



MEETING NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Council will hold a regular council meeting on Thursday, October 5, 2023, starting at 7:00 PM in the **Council Chambers in Kaysville City Hall at 23 East Center Street, Kaysville, UT**. The meeting will be streamed on YouTube, and the link to the meeting will be posted on www.KaysvilleLive.com.

Public comment is only taken during a meeting for Action Items, "Call to the Public", or for a public hearing. **Those wishing to speak during these times must sign-up in person before the meeting begins.** Comments may also be directed to the City Council via email to publiccomment@kaysville.gov. Emailed comments will NOT be read out-loud at the meeting.

CITY COUNCIL Q&A – 6:30 PM

The City Council will be available to answer questions or discuss any matters the public may have.

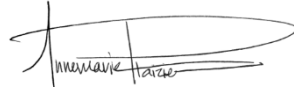
CITY COUNCIL MEETING – 7:00 PM

The agenda shall be as follows:

- 1) OPENING
 - a) Presented by Council Member Mike Blackham
- 2) CALL TO THE PUBLIC (3 MINUTE LIMIT, MUST SIGN UP IN PERSON)
- 3) PRESENTATIONS AND AWARDS
 - a) Swearing-in of 2023-2024 Youth City Council
- 4) DECLARATION OF ANY CONFLICTS OF INTEREST
- 5) ACTION ITEMS
 - a) Consideration of a development agreement and request to rezone 2.397 acres at 41 West 100 South from R-1-8 Single Family Residential to R-M Multiple Family Residential from Hal T. Anderson
- 6) WORK ITEMS
 - a) An Ordinance amending provisions of the Kaysville City Code regarding abandoned, wrecked, or junk vehicles
 - b) Detached accessory dwelling units (ADUs) discussion
- 7) COUNCIL MEMBERS REPORTS
- 8) CITY MANAGER REPORT
- 9) CLOSED SESSION
 - a) Strategy session to discuss the purchase, exchange, or lease of real property, in conformance with Utah State Code §52-4-205
- 10) ADJOURNMENT

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235 at least 24 hours in advance of the meeting to be held.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Kaysville City Hall, Kaysville City website at www.kaysville.gov, and the Utah Public Notice website at www.utah.gov/pmn. Posted on September 29, 2023.

A handwritten signature in black ink, appearing to read "Annemarie Plaizier", written over a horizontal line.

Annemarie Plaizier
City Recorder

CITY COUNCIL STAFF REPORT



MEETING DATE: October 5, 2023

TYPE OF ITEM: Action

PRESENTED BY: Melinda Greenwood, Community Development Director

SUBJECT/AGENDA TITLE: Consideration of a development agreement and request to rezone 2.397 acres at 41 West 100 South from R-1-8 Single Family Residential to R-M Multiple Family Residential from Hal T. Anderson

EXECUTIVE SUMMARY:

This application for a rezone of the property located at 41 West 100 South to the [R-M Multiple Family Residential](#) was presented at the September 14, 2023 Planning Commission meeting where a public hearing was held. There was a large public presence and many residents made public comments during the hearing. The majority of those comments were in opposition of the zone change, though there were some comments supporting the change. Additional comments submitted to the Commissioners via email are included as an attachment to this memo, with most email comments opposing the zone change. A common theme among comments is that the property owner has not presented any plans for a project and a development agreement has not been presented as part of the zone change application. Other concerns shared were regarding traffic, parking, stormwater, safety, neighborhood character, noise, removal of trees and the historic nature of the home due to age.

The change in zoning would allow for the construction of *up to* 37 attached dwelling units. However, with requirements for open space, parking, setbacks and outdoor storage, site constraints are such that the feasibility of that many units is unlikely.

The Planning Commission sent the City Council a 3-1 recommendation of approval with a development agreement. The Planning Commission did not provide any details or requirements for a development agreement, so there is not a draft agreement provided.

Development agreement considerations the Council may want to address include:

- Density or the allowed number of units (the property is currently zoned [R-1-8](#) and could allow as many as 13 single family dwellings or [twin homes](#), with the current vesting at no more than 26 total units).
- Parking ([off street parking requirements](#) include a minimum of eight (8) spaces, with 1.5 spaces for each additional unit over five).
- Limiting ingress and egress (a positive outcome of changing to the R-M zone is limited drive approaches).
- Architectural style.

While the Future Land Use Map of the 2022 General Plan shows this property to remain

single family residential, the Plan contains several Goals, Objectives and Implementation Measures that support the zone change. Summarized, those include:

- Guiding Principle: Provide diverse housing options - Preserve existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.
- Chapter 1, Goal 8: Goal 8: Provide a range of housing options; allow and encourage residential development that meet future needs of community.
- Chapter 3, Goal 1: Provide housing options to meet economic, lifestyle and lifecycle needs.
- Chapter 3, Objective 1.3: Rezone for densities to facilitate moderate income housing.
 - Supporting implementation measure: Giving strong consideration to rezone applications that are supported by elements of the General Plan but not the future land use map.
- Chapter 3, Objective 1.4: Zone or rezone for higher density or moderate income residential development near commercial centers.
 - Supporting implementation measure: Giving strong consideration to rezone applications that are supported by elements of the General Plan but not the future land use map.

Please refer to the Planning Commission staff report for additional details regarding the zoning in the vicinity and specific considerations of the R-M zone.

Minutes from the meeting are not completed, but if you would like to view the meeting, [click here](#).

City Council Options:

1. Approve the rezone request.
2. Approve the rezone request and direct staff to draft a development agreement with conditions as provided by the Council.
3. Deny the rezone request.

Recommended Option 2:

Based on the findings outlined in the staff report and the Planning Commission's positive recommendation, staff recommends the City Council approve the rezone application and development agreement for 41 West 100 South to R-M Multiple Family Residential District.

Fiscal Impact:

N/A

Attachments:

1. September 14, 2023 Planning Commission Staff Report and packet
2. Public comments received
3. Draft zoning ordinance

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, September 14, 2023 6:28:13 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Leslie Jensen
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I am strongly opposed to rezoning the property at 41 West 100 South in Kaysville. As a property owner whose backyard butts up against the Anderson property, I have many concerns about rezoning that property to triple the number of residents. By granting this rezoning without a developer's plan, we loose significant leverage as a city about what the final plan would actually look like. A re-zoning of this land contradicts the Kaysville City General Plan for development which is inconsistent with existing city zoning. As a neighbor around the corner from this property we deal daily as it is with a bottleneck of traffic on 100 South. I am also concerned about the effect of additional traffic along 50 west as the children in our neighbor go to and from school each day. For these reasons, I remain opposed to additional rezoning.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, September 14, 2023 9:11:58 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Patrick Flint
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	In regards to the proposed zoning change to 41 w 100 s. I am not opposed to a zoning change being made. The lot will be developed. Regardless of zoning status, in order to accommodate the increased housing density, the city will need to update the surrounding infrastructure. The intersection at Main St, 50 w, and 100 s is already congested at peak hours. We need better control of traffic flow in the area, we need speed limits better enforced, and we need enhancements to increase the safety of the intersection. We also need better storm water controls to mitigate run off in the area. Thank you
Upload an Attachment	Field not completed.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop;

Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, September 14, 2023 10:02:47 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Katie Flint
Email Address	
Address	
City	
State	
Zip Code	
Phone Number	
Your Message	Hello,

In regards to the 41 West 100 South property, my thoughts as a resident a few houses down from this property are as follows:

1. Developing more than the 13 residences it is zoned for would need a specific infrastructure plan in place to be feasible for the neighborhood. Before any rezoning occurs, the city needs to explain in detail how they will manage things like water run off, the traffic around the intersection near the property, parking (my street 100 w, which is adjacent to the property in question already has on-street parking issues), space in neighborhood schools, etc.
2. Before a zoning change is considered, we need to have the actual housing plan from the developer so we understand what the developer has in mind before blindly making zoning changes. Changing the zoning without knowing the developers plan is poor management and will make many Kaysville resident wary of supporting the change. Let's get a proposed plan first, then go from there.

Thanks!

Katie

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 7:55:05 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Genene Hill
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I oppose rezoning the parcel of land on the corner of 2nd North owned by Brooke and Hal Anderson and lived in currently by Ike Anderson for multiple housing/apartments. It is wisdom to stick with the General Plan for Kaysville City. It is never a good idea to impose multiple housing within an established single family residential area. It is my preference to leave the zoning residential, single family. Thanks, Genene Hill
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop;

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 5:14:39 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Douglas Dredge
Email Address	
Address	
City	
State	
Zip Code	
Phone Number	
Your Message	Re: 41 West 100 South Rezone application Changing the zoning on this property would completely change the character of the neighborhood, potentially devalue surrounding single homes, and, with the close proximity, could possibly have a negative impact on the Old Kaysville Townsite Residential zone as well. It is not in keeping with the Kaysville General Plan and appendix issued last year. As near as I can tell, the current zoning already allows for approximately 10 additional homes on the portion of the land that is either undeveloped or site of a barn, with at least half the traffic impact, and without the negative impact to the surrounding neighborhood and potential impact to the RT zoned areas. Please reject the proposed zone change. Thank you
Upload an Attachment	Field not completed.

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 5:16:14 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Caralin Dalton
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	Field not completed.
Your Message	I do not want the property at 41 w 100 s to be reasoned. Keep it at 13 single family homes, thank you
Upload an Attachment	Field not completed.
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Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 7:42:35 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Brandon Hurst
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	RE-ZONE 41 West 100 South (Hal T. Anderson) - OPPOSED

Hello - Thank you for your time and energy spent on the planning commission and taking on a significant responsibility as you oversee the growth and development of our city.

I'm writing you to express my opposition to the re-zoning of the 41 W. 100 S. land (Hal Anderson) to multi-family. Here are a number of reasons why I believe this should not be done:

1. Contradicts Kaysville General Plan - It is my understanding that the general plan was both expensive (over \$100,000 of taxpayer funds used?) and labor intensive. The plan acknowledges almost 50 individuals that participated in its development. I think it would be wise to adhere to the collective wisdom that just recently created this plan. I'm sure there were disagreements and compromises - and the final plan likely reflects that. The plan has this land set aside for single family residential. I do not think we should disregard and discount the time, money, and effort that went into the development of this plan. Let's follow it and have it guide and influence the zoning and development decisions moving forward.

2. Community Street Corridor - 50 West is designated as a community street corridor in the general plan. These corridors should "seek to create a moderately slow environment that is safe for all transportation modes, especially the most vulnerable travelers" and "establish a human scale with appropriate balance of person-oriented space (sidewalks, landscaping, planted medians, bike lanes.." and "reflect the desired character of the largely residential neighborhoods they serve..." (city plan page 37). This property is on 50 west. It is located at arguably one of the most inconvenient and awkward intersections in the entire city. 100 S meets 50 west at the same time they meet main street. Navigating this intersection at almost any time of the day, but in particular the morning and evening, can be challenging and dangerous. Adding 37 multi-family units will most certainly add traffic and additional vehicles on the shoulders of the roads. The increased traffic and reduced road-space and visibility from the shouldered vehicles will speed up (not moderately slow down) and reduce the safety for the most vulnerable travelers... whether by foot or by bike. I would also suspect that a developer would maximize the value of the land (its their job) and construct as many units as possible... I would assume this would end up being a large 2-3 level apartment building(s). This would also erode the "desired character of largely residential neighborhood..."

3. General Safety and Traffic on 50 West and 100 South - I live on Gailey Lane. I typically enter and leave from/to 100 South... whether that is by vehicle, on a bike for a family ride, or by foot to walk around the neighborhood. 100 South has essentially become a major thoroughfare for people to bypass most of 200 north to get to the freeway. I've witnessed multiple car accidents on what should be a sleepy neighborhood street. A neighbor was hit by a vehicle on a jog in this area (Gailey Lane, 100 South, 50 West). 100 South is a patched together road with inconsistent width. There is only one continuous sidewalk and it is broken, cracked, and sunk. There are large trees hanging over into the roads. There are vehicles parked up and down each side of 100 South. Its pretty much a parking lot on 100 South in front of Hal's property already on any weekday with all the worker and guest parking for Defay orthodontics. The parked cars, narrow road, bushy trees create an environment with limited visibility when entering or exiting the road. Due to the poor sidewalks, many people walk, run, jog, ride bikes/scooters on the road itself rather than the sidewalk. I'm envisioning how it is today... with an additional 37 units and the traffic (both car and foot) that will come with it. It is a terrible area to throw more people and cars into it without major improvements.

4. No Plan??? Its my understanding that this re-zoning is being sought without an accompanying plan? I would be hesitant to re-

zone something of this significance and consequence without fully understanding what exactly the plan is. Sure, the city would need to approve the final plat and project even if it is rezoned. But holding off on re-zoning until it is 100% clear what the ultimate goal and plan for the land is seems to be the prudent decision here. I also recently read a development agreement for a Fruit Heights project where the city required the developer to perform, contribute or construct certain things as part of the overall development. Some of these things impacted areas outside of the immediate property. I believe some of that leverage may be lost unless the rezoning was contingent these types of contributions.

5. Super Dense - Almost all of the multi-family and higher density housing in the entire city can be found within a very small radius of this property. That amount in terms of total unit count is set to double with some upcoming projects I've learned about... including the new large apartment/hotel project over by Les Schwab and the commercial / mixed use development right on 200 North. I know some areas of the city may not be ready to accommodate multi-family yet - but this historic area contains almost all of it. With continuous consideration of more and more higher density housing. Its becoming less of 'Utah's Hometown' and more of a busy downtown. And, its creeping into the surrounding neighborhood.

As someone who lives very close to this property and will have to directly deal with the consequences of the rezoning - I am asking you to strongly consider these reasons and others that you may hear and not rezone this land to multi-family.

Thank you!

-Brandon Hurst

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 3:18:20 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Randa Hendrix
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]

Your Message	Regarding Public Hearing for the Rezoning of 41 West 100 South on 14 Sept.
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I would like to voice my non-support of the rezoning. I have lived in Columbia Heights for the last three years. There is already high traffic in this area and rezoning the area for 37 attached residential units will only increase the traffic. There are a number of schools in close vicinity in the area where kids as young as 6 are walking to and from school. The increase will only raise the risk of an accident occurring.

Also, Main Street is not capable of handling the increase in vehicles and people. There is already times when I-15 gets backed up that people will cut through Main Street to get to their next location and causes major traffic issues. A permanent increase of 37-74 more cars in the area on a regular basis is substantial.

Plus, there is already open and ready moderate income housing available in the area. The project is not needed in the area and is not filling a void in housing.

Finally, the property owner/applicant did not provide any drawings or data to substantiate his request. To approve this without that data would be a failure on the planning commission and would be a huge burden on current residents in the area.

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 24, 2023 5:07:40 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Adam Denison
Email Address	
Address	
City	
State	
Zip Code	
Phone Number	
Your Message	I'm writing to voice opposition to the proposed rezoning of the property at 41 West 100 South. This will add more traffic to an area that is not equipped to handle that much. We've got to stop trying to cram housing into every place we find. I believe the phrase "housing crisis" is a misnomer. The so-called crisis is people not being able to live exactly where they want to live. We're not talking about mass homelessness. That'd be a crisis.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Tuesday, August 29, 2023 6:29:33 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Alex Woolsey
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Email Address	[REDACTED]
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Address	[REDACTED]
---------	------------

City	[REDACTED]
------	------------

State	[REDACTED]
-------	------------

Zip Code	[REDACTED]
----------	------------

Phone Number	[REDACTED]
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Your Message	Good evening, I am responding to the public notice about the proposed zone change for the property located on 41 West 100 South. I don't believe that this property should be re-zoned from R-1-8 to R-M because of the following reasons. First, this property is prone to flooding causing the properties behind it to also flood, having more houses would exacerbate the issue because the water would not be able to absorb into the ground fast enough. Also, the surrounding neighborhoods regularly experience power outages, having 37 homes instead of the usual 13 would contribute to more power issues. Third, both 100 south and 50 west traffic patterns are busy enough now but adding 37 housing units would make turning at the traffic signal on 50 west and Main Street extremely difficult not to mention all the parking from the orthodontics business across the street. In conclusion, I advocate for keeping the property zoned as it is rather than changing it. Please let me know if you have any questions. Thank you. -Best regards, Alex Woolsey
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, August 30, 2023 8:53:54 AM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Chris Wahlquist
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I am opposed to the zoning change sought by Hal T. Anderson for his lot. Rezoning to allow 37 multi-family dwellings will have a significant and highly negative impact on this, the Old Kaysville neighborhood. I bought my historically designated home in this neighborhood because of the large lots with green space and single family homes that invite neighbors to walk and visit with each other. Adding the proposed multi-family development will create a huge negative impact with traffic, noise, congestion, and homes where people have no green space and no opportunity to interact when outdoors. The development will have a negative impact on my property value which I have maintained to encourage neighbor interaction and cohesion. High traffic volume tends to cut off neighbors as it becomes harder to cross streets while walking. The height of homes in the development will necessarily be higher than the homes it will border in order to squeeze in the 37 units the zoning is to allow. This will create a wall of homes and also will remove trees that make Old Kaysville the place that it is. I am adamantly opposed to rezoning the Anderson property and plead with the Commission to leave the property zoned as it is currently.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Tuesday, September 5, 2023 3:10:19 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Heath Montgomery
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	This message is in regards to the Hal Anderson proposal from R1 to RM. I will be directly impacted by this development and I want the zoning to stay single family. That corner is a terrible spot to navigate already and adding that many residents will make it a bottle necked nightmare. I think those of us who have invested in this area deserve to have the current zoning respected. We have to take a lot of from the Never-ending development of our town. Hal Anderson is going to make millions with just the single family zoning. I don't see why you would make a special situation for one person to engross themselves and the burdens paid by everyone else. And my last point is- so many speak of " where will the young people live?" This development will NOT be affordable. If the young families can't afford the houses in my neighborhood, they won't be able to afford these either. These condos will easily be set at half a million. How else will the developer and Hal gain huge profits. It's an absolute tragedy how little respect is given to our historic properties! Destroying that house, barn, gardens, and park like yard is a sin! At least let us keep west of 50 west si gle family lots. Thank you.
Upload an Attachment	Field not completed.

From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 31, 2023 8:49:00 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Lauri Storey
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	Dear Planning Commission, My name is Lauri Storey and I live in the Old Town area west of Main Street. I will be out of town on September 14 and unable to share my thoughts about the proposed rezone of the Rampton property a block to the south. I would love to meet with each of you in the next 10 days. Would you be willing to allow me 15 minutes to discuss the proposal? Thanks in advance for considering my request. Warm Regards, Lauri Storey
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Friday, August 25, 2023 7:43:40 AM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Shane Warburton
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I wanted to write in support of the rezone of the property at 23 East Center Street in Kaysville. This is a perfect location for this type of zoning. I currently own the property at 202 S Main Street in Kaysville so I am invested in the community. I am also a live in west kaysville. The planning commission is going to have many people in opposition of this project but I think any reasonable person can see that this is a perfect location for the project. There are many people living in the community that support this type of housing project but do not take that time to speak up in support. Please do not deny the project because some neighbors complain. Please call me if you have questions. I do not know the owner, developer of the project. I have seen the city deny project many times because of residences that complain please act objectively with all residence in mind. This is a great use of the land. Thanks. Shane
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 24, 2023 5:59:15 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Jason Sanders
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I support the rezone of the property at 41 west 100 south. Kaysville desperately needs some high density housing. Personally, I'd love it if we had places where my kids can live when they are young adults. This is a great location for high density housing. It's in the central business area right off Main Street - I would not support this if it was not near Main Street. And there are apartments across the street. Because of the location, the impact to the city as a whole will be minor.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 24, 2023 5:03:06 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Michelle Smith
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	Field not completed.
Your Message	I'm writing to oppose Hal Anderson's request. 100 south is constantly busy with people avoiding 2nd north. Our neighborhood can not handle more traffic. We do not need 37 more homes. Getting on to 50 west is hard enough without a new subdivison there. Small town Kaysville is fading quickly.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Monday, September 11, 2023 9:48:51 AM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Amy Henderson
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	I am writing regarding development on 100 S 41 W. The 2.397 acre property is already zoned (according to my understanding) for 13 homes, which puts the lot size at about .184 acres each. This matches the area where the land is located. If each home has 2 cars (which is likely understated) that puts 24 cars regularly trying to get in and out onto 50 West in an already difficult location. However, it is still reasonable and would blend in with the neighborhood and allow for more housing. My concerns for adding up to 37 high density dwellings include tripling the traffic that will come from that small parcel of land into an inadequate intersection. I would like to invite you to please take a look at the impact to current residents when making your decision. Thank you.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Tuesday, September 12, 2023 3:21:35 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Kara Hurst
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]

Your Message Thank you for taking time to read this and to be an active part of our community. We are grateful for those who sacrifice their time to help keep Kaysville, Utah's home town.

I wanted to voice my opinion about the proposal to re zone Hal Andersons lot in the heart of Kaysville. I do not wish to see it re zoned and here is why:

1. Hal is wanting to rezone without submitting a developers plan. The city loses significant leverage on what could be built on the lot. It loses any benefits a developer could bring to the table, like money to help traffic flow better for that intersection (50 west, 100 south merge onto Main Street). The city loses any say on what stays (a registered historic house that is currently on the property or beautiful huge willow trees). I don't see why the city would rezone now when there is no rush.

2. Re zoning this lot would contradict our new general plan that we as tax payers just spent \$100,000 for. Why would we spend all that money to just throw out the plan?

3. Our area of Kaysville is already shouldering and doing its part

for multi-family housing. Within a 4 block radius, we have 167 apartments/rentals already. Our schools and churches are doing our part to support those families who live there.

4. 100 south and 50 west already have cars parked along the streets near Main Street. It creates a lot of congestion and cars backed up wanting to turn left. It also creates hazardous conditions for pedestrians walking or riding bikes near that intersection. Adding 37 units to that corner would increase the cars and traffic and therefore increase the danger to pedestrians. The city would need to come up with a costly plan to address this problem.

Thank you for listening to our community. We all have the same goal to make Kaysville the best it can be.

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Wednesday, September 13, 2023 2:25:08 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Cali Reynolds
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	Kaysville City Planning Commison,

I am writing concerning the proposed rezoning of 41 West 100 South. I have lived at 70 South 100 West for almost 6 years now and am a lifelong resident of Kaysville. My front windows have a direct view of the property in question. That being said, I have multiple concerns with prospect of this rezoning. They range from, "It really sucks to see such a beautiful property go..." to "Putting 37 multi-family attached dwellings is an absolutely dangerous and dumb idea."

My main concerns however are the following: in November 2022 the city redeveloped the "general plan" for Kaysville. I have spent some time reading through the general plan and I overall support and like it. I think rezoning this property would disregard the general plan. This is frustrating on multiple levels. The city spent a lot of taxpayer money developing this plan and it feels like a slap in the face to disregard it less than a year later.

Second area of concern, the traffic! Living across the street from this property I can attest to the crappy (and often dangerous) traffic we encounter on a daily basis. Defay orthodontics often

has employees and patrons parked on 100 South near the intersection at 50 west. This decreases visibility and can make for treacherous crossings. There really isn't anywhere else for these people to park and I can only imagine the mess of adding an additional 30+ cars to the mix. Our neighborhood attends Columbia elementary, Kaysville Junior High, and Davis High and we are not zoned for a bus. This means the majority of students are walking to and from school each day. Cars often speed off Main Street onto 50 west right at this corner with little regard to pedestrians. I don't think it wise to make an already less than ideal situation worse by adding this development without considering traffic implications.

My final concern is whether or not rezoning is the best choice for our neighborhood and the people who live here. Our neighborhood is historic and one of the goals of the general plan is to preserve Kaysville's unique history. The owner of this land has expressed little regard for the residents of our neighborhood and I fear he's really only out to get the most bang for his buck on this land. The current owners won't be around to deal with the repercussions of this development, but I will be. I am making improvements and investments on my current home because I love where I live and I want to stay here. I want to feel like my city representatives care about me and my neighbors and have our best interest at heart. To me that means honoring the things they've said and the plans they have put in place.

Please consider the above as you discuss rezoning the property at 41 West 100 South, I know me and many of my neighbors would appreciate it. I look forward to future communication regarding the matter.

Sincerely,

Cali Reynolds

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Sunday, August 27, 2023 10:47:08 AM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	David Bean
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]
Your Message	My name is David Bean I am a home owner in the Kaysville Gailey park historic neighborhood and I am opposed to the rezoning of 41 west 100 south from R-1-8 single family to RM multiple family. This area is already highly congested with traffic and already has allot of multi family units. This is also taking away from the historic nature of this neighborhood. I adamantly oppose this rezoning.
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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]

Subject: Online Form Submittal: Contact the Planning Commission
Date: Saturday, August 26, 2023 4:59:21 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Christopher Layton
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Email Address	[REDACTED]
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Address	[REDACTED]
---------	------------

City	[REDACTED]
------	------------

State	[REDACTED]
-------	------------

Zip Code	[REDACTED]
----------	------------

Phone Number	[REDACTED]
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Your Message	
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This message is regarding the public hearing notice for the zoning change for 41 West 100 South. I am voicing my opinion against this zoning change. The individual attempted this change before, but before the full public hearing meeting was held, they removed the zoning change request. I am not sure what has changed between the past and present request for this change, but I am still against the change. I spoke against the change then and am now returning to do the same.

I live in this area which will be impacted by this zoning change. My main concern has to do with traffic congestion. The amount of traffic that is already waiting at 100 South and 50 West is a lot, and it further is compounded at the 50 West and Main Street traffic signal. There are already times when it takes 2-3+ light changes to make it on to Main Street from 50 West, and that is without the proposed 37 additional dwelling units that could potentially be placed on this property. It is unknown how many vehicles 37 additional dwelling units could produce to either 50 West or 100 South, but it is probably safe to say that it could be anywhere from 37-74+ vehicles. I still remember the days when we didn't have a traffic light on Main Street at 50 West and how long it took to turn left to get on to Main Street. I can only imagine

now how long it will take me and my family to get out, especially during peak hours, and there are very few outlets to Main Street from this older part of Kaysville that doesn't take someone completely out of their way to access Main Street with a traffic light (in fact, there are only two streets that safely do this, and this proposal would make one of them nearly impossible to use).

I love the way the property is already zoned for 13 single family dwelling units and am all in favor if the land owner desires to make 13 dwellings, but I am not in favor of high density housing on that property. It seems as though the land owner is trying to capitalize on the financial aspect of 37 units verse 13 units.

Please keep this part of Kaysville one of the quiet parts of Kaysville and not turn it into a traffic nightmare. Preserve the integrity of our neighborhood!!! Please vote no to this proposal!!!!

Thank you for your consideration!
Christopher D. Layton

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop; [REDACTED]
Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, August 24, 2023 6:36:57 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Crista Scott
Email Address	[REDACTED]
Address	[REDACTED]
City	[REDACTED]
State	[REDACTED]
Zip Code	[REDACTED]
Phone Number	[REDACTED]

Your Message	I am very concerned about the potential zone change for 41 W 100 S, specifically the high number of attached units. 37 individual units would mean 37-74 cars (or more depending on the car needs of each family). This area already has high traffic delays and safety concerns. The quick turn when going south on 50 W creates a dangerous situation for those turning either onto or off of 100 S. These residents would need access to main roads and I-15, so many would turn left onto 50 W. This is already a challenge and safety hazard due to the limited distance to the Main Street light. Adding more cars into this situation will cause even more problems in regards to traffic as well as driver and pedestrian safety. My next concern deals with parking. Having enough on-site parking spaces for 37-74+ cars will be challenging to incorporate into even a lot this size. They current residents already park on the street. With so many more cars being added to the area, many are likely going to be parked on 100 S and 50 W. When this happens, traffic and pedestrian and driver safety concerns will become very dangerous. On-street parking limits a drivers line of sight on a straight road. With the curve of 50 W, this obstruction of line of site will create more hazardous conditions, particularly since traffic will also increase. I saw this same
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situation in Bountiful when a car dealership's employees parked in the street (it wasn't supposed to be legal, but the company weaseled it out during a change of ownership). The number of accidents greatly increased along that stretch of road and it even included a "suicide lane" for those turning left.

In conclusion, I ask you to deny Hal T. Anderson's request to increase the number of allowed units to 37. Doing so would put the residents of the area in danger. I also believe it would be unkind and disrespectful to the current residents that already have to deal with the high traffic and dangerous intersection situation of the area. I suggest a compromise of fewer units so that the concerns I've described above would be mitigated before they become a real problem. Perhaps Hal T. Anderson (or whatever company he'd sell the properties to) could submit a building plan that would address solutions to the on-site parking and traffic flow concerns.

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From: noreply@civicplus.com
To: Melinda Greenwood; Mindi Edstrom; Dan Jessop;

Subject: Online Form Submittal: Contact the Planning Commission
Date: Thursday, September 14, 2023 6:41:36 PM

Contact the Planning Commission

Have a question or comment? Want to contact the Planning Commission about an upcoming item on a meeting? Please fill out the form below and an e-mail will be sent to all of the Planning Commission members. You can also contact the Community Development office at 801-546-1241.

Name	Kim Jensen
Email Address	
Address	
City	
State	
Zip Code	
Phone Number	
Your Message	I am opposed to the rezoning of the property at for the following reasons: No developer plan Contradicts city plan Inconsistent with existing city zoning Traffic and parking Loss of environmental tress in the neighborhood
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PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: September 8, 2023

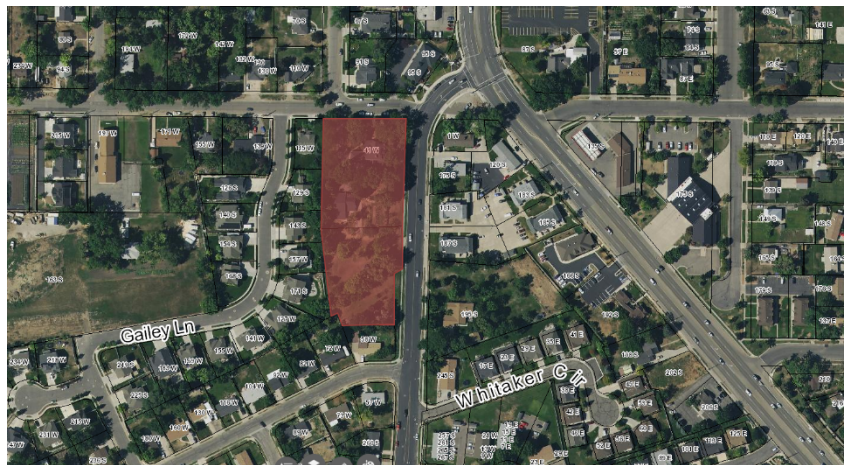
Agenda Item #4 Public Hearing for the rezone application from Hal T. Anderson for a zone change for 41 West 100 South from R-1-8 Single Family Residential to R-M Multiple Family Residential

Meeting Date	September 14, 2023
Application Type	Rezone
Applicant Owner	Hal T. Anderson Hot Diggity 1 LLC
Address Parcel ID Number	41 West 100 South 11-108-0136 & 11-108-0135
Lot Size	2.397 acres 104,413 ft ²
Current Use	One single family home
Current Zoning	R-1-8 Single Family Residential
Density Entitlement	13 single family detached unit (minimum 8,000 ft ²)
Requested Zoning	R-M Multiple Family Residential
Density Entitlement	37 attached residential units

1. BACKGROUND

The subject properties are two parcels which combine to total 2.387 acres on the southwest side of 100 South and 50 West. Currently, one north facing single family home exists on the property with the frontage located along 100 South. The property also has a detached accessory structure located south of the home.

The applicant is requesting a rezone from R-1-8 Single Family Residential to R-M Multiple Family Residential. The change in zoning would allow for the construction of up to 37 attached dwelling units as prescribed per the R-M zone ordinance. The applicant is also the property owner, and did not

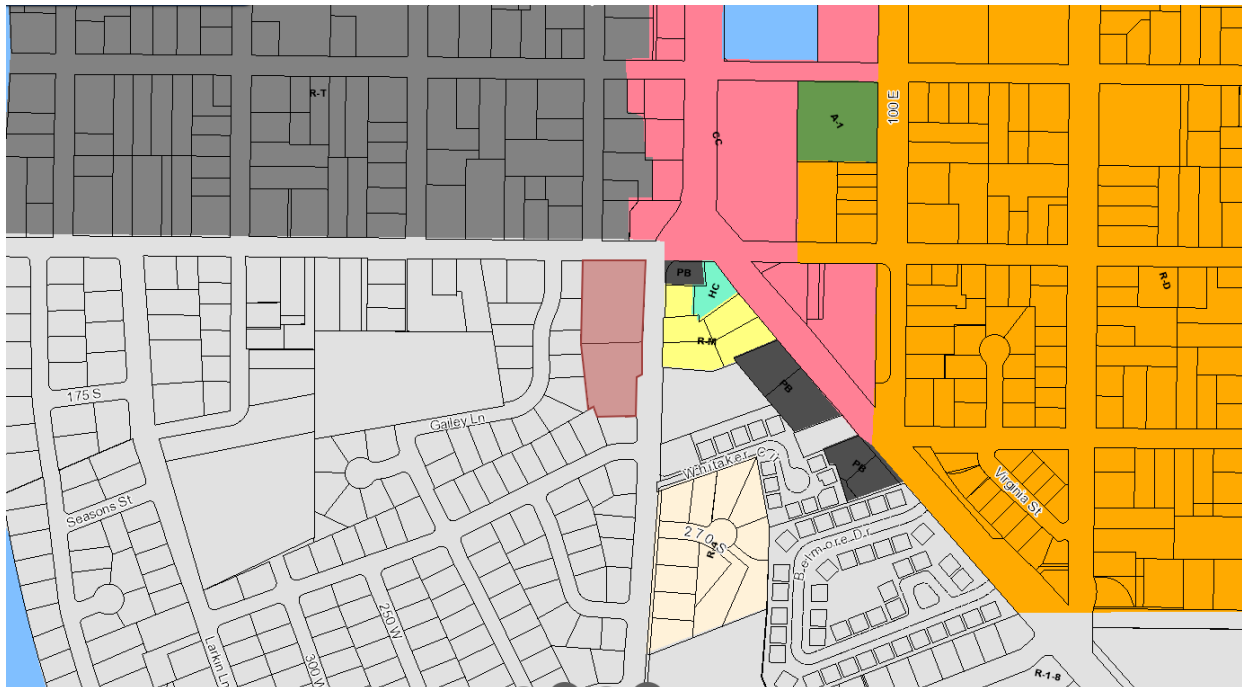


submit any concept drawings with their application.

2. SURROUNDING LAND USE AND ZONING

The two parcels are located in an area with a variety of existing zoning, as follows.

- **Adjacent** – Directly adjacent to the subject property is R-1-8 zoning and single-family dwellings which are located on the east and south sides.
- **North** – The area on the north side of 100 South is zoned R-T Old Kaysville Townsite Residential District and CC Central Commercial.
- **South** – Properties south of the subject parcels are zoned R-1-8.
- **East** – Across 50 West there are properties which are zoned PB Professional Business, RM Multi Family Residential, R-1-8 and R-4. An insurance office, duplexes and townhomes exist east of the property.
- **West** – The subject property is bordered by R-1-8 zoning.



The Planning Commission should consider the existing uses which surround the subject property as they make a determination of suitability for the R-M zone at this location.

3. GENERAL PLAN

The 2022 Kaysville City General Plan contains the following goals and policies. These excerpts are relevant to the R-M rezone application and should be considered as deciding criteria when the Planning Commission makes their recommendation to the City Council.

Future Land Use Map

The Future Land Use Map indicates single family dwelling units on the parcel up for re-zone. The goal on page 29 number 6: Preserve the established character of Kaysville. An implementation measure is to prohibit high density and land uses in areas established for lower density residential use.

On Page 54 Objective 1:3 (C) The Planning Commission should give strong consideration to rezone applications which are supported by elements of the General Plan but may not align with the Future Land Use Map. The property up for re-zone is across the street from the south end of the Central Commercial, and City Center where the Historic Main Street is envisioned to be pedestrian-friendly and support City Center activities. The parcel up for rezone is within three blocks south of the Mixed-Use Commercial, and directly across the street to the east is zoned R-M.

Staff feels all Goals and Implement Measures included in the Staff Report below this point will support favor of the rezone of R-M.

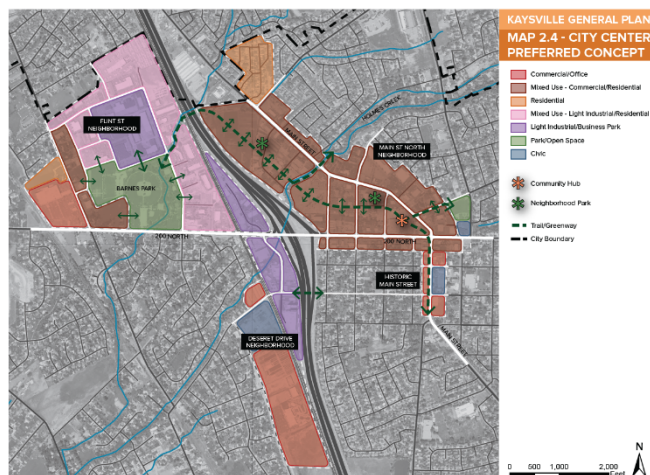
Land Use and Placemaking Plan

On page 29 Goal 8: Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live. Objective 8.1: Coordinate and align Land Use and Housing Policies that allow and encourage new residential development models that meet the future needs of the community. This rezone will address land use standards that address moderate income housing needs.

Housing and Neighborhoods

On page 54 Goal 1: Provide a full range of housing opportunities to meet the economic lifestyle and lifecycle needs and expectations for residents housing and neighborhood goals and objectives.

On page 54 Objective 1.1: Allow for higher density and mixed use within the City Center to diversify housing stock. The Hal Anderson property is in close proximity, (just across the street on 100 South) to the City Center Preferred Concept area indicated in the 2022 General Plan.



Moderate Income Housing

The definition by Utah State Statute, “Moderate income housing means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.” A few years ago, the Utah State Legislature began efforts to address housing affordability within the state. Part of those efforts included revising state code to mandate that municipalities

dedicate a section in their General Plan to housing affordability, particularly moderate income housing (MIH). When the requirement was initially put in Utah State Code 10-9a-403, the law gave a list of items intended to increase possibilities for a greater affordability of housing.

The key goals and objective of the moderate income housing goals and objectives far out way the current Future Land Use Map even though is one year old. The State of Utah says it may be reviewed annually. The Future Land Use Map shows the property proposed for rezone is across the street from described City Center and walking distance to the down town commercial district.

Staff reviewed the R-M Ordinance 17-16-7 Area, Lot Width, and Yard Requirements. They feel this would give developers some positive tools to build buffers, setbacks. The R-M zone would also give options for parking and egress onto the city streets. This would create a safer traffic flow onto and off of the street and near the blind curve intersection located in the area.

The R-M zone allows multiple attached units which commonly reduces the costs of housing as land is consumed more efficiently and at a smaller rate than single family. More often than not, R-M zoning creates options that are more affordable than single family residences. This is not always the case, and affordability is a difficult argument to make, but nonetheless, a rezone to R-M is appropriate given the adopted MIH goals contained in the 2022 General Plan.

4. ZONING

A. R-M Zone

The stated 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.

Based on information in this report, public comment, and discussion at the Planning Commission meeting, the Commission should determine whether or not the application of the R-M zone in this location would meet the stated purpose of the R-M zone.

B. Density

The subject property is 2.397 acres or 104,413 ft². Current R-1-8 zoning would allow 13 lots, based solely on size. It is feasible that each of those lots could receive a CUP for a twin home, making the overall density entitlement on the property 26 units. If the rezone is approved, up to 37 attached dwelling units could be allowed on the site.

C. Parking

For multi-dwelling units, KCC Chapter 17-32-5-2 requires a minimum of 8 spaces plus 1.5 spaces for each unit over five units. A 37unit development would require a minimum of 56 dedicated parking spots.

D. Open Space

The R-M zone prescribes a minimum of amount of usable and functional open space for outdoor leisure. A 37unit development would require a minimum of 15,600 ft² of open space.

E. Storage

The R-M zone requires a minimum of 20 ft² of enclosed outside storage for each dwelling unit. Should the applicant maximize the density on site, 37 units would require 740 ft².

F. Other Regulations

Differences between height and setback regulations between the current and proposed zones are identified in the chart below.

	R-1-8 (Current Zone)	R-M (Proposed Zone)
Height	30'	30'
Front Setback	25'	25'
Side Setback	≥ 8' both side yards ≥16'	≥ 8' both side yards ≥16' + 2' per unit over two
Rear Setback	15'	15'
Corner	20' side abutting street	20' each side abutting street

5. PUBLIC NOTICING AND PUBLIC COMMENT

A total of 42 public notices were mailed to property owners within 500' of the subject property.

As of 9/8/2023 we have 11 comments submitted: Two emails support the rezone, and nine that object.

The supporting emails believe it is a good location and supports moderate income housing.

The non-supporting emails list traffic as the main concern. Other concerns listed are noise, congestion, decreased property value, cuts off neighbors, removal of mature trees, creates a wall of homes, prone to flooding, parking on street, will not provide moderate income housing, lack of respect to historic properties, density, safety, and no development agreement provided.

6. RECOMMENDATION

The Planning Commission should make a recommendation to the City Council addressing the rezone request based on its findings of compatibility with the 2022 General Plan, considerations listed within this staff report and how well the requested RM zone fits at this particular location.

The Planning Commission may make a recommendation to approve or deny the rezone request.

ORDINANCE NO. 23-X-X

AN ORDINANCE REZONING 41 WEST 100 SOUTH, A CERTAIN PORTION OF KAYSVILLE CITY, TO THE R-M MULTIPLE FAMILY RESIDENTIAL ZONING DISTRICT, 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 public meeting to rezone the subject property at 41 West 100 South to R-M Multiple Family Residential; and

WHEREAS, on September 14, 2023, with a vote of 3-1, the Kaysville City Planning Commission held a public hearing and made a recommendation of approval with a development agreement for the zone change at 41 West 100 South from R-1-8 Single Family Residential District to the R-M Multiple Family Residential District; and

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

WHEREAS, the City Council, after due consideration of said rezone application, staff report and public comments, has concluded that it is in the best interest of the City and the inhabitants thereof that said R-M Multiple Family Residential District be implemented at the property addressed 41 West 100 South and known as Tax ID Numbers 11-108-0135 and 11-108-0136;

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: Rezone. The real properties at 41 West 100 South, and known by Parcel Identification Numbers 11-108-0135 (1.122 acres) and 11-108-0136 (1.275 acres), as shown on the attached map which is made a part hereof, containing a combined total of approximately 2.397 acres (104,413 ft²) of land, shall be rezoned and the Zoning Map amended by removing it from the R-1-8 Single Family Residential District as currently delineated and rezoning it to the R-M Multiple Family Residential District.

SECTION III: Development Agreement. The Development Agreement (attached) and project approved in conjunction with this rezone ordinance shall become zoning legislation and as specified, will replace, augment or supersede existing regulations and requirements for the project.

ORDINANCE NO. 23-X-X

SECTION IV: 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 execution of the ordinance.

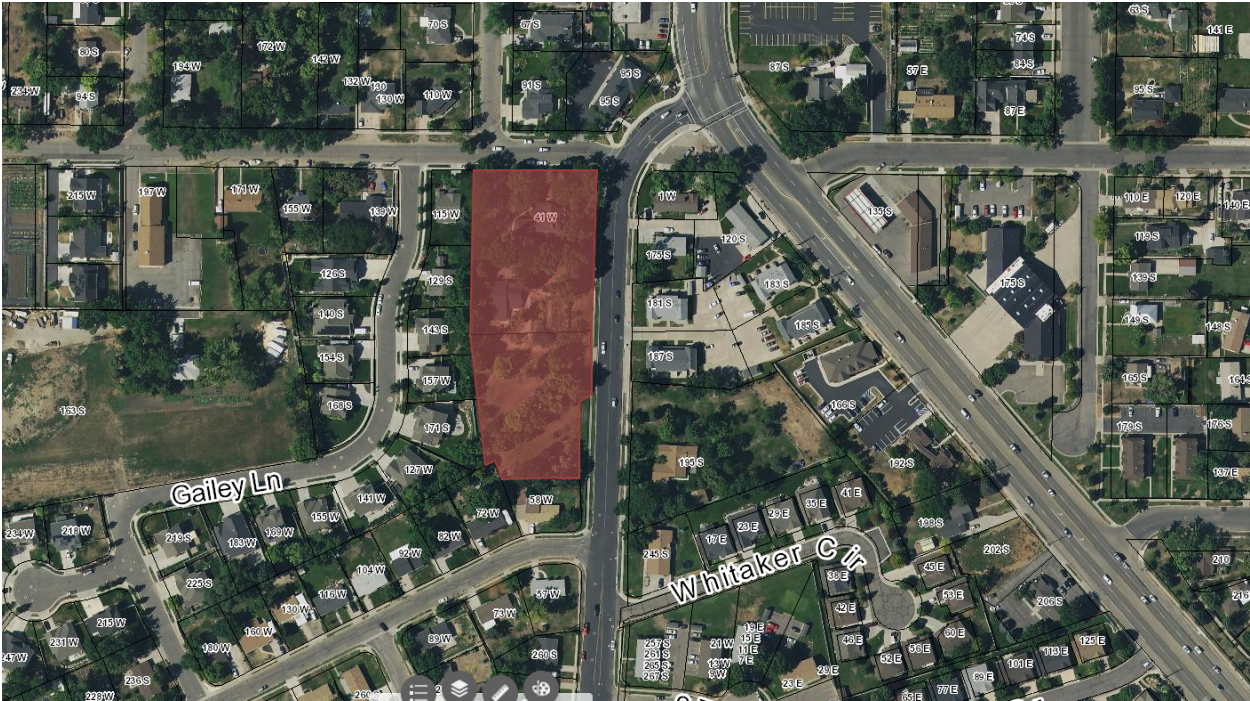
PASSED AND ADOPTED by the City Council of Kaysville City, Utah, this ____ day of _____, 2023.

Tamara Tran
Mayor

ATTEST:

Annemarie Plaizier
City Recorder

ORDINANCE NO. 23-X-X



CITY COUNCIL STAFF REPORT



MEETING DATE: October 5, 2023

TYPE OF ITEM: Work Items

PRESENTED BY: Nic Mills

SUBJECT/AGENDA TITLE: An Ordinance amending provisions of the Kaysville City Code regarding abandoned, wrecked, or junk vehicles

EXECUTIVE SUMMARY:

Currently, the City Code requires that residents store unregistered or inoperative vehicles within a building or behind an opaque fence. City Staff has noticed that this code is somewhat onerous for citizens who are fixing or restoring cars. This code amendment would allow citizens to store these vehicles in their driveways or beside their homes if an opaque screen covered them. Staff is concerned because the ordinance, as currently written, allows for very little flexibility for those residents who are working on their cars.

City Council Options:

1) Move the Ordinance amending provisions of 14-6-3 of the City code to an action item; 2) Approve the Ordinance with any modifications that the Council deems appropriate; 3) Decline to adopt the Ordinance and remand to staff with further direction.

Staff Recommendation:

Staff recommends that the City Council move the Ordinance amending provisions of 14-6-3 of the City Code to an action item.

Fiscal Impact:

Amending this statute will not result in any foreseeable fiscal impact.

ATTACHMENTS:

1. Proposed Ordinance Amendment
-

ORDINANCE 23-XX-XX

AMENDING TITLE 14, CHAPTER 6, SECTION 3 OF THE KAYSVILLE MUNICIPAL CODE, AMENDING PROVISIONS REGARDING ABANDONED, WRECKED, OR JUNK VEHICLES.

WHEREAS, Kaysville City has a code regarding abandoned, wrecked, or junk vehicles and where they can be stored in the City; and

WHEREAS, the City has reviewed this code and would like to allow greater flexibility for its citizens to comply with this code; and

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

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

SECTION I: Amendment. Title 14, Chapter 6, Section 3 of the Kaysville Municipal Code is hereby amended as follows:

14-6-3 Abandoned, Wrecked, Or Junked Vehicles

1. It shall be unlawful to park, store, or leave, or to permit the parking, storing, or leaving of any unregistered motor vehicle (where licenses and registration have been expired for a period of four months or longer) or part(s) thereof, whether attended or not, upon any private property within the City for a period of time in excess of seventy-two (72) hours.
2. It shall be unlawful to park, store, or leave, or to permit the parking, storing, or leaving of any motor vehicle or part(s) thereof, which is in a wrecked, junked, partially dismantled, inoperative, or abandoned condition, whether registered or unregistered, and whether attended or not, upon any private property within the City for a period of time in excess of seventy-two (72) hours.
3. Exceptions to Subparagraphs (1) and (2) permit three (3) or less vehicles or part(s) thereof to be stored if within a building or ~~concealed by behind~~ an opaque screening ~~fence~~.
4. The accumulation and storage of vehicles or part(s) thereof, as defined above, on private property, except as set forth in Subsection (3), shall constitute a nuisance detrimental to the health, safety and welfare and offensive to the senses of the residents of the City. It shall be the duty of the owner of such vehicle or part(s) thereof and/or the person in possession of private property upon which such vehicle or part(s) thereof is located, to abate the same within forty-eight (48) hours after receiving written notice to do so

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 20 days after publication or posting or 30 days after final passage by the governing body, whichever is closer to the date of final passage.

PASSED AND ADOPTED by the City Council of Kaysville, Utah, this ____ day of _____, 2023.

Tamara Tran, Mayor

ATTEST:

