifty feet (50') back from the front lot line.
3. The front yard for any building shall be at least thirty feet (30').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. *see exception: 17-31-2
7. The minimum rear yard for any main building shall be thirty feet (30').
8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.

AFTER AMENDMENT

17-10-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than 21,780 square feet.
 2. The lot width shall not be less than one hundred feet (100') at a distance fifty feet (50') back from the front lot line.
 3. The front yard for any building shall be at least thirty feet (30').
 4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
 5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
 6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings. *see exception: 17-31-2
 7. The minimum rear yard for any main building shall be thirty feet (30').
 8. Where approved by the Planning Commission, the street right-of-way may be increased twenty feet (20') and the area contained in the additional right-of-way abutting lots deducted from the lot size requirement. The additional right-of-way shall be used as parkways (area between right-of-way or private property line and curb line) abutting lots.
- 1. Flag lot development requirements:**
- a. The area of each flag lot shall be at least 21,780 square feet.
 - b. 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.
 - c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
 - d. Accessory buildings shall comply with [KCC 17-31-2](#).

2. 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.

a.

SECTION 7: AMENDMENT “17-12-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

17-12-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than that indicated below for the sub-zone district in which the lot is situated:

R-1-20	20,000 square feet
R-1-14	14,000 square feet
R-1-LD	12,000 square feet
R-1-10	10,000 square feet
R-1-8	8,000 square feet
R-1-6	6,000 square feet

2. The minimum width of any lot for a main building, measured at a distance thirty feet (30') back from the front lot line, shall be that indicated below for the sub-zone district in which the lot is situated:

R-1-20	90 feet
R-1-14	90 feet
R-1-LD	90 feet
R-1-10	80 feet
R-1-8	60 feet
R-1-6	55 feet

3. The front yard for any building shall be at least that indicated below for the sub-zone district in which the lot is situated:

R-1-20	30 feet
R-1-14	30 feet
R-1-LD	30 feet
R-1-10	30 feet
R-1-8	25 feet
R-1-6	25 feet

4. The side yard for any dwelling in the R-1-20, R-1-14, R-1-LD, R-1-10, R-1-8 districts shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16'). The side yard for any dwelling in the R-1-6 district shall be not less than five feet (5') and the total width of the two (2) required side yards shall be not less than ten feet (10').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings *see exception: 17-31-2.
7. The minimum rear yard for any main building shall be fifteen feet (15').
8. In the R-1-LD sub-zone district, the total number of residential units within the subdivision shall not exceed two (2) per acre within the subdivision. The number of units allowed is determined by

multiplying the area in acres of all the land within the subdivision by two (2). The resulting whole number is the number of units allowed.

AFTER AMENDMENT

17-12-6 Area, Lot Width, And Yard Requirements

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

1. The lot area shall not be less than that indicated below for the sub-zone district in which the lot is situated:

R-1-20	20,000 square feet
R-1-14	14,000 square feet
R-1-LD	12,000 square feet
R-1-10	10,000 square feet
R-1-8	8,000 square feet
R-1-6	6,000 square feet

2. The minimum width of any lot for a main building, measured at a distance thirty feet (30') back from the front lot line, shall be that indicated below for the sub-zone district in which the lot is situated:

R-1-20	90 feet
R-1-14	90 feet
R-1-LD	90 feet
R-1-10	80 feet
R-1-8	60 feet
R-1-6	55 feet

3. The front yard for any building shall be at least that indicated below for the sub-zone district in which the lot is situated:

R-1-20	30 feet
R-1-14	30 feet
R-1-LD	30 feet
R-1-10	30 feet
R-1-8	25 feet
R-1-6	25 feet

4. The side yard for any dwelling in the R-1-20, R-1-14, R-1-LD, R-1-10, R-1-8 districts shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16'). The side yard for any dwelling in the R-1-6 district shall be not less than five feet (5') and the total width of the two (2) required side yards shall be not less than ten feet (10').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings *see exception: 17-31-2.
7. The minimum rear yard for any main building shall be fifteen feet (15').
8. In the R-1-LD sub-zone district, the total number of residential units within the subdivision shall not exceed two (2) per acre within the subdivision. The number of units allowed is determined by multiplying the area in acres of all the land within the subdivision by two (2). The resulting whole number is the number of units allowed.
9. Flag lot development requirements:
 - a. 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.
 - b. 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.
 - c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
 - d. Accessory buildings shall comply with KCC 17-31-2.
 - e. 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.

SECTION 8: AMENDMENT "17-13-6 Area, Lot Width, And Yard Requirements" of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

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

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

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be sixty-four feet (64') measured at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The *see exception: 17-31-2 minimum rear yard for any main building shall be fifteen feet (15').

AFTER AMENDMENT

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

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

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be sixty-four feet (64') measured at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which abut a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The *see exception: 17-31-2 minimum rear yard for any main building shall be fifteen feet (15').
8. Flag lot requirements:
 - a. The area of each flag lot shall be at least 10,000 square feet.
 - b. 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.
 - c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.

d. Accessory buildings shall comply with KCC 17-31-2.

e. 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.

SECTION 9: AMENDMENT “17-14-6 Area, Lot Width, And Yard Requirements” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

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

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

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which about a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The *see exception: 17-31-2 minimum rear yard for any main building shall be fifteen feet (15').

AFTER AMENDMENT

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

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

1. The lot area shall be not less than eight thousand (8,000) square feet.
2. The minimum width of any lot for a main building shall be seventy feet (70') at a distance thirty feet (30') back from the front lot line.
3. The front yard for any building shall be at least twenty-five feet (25').
4. The side yard for any dwelling shall be not less than eight feet (8') and the total width of the two (2) required side yards shall be not less than sixteen feet (16').
5. Other main buildings shall have a side yard of not less than twenty feet (20') and the total width of the two (2) required side yards shall be not less than forty feet (40').
6. On corner and multiple frontage lots, the yards which about a street shall be not less than twenty feet (20') from the street for both main and accessory buildings.
7. The *see exception: 17-31-2 minimum rear yard for any main building shall be fifteen feet (15').
8. Flag lot development requirements:
 - a. 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.
 - b. 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.
 - c. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
 - d. Accessory buildings shall comply with KCC 17-31-2. 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 are prohibited.

SECTION 10: AMENDMENT “17-31-2 Accessory Buildings” of the Kaysville City Code is hereby *amended* as follows:

BEFORE AMENDMENT

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, required side yard, or yard abutting a street.
 - a. Exceptions:
 - i. On multiple frontage lots, the rear yard abutting a street may allow accessory buildings such as a garden or tool shed which is under 200 sq. ft. and less than 10 feet in height.
 - ii. On a corner lot, an accessory structure buildings such as a garden or tool shed under 200 sq. ft. and less than exceed 10 feet in height may be located in a corner side yard abutting a street so long as the side yard does not abut the front yard of an existing dwelling.
 - iii. An accessory building may be located in a side yard between the side property line and a portion of the main building where the footprint of a dwelling narrows by at least 20 feet a minimum of 30 feet from the front of the dwelling.
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.
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](#).

AFTER AMENDMENT

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, required side yard, or yard abutting a street.
 - a. Exceptions:
 - i. On multiple frontage lots, the rear yard abutting a street may allow accessory buildings such as a garden or tool shed which is under 200 sq. ft. and less than 10 feet in height.
 - ii. On a corner lot, an ~~accessory~~ Accessory structure buildings such as a garden or tool shed under 200 sq. ft. and less than ~~exceed~~ 10 feet in height may be located in a corner side yard abutting a street so long as the side yard does not abut the front yard of an existing dwelling.
 - iii. An accessory building may be located in a side yard between the side property line and a portion of the main building where the footprint of a dwelling narrows by at least 20 feet a minimum of 30 feet from the front of the dwelling.
 - b. Flag Lots:
 - i. As all yards surrounding a dwelling on a flag lot are at least 20', all yards may be treated as a rear yard.
 - ii. Accessory buildings are not permitted in a required flag lot projection.
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.
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](#).

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL _____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Barber	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Lortz	_____	_____	_____	_____
Council Member Tran	_____	_____	_____	_____

Presiding Officer

Attest

Katie Witt, Mayor, Kaysville City

Annemarie Plaizier, City Recorder Kaysville City

**KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES
MARCH 11, 2021**

Planning Commission Members Attended: Chairperson Joshua Sundloff, Vice Chairperson Quan Nguyen, Steve Lyon, Jared Doxey, Wilf Sommerkorn, and Abigayle Hunt.

Absent: Toby Barrus

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

Public Attendees: Steve Bingham, John Sanders, Kaysville City Councilman Mike Blackman.

OPENING

The Planning Commission meeting was on Thursday, March 11, 2021 at 7:00 p.m. Chairperson Joshua Sundloff opened the meeting by welcoming those present.

Steve Lyon made a motion to approve the minutes from the February 25, 2021 meeting. Quan Nguyen seconded the motion and they were unanimously approved.

PRELIMINARY PLAT APPROVAL FOR THE WEBSTER FARMS LOT 84 AMENDED SUBDIVISION LOCATED AT 686 SOUTH WELLINGTON DRIVE FOR STEVE BINGHAM

AND

FINAL PLAT APPROVAL FOR THE WEBSTER FARMS LOT 84 AMENDED SUBDIVISION LOCATED AT 686 SOUTH WELLINGTON DRIVE FOR STEVE BINGHAM.

Dan Jessop explained that the subject property is located in the recently rezoned R-1-14 zoning district which allows for development at a density of 3 units per acre. The applicant at the time submitted a concept plan showing a lot split subdivision including 2 lots on with one facing Wellington Drive, the second lot facing Leola Street.

The total property includes .65 acres of land with lots ranging from .32 acres (14,065 sq. ft.) to .32 acres (14,061 sq. ft) in size.

The R-1-14 zone accommodates these lot sizes allowing a minimum lots size of 14,000 square feet with a frontage of over the 90 ft. required by the R-1-14 zone. The density, lot size, frontage, and public street improvements shown on the plat are all in compliance with applicable ordinances. All street, curb, gutter, and sidewalk improvements are in place so service to this lot is a matter of running utility laterals for which an easement has been provided on the plat.

Dan Jessop said that staff recommends that the Planning Commission forward a favorable recommendation to the City Council for approval of the preliminary plat. Also, it is recommended that the Commission approve the final plat for Webster Farms No. 4 Amended subject to the City Council's approval of the preliminary.

Vice Chairperson Quan Nguyen asked the property owner Steve Bingham if he spoke to the neighbors about this new development. Mr. Bingham said that he has talked to the neighbors and that they are in support of the project.

Vice Chairperson Quan Nguyen made a motion to approve the Preliminary Plat for the Webster Farms Lot 84 Amended Subdivision located at 686 South Wellington Drive for Steve Bingham. Abigayle Hunt seconded the motion and they were unanimously approved.

Vice Chairperson Quan Nguyen made a motion to approve the Final Plat subject to approval of the Preliminary Plat by the Kaysville City Council for the Webster Farms Lot 84 Amended Subdivision located at 686 South Wellington Drive for Steve Bingham. Abigayle Hunt seconded the motion and they were unanimously approved.

FINAL PLAT APPROVAL FOR THE SANDERS SUBDIVISION LOCATED AT 315 EAST 200 NORTH FOR DARREN AND JOHN SANDERS.

Dan Jessop said that the proposed final plat for the Sanders Subdivision is before the Planning Commission for approval. The plat is consistent with the approved preliminary plat with 3 lots all of which comply with minimum lot size and frontage requirements and has maintained the same design and configuration as the preliminary approval with only minor adjustments. The applicant has now completed the engineering and is requesting final plat approval.

Staff recommends that the Planning Commission grant approval for the final plat of the Sanders Subdivision.

Abigayle Hunt made a motion to approve the Final Plat for the Sanders Subdivision located at 315 East 200 North for Darren and John Sanders. Steve Lyon seconded the motion and it was unanimously approved.

WORK ITEM: CONSIDERATION OF AN UPDATE TO THE PB (PROFESSIONAL BUSINESS) ZONING DISTRICT.

Lyle Gibson explained that one of the least used zones in Kaysville City is the PB (zoning district). Staff has encountered an instance where an existing property along Main Street which is regulated by this zone has struggled to develop because of the restrictions in relation to residential zoning districts.

As a work item, staff asked direction for potential solutions and a likely modification to the ordinance that may be more accommodating to potential development while still respecting the transition to residential properties.

The Planning Commission discussed the possibility of allowing an 8 foot side yard on new and existing buildings in the PB (Professional Business) zoning district.

After a discussion the Planning Commission asked staff to eliminate text that applies only to existing buildings and to bring it back as an action item.

CALL TO THE PUBLIC

Nothing was brought forward.

CORRESPONDANCE AND CALENDAR

The next regularly scheduled Planning Commission meeting is anticipated to be held on Thursday, April 8, 2021.

ADJOURNMENT

Steve Lyon made a motion to adjourn the meeting. It was approved unanimously and the meeting was adjourned at 8:15 pm.