



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, February 10, 2022, at 7:00 pm in the Council Chambers of 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. Opening and approval of the minutes from the January 27, 2022 meeting
2. Oath of Office for Cody Branch and Paul Allred
3. Election of a Vice Chair
4. Public Hearing for Ordinance 17-7-5: Explosives Prohibited in Residentially Zoned Districts
5. Public Hearing for the rezone of 478 South Main Street from R-1 Single Family Residential District to R-M Multiple Family Residential District
6. Call to the Public
7. Other matters that properly come before the Planning Commission:
 - a. Reports
 - b. Correspondence
 - c. Calendar
8. Adjournment

On Friday, February 4, 2022, a copy of the foregoing Notice of Meeting was posted in accordance with Section 52-4-202 (3).

Melinda Greenwood
Community Development Director

OATH OF OFFICE

STATE OF UTAH

I, Cody Branch, having been appointed to the office of Kaysville City Planning Commission Member, do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of the State of Utah, and that I will discharge the duties of my office with fidelity.

Signature

State of Utah

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ss

County of Davis

}

*Subscribed and sworn to before me this **10th** day of February*

Mindi Edstrom
Planning Commission Secretary,
Kaysville City, Utah

Name: CODY BRANCH

Filed this: 10th day of February, 2022

Office: PLANNING COMMISSION MEMBER

City Recorder: Annemarie Plaizier

Term: 01/01/2022- 06/30/2023

OATH OF OFFICE

STATE OF UTAH

I, Paul Allred, having been appointed to the office of Kaysville City Planning Commission Member, do solemnly swear or affirm that I will support, obey and defend the Constitution of the United States and the Constitution of the State of Utah, and that I will discharge the duties of my office with fidelity.

Signature

State of Utah

}

ss

County of Davis

}

*Subscribed and sworn to before me this **10th** day of February*

Mindi Edstrom
Planning Commission Secretary,
Kaysville City, Utah

Name: Paul Allred

Filed this: 10th day of February, 2022

Office: PLANNING COMMISSION MEMBER

City Recorder: Annemarie Plaizier

Term: 01/01/2022- 06/30/2023



Planning Commission Staff Report

February 10, 2022

Public Hearing for ordinance 17-7-5: Explosives Prohibited in Residentially Zoned Districts

Description:

Recently the United States Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF) contacted the City asking if we allowed explosives to be manufactured at a private residence. City staff reviewed this concept and BATF definitions and regulations, and determined it was appropriate to propose an ordinance to expressly prohibit the manufacturing or storage of explosive material in a private residence.

Key Points:

- Prohibiting the manufacture of firearms in zones where residential uses are allowed maintains the safety and public welfare of its residential zones.
- This ordinance would apply to all residential zones and the mixed-use zoning.
- This ordinance does not apply to:
 - o Fireworks which are traditionally sold by retail outlets for Independence Day, the 24th of July, etc.
 - o Small arms ammunition
 - o Commercially manufactured black powder in quantities under 50 pounds

Recommendation:

Staff recommends the Planning Commission forward to the City Council a recommendation of approval of the 17-7-5 Explosives Prohibited in Residentially Zoned Districts.

Attachments:

1. Draft Ordinance 17-7-5 Explosives Prohibited in Residentially Zoned Districts

ORDINANCE XX-XX-XX

ENACTING TITLE 17, CHAPTER 7, SECTION 5 OF THE KAYSVILLE MUNICIPAL CODE REGARDING PROPERTY USES IN A RESIDENTIAL ZONE.

WHEREAS, Kaysville City desires to maintain the safety and public welfare of its residential zones; and

WHEREAS, the Kaysville City Council has found that importing, storing, or manufacturing explosive materials present an unnecessary risk that is incongruous with the nature of residential zones; and

WHEREAS, the City Council of Kaysville City finds that this amendment to be in the best interests of the Citizens of Kaysville City and the health, safety, and welfare of the City.

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

SECTION I: Enactment. Title 17, Chapter 7, Section 5 of the Kaysville Municipal Code is hereby enacted as follows:

17-7-5 Explosives Prohibited in Residentially Zoned Districts

It shall be unlawful to import, store, or manufacture any explosive or explosive materials in any mixed-use or residentially zoned district.

1. “Explosive” means any chemical compound mixture, or device, the primary or common purpose of which is to function by explosion; the term includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, and igniters.
2. “Explosive materials” means explosives, blasting agents, and detonators.
3. “Blasting agent” means any material or mixture, consisting of fuel and oxidizer, intended for blasting, not otherwise defined as an explosive.
4. “Detonator” means any device containing a detonating charge that is used for initiating detonation in an explosive; the term includes, but is not limited to, electric blasting caps of instantaneous and delay types, blasting caps for use with safety fuses and detonating-cord delay connectors.
5. It shall be unlawful to combine Class C Fireworks in ways other than intended by the manufacturer or to tamper with them in an effort to create greater pyrotechnic demonstrations.
6. Exceptions:
 - a. Class C Fireworks that are authorized by the State of Utah for retail sale are not considered explosives for purposes of this code.
 - b. Small arms ammunition and components thereof;
 - c. Commercially manufactured black powder in quantities not to exceed fifty pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers, intended to be used solely for sporting, recreational, or cultural purposes in antique firearms as defined by the federal government.

SECTION II: 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 III: Effective Date. This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ **day of** _____, **2022.**

Tamara Tran, Mayor

ATTEST:

Annemarie Plaizier, City Recorder



Planning Commission Staff Report

February 10, 2022

Public Hearing and Request to property at 478 South Main Street from R-1-8 Single Family Residential to R-M Multiple Family Residential

Applicant/Owner: Mark Lund & Kelly White

Address: 478 South Main Street

SUMMARY

The subject property is currently a .56 acre (24,393 ft²) undeveloped parcel which has been previously used as a community garden. The property owner is requesting a rezone from [R-1-8 Single Family Residential](#) to [R-M Multiple Family Residential](#). If approved, the R-M Multiple Family Residential (R-M) zoning would allow for the construction of up to eight attached dwelling units, which would be a permitted use.

EXISTING ZONING: R-1-8 Single Family Residential

REQUESTED ZONING: R-M Multiple Family Residential

The purpose of the R-M zone is:

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.

The parcel is located on the northwest corner of 475 South and Main Street. Main Street is classified as a Major Street per Kaysville City's [Major Street Plan Section 8-3-2](#). To the south is a large church and across Main Street to the west of the property is Davis High School. The subject property is directly adjacent to single family dwellings on the west and north side of the property.

The 2019 Kaysville City General Plan states the following as a goal and policy for housing:

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

- 1. Zoning properties townsite (R-T), single family (R-1), diverse (R-D), two-family (R-2), one to four family (R-4), and multiple family (R-M) residential and central commercial (CC) which allows housing.*
- 9. Rezone for densities necessary to assure the production of moderate income housing.*

While the applicant has submitted a draft concept drawing of a six unit dwelling, they have indicated an intention to construct as many as eight units if found to be feasible. The draft concept also shows two-story units, but the applicant has not made a final determination as to the number of stories they would construct. The height limitation in the R-M Multiple Family Residential is 30' which would allow for three stories.

The R-M zone prescribes specific amounts of open space and enclosed outside storage.

Parking requirements are outlined in [KCC 17-32 Off-Street Parking and Loading](#) and include a minimum of eight (8) spaces, with 1.5 spaces for each additional unit over five (5).

Public Noticing:

A total of 50 public notices were mailed to property owners within 500' of the subject property.

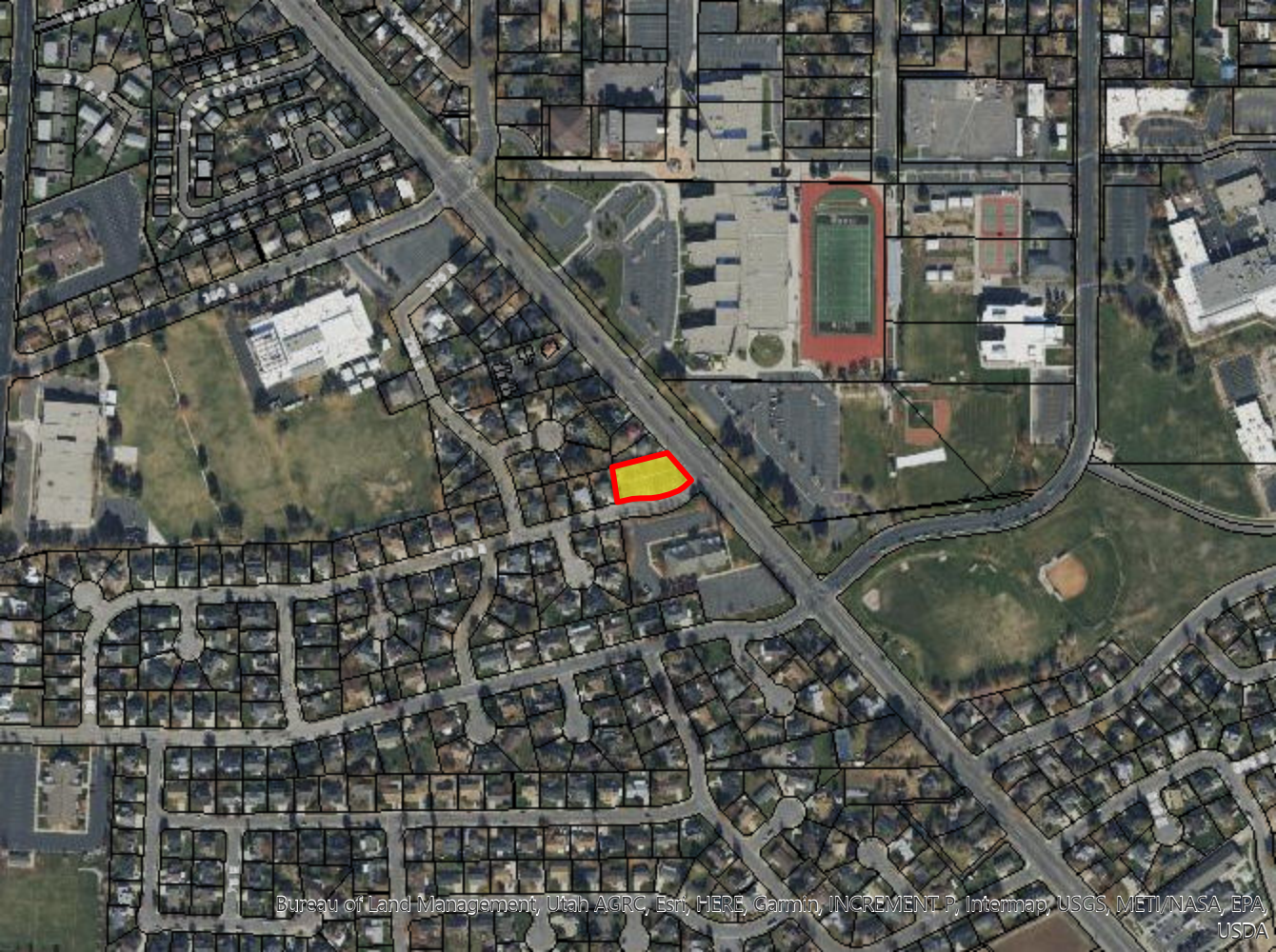
Public comments received at the time of the writing of this report include concerns about traffic, parking and increased density.

Recommendation:

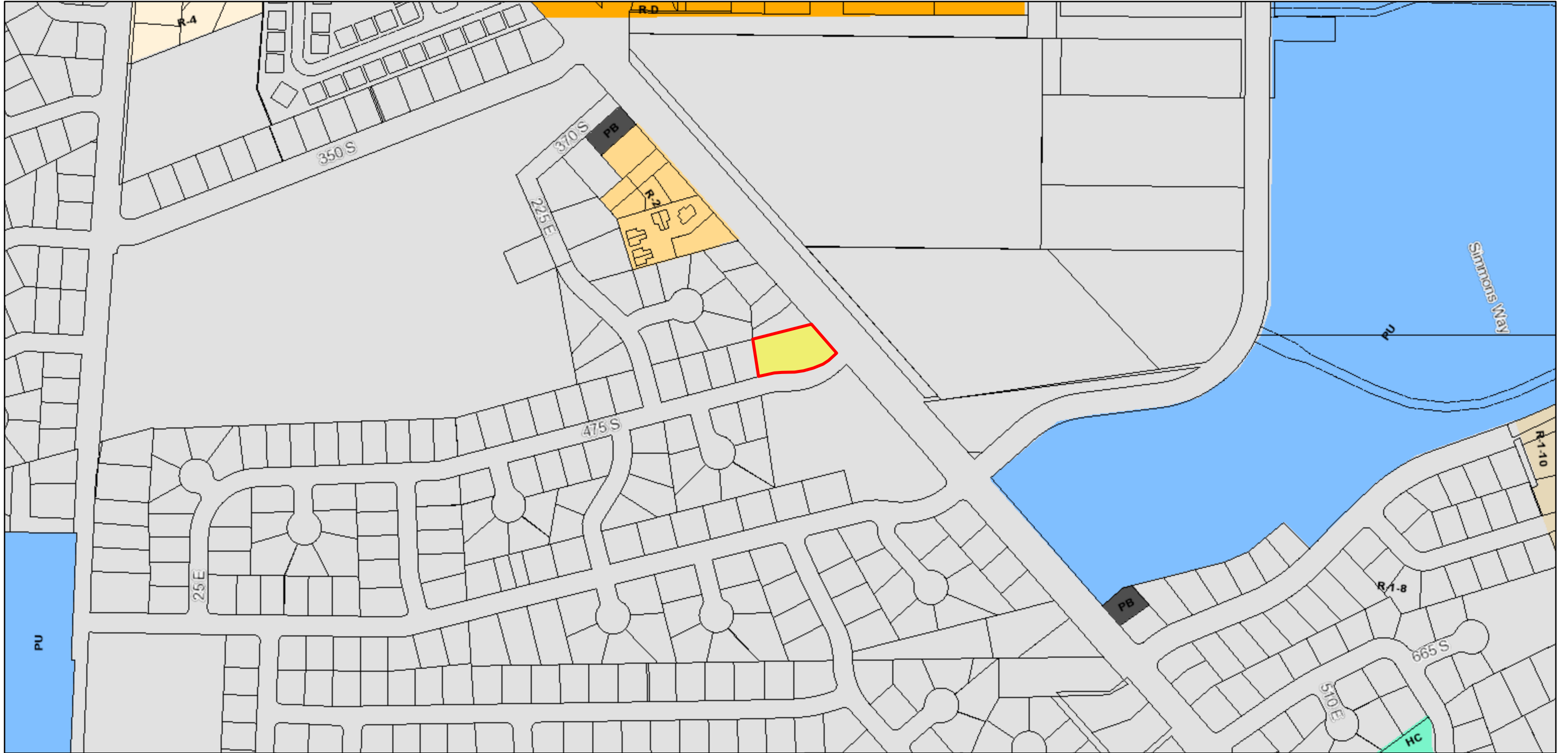
The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the General Plan, and how well the proposal works at this specific location. The Planning Commission may make recommendations to approve or deny the rezone request.

Attachments:

1. Location Map
2. Zoning Map
3. January 4, 2022 Applicant Letter RE: Petition to Rezone
4. Concept Renderings



Zoning Map: 478 South Main Street



2/3/2022, 1:52:19 PM

- | | | | | | | | |
|--|------------------------|---|---|---|--------------------------------------|---|----------------------------|
|  | Parcels Outside Zoning |  | Single Family (R-1-LD) ≥12,000 SqFt |  | Multiple Family Residential (R-M) | | |
|  | Parcels |  | Heavy Agricultural (A-5) ≥210,000 SqFt |  | Single Family (R-1-10) ≥10,000 SqFt |  | Public Use (PU) |
|  | Temp Parcels |  | Light Agricultural (A-1) ≥40,000 SqFt |  | Single Family (R-1-8) ≥8,000 SqFt |  | Mixed Use (MU) |
|  | RailRoads |  | Agricultural Residential (R-A) ≥21,780 SqFt |  | Single Family (R-1-6) ≥6,000 SqFt |  | Professional Business (PB) |
|  | ROW |  | Old Kaysville Townsite Residential (R-T) |  | Diverse Residential (R-D) |  | General Commercial (GC) |
|  | City Boundary |  | Single Family (R-1-20) ≥20,000 SqFt |  | One or Two Family Residential (R-2) |  | Central Commercial (CC) |
| | |  | Single Family (R-1-14) ≥14,000 SqFt |  | One to Four Family Residential (R-4) |  | Light Industrial (LI) |

Bureau of Land Management, Utah AGRC, Esri, HERE, Garmin,
INCREMENT P, USGS, EPA, USDA

Kaysville City
23 East Center Street
Kaysville, UT 84037

January 4, 2022

RE: Petition for Rezone

To Whom it May Concern:

The purpose of this letter is to provide additional information for Kaysville City to consider in review of our application for the rezoning of 478 South Main Street.

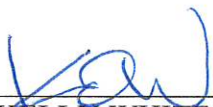
When deciding the most beneficial use of the property, we reviewed the current Kaysville City General Plan. The General Plan explains that the Utah Legislature recently passed Utah Code 10-9a-403(2)(a)(iii), which addresses moderate-income housing. Kaysville City took the initiative to formulate the “Plan for Additional Moderate-Income Housing” (enclosed). As outlined in the Moderate-Income Plan, approximately fifteen percent (15%) of the additional housing in Kaysville should be moderate-income housing.

We believe our proposal fits very well within Kaysville City’s Goals and Policies which promotes multiple unit structures in single family residential zones; clustering in residential areas; higher density or moderate-income development in mixed-use zones; and rezone for densities necessary to assure the production of moderate-income housing. There are no less than eight different zoning uses within three blocks of our proposal – all of which, including our proposal, align with Main Street.

Moderate-income housing is also addressed in the Kaysville City’s proposed update to the General Plan, which states that multi-family units, including townhomes and condos, have been more prevalent in recent years and will continue to be an important tool to address moderate-income housing needs within the City. (*See Chapter 3: Housing + Neighborhoods, Historic Building Permits*).

We wish to thank you for your time in reviewing our proposal and look forward to discussing this opportunity.

Sincerely,



KELLY WHITE



MARK LUND

PLAN FOR ADDITIONAL MODERATE INCOME HOUSING

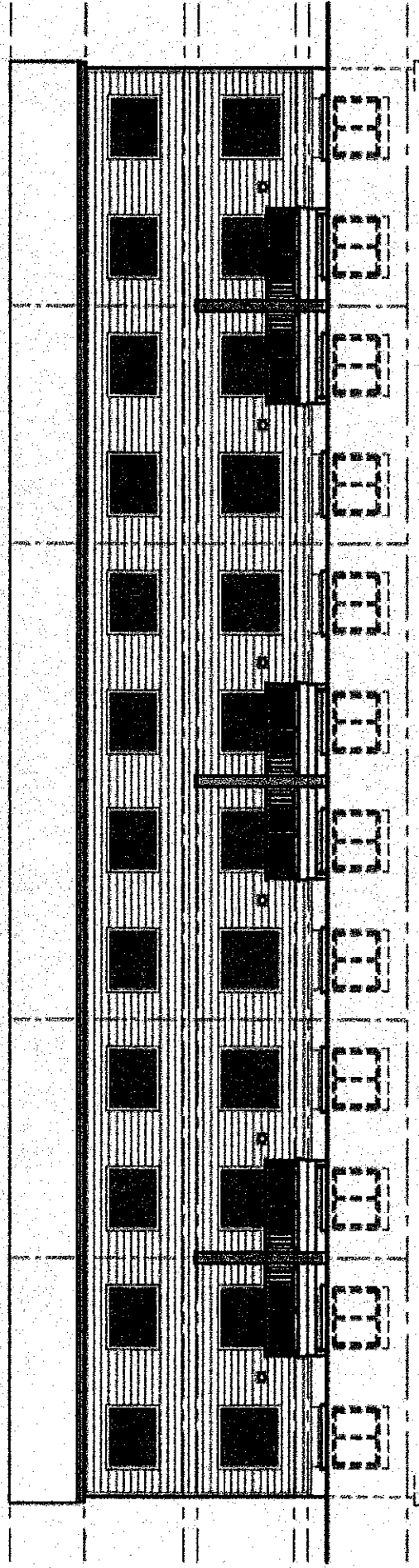
Background This is “an estimate of the need for development of additional moderate income housing within the City, and a plan to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur.” (Utah Code 10-9a-403(2)(a)(iii)).

Goals and Policies

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

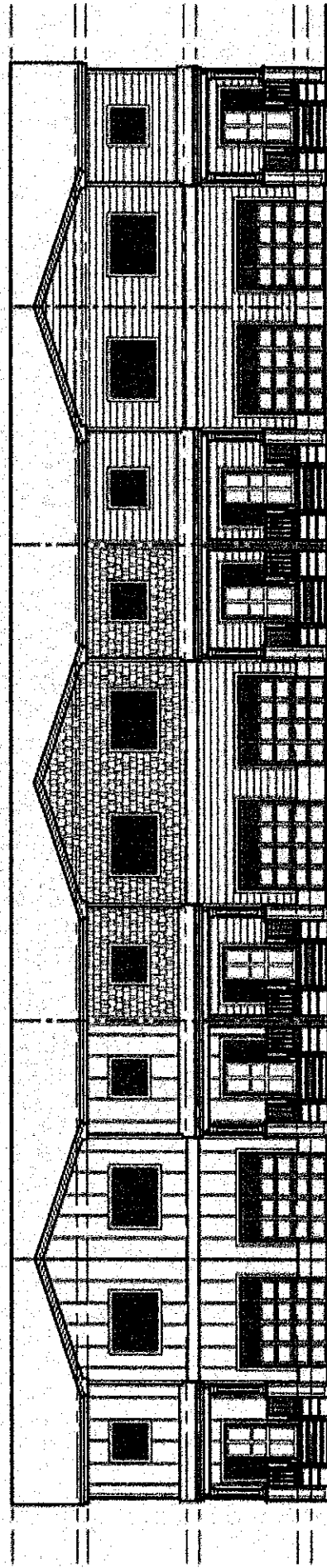
1. Zoning properties townsite (R-T), single family (R-1), diverse (R-D), two-family (R-2), one to four family (R-4), and multiple family (R-M) residential and central commercial (CC) which allows housing.
2. Clustering in residential areas.
3. Permitting multiple unit structures in single family residential zones.
4. Permitting less costly size, design, materials and construction of housing.
5. Facilitating the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.

6 Unit Townhome Design: 3 Bedroom, 2.5 Bath with Basement and 1 Car Garage s-742

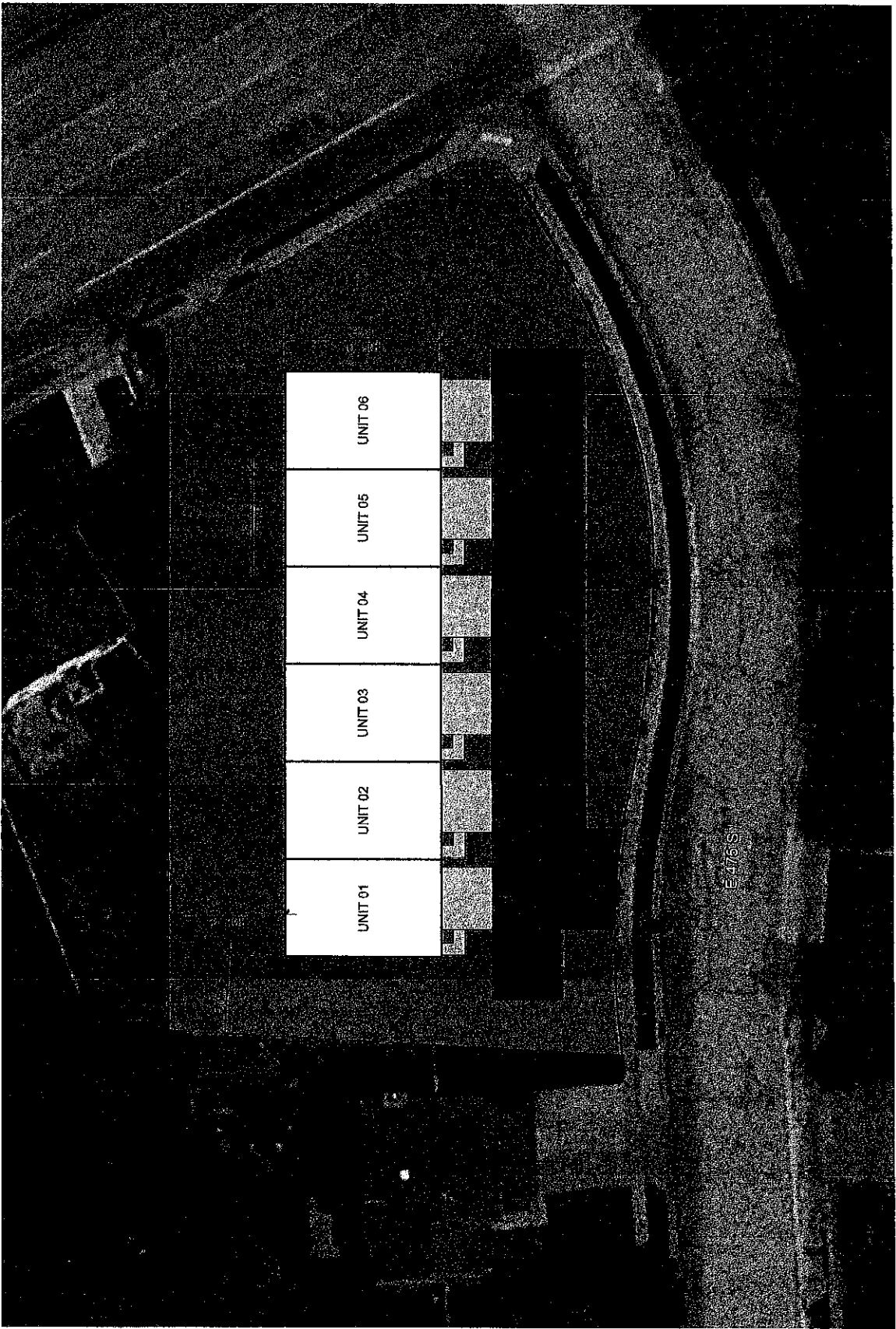


6 Unit Rear Elevation

© www.houseplans.pro



6 Unit Front Elevation



UNIT 06

UNIT 05

UNIT 04

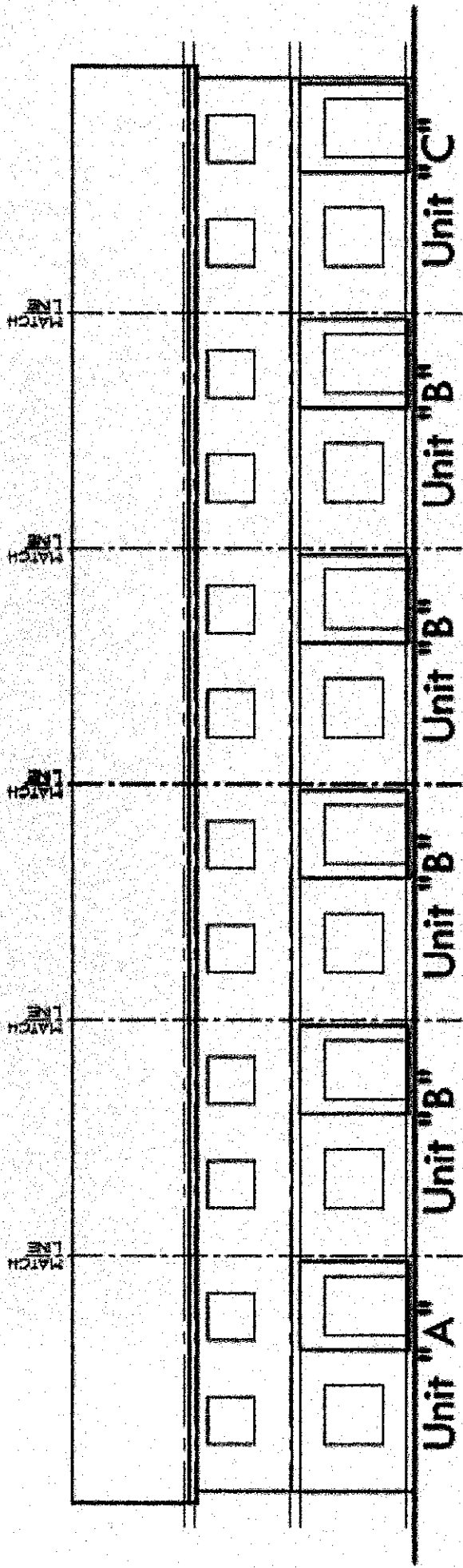
UNIT 03

UNIT 02

UNIT 01

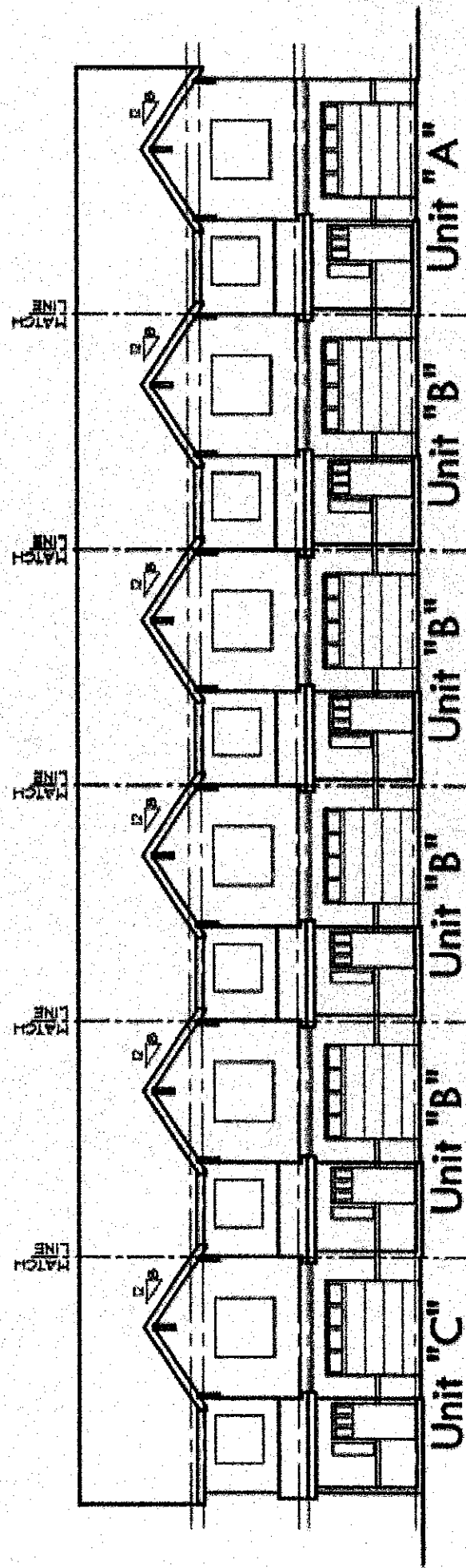
E-476 S

Craftsman Town House Plan: 3 Bedroom, 2.5 Bath, with Garage S-743

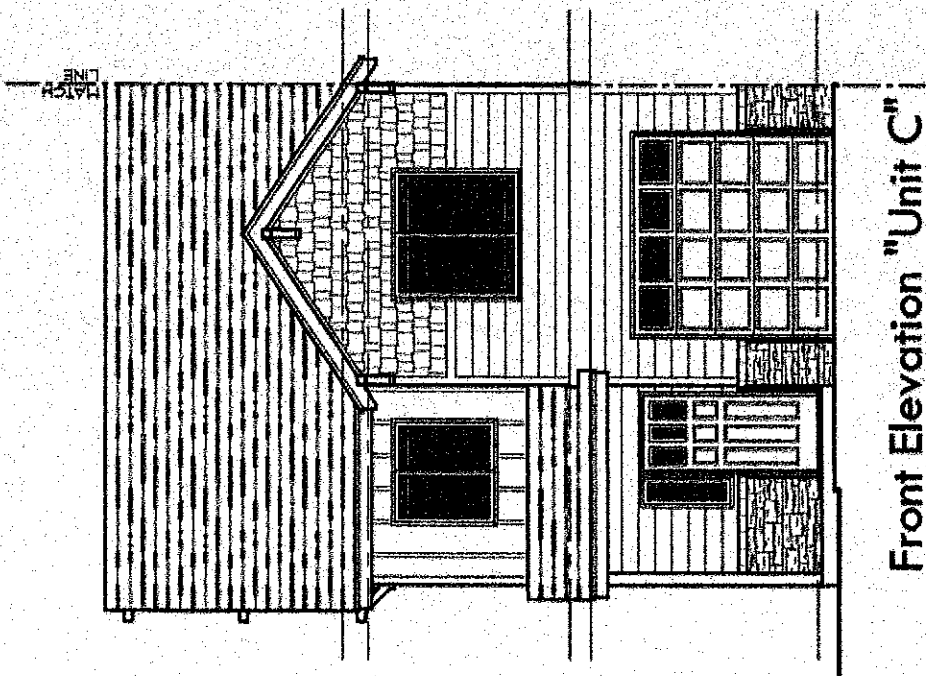
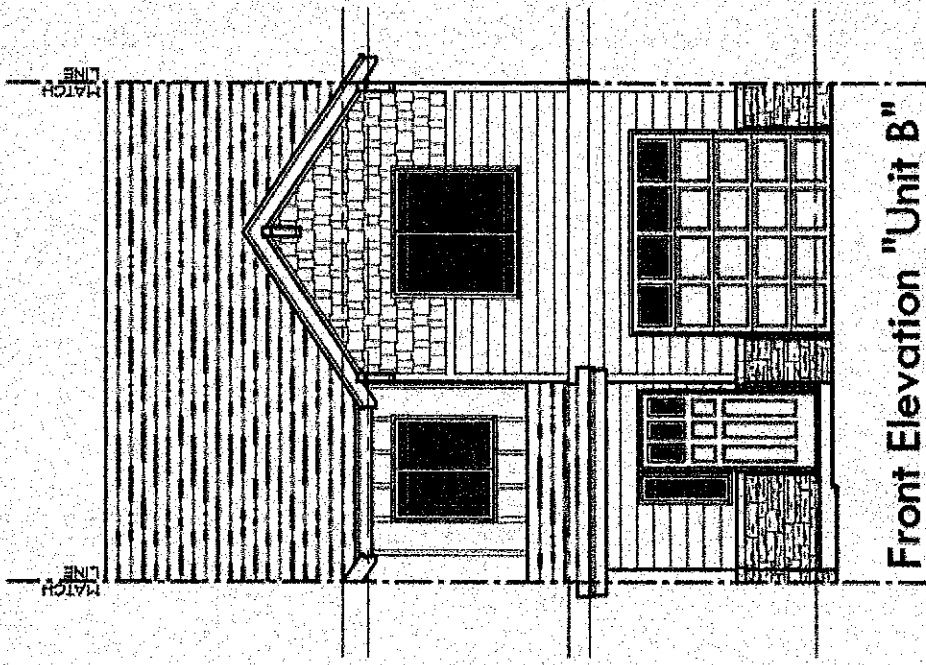
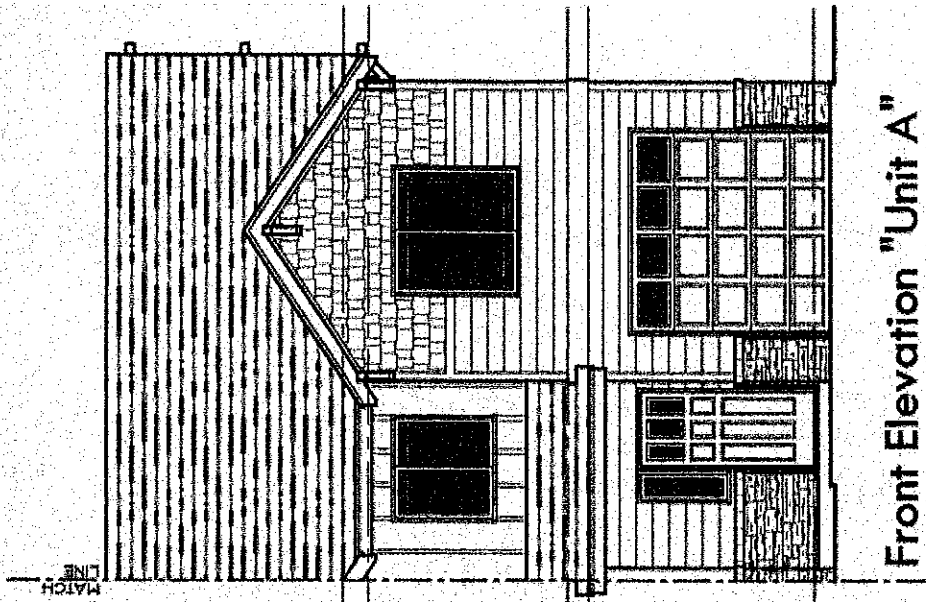


Rear Elevation 6 Unit Layout

© www.houseplans.pro



Front Elevation 6 Unit Layout



**KAYSVILLE CITY PLANNING COMMISSION
MEETING MINUTES
January 27, 2022**

Planning Commission Members in Attendance: Chairman Nguyen Commissioners Sommerkorn, Doxey, Barrus, Lyon, and Sundloff

Staff Present: Melinda Greenwood, Mindi Edstrom

Public Attendees: Councilmember Perry Oaks, Councilmember Mike Blackham, Raphael Julien

The Planning Commission meeting was held on Thursday, January 27, at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street. Commissioner Sommerkorn made a motion to have Commissioner Sundloff be Chairman Pro-Tem. Commissioner Doxey seconded the motion and Commissioner Sundloff opened the meeting by welcoming those present.

OPENING:

Commissioner Sundloff asked for a motion to approve the minutes from the December 9, 2021 meeting. Commissioner Lyons made the motion to approve the minutes and Commissioner Barrus seconded the motion and they were unanimously approved.

Oath of Office for Cody Branch:

Commissioner Branch was unable to attend tonight's meeting so Commissioner Lyon made a motion to postpone the Oath of Office until February 10, 2022. Commissioner Sommerkorn seconded the motion and the vote was unanimous.

Conditional Use Permit:

Introduced by: Mindi Edstrom

The applicant is seeking a conditional use permit to conduct a HVAC business from his home. A-1 Quick Construction has one employee as of now and uses two trucks for his business. He will not have any customers coming to the residence.

The applicant was asked to approach the Planning Commission. Commissioner Sommerkorn asked Raphael about other employees working for Raphael.

Mr. Julien: responded by saying that his employees meet him on the job site and never at his home.

Commissioner Sundloff asked Raphael about equipment, trucks, and parking and also mentioned that he is at the top of a cul-de-sac so it mitigates any traffic.

Mr. Julien pointed to his home on the map and showed that he has a cement pad in his back yard that he will be making into a garage for his equipment storage. He plans to have it be a detached 2 door garage.

Motion: Commissioner Lyons made a motion to approve the Conditional Use Permit located at 1439 Flint Court.

Motion to approve: Commissioner Sommerkorn

Second to approve: Commissioner Lyons

Vote: Vote was unanimous

Other matters that properly come before the Planning Commission:

a. Reports: None

b. Correspondence: None

c. Calendar: Next meeting will be February 10, 2022, APA Conference in Kanab March 23-March 25, Land Use Seminar in Layton February 24th. Possibility of attending that day instead of Planning Commission depending on what is on the agenda for the 24th.

ADJOURNMENT

Motion to adjourn by Commissioner Lyon and seconded by Commissioner Barrus.
Meeting was adjourned at 7:42 pm.