



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, June 10, 2021 starting at 6:00 p.m. at the Kaysville City Municipal Building located at 23 East Center Street. The public is encouraged to attend in person or may view the meeting online via www.Kaysvillelive.com.

The agenda shall be as follows:

1. Work Session: General Plan Amendment (Planning Commission and Consultant) Work Session is anticipated to go between 6:00 pm-7:00 pm.
2. Opening and approval of the minutes from the May 27, 2021 meeting.
3. Tabled item- request to rezone 1.1 acres of property at approximately 600 North and Main Street from GC (General Commercial) to the R-M (Residential Multi-Family) zoning district to include the PRUD (Planned Residential Unit Development) overlay zone. – Destination Homes.
4. Tabled item- consideration of Kaysville City Ordinance to create Chapter 27 – Mixed Use (MU) Zoning District of Title 17 Planning and Zoning, of the Kaysville City Ordinances.
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, June 4, 2021.

Lyle Gibson – Community Development Director



Planning Commission Staff Report

Public Hearing for the Rezone of 1.1 acres of property at approximately 600 N and Main Street from GC (General Commercial) to the R-M (Residential Multi-Family) to include the PRUD (Planned Residential Unit Development) overlay zone.

June 10, 2021

Tabled from May 27, 2021 meeting

Applicant/Owner: Destination Homes

Update:

The Planning Commission tabled this item after the last meeting primarily to see how the request fits in with the direction of the general plan update before making a recommendation to the City Council.

Original Report:

Destination Homes is seeking a rezone at the subject property to accommodate future residential development.

The existing zoning district permits office and retail sales and services, but does not allow for residential uses except for single family units needed to support a business function.

The property is abutting commercial property along Main Street to the north and south and residential development to the east. There are some R-M zoned properties in the vicinity across the street and near the corner of Mutton Hollow and Main Street.

The R-M zoning district regulated through Title 17-16 allows for multiple-dwelling structures by permitted use and zone may have a density of 15.5 units per acre.

In consideration of the rezone the Planning Commission should consider how the use fits with the city's general plan and how it works at the specific location.

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

Identity and Character:

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

Housing:

- A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.
 - 2. East of I-15, allow 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.

II. Business and Industry

- A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

Chapter 16 R-M Multiple Family Residential District

17-16-1 Purpose

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

17-16-2 Site Plan Review

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

17-16-3 Permitted Uses

- 1. Single-family dwellings.
- 2. Multiple dwellings.
- 3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
- 4. Minor home occupations subject to the provisions of KCC Chapter 17-26.
- 5. Two household pets per dwelling unit.
- 6. Private swimming pools subject to the provisions of KCC 17-31-9.

7. Accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the provisions of KCC 17-31-2.

17-16-4 Conditional Uses

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

8. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type; not including storage or repair yards, warehouses, and similar uses.
9. Major home occupations A and B subject to the provisions of KCC Chapter 17-26.
10. Residential child care subject to the provisions of KCC Chapter 17-26.
11. Temporary buildings for uses incidental to construction work subject to the provisions of KCC 17-30-7, which buildings must be removed upon the completion or abandonment of the construction.
12. Temporary tract offices and development signs subject to the provisions of KCC 17-30-7 and KCC Chapter 17-33.
13. Twin homes subject to the provisions of KCC Chapter 17-28.
14. Public utility substations subject to the provisions of KCC 17-31-15.
15. Farm animals subject to the provisions of KCC Chapter 17-24.
16. Business, professional, and government offices.
17. Swimming clubs subject to the provisions of KCC 17-3-10.

17-16-5 Height Regulations

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

The purpose for the PRUD overlay zone is to accommodate a common open space subdivision where the units could be platted individually for potential owner occupancy. [KCC 17-34](#) regulates the PRUD overlay zone.

The project as proposed would require some adjustment in order to meet all the provisions of the common open space subdivision ordinance. Revisions of note are number of units, amount of open space, placement of buildings in relation to street.

Recommendation:

The Planning Commission is tasked with making a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan and how well the proposal works at this specific location.

Staff recommends that additional direction be given to the applicant. If residential development is desirable at this location, additional direction may be given to address concerns or opportunities. A development agreement would be appropriate to further refine the proposal and ensure desirable development. The Commission may request review of such detail at preliminary plat review or request that it be part of a development agreement to be either reviewed again by the Planning Commission or to be presented to the City Council.

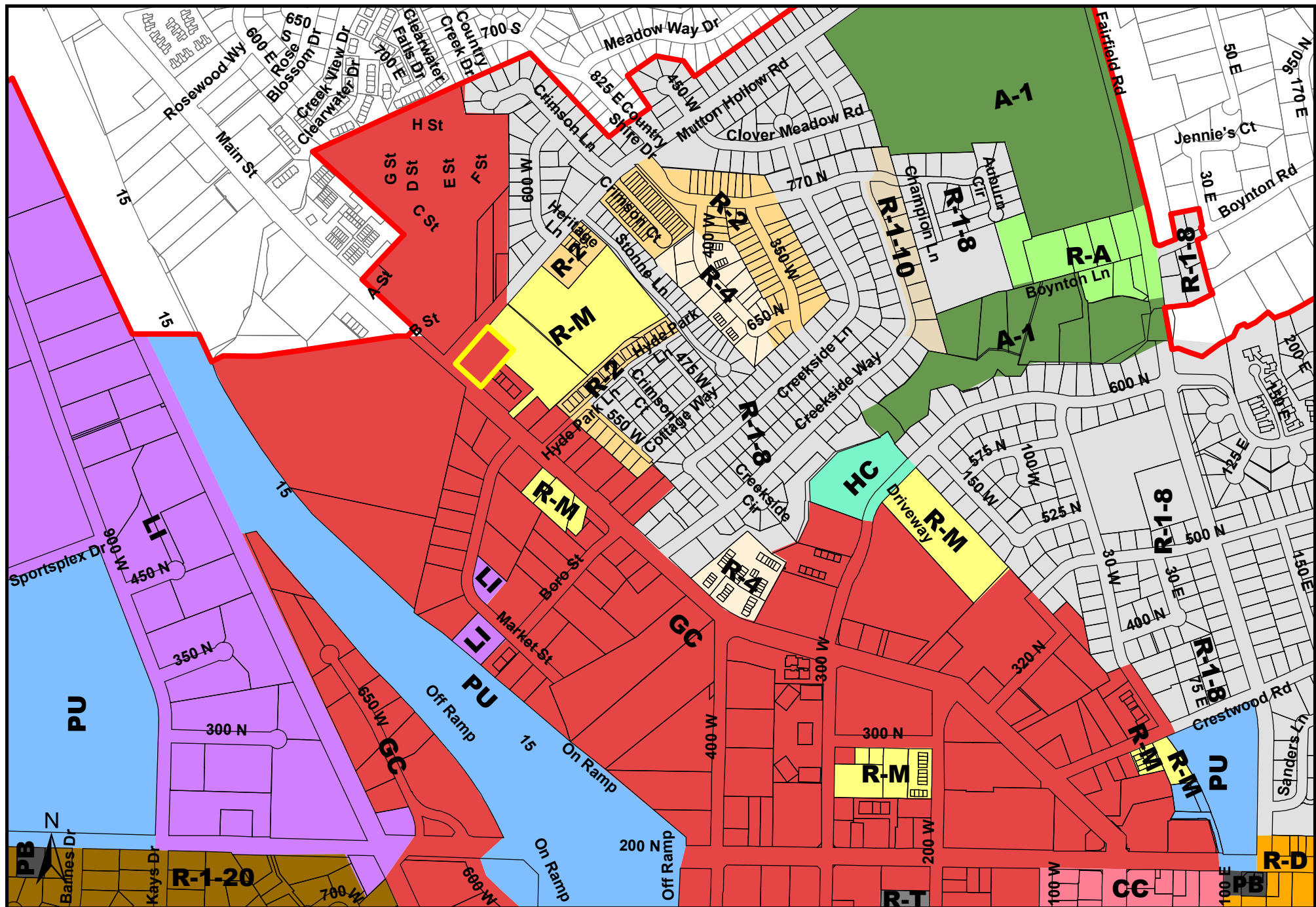
Attachment 1: Area Map
Attachment 2: Zoning Map
Attachment 3: Architectural Details / Concept Plan

Attachment 4: Rezone Ordinance

Rezone of 650 North Main Street from GC to R-M PRUD



Rezone of 650 North Main Street from GC to R-M PRUD



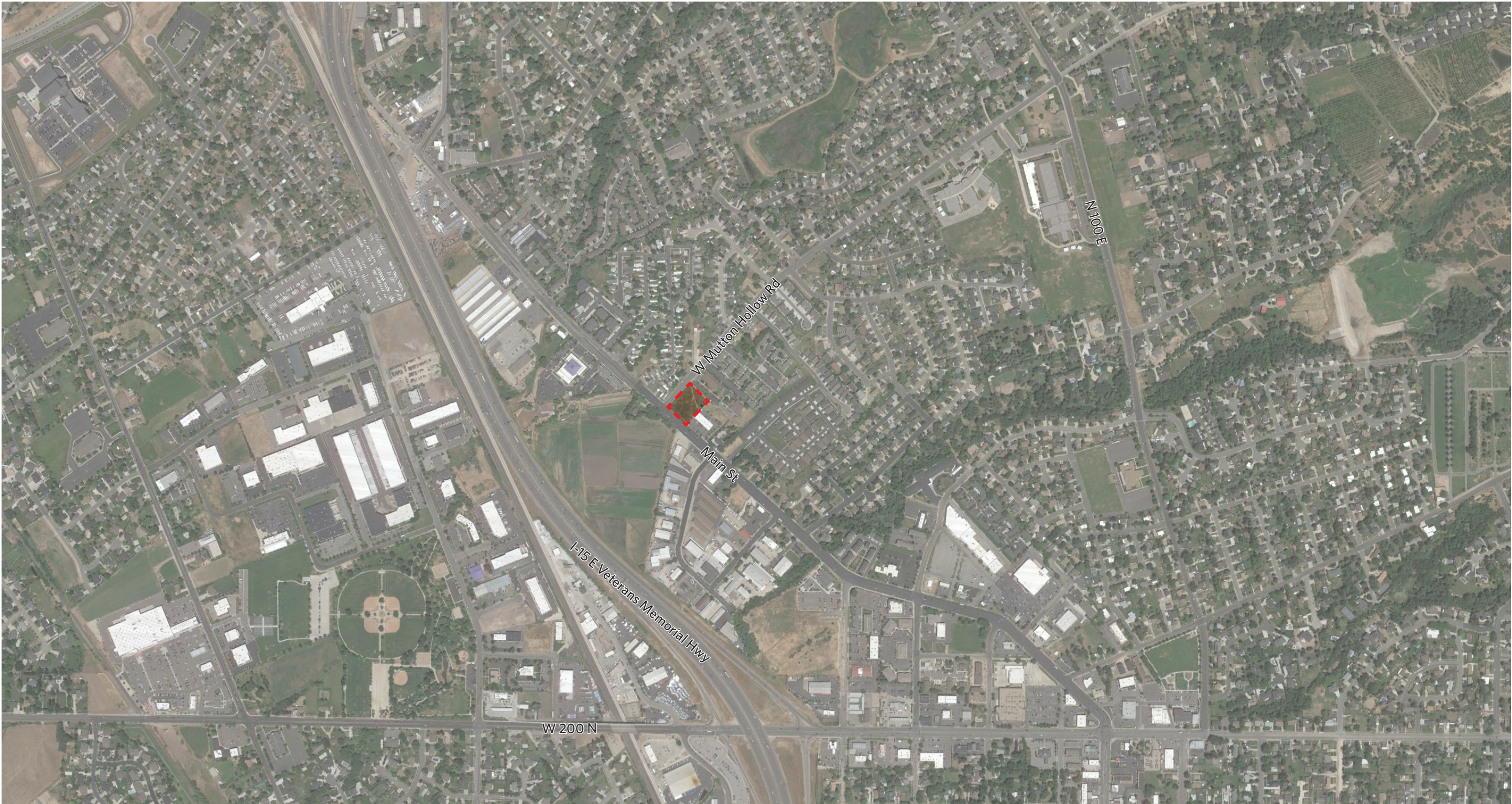


20 May 2021
Kaysville, Utah

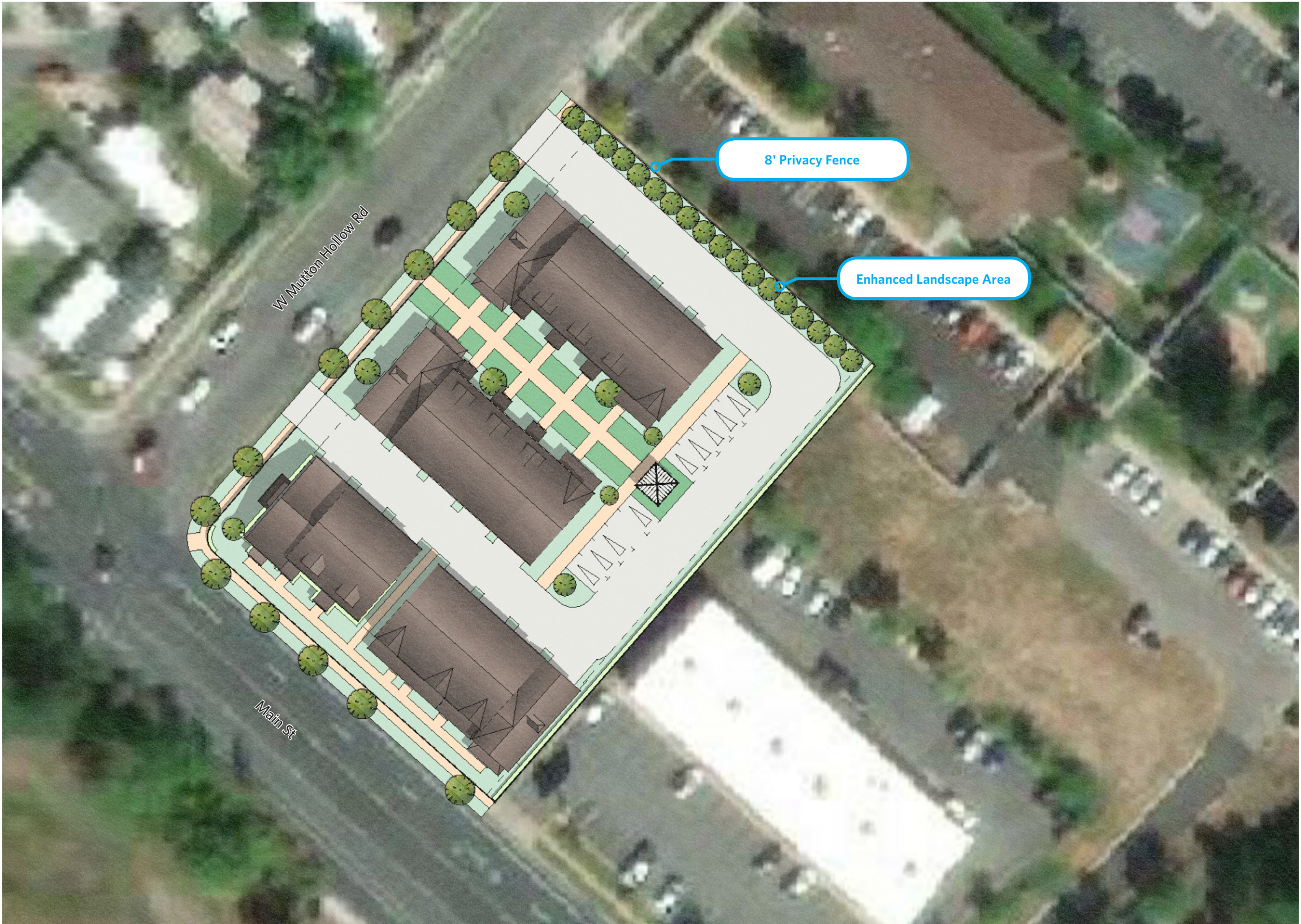


MUTTON HOLLOW TOWNHOUSES

Conceptual Architecture

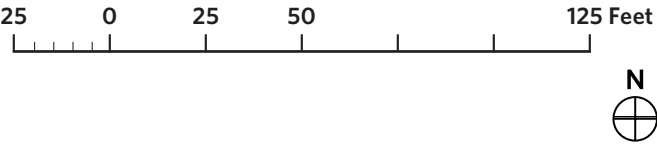


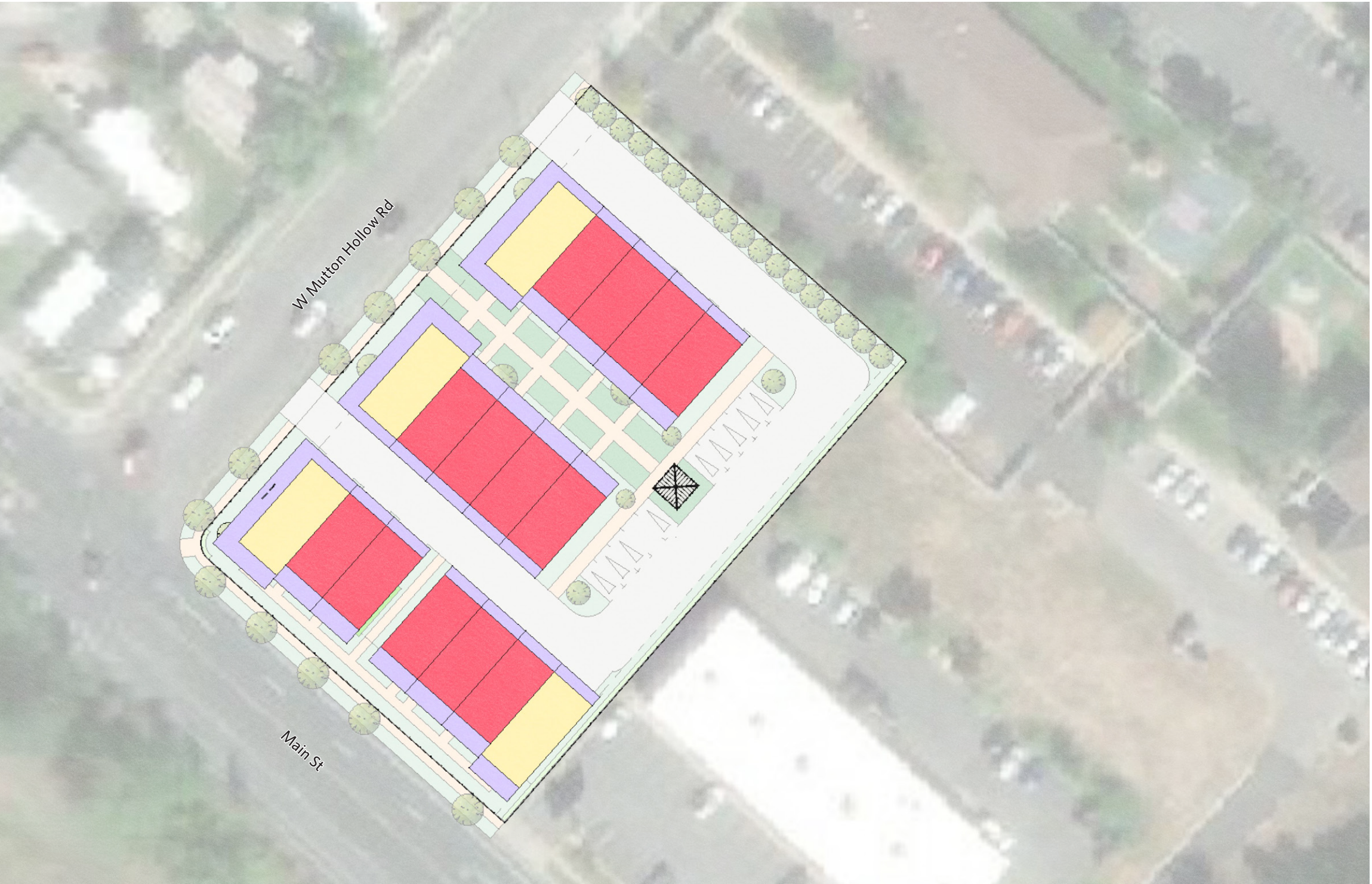
SITE LOCATION MAP



ILLUSTRATIVE PLAN

MUTTON HOLLOW TOWNHOUSES / KAYSVILLE, UTAH / 20 MAY 2021





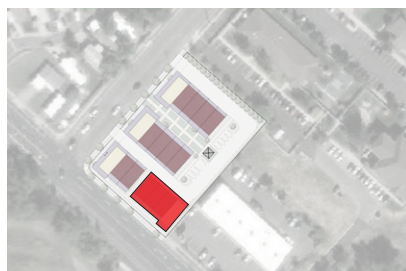
DESTINATION HOMES		
	Count	Ratio
Arlington	4	24%
Oakland	13	76%
Total	17	-

PORCH AND SETBACK ZONES

Parking: 9 Spaces

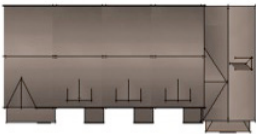
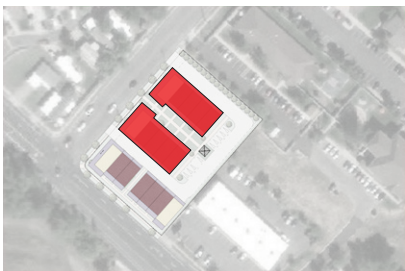


SITE PLAN & DEVELOPMENT PROGRAM



BUILDING 1





BUILDING 2



Arlington B — Front Entry
FRONT ELEVATION

Oakland B

Oakland B



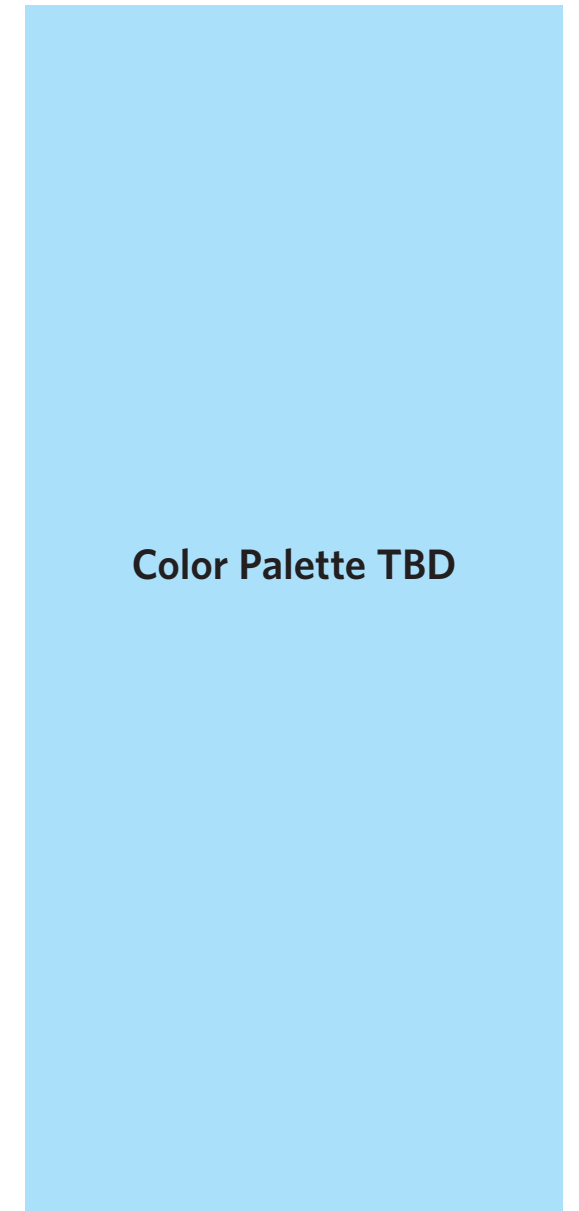
RIGHT ELEVATION



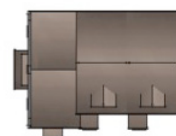
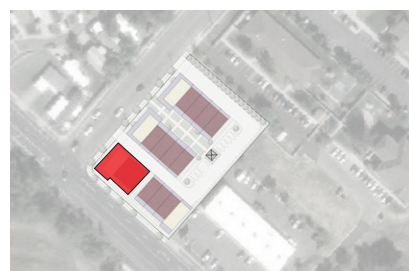
REAR ELEVATION



LEFT ELEVATION



Color Palette TBD



BUILDING 3



AERIAL VIEW

MUTTON HOLLOW TOWNHOUSES / KAYSVILLE, UTAH / 20 MAY 2021



AERIAL VIEW



EYE-LEVEL VIEW

MUTTON HOLLOW TOWNHOUSES / KAYSVILLE, UTAH / 20 MAY 2021



EYE-LEVEL VIEW

MUTTON HOLLOW TOWNHOUSES / KAYSVILLE, UTAH / 20 MAY 2021

ORDINANCE NO. 21-_____

AN ORDINANCE REZONING A CERTAIN PORTION OF KAYSVILLE CITY FROM THE GC (GENERAL COMMERCIAL) ZONING DISTRICT TO THE R-M (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE FOR A COMMON OPEN SPACE SUBDIVISION, 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 GC district to the R-M zoning district to include the PRUD (Planned Residential Unit Development) overlay for the purpose of creating a common open space subdivision; and

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

WHEREAS, after providing notice and holding a Public Hearing 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 the R-M district and PRUD overlay zone has concluded that it is in the best interest of the City and the inhabitants thereof that said zoning 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 described below and as shown on the attached map, which is made a part hereof, containing approximately 1.1 acres, shall be and the same is hereby rezoned and the Zoning Map amended by changing the zoning designation from the GC district to the R-M district to include the PRUD overlay zone.

Legal Description: A PARCEL OF LAND SIT IN THE NE 1/4 OF SEC 33 & THE SE 1/4 OF SEC 28-T4N-R1W, SLM; DESC AS FOLLOWS: BEG AT A PT ON THE S'LY LINE OF A PARCEL OF LAND CONV IN A WD & RECORDED AS E# 1182300 BK 1879 PG 1578 WH PT IS 67.79 FT S 0°33'50" E ALG THE SEC LINE & 126.47 FT W FR THE NE COR OF SEC

33-T4N-R1W, SLM; & RUN TH N 48°42'47" W 181.84 FT TO THE S'LY LINE OF MUTTON HOLLOW ROAD; TH S 40°57'10" W 264.89 FT, M/L, ALG SD S'LY LINE OF MUTTON HOLLOW ROAD TO THE E'LY R/W LINE OF STATE HWY 106; TH S 48°12'00" E 181.86 FT, M/L, ALG SD R/W LINE TO THE N'LY LINE OF CENTURY PLAZA CONDOMINIUM RECORDED AS E# 1312228 BK 2109 PG 460 IN SD DAVIS CO RECORDERS' OFFICE; TH N 40°57'10" E 266.52 FT ALG SD N'LY LINE TO THE POB. CONT. 1.171 ACRES

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 _____, 2021.

Katie Witt
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

APPROVED AS TO FORM:

Nicholas C. Mills, City Attorney

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

May 27, 2021

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

Staff Present: Lyle Gibson, Dan Jessop, Mindi Edstrom

Public Attendees: Council Member Mike Blackham, Deborah Shepard, Don Anderton, Dick Bourne, Tom Wood, Nancy Tippets, Sue Card, Keith Russell, John Warnick, and Amy Roskelley

OPENING

The Planning Commission meeting was held on Thursday, May 27, 2021 at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street. Chairperson Joshua Sundloff opened the meeting by welcoming those present.

Steve Lyon made a motion to approve the minutes from the May 13, 2021 meeting. Abigayle Hunt seconded the motion and they were unanimously approved.

CONDITIONAL USE PERMIT FOR A PERENNIAL PLANT WHOLESALE HOME OCCUPATION AND NURSERY.

Introduced by: Dan Jessop

The applicant is seeking a conditional use permit to conduct a Nursery and Wholesale Perennial Plant business from their home. Debora anticipates putting up a detached Green House style building on her parents' property next door where she can grow some plant starts. She will also have some growing beds situated and organized outside of the green house. She will maintain an office as well in her home not to exceed the allowed area.

The business plan is to grow and sell wholesale to developers and landscapers. They will have no outside employees or customers coming to residence for pick up. They will deliver orders to the location of placement.

Debora Shepard presented to the council that she would be selling one gallon pots for plants and would deliver to job site for customers. Any traffic to the location would be for plant starts and planting soil. Deborah's parents are willing to allow back property to be purchased and her husband and son would be helping in the business.

Commissioner Sommerkorn asked about making the property a stand-alone property however what changes if there are new neighbors.

Lyle Gibson suggested that the properties be combined to comply with the ordinances as they currently read.

Commissioner Doxey motioned to approved the conditional use permit as recommended by staff subject to pursuing a lot line adjustment so that the greenhouse is on the same property as the office.

Motion to approve: Commissioner Doxey

Motion to second: Commissioner Lyons

Vote on the motion was unanimous

PUBLIC HEARING AND REQUEST TO REZONE .32 ACRES OF PROPERTY AT 1599 W. 200 N. FROM R-1-20 TO THE R-1-14 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT

Introduced by: Dan Jessop

A zone change is being requested at the subject address in order to accommodate a proposed lot line adjustment. The property, is currently zoned to accommodate a Single Family Dwelling with a minimum 20,000 square feet lot. The Applicant would like to sell a large portion of his rear yard to the neighbor south east of him at 181 N. Mountain Vistas Rd. The lot is now 24,994 square feet, and the zone would allow him to keep a minimum of 14,000 square feet and sell off any portion of remaining lot.

As a rezone action the Planning Commission has broad discretion as to whether or not to pass along a favorable recommendation to the City Council.

Keith Russell sold and rezoned a portion of the property in question previously. This action would allow for a similar change. Mr. Russell states that the property is just a vacant field and the neighbor would like to extend his back yard.

Don Anterton spoke and stated he is wanting to purchase the land and is in favor of the requested rezone.

The Planning Commission expressed that the rezone doesn't change anything. It just allows another property owner to utilize the land in a better way. Commissioner Sommerkorn believes that it is a plus.

Commissioner Nguyen motioned to recommend approval of the requested rezone to the City Council.

Motion to approve: Commissioner Nguyen

Motion to second: Commissioner Sommerkorn
Vote on motion is unanimous

PUBLIC HEARING AND REQUEST TO REZONE .22 ACRES OF PROPERTY AT 327 E. 299 N. FROM THE R-1-8- (SINGLE FAMILY RESIDENTIAL) TO THE R-2 (ONE OR TWO FAMILY RESIDENTIAL) ZONING DISTRICT. - DICK BOURNE

Introduced by: Dan Jessop

A zone change is being requested at the subject address in order to accommodate a proposed Duplex or Twin Home. The property is currently zoned to accommodate a single family dwelling on an 8,000 square foot lot.

While the R-1 zoning district has some provisions to allow for two-family dwellings, there are multiple within close proximity in the R-D zoning district to the south that requires the consideration of a different zone if a two-family dwelling is desired.

Mr. Bourne stated that the property in question has been a vacant lot for many years and has spoken to the neighbors. Mr. Bourne would like to put in a single level duplex with a basement on the property to rent out rather than build a single family home. Mr. Bourne believes it would tie in very well to the surrounding area. The neighborhood has 2 duplexes already and he is requesting the rezone as he wants to be the third.

Commissioner Barrus asked Lyle Gibson why does it matter with distance requirements for the duplex and how many units could be placed onto the property?

Mr. Gibson answered that his understanding of the distance requirement was to spread out duplexes and twin homes and that all yard requirements are still the same. Zero lot line allowance.

Public Hearing:

- Nancy Tippetts backs up to the lot in question. Nancy spoke with Mr. Bourne and is ok with what he is wanting to do and is single level.
- Carol Ward not in favor because there are so many duplex's. Would love to have something nice. Single dwelling homes. Not in favor of a rental.
- Other comments were sent in via email or phone.

Discussion:

Commissioner Sommerkorn stated that it seems the request should be allowed under the current ordinance, that the intent would be to look at duplexes in the same zone rather than duplexes within any zoning district in the 500 foot radius.

Commissioner Barrus in favor of keeping to the zone as is, the rezone of one lot seems to go against what the existing zoning is trying to accomplish with the distance requirement.

Commissioner Sundloff states the task we have before us is ...Do we want to change this? We are bound to the code. However, do we want to redo the code? Is it in line with the general plan? He then asked the commission now this falls in the general plan and mentions that we are in a housing crunch right now is lack of supply.

Commissioner Nguyen shared that the owner of property has the right to do what they would like on their property. Mr. Nguyen asks Mr. Bourne if his intention to rent or sale and Mr. Bourne's response is to rent. Mr. Nguyen mentions the letter of the law vs. the spirit of the law and over turn what City Council has already approved.

Commissioner Doxy mentions this meets the criteria of high density to 200 N.

Commissioner Doxy to make a motion to move to recommend the request to rezone from R-1-8 to R-2 as requested.

Motion to Second by Abbigayle Hunt

Yay: by Abbigayle Hunt, Wilf Sommerkorn, Jared Doxey, Josh Sundloff, Steve Lyon

Nay: Toby Barrus

Lyle Gibson mentioned that this will be passed along to City Council for a final decision and that the reasoning of voting both for and against will be shared...This will go to city council on the 17th of June.

PUBLIC HEARING AND REQUEST TO REZONE 1.1 ACRES OF PROPERTY AT APPROXIMATELY 600 N. AND MAIN STREET FROM GC (GENERAL COMMERCIAL) TO THE R-M (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT TO INCLUDE THE PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE.- DESTINATION HOMES.

Introduced by: Lyle Gibson

Destination Homes is seeking a rezone at the subject property to accommodate future residential development.

The existing zoning district permits office and retail sales and services, but does not allow for residential uses except for single family units needed to support a business function.

The property is abutting commercial property along Main Street to the north and south and residential development to the east. There are some R-M zoned properties in the vicinity across the street and near the corner of Mutton Hollow and Main Street.

The R-M zoning district regulated through Title 17-16 allows for multiple-dwelling structures by permitted use and zone may have a density of 15.5 units per acre. The purpose of the PRUD Overlay is to accommodate the common open space style of development proposed.

John Warnick from Destination homes stood to present his project. He reminded the Commission that he came before the city council a year ago and has a reworked site plan. The building direction has been flipped away from the Women's Shelter. Mr. Warnick presented a letter of support from Safe Harbor. The Destination Homes units will sale for an average of \$450k when finished. Destination homes believe they will have a positive impact because of a point of sale and type of housing they provide. Destination homes feels it is best to have multifamily units spread around the city and that this is the best use for the lot. The traffic study conducted for this site indicates 82 trips a day for the proposed use which is much less than any potential business might create. It is proposed to only have one way in for the duplexes to help with traffic. Mr. Warnick mentions that they will be adding a privacy fence, fire pit and pavilion as part of the property. Mr. Warnick mentioned that there have not been other offers for this vacant lot.

Public Hearing:

- Tom Wood lives close to this area. Previous Planning Commission member and has a background in apartments. Mentions the general plan and likes that it is a good guideline. Dispersing projects throughout the town. Reads previous statements from Council Member's Tran, Blackham, Adams, and Lortz. He expressed his opposition to the proposal.
- Emails (8) in response to this Re-zone.

Discussion:

Commissioner Nguyen thinks this Rezone might be a distractor for Safe Harbor and shares that the Planning Commission wanted to hold off for commercial prior to COVID.

Commissioner Lyons shares that Safe Harbor will be building out on two different properties 24 more units.

Commissioner Sommerkorn suggests waiting for general plan update to make this decision.

Commissioner Hunt agrees with Commissioner Sommerkorn on waiting for general plan.

Commissioner Nguyen asks Lyle Gibson if there has been others that have wanted to use this land. Lyle Gibson said that no calls have come in with serious suggestions.

Commissioner Barrus feels that commercial usage would be safer next to Safe Harbor. Would like to keep commercial and not lock into housing.

Commissioner Doxy thinks that will not be another offer that would be better than what has been presented by Destination Homes.

Commissioner Sundloff shared general concerns of impact of multifamily housing traffic and a transient demographic and shared his opinion that this project would not generate those issues

Tom Wood shared concerns of multifamily housing.

Wilf Sommerkorn proposed that there will be a work session for the general plan amendment on June 10th with the consultant. Put this plan at the top of the discussion

Commissioner Nguyen motioned to table this until until after the General Plan work session on June 10th.

Motion to second by Commissioner Sommerkorn

Yay: Abbigayle Hunt, Wilf Soomerkorn, Steve Lyon, Guan Nguyen, Toby Barrus

Nay: Josh Sundloff and Jared Doxey

**PUBLIC HEARING FOR THE ENACTMENT OF KAYSVILLE CITY ORDINANCE TO
CREATE CHAPTER 27-MIXED USE (MU) ZONING DISTRICT OF TITLE 17
PLANNING AND ZONING, OF THE KAYSVILLE CITY ORDINANCES.**

Introduced by: Lyle Gibson

After multiple meetings discussing the concept of mixed use zoning district and having reviewed different examples, notice has been provided to hold a public hearing to begin official consideration of a new zoning district that may be considered to accommodate new development types in Kaysville City.

A brief overview of the ordinance was given. The Planning Commission was asked to read the ordinance and provide feedback for the next meeting when additional discussion can be purued.**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, June 10 with other Destination Home Rezone to be readdressed. Perhaps a working session with General Plan Consultant at 6:00 pm.

ADJOURNMENT

Josh Sundloff made a motion to adjourn the meeting. It was approved unanimously and the meeting was adjourned at 9:49 pm.