



**Kaysville City Planning Commission
Meeting Notice and Agenda**

The Kaysville City Planning Commission will hold a regular meeting on October 13, 2022, at 7:00 p.m. 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.

1. Opening
2. Approval of the minutes from the September 22, 2022 Planning Commission meeting
3. Conditional Use Permit for a Major B Home Occupation for Bloomin' Blinds for Rebecca Barrus located at 847 Country Shire Drive
4. Conditional Use Permit for Twin Homes located at 301 East 475 South for Kelly White and Mark Lund
5. Conditional Use Permit for Twin Homes located at 309 East 475 South for Kelly White and Mark Lund
6. Conditional Use Permit for Twin Homes located at 317 East 475 South for Kelly White and Mark Lund
7. Call to the Public
8. Other matters that properly come before the Planning Commission:
 - a. Reports
 - b. Correspondence
 - c. Calendar
9. Adjournment

On Friday, October 7, 2022, a Notice of Meeting was posted in accordance with Utah State Code Section 52-4-202 (3).

Mindi Edstrom
Community Development Department

PLANNING COMMISSION STAFF REPORT

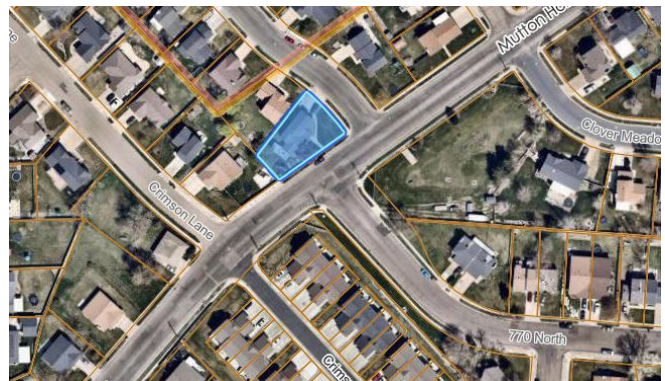
To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: October 7, 2022

Agenda Item # 3: Conditional Use Permit for a Major B Home Occupation for Bloomin' Blinds for Rebecca Barrus located at 847 Country Shire Drive

Meeting Date	October 13, 2022
Application Type	Conditional Use Permit
Applicant Owner	Rebecca Barrus
Address Parcel ID Number	847 Country Shire Drive 11-227-0017
Lot Size	0.18 acres 7,840.8 ft ²
Current Use	Single Family Dwelling
Conditional Use	Major B Home Occupation

1. BACKGROUND

Rebecca Barrus applied for a Major B Home Occupation business license for her business, Bloomin' Blinds. Ms. Barrus will have one vehicle that will be used for blind repairs, which will be stored in the driveway. There will not be any customers or employees other than family at the home. All supplies will be stored in the garage.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, October 7, 2022.

3. RECOMMENDATION

Staff is recommending approval of the Conditional Use Permit for Rebecca Barrus for Bloomin' Blinds at 847 Country Shire Drive.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: September 27, 2022

Agenda Item #3, 4 & 5: Conditional Use Permits for Twin Homes Meril Estates

Meeting Date	October 13, 2022
Application Type	Twin Home C.U.P.
Applicant Owner	Mark Lund & Kelly White
Address Parcel ID Number	08-002-0116 301 East 475 South (305 East 475 South) 309 East 475 South (313 East 475 South) 317 East 475 South (321 East 475 South)
Zoning	R-1 8
Lot Size	4,000 ft ² to 4263 ft ²
Current Use	Undeveloped
Number of Lots	3 (current); 6 twin home lots
Lot Size	4,000 ft ² to 4,263 ft ²

1. BACKGROUND

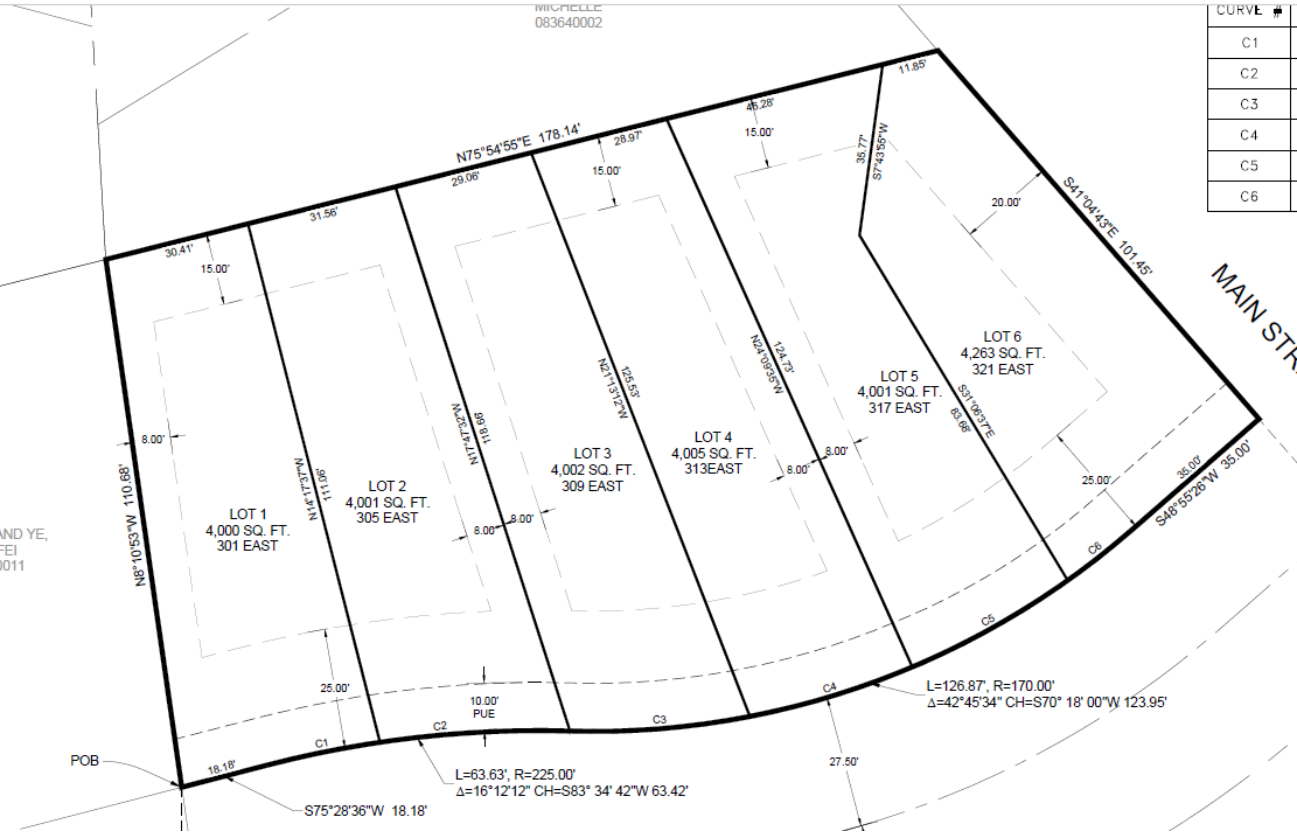
Mark Lund and Kelly White were here in March and applied for an R-M rezone, which was denied by City Council. Mark and Kelly then submitted a Preliminary Plat and Final Plat for Meril Estates, a three-lot subdivision that met the frontage and square footage requirements for the R-1-8 zone. The Planning Commission approved the final plat subdivision on September 8, 2022. Now they are applying for Twin Home Conditional Use Permits for each of the three lots.



Mark Lund and Kelly White have submitted a plat giving detail regarding the anticipated twin home subdivision of 301 East 475 South, 309 East 475 South and 317 East 475 South. The existing three

lots range from 8,001 square feet to 8,264 square feet and will be split into a lot 1 and 2, 3 and 4, 5 and 6, twin home lots.

The twin home subdivision consists of six total lots facing the public street on 475 South Main, which is zoned R-1-8. Lot 1 through 6 range in size between 4,000 square feet to 4,263 square feet, with the minimum size requirement for a twin home being 4,000 square feet. The twin homes will have zero lot lines (a shared wall) with setbacks required on only one side of the home.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on October 7, 2022.

3. RECOMMENDATION

The proposed twin home subdivision is consistent with the requirements in zoning code.

Staff is recommending that the Planning Commission approve conditional use permits for twin homes for the Meril Subdivision, creating twin home lots addressed as follows.

- 301 East 475 South and 305 East 475 South
- 309 East 475 South and 313 East 475 South
- 317 East 475 South and 321 East 475 South



Kaysville
City

Utah's Hometown

In the middle of everything

Utah's Hometown *In the middle of everything*



1. Opening



2. Approval of the minutes from the September 8, 2022 regular meeting



3. Public Hearing for text amendment for KCC 17-13-4 R-D Diverse Residential District Conditional Uses

17-13-4 Conditional Uses

AMENDMENT

17-13-4 Conditional Uses

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

- ~~1. Multiple dwellings, not to exceed six (6) dwelling units per building, legally existing upon the effective date of this Chapter. The lot area shall be not less than eight thousand (8,000) square feet for a two-family dwelling, ten thousand (10,000) square feet for a three-family dwelling, twelve thousand (12,000) square feet for a four-family dwelling, fourteen thousand (14,000) square feet for a five-family dwelling, and sixteen thousand, eight hundred (16,800) square feet for a six-family dwelling.~~
2. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
3. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
4. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
5. Residential child care subject to the provisions of [KCC 17-26](#).
6. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
7. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
8. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
9. Public utility substations subject to the provisions of [KCC 17-31-15](#).

Utah's Hometown *In the middle of everything*



Public Hearing



4. Discussion of the 2022 General Plan to include a Moderate Income Housing Element base on State Code 17-27a-403(2)

Moderate Income Housing

2019 General Plan	2022 MIH Elements
9. Rezone for densities necessary to assure the production of moderate income housing.	(A) rezone for densities necessary to facilitate the production of moderate income housing;
5. Facilitating the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing.	(B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
	(C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
	(D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
6. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.	(E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
7. Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.	(F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
	(G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
	(H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
	(I) amend land use regulations to allow for single room occupancy developments;
	(J) implement zoning incentives for moderate income units in new developments;
8. Preserve existing moderate income housing.	(K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund;
	(L) reduce, waive, or eliminate impact fees related to moderate income housing;
	(M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
	(N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
	(O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
	(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community subsidize moderate income housing;
	(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;
	(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;
	(S) create a program to transfer development rights for moderate income housing;
	(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
	(U) develop a moderate income housing project for residents who are disabled or 55 years old or older;
	(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;
	(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and
	(X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

2019 General Plan - MIH

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. Create or allow for, and reduce regulations related to, accessory dwelling units in residential zones.
7. Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers.
8. Preserve existing moderate income housing.
9. Rezone for densities necessary to assure the production of moderate income housing.

Recommendation

(A) rezone for densities necessary to facilitate the production of moderate income housing;

(E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;

(F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;

Moderate Income Housing Strategies

- (A) rezone for densities necessary to facilitate the production of moderate income housing;
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;

Moderate Income Housing Strategies

- (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund;

Moderate Income Housing Strategies

- (L) reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
- (O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public

Moderate Income Housing Strategies

(O) cont. housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;

(P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;

(Q) create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;

(R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;

(S) create a program to transfer development rights for moderate income housing;

(T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;

Moderate Income Housing Strategies

(U) develop a moderate income housing project for residents who are disabled or 55 years old or older;

(V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;

(W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and

(X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;

Utah's Hometown *In the middle of everything*



5. Call to the Public



6. Other matters that properly come before the Planning Commission:

- Reports
- Correspondence
- Calendar

Utah's Hometown *In the middle of everything*



7. Adjournment



Kaysville
City

Utah's Hometown

In the middle of everything



**Kaysville City Planning Commission Meeting Minutes
September 22, 2022**

The Planning Commission meeting was held on September 22, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Toby Barrus, Commissioners Steve Lyon, Jared Doxey, Rachel Lott, Cody Branch, Josh Sundloff, and Krista Keetch

Staff Present: Mindi Edstrom and Melinda Greenwood

Public Attendees: Val Starkey, Laurene Starkey, Meagan Jensen, Wen Fei Li, and City Council Member Abbi Hunt.

1-OPENING

Chair Toby Barrus opened the meeting by welcoming all in attendance to the September 22, 2022 Planning Commission meeting.

2- APPROVAL OF THE MINUTES FROM THE SEPTEMBER 8, 2022 PLANNING COMMISSION MEETING

Commissioner Sundloff made a motion for the audio recording and YouTube recording to be part of the minutes for any further clarification.

Commissioner Doxey seconded the motion.

Chair Barrus asked the Commissioners for a discussion before voting.

After discussion, Commissioner Doxey withdrew his second.

Commissioner Keetch made a motion to second Commissioner Sundloff's motion.

Commissioner Sundloff gave further clarification of his motion stating the audio is to be incorporated into the meeting minutes so full statements of whatever was said can be used from the audio and not be bound by the strictures of the written record.

The vote was unanimous (7-0) in favor of the motion.

3- PUBLIC HEARING FOR THE TEXT AMENDMENT FOR KCC-17-13-4 R-D DIVERSE RESIDENTIAL DISTRICT CONDITIONAL USES

Introduced by: Melinda Greenwood

The text amendment is intended for the first paragraph in the 17-13-4, the R-D zone, which specifies conditional uses allowed in the zone. She stated she believes the intent of the ordinance was to not allow for any additional multifamily dwellings. However the language in the code was confusing and ambiguous.

The remedy for the confusion is to remove paragraph one altogether, eliminating any question of intent.

Chair Barrus asked if there were any questions for staff and there were none.

Chair Barrus opened up the Public Hearing to the public.

Laurene Starkey approached the Commissioners and asked for an explanation of what the R-D zone is.

Chair Barrus explained that taking the paragraph out would make it so that multiple dwellings would not be allowed as a conditional use.

Chair Barrus closed the Public Hearing.

Commissioner Sundloff said that the paragraph shouldn't have been put in the ordinance and that when this was put in the ordinance it was to make it so that prior dwellings would not become non-legal non-conforming or non-conforming uses and no others were to be allowed.

Commissioner Branch made a motion to approve the text amendment for KCC-17-13-4, R-D Diverse Residential District Conditional Uses as proposed by staff. Commissioner Lyons seconded the motion and the vote was unanimous (7-0) in favor of the motion.

4- DISCUSSION OF THE 2022 GENERAL PLAN TO INCLUDE MODERATE INCOME HOUSING ELEMENT BASED ON STATE CODE 17-27A-403(2)

Introduced by: Melinda Greenwood

Ms. Greenwood began by sharing what had been decided in the August 25, 2022 Planning Commission meeting where the Commission requested staff to go and look at the elements which were included in the 2019 General Plan.

Ms. Greenwood reminded the Commissioners that we need to have at least three elements to include in the General Plan and if we want priority status on applications then she would recommend that we have five elements added.

Ms. Greenwood shared that we would not be eligible for any state funding that comes through UDOT or Wasatch Front Regional Council if we are not compliant with state code.

Ms. Greenwood shared a slide that showed elements from the 2019 Moderate Income Housing section of the General Plan as well as the elements outlined in state code. She noted items she felt that simply wouldn't work for the City of Kaysville. She explained the city will be required to submit an annual report to the state saying how we are implementing the selected items and the state will be tracking compliance for each individual city.

Ms. Greenwood feels like elements A, E, and F are worth recommending to the City Council and would fill the state's requirements.

Chair Barrus stated he thinks we should do the three items and not five.

Commissioner Doxey asked cities who add five elements will they be at the top of funding lists and have priorities with the state?

Ms. Greenwood responded that the state would basically give a city bonus points on applications if they have five elements and that she is unsure how many communities will add the additional two items.

Commissioner Lyon feels that most cities will only add three and not want to add more than that due to the thin city staff and feels that we need to be aware of that. He feels the state should award the cities instead of penalizing the cities.

Commissioner Doxey asked how the state is going to be checking the progress of the items selected, specifically asking if it will be benchmarking. If so, we should pick those that would be easy to measure the progress.

Ms. Greenwood responded by saying that it has not been clear as to how the state will be doing the reporting and compliance monitoring.

Commissioner Branch suggested that since we already incorporated the three items in our 2019 General Plan we should stick to those but also feels that element F would be good to include. He stated that when we adopted the 2022 General Plan we became a little bit more liberal in what we are stating about the development of higher density and moderate income housing where we didn't specify that we were going to do it in the commercial or mixed-use zones near major transit investment corridors, so it feels that putting F back in would be somewhat more restrictive whereas the idea is to make so that we were expanding that. He asks if he interpreted our General Plan correctly and is if it is more beneficial to what the state is actually asking for.

Ms. Greenwood didn't feel that the current General Plan really meets what the state is requiring. She thinks that the state is wanting the Moderate Income Housing to have its own section and it needs to be specific word for word of the three to five items and how the city is going to make those elements work.

Commissioner Doxey feels that the Accessory Dwelling Units are low hanging fruit and thinks that the Commission should stick to the three items that could have the best impact. He likes the three elements that have been suggested.

Commissioner Sundloff asks the other Commissioners and staff to convince him as to why stick with the three elements as opposed to going with the five which qualifies us for priority consideration from funding sources.

Commissioner Lyon shared that there would be a burden on staff to add more than the required three elements.

Commissioner Sundloff shared that there are goals and objectives in the 2022 General Plan that are going to need funding, so why not go for the five elements so that it sets us up for the funding needed to do those projects. With elements A, E, and F and possibly J, which is to implement zoning incentives for moderate income units and new developments. He also suggested item R, which eliminates impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit and feels that this is a small risk. He also thought that item U could be a possibility. He feels the benefits of selecting five elements outweigh the potential drawbacks of losing funding.

Commissioner Branch said his views are in line with Commissioner Sundloff.

Commissioner Barrus suggested a compromise that we submit A, E, and F to the City Council members, and then if they want to go for the priority funding but say that our recommendation is at least do A, E, and F and then if they do want to go for the priority funding give them some additional recommendations of the other that we think would be good to do.

Commissioner Keetch feels like it would be helpful for the state to give us some clarity as to the kind of funding will be able to receive or not receive.

Ms. Greenwood said that it could be any state funding whether it be for recreation programs or parks or transportation funds.

Commissioner Keetch said she feels we should opt for five elements so that we don't possibly miss out on something that we could qualify for.

Commissioner Branch asked Ms. Greenwood about element N as it is on staff's potential recommendation. He feels that it could be very expensive and how element N is feasible and R less feasible.

Ms. Greenwood spoke to the various programs that would need to have a funding source to make element N feasible.

Commissioner Branch likes N because of the potential impact and return on investment and you are giving to the community for the very reason of being able to assist employees that can't afford to live in the cities where they work.

Commissioner Sundloff articulated the City will need more staff because of all the requirements coming from the state.

Ms. Greenwood commented that we are not alone in staffing needs and that many cities struggle with this same challenge of balancing a work load and the demands of the state. She continued saying it appears that the Commissioners are pretty set with A, E, and F and asked the Commissioners if they were wanting to give some honorable mentions to the City Council.

Chair Barrus liked the idea of giving the City Council a list of the three elements and then giving them a list of those that we like and tell them to choose two that they are comfortable with.

Ms. Greenwood suggested element J and feels that it is reasonable.

Commissioner Keetch said that if we agree on E then R and U make sense to include.

Commissioner Lyon suggested elements B and P.

Commissioner Branch is suggesting settling on five and give a list to the City Council of three elements that the Planning Commission recommends and here is a list of others if they want to have the five elements added.

Ms. Greenwood said that it appears that the Planning Commission prefer A, E, and F for the top three and then J, R, N, and U as others to be recommended to City Council. The Commission confirmed this was their consensus.

5- CALL TO THE PUBLIC

No public to speak.

6- OTHER MATTERS THAT PROPERLY COME BEFORE PLANNING COMMISSION

Ms. Greenwood spoke about ULCT conference registration. Commissioners Lyons, Lott and Barrus indicated they wanted to attend.

Ms. Greenwood informed the Commission that staff received two appeals for the Conditional Use Permit on 164 East 200 North. The first appeal is from the neighbors and the second is from the applicant. She said that Brent Bateman is willing to serve as the Administrative Law Judge for the appeal.

Commissioner Sundloff said that it would be a good idea to get some specific training for legislative and administrative items and to have a standard for conditions imposed.

7- ADJOURNMENT

Commissioner Lyons motioned to adjourn the meeting at 9:35 pm.