



**Kaysville City Planning Commission Meeting Minutes
February 23, 2023**

The Planning Commission meeting was held on February 23, 2023 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, Rachel Lott, Paul Allred, and Wilf Sommerkorn

Staff Present: Mindi Edstrom and Melinda Greenwood

Public Attendees: Natalie Lott, Valerie Neslen, Dave Weaver, Morgan Sigourney, Emily Durrant and City Councilmember Abbi Hunt

1-OPENING

Chair Toby Barrus opened the meeting by welcoming all in attendance to the February 23rd Planning Commission meeting.

2- APPROVAL OF THE MINUTES FROM THE FEBRUARY 9, 2023 PLANNING COMMISSION MEETING

Commissioner Lyon made the motion to approve the minutes from the February 9, 2023 meeting and Commissioner Allred seconded the motion. The vote was unanimous 5-0 in favor of the motion.

3- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR PEACH TREE WELLNESS, A FUNCTIONAL NUTRITIONIST LOCATED AT 724 WEST OLD MILL LANE

Introduced by Mindi Edstrom

Ms. Edstrom introduced Valerie Neslen as the owner of Peach Tree Wellness, a business that supports families and individuals to improve health through one-on-one nutrition coaching as well as online classes. Ms. Neslen is not currently holding in-person classes, however she plans to provide them in the future. Ms. Neslen has a large driveway to take on the parking for her in-person classes as well as plenty of public parking. There will be sales of supplements but they are incidental retail sales related to recommendations by Ms. Neslen.

Staff recommended approval of this application based on regulations in KCC 17-26-4.

Commissioner Sommerkorn asked staff if the City Code has a limit on the size of number of students in a class size.

Ms. Edstrom referred back to KCC 17-26 12c which does not specify a limit on students/and or the number of vehicles. She also referred to the February 23, 2023 Planning Commission meeting where this same ordinance was discussed for in person classes.

Kaysville City Code 17-26 12c:

12c: Major home occupations B may include, but are not necessarily limited to the following:

- 1. Any use allowed as a minor home occupation;*
- 2. Photo studios and developing;*
- 3. Organized classes (limits shall be placed on the number of students and/or the number of vehicles transporting students to prevent congestion);*

Commissioner Allred reiterated the importance of using the public streets as public parking.

Commissioner Allred made a motion to approve the Conditional Use Permit with the conditions that follow:

- There is no reasonable limit to the number of people that the applicant may have for classes.
- Parking is handled on private or public property and not block driveways, fire hydrants or mail boxes.
- Applicant is able to hold classes any day of the week

Commissioner Lyon seconded the motion and the Commissioners voted 5-0 in favor of the motion.

4- PUBLIC HEARING FOR TEXT AMENDMENT FOR TITLE 17 CHAPTER 30 CONDITIONAL USES AND ALL OTHER SECTIONS OF TITLE 17- PLANNING AND ZONING WHICH PERTAIN TO THE PLANNING COMMISSION APPROVAL OF CONDITIONAL USES

Introduced by Melinda Greenwood

Ms. Greenwood stated that Conditional Use Permits are the most frequent application processed by the Community Development Department. Trainings delivered through the American Planning Association's Utah Chapter and the Utah State Property Rights Ombudsman's Office advises cities that the best practices for approval of Conditional Use Permits is to have that administrative authority assigned to professional staff. This creates an expedient process for applicants.

Ms. Greenwood recommended that the Planning Commission send a recommendation of approval to the City Council for the proposed text amendments for Title 17 Planning and Zoning.

Chair Barrus asked staff what kind of noticing is currently being done for Conditional Use Permits.

Ms. Greenwood said that the City is not legally obligated to do noticing for conditional use permits however, staff feels it is better to err on the side of caution and put a notification sign out.

Commissioner Lott likes the idea of a public notice because it allows for unforeseen circumstances to be brought before the Planning Commission.

Commissioner Allred said he strongly favors the city moving away from Conditional Use Permits coming before Planning Commission.

Chair Barrus opened up the Public Hearing. No public comment was made.

Chair Barrus closed the Public Hearing.

Commissioner Sommerkorn asked if staff received any calls or emails in regards to the Public Hearing Notice.

Ms. Greenwood said that one comment was received via email that expresses the need to continue public noticing to allow for conditions to be placed so that there will be minimal negative impact on the neighbors.

Commissioner Allred made the motion to approve the text amendment as drafted by staff and legal counsel with two items to recommend to the City Council:

- Continue posting a notice out front of the resident's home with information to contact the City with questions.
- Any on street parking for class sizes is regulated for public safety as per the international fire code as adopted by the State of Utah.

Commissioner Lyon seconded the motion and the motion was approved unanimously 5-0.

5- AFFORDABLE HOUSING Q & A SESSION WITH UNIVERSITY OF UTAH MASTER OF SOCIAL WORK STUDENTS

Introduced by: Natalie Lott, Emily Durrant, and Morgan Sigourney

Natalie, Emily and are students of the University of Utah Masters of Social Work Program who are in a community bases strategies for social change class that includes an assignment for community assessment. They wanted to learn about the city's take on future renovations and development.

Ms. Lott asked the Commissioners what their perception is of the deficits in Kaysville regarding affordable housing. The Commissioners answered by saying lot size, housing availability, housing diversification are many of the reasons that Kaysville City has a large housing deficit. Zoning laws have not kept up with need and demand and there is a large demand for housing.

Ms. Lott said that they perceived a lot of community resources are directed toward low-income families currently live in East Kaysville and asked for the disadvantages and advantages of placing

affordable housing in Kaysville on the west side of I-15.

The Commissioners responded saying infrastructure, land use and public clamor along with opposition to change from residents are some of the disadvantages the west side has in having more low income housing. The Commissioners also brought up the cost on the residents to get to the services they need to get to the grocery store or work. There are not a lot of services, such as transit options, on the west side of the city to make it effective for low income families to utilize and they will have to drive to get what they need making it more costly. They all agreed that there is more than needs to be done.

Ms. Lott asked one last question asking how the providing the affordable housing act from 1996 impacted Kaysville. Many of the Commissioners agreed that it has not had much impact because all that was done by the cities was to collect data of affordable housing but there were never penalties inflicted by not complying. However they brought up the State now requiring the Moderate Income Plan allowing each city to choose which ways they can support the plan with financial consequences for not participating.

6- CALL TO THE PUBLIC

There was no one present for comment.

7- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Edstrom reminded the Planning Commissioners about the new agenda software because city is no longer using Dropbox.

Ms. Greenwood said that she and Commissioner Sommerkorn are wanting to do a training for the Planning Commissioners and City Council and will announce more information as it comes available.

Commissioner Sommerkorn also mentioned the Utah Land Use Conference in St. George and the registration is open.

8- ADJOURNMENT

Commissioner Lyon motioned to adjourn the meeting at 8:16 pm.