

Kaysville City Planning Commission Meeting Minutes

January 11, 2024

The Planning Commission meeting was held on Thursday, January 11, 2024 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Steve Lyon, Commissioners Erin Young, Mike Packer, and Paul Allred

Planning Commissioners Absent: Deborah Shepard, Megan Sevy, and Wilf Sommerkorn

Staff Present: Dan Jessop and Melinda Greenwood

Public Attendees: City Councilmember Abbi Hunt, Chase Cuthbertson, Randy Graham, Janet Graham, Jill Dredge, and Laurene Starkey

1- OPENING

Chair Lyon opened the meeting by welcoming all in attendance to the January 11, 2024 Planning Commission meeting.

2- APPROVAL OF THE MINUTES FROM THE DECEMBER 14, 2023 PLANNING COMMISSION MEETING

Commissioner Lyon asked for a motion to push the approval of the minutes from December 14, 2023 to the next meeting. Commissioner Allred made a motion to continue action on the minutes from the meeting December 14, 2023 to a subsequent meeting. Motion was seconded by Commissioner Packer and the vote was unanimous (4-0) in favor of the motion.

Commissioner Packer: Yay

Commissioner Allred: Yay

Commissioner Lyon: Yay

Commissioner Young: Yay

3- CONDITIONAL USE PERMIT FOR A SINGLE FAMILY DWELLING IN CENTRAL COMMERCIAL DISTRICT LOCATED AT 114 NORTH 100 WEST

Dan Jessop introduced the Conditional Use Permit. The address for this item is 114 North 100 West and is now a vacant lot and is .20 acres located in the Central Commercial District which allows dwellings as a Conditional Use.

The owners of the property want to build a garage with some living space. The building will be a two story building with 642 ft² on the main floor. The main floor of the garage will be 2,725 ft² and there is a loft upstairs that will be 950 ft².

Setbacks for the structure are proposed to be 11' for the front (100 West side), 11' for the rear yard (adjacent to the apartments), 5' side yard on the north side of the dwelling (next to Vera's Auto Repair), 42' side yard on the south side of the dwelling (100 North side).

Mr. Jessop said the proposed materials for the dwelling are painted wood or Hardie Board for siding and 4" trim around the windows and the applicant is also proposing a metal roof for the dwelling.

Mr. Jessop said staff recommends that the Planning Commission approve the conditional use permit for a dwelling.

Commissioner Allred said the proposed building and the way that it is being built really looks like it's a commercial use that has a small dwelling and asked if the use on the property would be restricted to residential or can it be both residential and commercial?

Mr. Jessop said if they wanted to live there and have a business they would need to apply for a Mixed Use Zone Overlay.

Randy Graham, the applicant, approached the Commissioners and stated the dwelling unit will not be used for any type of business. The owners want to match the architecture of the existing dwellings and rent out the livable space.

Ms. Greenwood shared the standards that are found in the Kaysville City Code 17-20-8 and said if the Planning Commissioners wished to add any conditions these would be the standards to use to apply conditions.

- Conditional uses shall comply with the standards in this Title applicable to the particular conditional use. In addition, all conditional uses shall comply with the following standards:*
- 1. Provide a use at the particular location that is a necessary or desirable service or facility which will contribute to the general well-being of the community and the neighborhood without detrimental effects on the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.*
 - 2. Provide adequate access to the use without detrimental effects on streets.*
 - 3. Provide for safe circulation of vehicles and pedestrians.*
 - 4. Provide adequate access for public safety services and water volume and pressure for firefighting.*
 - 5. Provide adequate off-street parking on the site.*
 - 6. Provide architectural design and exterior finishes that are compatible with the surrounding environment.*
 - 7. Provide landscaping that is compatible with the surrounding environment.*
 - 8. Provide adequate site lighting without detrimental effects on other properties.*
 - 9. Provide adequate utilities for the use without detrimental effects on utility systems.*
 - 10. Provide for water runoff without detrimental effects on other properties.*
 - 11. Provide adequate waste disposal without detrimental effects on other properties.*
 - 12. Accommodate special site conditions without creating any attractive nuisance.*

Commissioner Allred said that the proposal meets the standards from 17-30-8 and doesn't have any concerns for the project.

Commissioner Young made a motion to approve the Conditional Use Permit for a dwelling at 114 North 100 West as recommended by staff. Commissioner Packer seconded the motion and the vote was unanimous in favor of the motion (4-0).

Commissioner Packer: Yay
Commissioner Allred: Yay
Commissioner Lyon: Yay
Commissioner Young: Yay

4- PRELIMINARY PLAT FOR OLD LIBRARY SUBDIVISION AT 44 NORTH MAIN STREET FOR KAYSVILLE CITY

Melinda Greenwood introduced this agenda item by sharing that the city has been working with Alchemy Development to convert the old library building into a food hall. In order to do that the property will need to have the zoning changed from Public Use to Central Commercial.

Ms. Greenwood shared the proposed plat that had been drawn to capture all the property that would be used for that commercial use, including a front area intended to have food trucks. She explained approving a subdivision is the first step in the process of moving forward to rezone the property.

Commissioner Allred asked for clarification on the location of this plat.

Ms. Greenwood said that the plat shows the entire city block and the intent is to lease the ground to Bamberger Food Hall and we a separate parcel in order to change the zoning.

Chair Lyon asked if there were any city monuments within this parcel.

Ms. Greenwood said that the digital sign is not included in this plat. She also said the Preliminary Plat meets the city code and staff is recommending approval. She said the City Engineer has reviewed the proposed plat and determined it is in compliance with subdivision requirements.

Commissioner Allred mentioned a couple of items for correction and encouraged the City Engineer to correct the errors in the signature boxes.

Ms. Greenwood said the city would get the corrections made for the Final Plat.

Commissioner Allred made a motion to approve the Old Library Subdivision Preliminary Plat presented by staff with their findings and a recommendation to double check the plat signature blocks and the language used. Commissioner Young seconded the motion and the vote was unanimous in favor of the motion (4-0).

Commissioner Packer: Yay

Commissioner Allred: Yay
Commissioner Lyon: Yay
Commissioner Young: Yay

5- AMENDMENT TO PLANNING COMMISSION BYLAWS

Chair Lyon shared that the last time the bylaws had been amended was in 2019 and he thought it would be good to update the bylaws to make meetings more efficient. Chair Lyon gave a brief summary of the items proposed to be amended.

Commissioner Allred said he was impressed with the changes made and like the clarifications made. He liked the changes to section 4.4 saying that no Commission member shall discuss, opine or vote on any matter except during the Planning Commission meeting so that Commissioners are not stirring things up or tipping their hand as to how they may vote. He also suggested the language was confusing since they could only vote during a meeting. He added that he liked section 4.5 saying electronic participation may be allowed due to a public health emergency.

Chair Lyon said he liked the addition of section 5.2 stating that all Commission meetings shall be scheduled to end no later than 10:00 p.m. unless a motion to continue is made and approved in order to complete the agenda items of that specific meeting.

Ms. Greenwood said she added the words “express an intended” before the word vote in section 4.4 Voting and appreciated Commissioners Allred’s suggestion.

Chair Lyon also liked the addition in 5.5 Conduct During Hearings that established the speaker time limit of three minutes.

Commissioner Packer gave appreciation for the time and work that went into the bylaw amendments.

Commissioner Allred asked about section 5.5.a that states a member of the public shall state their city of residence, and thought that the city was wanting to get the speaker’s name in addition to the city of residence.

Ms. Greenwood agreed that we want to have the speaker state their name and whether or not they are residents and that she would add that into the bylaws.

Commissioner Allred suggested striking the last sentence of section 5.6 because it is redundant. He also spoke to section 5.10 saying that field trips can be problematic if there is a quorum of the Commission that goes on a field trip then it must be noticed and you must have the conversation recorded because it is a de facto Planning Commission meeting. He feels that there should be a way for the public to attend or to accompany the Planning Commission and or be able to listen in and comment.

Ms. Greenwood said that her experience has been that field trips have been more for educational purposes however we could clarify that if it is a field trip to look at something that will be on the agenda, that we won't vote or discuss that unless it's in a regularly scheduled meeting. She also said that the language stating that the field trips shall be scheduled during regular meetings isn't practical.

Commissioner Allred suggested that a field trip could be scheduled with the Planning Commission but not in groups large enough to constitute a quorum.

Ms. Greenwood said she will work on language to add so there is no violation to the public meeting laws, that the field trip is properly noticed, and if the field trip is related to an agenda item there can be no discussion outside of the regularly scheduled meeting.

Commissioner Young said she appreciated the opportunity to go through the bylaws and liked what has been discussed.

Ms. Greenwood said that as staff we can do a better job onboarding new Commissioners and helping the public know a deadline for submitting information to the Planning Commission so the Commission has all the information, they need to make a decision well before the meeting. By having a deadline for information to be given to the Planning Commission meetings it will allow the Commissioners adequate time to read and process information ahead of meetings.

Commissioner Allred suggested moving the approval of minutes to the end of the agenda.

Chair Lyon also pointed out that the "Call to the Public" will be removed from the agenda mainly because the Commissioners are an appointed body and not an elected body and not required by law to have that part of the meeting.

Ms. Greenwood said that it is important to get the minutes right because they are the official record of the meeting once approved.

Commissioner Allred made a motion to approve the draft changes to the Planning Commission Bylaws as proposed in the written draft and the clear copy with changes as reviewed in the redlined copy and that staff will adjust based on discussion. Commissioner Young seconded the motion and the vote was unanimous in favor of the motion (4-0).

Commissioner Packer: Yay

Commissioner Allred: Yay

Commissioner Lyon: Yay

Commissioner Young: Yay

6- CALL TO THE PUBLIC

There were no comments made by the public.

7- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood said that there is still work to be done on the Subdivision Ordinance and that City Council would like to have a way for the public to comment but not necessarily have those brought to Planning Commission.

Ms. Greenwood explained the email that the Commissioners received that day was in regards to the Rezone application that was withdrawn the day they were to go to City Council has reapplied again for a rezone for a R-1-14 zone which will come before the Commission on January 25th, 2024.

Ms. Greenwood also shared some of the rezones and text amendments that could be coming in the future and what will be going to the upcoming State Legislative session.

Ms. Greenwood also said she would share the blog that Commissioner Sommerkorn puts out regarding state law and land use discussions and information regarding the upcoming APA Conference in April in Cedar City.

8- ADJOURNMENT

Commissioner Allred motioned to adjourn and Commissioner Young seconded the motion. The meeting ended at 8:11 pm.