



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

The Kaysville City Planning Commission will hold a regular meeting on March 14, 2024, at 7:00 PM in the Council Chambers of the Kaysville City Municipal Building located at 23 East Center Street.. The public is encouraged to attend in person or may view the meeting online via www.Kaysvillelive.com.

1. Welcome and Meeting Order
2. Declaration of Conflicts of interest
3. Conditional Use Permit for an Instructional Home Occupation for Sophie's Sunshine Preschool located at 10 South 100 West
4. Rezone request and Public Hearing for approximately 1325 West 200 North for Brandon Wood from GC-General Commercial to RA-Residential Agricultural
5. Conditional Use Permit for Electronic Message Center Sign for Charlie's Car Wash located at 331 North 400 West
6. Conditional Use Permit for Electronic Message Center Sign for Deseret Landing located at 559 South Deseret Drive
7. Public Hearing for a Text Amendment for Title 17-20-4 Central Commercial Conditional Uses
8. Approval of the minutes from the February 8, 2024 Planning Commission Meeting
9. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
10. Adjournment

On 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: March 7, 2024

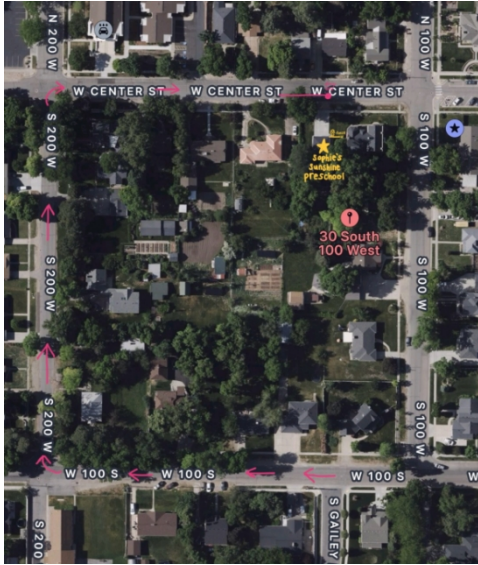
Agenda Item #3: Conditional Use Permit for an Instructional Home Occupation for Sophie's Sunshine Preschool located at 10 South 100 West

Meeting Date	March 14, 2024
Application Type	Conditional Use Permit
Applicant	Sophie Asay Sophie's Sunshine Preschool
Address Parcel ID Number	10 South 100 West 11-920-0001
Lot Size	0.45 19,602 ft ²
Current Use	Single Family Dwelling
Conditional Use	Instructional Home Occupation
Current Zoning	R-T Old Kaysville Townsite Residential District

1. BACKGROUND

Sophie Asay is the owner of Sophie's Sunshine Preschool located at 10 South 100 West. Ms. Asay does not live at this location but has consent from the property/home owners to run a preschool in the loft above the detached garage west of the home. Ms. Asay will be the only instructor at her preschool and as per Kaysville City Code there will be no more than 12 students participating daily in two different sessions held on Monday, Tuesday, Wednesday, and Thursday. The preschool sessions will be for 2.5 hours beginning at 9:00 am -11:30 am and 12:30 pm -3:00 pm.





Ms. Asay will have the drop off and pick up for the students in front of her driveway to ensure safe transition to and from the preschool. Parents will be asked not to park across the street for pickup or drop off so that students will not be crossing the street.

Ms. Asay will be living in a home to the directly south of this location which allows her to walk and not need a parking space.

2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, March 8, 2024.

3. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 10 South 100 West with any conditions Planning Commission feel are necessary as allowed by code.

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4b Instructional Home Occupation](#) regulations for preschools with no more than 12 students in any class.
- B. The applicant has been made aware of Instructional Home Occupation regulations and has agreed to comply.
- C. The application has been reviewed by staff and the business is compliant with City Zoning and the Utah State Department of Commerce.
- D. The business will not have an adverse effect on the use, enjoyment, or valuation of property in the proposed neighborhood as regulated by [KCC 17-26-4b Instructional Home Occupation](#) regulations.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Dan Jessop, Zoning Administrator; Melinda Greenwood, Community Development Director

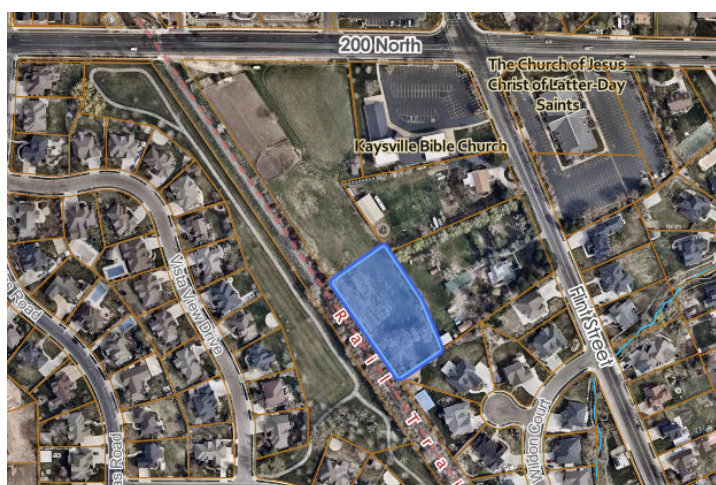
Date: March 8, 2024

Agenda Item #4: Rezone request and Public Hearing for property at approximately 1325 West 200 North from GC General Commercial to R-A Agricultural Residential for applicant Brandon Wood

Meeting Date	March 14, 2024
Application Type	Rezone
Applicant Owner	Brandon Wood
Address Parcel ID Number	1325 West 200 North 11-097-0079
Lot Size	1.09 acres 47,553 ft ²
Current Use	Vacant Parcel
Current Zoning	General Commercial
Density Entitlement	N/A
Requested Zoning	R-A Residential Agricultural
Density Entitlement	2 Dwellings

1. BACKGROUND

The subject property is a 1.09 acre parcel which is currently zoned General Commercial. The property was brought to City for rezone from A-5 to GC General Commercial in May of 2019 as part of the Ogden Clinic project. That project, which is currently under construction, consisted of two parcels totaling 4.7 acres. Ogden Clinic only needed about 3.3 acres for their project (see attached site plan) and the subject property is the unneeded portion from that 2019 rezone. Mr. Brandon Wood, the applicant, submitted an application to rezone the property from GC to R-A Residential Agricultural which has a minimum lot size of 21,780 square feet.



The 2019 rezone was approved through a development agreement (attached). If the rezone is approved, the development agreement must be amended by the City Council to release this parcel from the agreement.

The owner has had difficulty finding a buyer for the property because development of the site has constraints which make costs quite high. There is an elevation drop from 200 North to the south portion of the lot which is approximately nine vertical feet. The cost to haul in enough fill or to construct a sewer left station substantially increases development costs. Further, extension of utilities to the subject property is expensive due to the distance to the subject property.

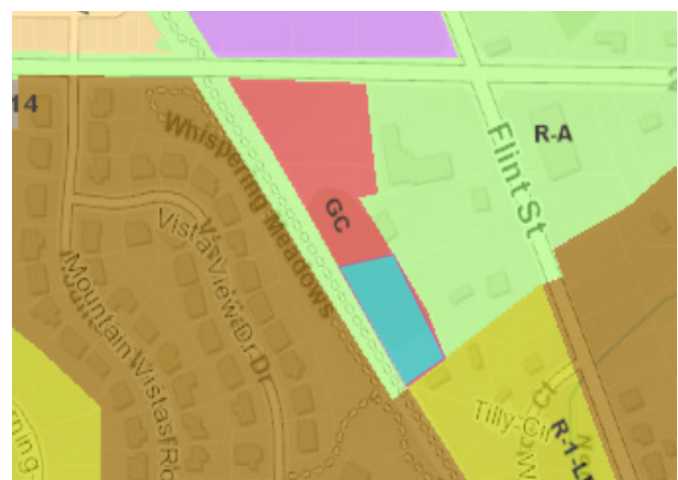
The applicant submitted the following statement with the rezone request which gives further detail of the development impediments for the site.

The Ogden Clinic has determined that the southern 1.09 acres of their property is not needed for their development and financially and physically unfeasible as a separate lot for commercial development. The property sits 6 feet below the elevation of 200 North. Additionally, utilities would have to be run approximately 730 feet to serve any buildings built on that property. The estimated cost of improving the 1.09 acre lot would be in excess of \$400,000. The clinic has spent the last 5 months marketing the property. As they have looked at potential users of the property, they have determined that they are not interested in having the back parcel, which would be accessed through their parcel, occupied by someone other than the clinic. Once they sell the property they can't control who occupies it and they have concerns about the about of access across their parking lot that will be occupied by their patients. They are requesting the property be re-zoned back to R-A so that it can be sold to the owner of the adjacent property located at 123 North Flint Street which is also zoned R-A. The proposed buyer for 123 North Flint Street and the Ogden Clinic 1.09 acres is purchasing for a personal residence and is doing so under a deed restriction that would not allow them to build more than 3 houses on the entire combined 3 acres preserving open area.

The applicant is under contract to purchase the Smith property to the east and if this subject property is rezoned, the applicant hopes to include the property with the Smith property, allowing them to create a building lot and have space for horse property. If approved, the property would be accessed from Flint Street.

2. SURROUNDING LAND USE AND ZONING

The parcel is located south of the parcel fronting 200 North at approximately 1325 West 200 North. The characteristics of the surrounding area and neighborhood are provided.

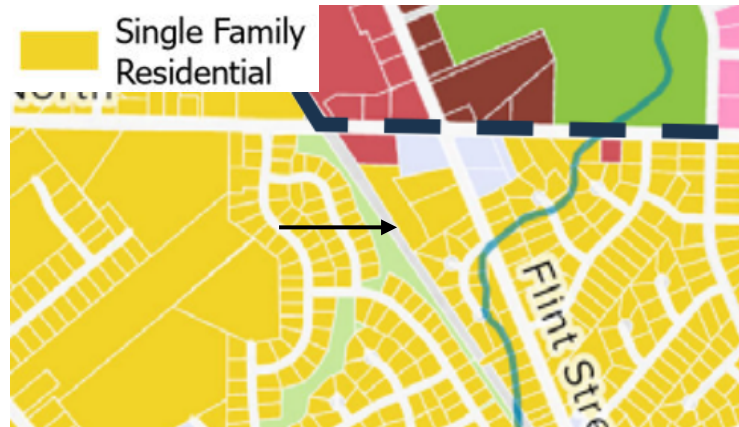


- **Adjacent** – Directly adjacent to the subject property is GC, R-A, R-1-LD and the rail trail.
- **North** – The subject property is bordered by GC, which is the Ogden Clinic project.
- **South** – Directly south of the parcel is R-1-LD.
- **East** – To the east is R-A, with established single-family dwellings.
- **West** – The Rail Trail is west of the subject property, and further to the west is the Mountain Vista Subdivision with established single family homes which are in the R-1-20 zoning district.

3. GENERAL PLAN

The Future Land Use Map in the 2022 General Plan shows the property at the south end of 1325 West 200 North is intended for Single Family, which supports the rezone application.

Chapter 5 of the 2022 General Plan offers this statement: “Economic prosperity and sustainability is key to the success of any city. The careful monitoring and analysis of taxable markets allows for strategic planning and helps the city achieve a stable income.”



The location of this property on 200 North lends to the economic development and prosperity of the City. In this area of 200 North, the average annual daily trips could be up to 14,000 according to Figure 5.5-2017 Average Annual Daily Trip Counts (located on page 88 of the [2022 General Plan](#)).

4. PUBLIC COMMENT

A total of 50 public notices were mailed to property owners within 500’ radius of the subject property, and a sign was placed on the property on Friday March 8, 2024. To date, we have not received any public comments on this item.

5. RECOMMENDATION

With support from the Future Land Map of the 2022 General Plan, this rezone would make the subject parcel compatible with the existing homes and neighborhood character of the adjacent properties on Flint Street.

The 2022 General Plan considers 200 North a viable commercial zone due to the high traffic volume. The loss of limited retail and commercial land would impede the city’s ability to increase sales tax or commercial property tax revenue. The commercial space within the City is limited and therefore the reasoning for eliminating commercially zoned property for residential use should be carefully evaluated.

After consideration of the property’s unique conditions, (grade drop, lack of frontage, and distances to utility connections) and the support of the Future Land Use Map, it would be

reasonable to recommend approval of the proposed zone change from GC to A-1. However, the 2022 General Plan offers limited support for the rezone application and it is uncommon to rezone commercial property to a residential agricultural use.

Staff is neutral on a recommendation for this rezone petition.

The Planning Commission should weigh the limited support of the 2022 General Plan and make a recommendation of approval or denial to the City Council for the rezone request.

When Recorded, Return to:

Kaysville City
Community Development Office
23 East Center Street
Kaysville, UT 84037

Affecting Tax Parcels No.: 11-097-0036 and 11-097-0044

**DEVELOPMENT AGREEMENT
FOR A PROFESSIONAL OFFICE SPACE**

THIS AGREEMENT is made and entered into this 20 day of JUNE, 2019
by and between Kaysville City, a municipal corporation organized and existing under the laws of
the State of Utah (hereinafter the "City"), and OGDEN CLINIC (hereinafter the "Developer;")
("Developer" includes successors and/or assigns of OGDEN CLINIC), as follows:

RECITALS

WHEREAS, Developer is desirous of developing a medical facility (the "Facility") on
certain real property located in the City of Kaysville, County of Davis, State of Utah and more
particularly described on the Property Location Map attached hereto as Exhibit A and the Area
Description of Section 1 A.; and

WHEREAS, the purpose of this Agreement is to define the development standards,
conditions and improvements, schedule for development of the Facility and other terms and
conditions pursuant to which the Facility proposed by Developer is to be developed within the
City; and

WHEREAS, the City is willing to grant the GC (General Commercial) rezone of the
property and to authorize the development of the Facility proposed by Developer in conformance
with this Agreement, City Ordinances, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth
herein, and other good and valuable consideration, the sufficiency of which is hereby
acknowledged, the parties agree as follows:

AGREEMENT

1. GENERAL DESCRIPTION.

A. Area Description. The property upon which the Facility shall be developed (the “Property”) is located as shown on the Property Location Map, a copy of which is attached as Exhibit A hereto and incorporated by reference herein. The property is further described as parcels #11-097-0036 and 11-097-0044.

B. Project Description. The project proposed by Developer is a medical office facility, which provides medical care and assistance through multiple specialties as an outpatient service including appointment based services and drop in or urgent care services.

2. DEVELOPMENT STANDARDS AND GUIDELINES

A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Facility (the “Development Standards”), the following in addition to all other applicable City Ordinances, standards and guidelines:

(1) Architecture. Developer shall construct the Facility in similar compliance and conformance with the Architecture as set forth in Exhibit B, example architecture.

(2) Building Height. Developer shall follow all Kaysville City ordinances and codes and will work with Kaysville City to ensure the building height falls within appropriate guidelines.

(3) Lighting. Exterior lighting on the building and throughout the site shall enhance safe circulation of pedestrians and vehicles while reflecting light away from any adjoining properties or uses. Acceptable lighting fixtures should shield the light source to reduce glare, light trespass into neighboring properties, and light pollution. Parking lot lighting shall be on a timer system so that it can be turned off after hours. Down lighting on buildings may be allowed to remain on after hours.

(4) Fencing. A fence or wall shall be installed along property lines shared with parcel ID 11-097-0030 and 11-097-0034. This wall shall be at least eight feet (8') in height and shall be a solid or visual screening structure.

(5) Landscaping. In addition to the landscaping required by Kaysville City Ordinance, trees shall be used to further screen and buffer the property from adjacent properties occupied by homes. Trees shall be required between the southernmost property line and the parking area for the proposed development; these trees should include a mix of evergreen and coniferous trees whose spread or width at maturity covers the width of the southernmost property line creating a visual screen.

(6) Traffic Circulation and Access. Developer agrees to work with Kaysville City at time of site plan and building permit review to design and improve access that ensures safety into and out of the subject property. Should it be deemed appropriate at time of this review, Developer consents allow for multiple points of access into the property, and will install signage that enhances notification to drivers of pedestrians using the D&RGW Rail Trail crossing. Subject to this formal site plan review, Developer consents to the potential of limited turn movements but shall have a minimum of one point of access where left and right hand turn movements are allowed to enter and exit the property.

(7) Retention. As necessary or defined by Kaysville City code the Developer shall retain groundwater in an underground retention system.

Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the Facility, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable medical office facility in an appropriate location. The City further finds that the development of the Facility, in conformance with the Development Standards and this Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council of the City.

Subject to the Developer's performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Developer's rights to develop the Facility in accordance with the approved site plan, construction drawings and building plans is

vested.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Facility, at Developer's sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, the secondary water provider as applicable, The Central Davis Sewer District, other providers and the State of Utah.

4. OFF-SITE PROJECT IMPROVEMENTS

In accordance with applicable standards and subject to the design approval of the City Engineer, Developer shall construct and install street improvements, sidewalks, utilities, and drainage improvements, on 200 North Street with the construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that it has authority to proceed with the Facility.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Facility. Developer agrees to begin construction of the Facility as soon as practicable and complete development with occupancy approval by December 31, 2022.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform Developer's obligations hereunder.

The City may withhold approval of assignment, without consequence, if the city reasonably believes that the anticipated assignee will be unable to meet the requirements of this agreement or any City ordinances.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. ATTORNEY'S FEES

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

A. City. The execution of this Agreement by the City has been authorized by the City Council of Kaysville City at a regularly scheduled meeting of that body, pursuant to the notice.

B. Developer. The execution of this Agreement has been duly authorized by the Developer.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

OGDEN CLINIC

ATTEST:



By: 

CEO

TITLE

TITLE

ATTEST:



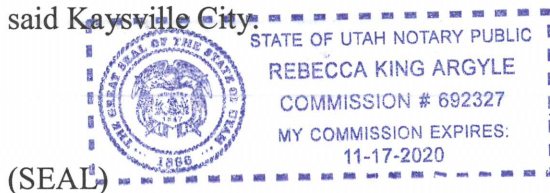
Annemarie Plaizier
Annemarie Plaizier
City Recorder

KAYSVILLE CITY

By:

Katie Witt
Katie Witt
Mayor

On the 25 day of July, 2019, personally appeared before me KATIE WITT, and ANNEMARIE PLAIZIER, who being by me duly sworn did say, each for himself and herself that he, the said KATIE WITT, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said ANNEMARIE PLAIZIER, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said KATIE WITT and ANNEMARIE PLAIZIER, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.



Rebecca King Argyle
NOTARY PUBLIC

STATE OF UTAH)

: ss.

COUNTY OF DAVIS)

On the 30 day of July, 2019, personally appeared before me, Kevin Porter, the signer of the foregoing Development Agreement for OGDEN CLINIC, who duly acknowledged to me that he executed the same for and on behalf of OGDEN CLINIC.

(SEAL)



Rebecca King Argyle
NOTARY PUBLIC

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

EXHIBIT A

Approximately 1325 West 200 North - Rezone from R-A to GC



Exhibit B

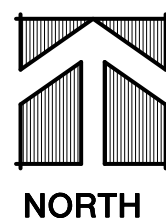


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OVERALL SITE PLAN

SCALE: 1" = 40'-0"



NORTH

200 N STREET

S 88°15'09" E 432.84'

N 34°40'01" E 980'

ADJACENT COMMON AREA
(AGRICULTURAL RESIDENTIAL)

ADJACENT LOTS
(SINGLE FAMILY RESIDENTIAL)

PROPOSED BUILDING
15,621 SQ. FT. FOOTPRINT
(2 STORIES)

ADJACENT LOT
(AGRICULTURAL RESIDENTIAL)

ADJACENT LOT
(AGRICULTURAL RESIDENTIAL)

ADJACENT LOT
(AGRICULTURAL RESIDENTIAL)

UNDEVELOPED
(41,553 SQ. FT.)
(1.09 ACRES)

FUTURE BUILDING
(9,200 SQ. FT.)

SITE INFORMATION

JURISDICTION	KAYSVILLE CITY
ZONING CODE	GENERAL COMMERCIAL
LOT SIZE	192,078 SQ. FT. (4.4 ACRES)
DEVELOPED	144,525 SQ. FT. (3.3 ACRES)
UNDEVELOPED	47,553 SQ. FT. (1.1 ACRES)
BUILDING AREA	
BUILDING FOOTPRINT	17,900 SQ. FT.
LOT COVERAGE	9.3%
PARKING	
STALLS REQUIRED	136 STALLS
STALLS PROVIDED	235 STALLS
ACCESSIBLE STALLS REQUIRED	7 STALLS
ACCESSIBLE STALLS PROVIDED	9 STALLS
LANDSCAPING	26,150 SQ. FT.
LOT COVERAGE	13.6 %

© CARPENTER STRINGHAM ARCHITECTS, LLC 2022

SHEET
A001

PROJECT: 22-001.01
DATE: January 2022
SCALE: As Shown
DRAWN BY: bdh
CHECKED: ppm

SHEET TITLE

Overall
Site Plan

REVISIONS

PROJECT
A NEW MEDICAL CLINIC FOR:

OGDEN CLINIC

1340 WEST 200 NORTH
KAYSVILLE, UTAH

CARPENTER STRINGHAM
ARCHITECTS LLC

ARCHITECTURE
PLANNING
INTERIORS

9133 S MONROE PLAZA WAY SUITE D
SANDY UT 84070

TEL: 801.890.1092
www.carpenterstringham.com

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: February 12, 2024

Agenda Item #7: Conditional Use Permit for a 30' tall Electronic Message Center Sign for Charlie's Car Wash located at 331 North 400 West

Meeting Date	March 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	Charlie Hunsaker
Address Parcel ID Number	331 North 400 West 11-879-0003
Lot Size	1.22 Acres 53,143 ft ²
Current Use	Tunnel Car Wash
Current Zoning	GC General Commercial

1. BACKGROUND

The subject property is a 53,143 ft² parcel on the west side of 400 West. The lot faces 350 North and is about 700 feet from the I-15 Corridor. The owners installed a sign with an Electronic Message Center (EMC) incorporated in the design. The sign is 80 square feet total area, with 40 square feet of EMC. The sign and EMC is less than the maximum square footage allowed by our ordinance 17-33-9 Signs Permitted By Zone regulations. The property has 235 feet of frontage. The provisions of the regulations listed below would allow for a 200 square foot sign, and would allow up to 100 square feet of an EMC. The sign set back is 4'6" from east property. This is well beyond the minimum set back required of 18" from the leading edge to property line designated by 17-33-7-4 General Sign Provisions setbacks.



The sign construction (footings and the pole installation) was started without a building permit. When the Building Official noticed this, he stopped construction on the sign and informed the contractor that they need to submit plans and obtain a building permit. The building permit

application was submitted on November 20, 2023, and unfortunately, the EMC was overlooked and staff mistakenly approved the permit without referring the sign to the Planning Commission for Conditional Use Permit (CUP) approval.

The sign came online in February 2024, and surrounding property owners began complaining about the brightness of the sign as well as the hours of operation. These complaints were brought to staff by some of the City Council Members. As staff was investigating the citizen complaints, we realized the CUP had been missed.

Though the sign is currently operational, all EMCs require a CUP and staff is requesting the Planning Commission approve the CUP retroactively. The business owner has been notified that the city will not close out his building permit application until the CUP process is completed.

Charlie Hunsaker, the car wash owner, has been responsive to the concerns of citizens and promptly programmed the sign to dim to 75% at 6:00 pm. The sign is also programmed to automatically shut off at 10:00 pm.

2. SURROUNDING LAND USE AND AREA

The parcel is located on the west side of 400 West Street and the south side of 350 North. The parcel across the street to the east is the Kaysville Tanner Clinic medical building. The property across the street to the north is the IHC medical building which is General Commercial zoning as well. The property to the west is the Mixed-Use overlay on a General Commercial zone which had a mixed use project approved last fall that includes two three-story apartment buildings, a four-story hotel, retail space and an office building. Taco Bell is directly south of Charlie's Car Wash.

Approximately 400 feet to the west is the Kay's Landing townhome development, which is on the east side of Main Street. Complaints on the brightness and hours of operation were coming from residents who live in this development.

3. ZONING

The subject property is zoned GC General Commercial District, and sign regulations for an EMC sign are pasted below.

17-33-9 Signs Permitted By Zone Regulations

1. Sign within 3,000 feet from I-15 is maximum thirty feet (30) in height.
2. Sign may be 1.5 square feet per foot of frontage up to 200 square feet.
3. Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of sign cabinet.

EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs. As part of the conditional use

review the designated Land Use Authority may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday March 8, 2024.

5. SUMMARY

The applicant submitted the attached concept renderings in their permit application and are now seeking a CUP for the EMC sign.

Because the sign is fully constructed, staff recommends the Planning Commissioners visit the site to see the sign in person and determine any impacts to the area that need to be mitigated.

The sign is currently in place and:

- 30 feet in height
- 4'6" setback
- 80 square feet in size
- 40 square feet or 50% of the sign is the EMC

6. RECOMMENDATION

Staff recommends the Planning Commission approve the conditional use permit with the following conditions:

- The sign height is limited to 30'.
- The sign be no more than 80 square feet in size.
- The EMC portion of the sign be no more than 40 square feet, which is 50% of the sign size.
- The sign shall only be operational from 7:00 am to 10:00 pm.
- The setbacks are minimum of 18 inches from front property.
- The sign be programmed to automatically dim to 60% based on the ambient lighting.

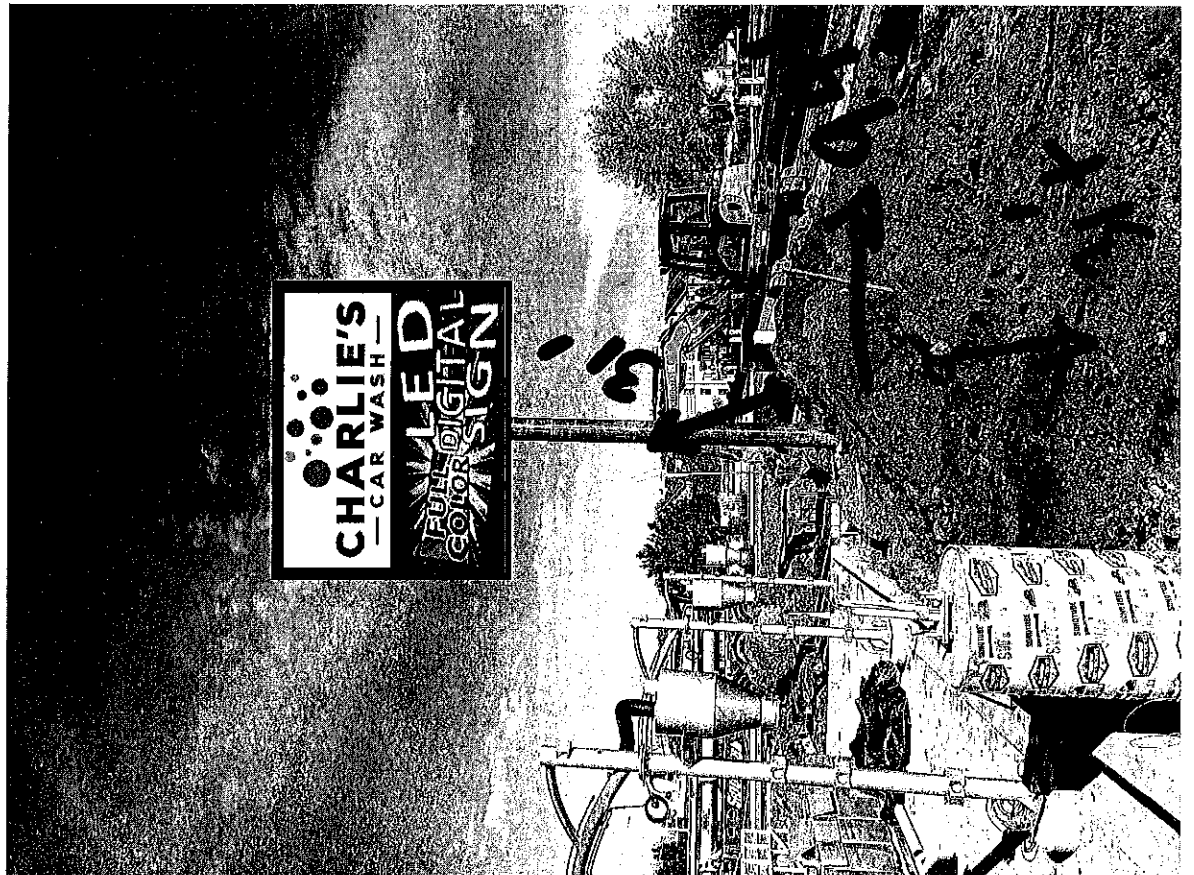
Findings for a recommendation of approval include:

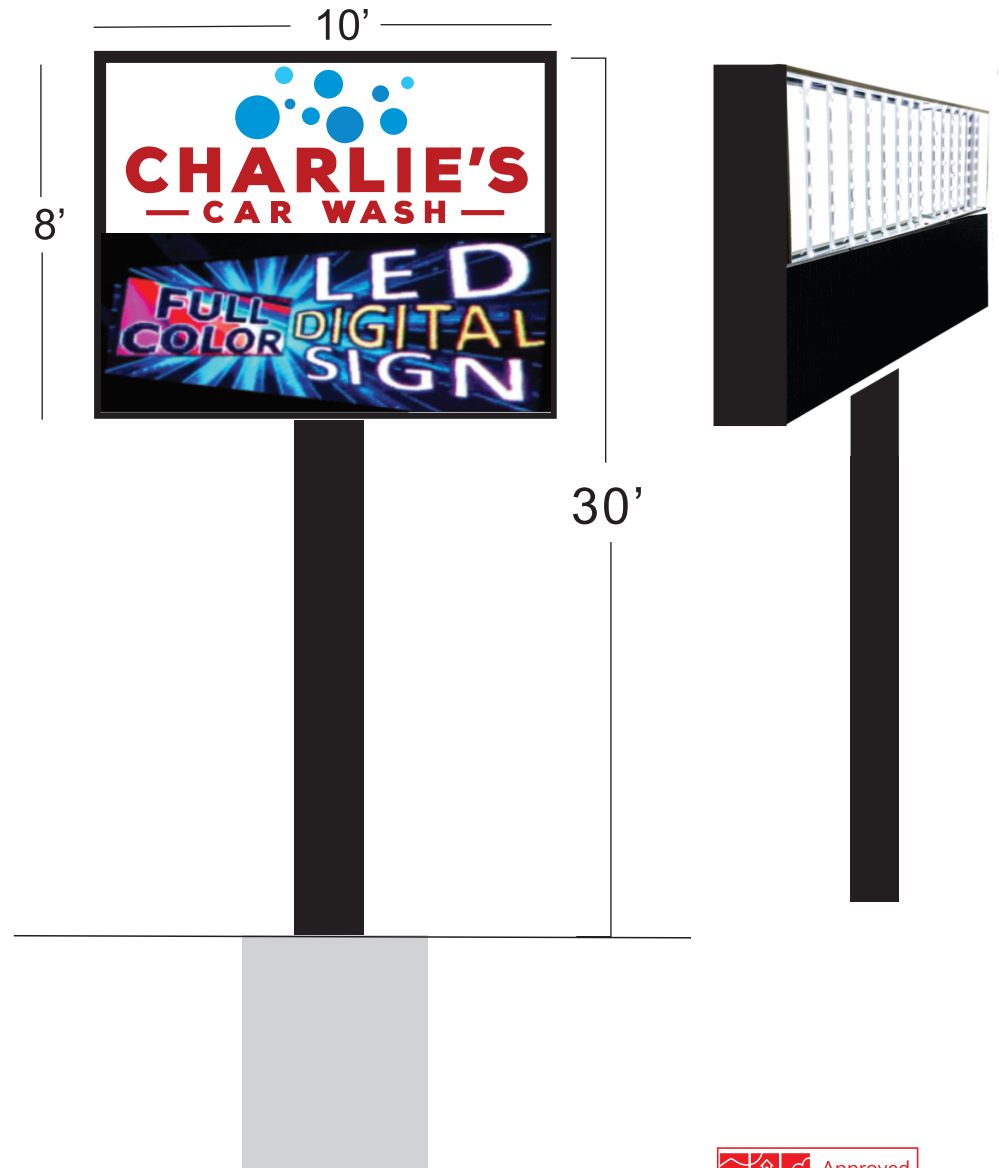
- a. The sign meets all code regulations as submitted, including height, size and setbacks.
- b. Approval of the CUP will bring the sign into compliance with city requirements.
- c. With the imposed conditions the sign should not have detrimental impacts to the surrounding area.

10'

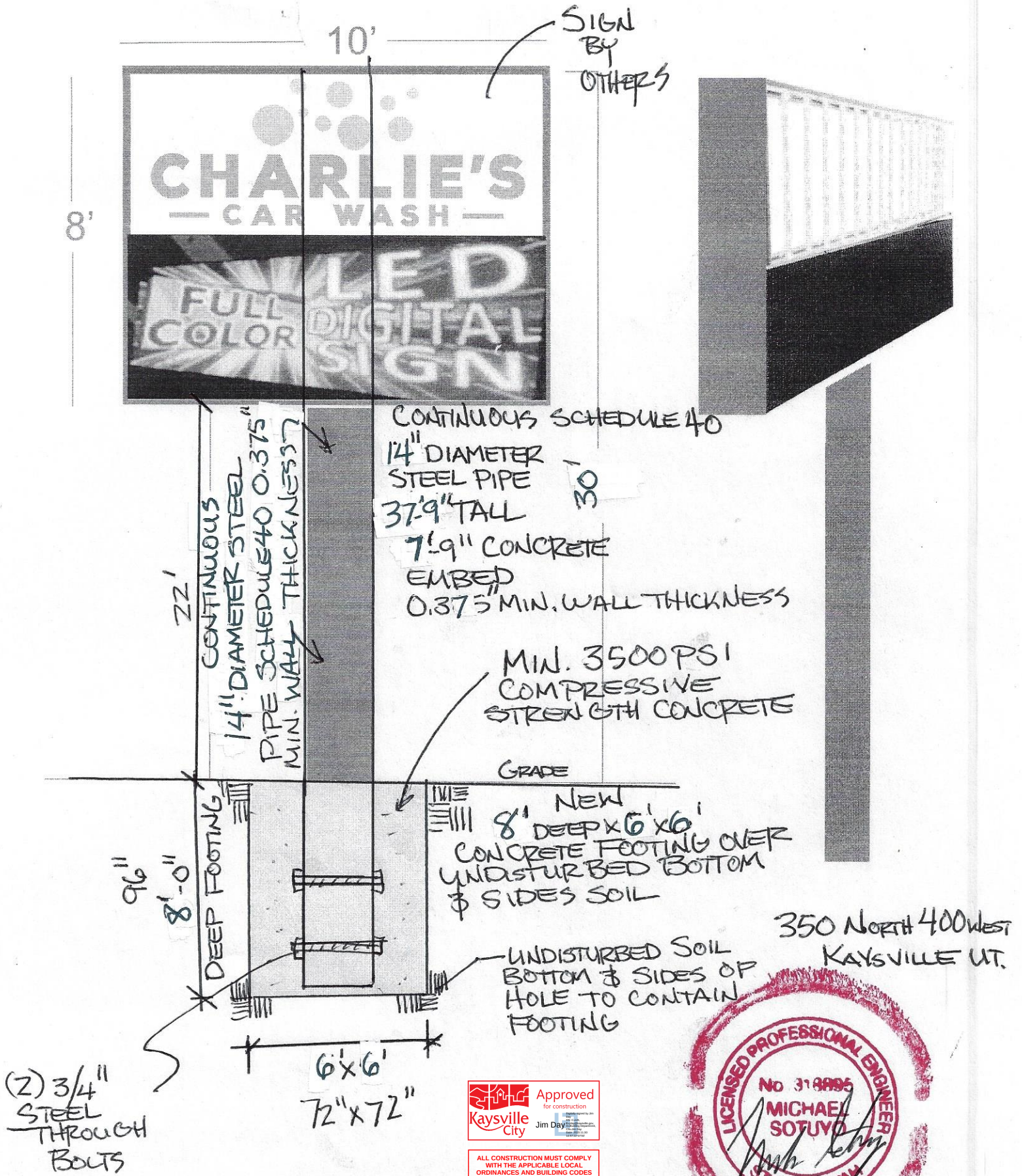
8'

30'





ALL CONSTRUCTION MUST COMPLY
WITH THE APPLICABLE LOCAL
ORDINANCES AND BUILDING CODES



Wind Load Calculation IBC 2021

Exposure C $I := 1.0$ $\alpha := 9.5$ $K_{zt} := 1.0$ Topographic Factor

$V_{wind} := 150$ $z_g := 900 \cdot \text{ft}$ $K_d := 0.85$ Wind Directionality Factor

$h := 30 \cdot \text{ft}$ $z_h := h$ $z := 6 \cdot \text{ft}$ $\text{kip} := 1000 \cdot \text{lbf}$

Dimensions

$s := 8$ Height $h_{sign} := 8$ Overall Height of Sign $n := 1$ # of Supports

$B := 10$ Width $G := 0.85$ $y_{sign} := 26 \cdot \text{ft}$ $y_{sign} = 26 \cdot \text{ft}$ CG of Sign

$\frac{B}{s} = 1.25$ $\frac{s}{h} = 0.267 \frac{1}{\text{ft}}$ $C_f := 1.80$

$A_s := B \cdot s$ $A_s = 80$

Wind Component

Velocity Pressure Coefficient @ Mean Roof Height

$$K_{zh} := 2.01 \cdot \left(\frac{z_h}{z_g} \right)^{\frac{2}{\alpha}} \quad K_{zh} = 0.982$$

$$K_z := 2.01 \cdot \left(\frac{z}{z_g} \right)^{\frac{2}{\alpha}} \quad K_z = 0.7$$

Velocity Pressure Coefficient @ z

$$q_h := 0.00256 \cdot K_{zh} \cdot (0.6) K_{zt} \cdot K_d \cdot V_{wind}^2 \cdot I$$

$$q_h = 28.855$$

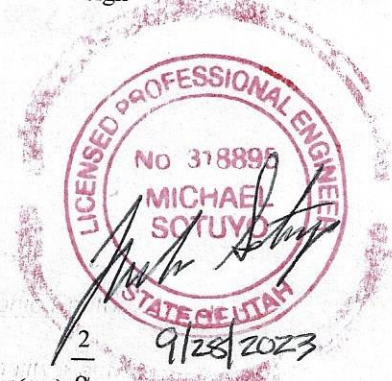
$$F := \frac{\text{ft} \cdot \text{ft} \cdot q_h \cdot G \cdot C_f \cdot A_s \cdot \frac{\text{lbf}}{\text{ft}^2}}{n}$$

$$F = 3.532 \cdot \text{kip}$$

Wind Component

Velocity Pressure Coefficient @ Mean Roof Height

Velocity Pressure Coefficient @ z



$$M_A := F \cdot y_{\text{sign}}$$

$$M_A = 91.827 \cdot \text{kip} \cdot \text{ft}$$

$$F2 := \frac{M_A}{1 \cdot \text{ft}}$$

$$F2 = 9.183 \times 10^4 \text{ lbf} \quad S_{\text{req}} := \frac{M_A}{0.66 \cdot 36000 \cdot \frac{\text{lbf}}{\text{in} \cdot \text{in}}}$$

$$S_{\text{req}} = 46.377 \cdot \text{in}^3$$

Pole Footing Capacity

$$f_w := 6 \cdot \text{ft}$$

Footing width

$$f_h := 6 \cdot \text{ft}$$

Footing depth

$$f_t := 8 \cdot \text{ft}$$

footing thickness

$$W_g := 3000 \cdot \text{lbf}$$

$$M_f := \left(150 \cdot \frac{\text{lbf}}{\text{ft}^3} \cdot f_w \cdot f_t \cdot f_h \cdot \frac{f_w}{2} \right) + W_g \cdot \frac{f_w}{2}$$

$$M_f = 138.6 \cdot \text{kip} \cdot \text{ft}$$

$$\text{Check}_1 := \text{if} \left(\frac{M_f}{M_A} \geq 1.5, \text{"Overturning OK"}, \text{"Overturning NG!"} \right)$$

$$\frac{M_f}{M_A} = 1.509$$

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: March 5, 2024

Agenda Item #6: Conditional Use Permit for a 45' tall Electronic Message Center Sign for Deseret Landing at 559 South Deseret Drive.

Meeting Date	March 14, 2024
Application Type	Conditional Use Permit
Applicant Owner	YESCO Charlie Taylor
Address Parcel ID Number	559 South Deseret Drive 08-659-0105
Lot Size	7.01 Acres 305,355 ft ²
Current Use	Two Light Industrial Buildings
Current Zoning	LI Light Industrial

1. BACKGROUND

The subject property is a 305,355 ft² parcel on the west side of I-15. The lot faces west on Deseret Drive and to the east side of the parcel about 125' feet from the I-15 corridor is where the sign is placed. The owners installed a sign with an Electronic Message Center (EMC) incorporated in the design. The sign is 238.8 square feet total area, with 147.8 square feet of Electronic Message Center. The overall sign size and EMC portion are less than the maximum square footage allowed by KCC [17-33-9](#)



[Signs Permitted By Zone](#) regulations. The property has 286 feet of frontage which allows for a 300 square foot sign, and would allow up to 150 square feet to be an EMC. The site plan shows the sign is more than 20' from the property line. This is well beyond the minimum set back required of 18" from the leading edge of sign to the property line designated by KCC [17-33-7-4 General Sign Provisions](#) setbacks.

The building permit application was submitted on October 12, 2022, and unfortunately the EMC was overlooked and staff mistakenly approved the permit without referring the sign to the Planning Commission for Conditional Use Permit (CUP) approval.

The sign received final inspection in January 2024, and after the sign was activated it was noticed that the CUP approval had been bypassed. Charlie Taylor with YESCO Sign Company was notified of the error on March 5, 2024, as staff indicated to him that a CUP would still be required.

Though the sign is currently operational, all EMCs require a CUP and staff is requesting the Planning Commission approve the CUP retroactively.

The surrounding property owners have not complained about the brightness of the sign or the hours of operation to date.



2. SURROUNDING LAND USE AND AREA

To the east of the sign is the Union Pacific Railroad ROW and the I-15 corridor. The property to the north is Young Automotive Truck and Trailer, a large concrete tilt up building which is Light Industrial zoning as well. The properties to the west are R-1-20 and the homes are at least 800 feet from the sign location. The parcels to south are zoned R-2 and are approximately 500 feet from the sign.

3. ZONING

The subject property is zoned LI Light Industrial, and sign regulations for an EMC sign are pasted below.

17-33-9 Signs Permitted By Zone Regulations

1. Sign with in 300 feet from I-15 is maximum thirty feet (45) in height.
2. Sign may be 1.5 square feet per foot of frontage up to 300 square feet.
3. Allowable EMC size shall not exceed 50% of total allowed sign size and no more than 75% of sign cabinet.

EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs.

As part of the conditional use review the designated Land Use Authority may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

4. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday March 8, 2024. Staff has not received any calls or comments regarding this application as of the date of this report.

5. SUMMARY

The applicant submitted the attached concept renderings in their permit application and are now seeking a CUP for the EMC sign.

Because the sign is fully constructed, staff recommends the Planning Commissioners visit the site to see the sign in person and determine any impacts to the area that need to be mitigated.

The sign is currently in place and:

- 45 feet in height
- Set back more than the minimum 18" requirement
- 238.8 square feet in size
- 147.8 square feet or less than 50% of the allowed 300 square feet of sign is the EMC

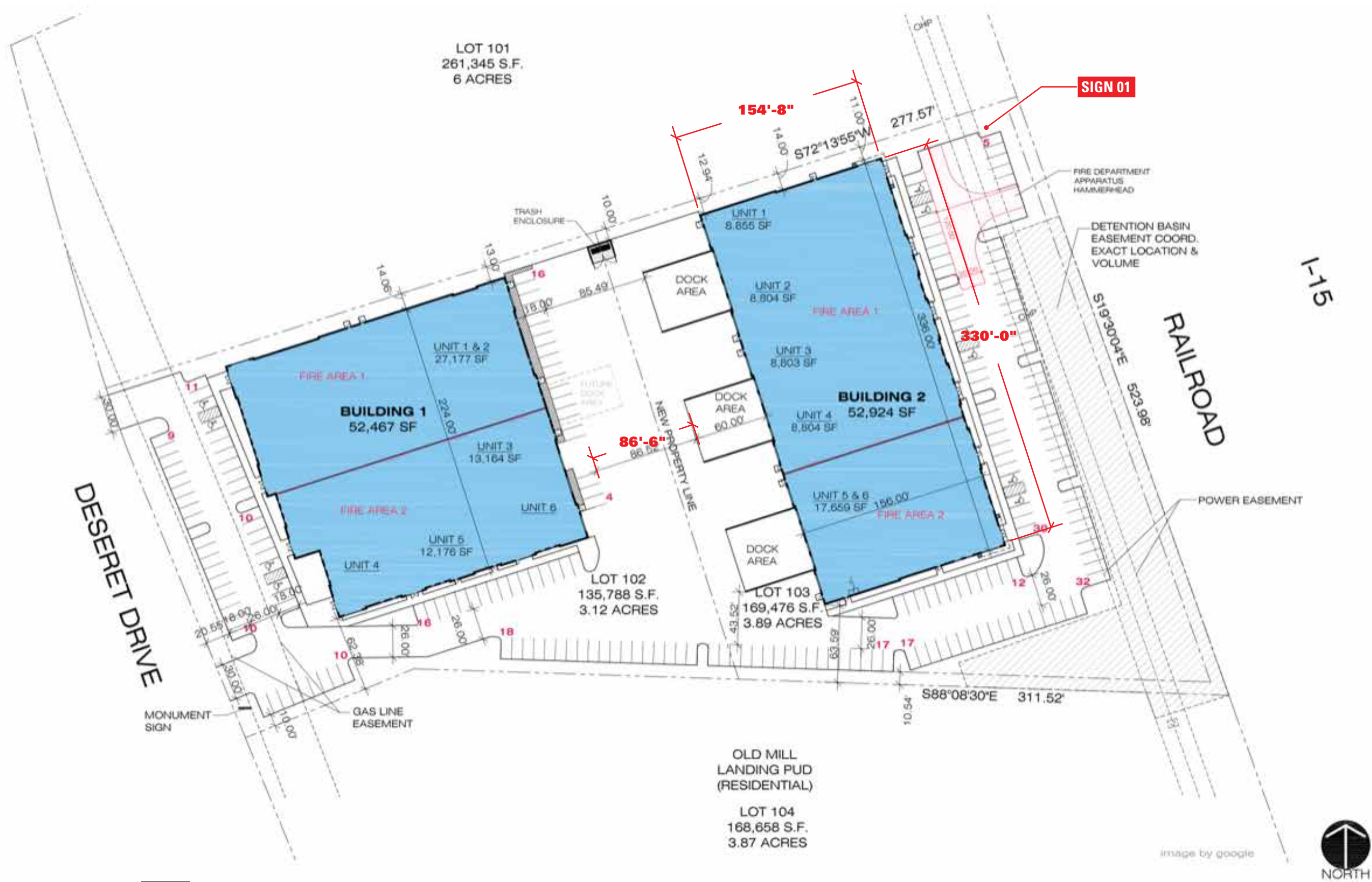
6. RECOMMENDATION

Staff recommends the Planning Commission approve the conditional use permit with the following conditions:

- The sign height is limited to 45'.
- The sign be no more than 238.8 square feet in size.
- The EMC portion of the sign be no more than 147.8 square feet, which is less than the 50% of the allowable sign size.
- The setbacks for the leading edge of the sign are a minimum of 18 inches from property lines.
- The sign be programmed to automatically dim to 60% based on the ambient lighting.

Findings for a recommendation of approval include:

- a. The sign meets all code regulations as submitted, including height, size and setbacks.
- b. Approval of the CUP will bring the sign into compliance with city requirements.
- c. With the imposed conditions and regulations in KCC 17-33 Sign Regulations, the sign should not have detrimental impacts to the surrounding area.



DWG	SITE MAP
1	SCALE: 1" = 80'

YESCO
DESIGN
1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481
www.yesco.com
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The colors shown are only approximated on any computer monitor, inkjet or laser print. The final product may vary slightly in color from your computer monitor or print.

This sign is installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.

Revisions	
No.	Date / Description
orig.	
1	02.22.2022 (LC) / chg as per sketch (LC)
2	03.10.2022 (LC) / chg address (LC)
3	09.20.2022 (LC) / chg dsgn (LC)
4	
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18	
19	
20	

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Deseret Landing
559 S Deseret Dr.
Kaysville, UT 84037

Acct. Exec: Eric Cheney
Designer: Larry Cohen
Orig: 02.26.2021

#38012 **R4**

JO #00000

scale: as noted

ART 0.1

Kaysville, UT

Presented By



Salt Lake Region

Salt Lake Office
1605 South Gramercy Road
Salt Lake City, UT 84104
801-487-8481

Version:

OPY 38012-R0 DESERET LANDING 2021.02.25
OPY 38012-R1 DESERET LANDING 2022.02.22
OPY 38012-R2 DESERET LANDING 2022.03.10
OPY 38012-R3 DESERET LANDING 2022.04.11
OPY 38012-R4 DESERET LANDING 2022.09.20



DESERET LANDING

TYPOGRAPHY NOTE

All vertical typography dimensions specified in this package are based upon the measurement from the baseline to the cap-line of an uppercase letter 'i'. The height of descenders and ascenders, below and above the baseline and cap-line respectively, are not included in the measurements unless specifically noted.

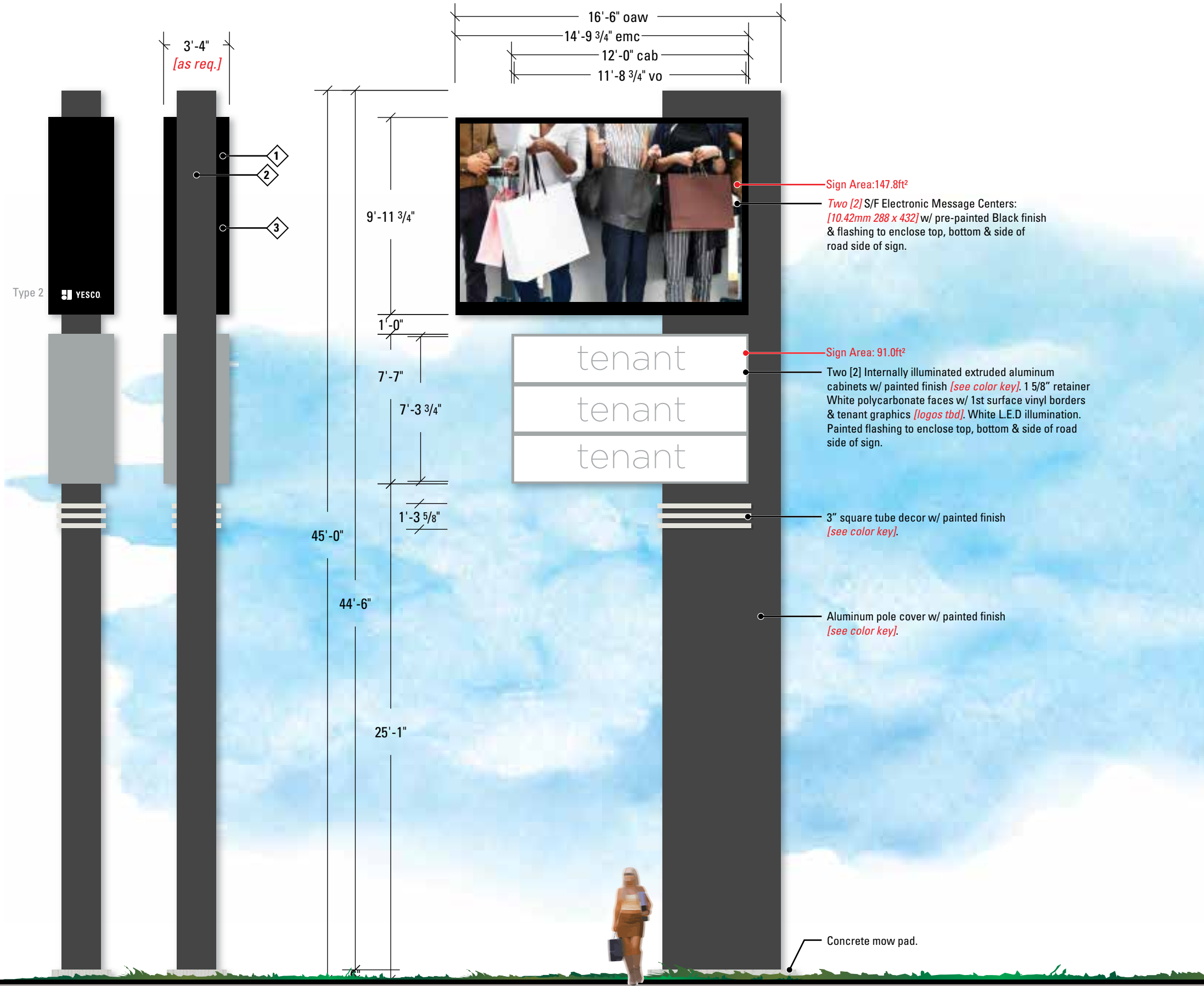


COLOR MATCHING NOTE

Colors specified in this package are to match vendor supplied physical samples. Colors chosen based upon how they appear on a computer monitor or printed media are not guaranteed to match.

PRODUCTION NOTE

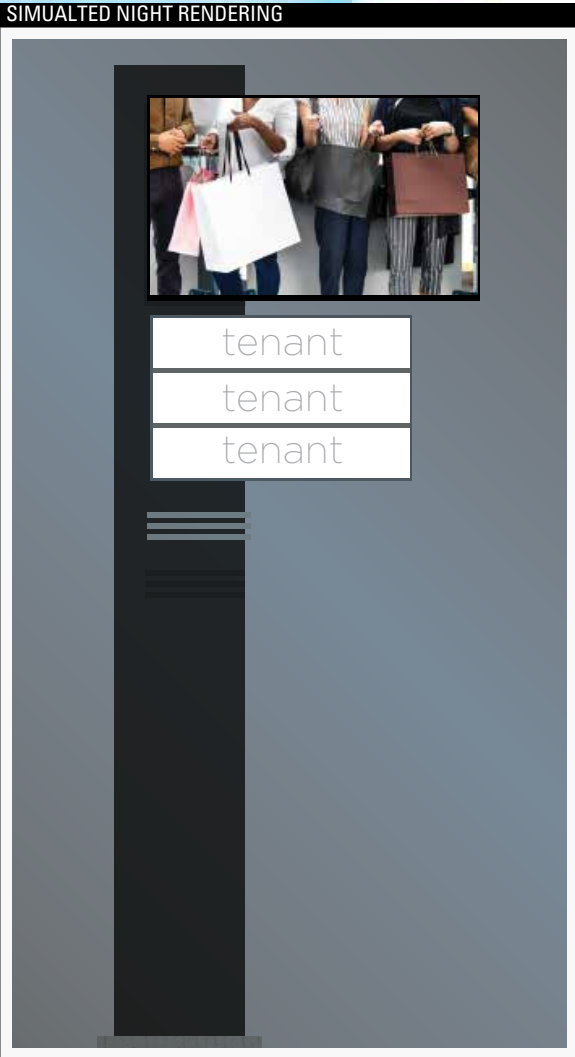
The PDF format of this package may contain graphics which have been down-sampled for proofing purposes and should not be used for production purposes. Source files for this package are available upon request for production purposes.



SCOPE OF WORK:	
MANUFACTURE & INSTALL <i>ONE [1]</i> D/F INTERNALLY ILLUMINATED Pylon SIGN.	
PERMITTING	SIGN AREA: 238.8ft²
FINAL ELECTRICAL CONNECTION BY:	YESCO

COLOR KEY	
1	PAINT SHERWIN WILLIAMS #6182 "ETHEREAL WHITE"
2	PAINT SHERWIN WILLIAMS #7069 "IRON ORE"
3	PAINT SHERWIN WILLIAMS #7073 "NETWORK GRAY"
4	VINYL 3M 3635- 222 "BLACK" PERFORATED
NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR-CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS	

NOTE:
ALL PAINT COLORS TO BE APPROVED BY CUSTOMER.



**YESCO**
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Revisions	
No.	Date / Description
orig.	
1	02.22.2022 / chg as per sketch [LC]
2	03.10.2022 / chg as per sketch [LC]
3	04.11.2022 / remove all but emc, make pole cover less wide. [LC]
4	09.20.2022 / remove fco emc, add emc info. [LC]

Approval

A/E Sign / Date

Client Sign / Date

Landlord Sign / Date

Deseret Landing
559 S Deseret Dr.
Kaysville, UT 84037

Acct. Exec: Eric Cheney
Designer: Larry Cohen
Orig: 02.26.2021

D/F Pylon - EMC
#38012
JO #00000

scale: as noted



DWG

3D RENDERING - PYLON

1

SCALE: NTS



DESIGN
1605 South Gramercy Rd.
Salt Lake City, UT 84104
801.487.8481

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Approval

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Deseret Landing
559 S Deseret Dr.
Kaysville, UT 84037

Acct. Exec: Eric Cheney
Designer: Larry Cohen
Orig: 02.26.2021

#38012

R4

JO #00000

scale: as noted

ART

1.3



PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Dan Jessop, Zoning Administrator
Date: February 13, 2024

Agenda Item #: Public Hearing for a text amendment to Kaysville City Code 17-20-4 Central Commercial Conditional Uses to remove Dwellings as an allowed use

Meeting Date	March 14, 2024
Application Type	Ordinance Text Amendment
Applicant	Kaysville City
Chapter/ Title/ Section	17-20-4 Central Commercial Conditional Uses

1. BACKGROUND

Staff has discussed eliminating the Conditional Use of a single-family dwelling allowed in the Central Commercial zone ordinance title 17-20-4. Staff feels like it is costing the city the limited and valuable parcels left for viable commercial business to Single Family Dwellings.

2. PUBLIC NOTICING AND PUBLIC COMMENT

A Public Hearing Notice was posted on March 8, 2024.

3. GENERAL PLAN

Chapter 5 in the General Plan states in the very first paragraph that prosperity and sustainability is the key to the success of any city. In Goals and Objectives, goal one states to "Promote Kaysville City Center redevelopment to strengthen commercial areas." Staff believes that loss of retail and commercial space to dwellings will take away potential properties where viable business opportunities will be lost.

4. RECOMMENDATION

Staff recommends the Planning Commission send a recommendation of approval to the City Council for the text amendment to 17-20-4 to remove dwellings as a conditional use in the Central Commercial district.

**KAYSVILLE CITY
ORDINANCE 24-XX-XX**

**AN ORDINANCE AMENDING TITLE 17-20-4 CENTRAL COMMERCIAL
CONDITIONAL USES TO REMOVE DWELLINGS AS AN ALLOWED
CONDITIONAL USE.**

WHEREAS, the City Council of Kaysville City, State of Utah, has determined in an open public meeting to amend Kaysville City Code 17-20-4 Central Commercial Conditional Uses to remove dwellings as an allowed conditional use; and

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

WHEREAS, WHEREAS, on March 14, 2024, with a vote of X-X, the Kaysville City Planning Commission held a public hearing and made a recommendation of approval to the City Council of the proposed text amendment to 17-20-4 Central Commercial Conditional Uses; and

WHEREAS, WHEREAS, the City Council, after due consideration of said amendment, has concluded that it is in the best interest of the City and the inhabitants thereof that said amendment to 17-20-4 Central Commercial Conditional Uses be implemented; and

NOW THEREFORE, be it ordained by the Council of the Kaysville City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “17-20-4 Conditional Uses” of the Kaysville City Code is hereby *amended* as follows:

A M E N D M E N T

17-20-4 Conditional Uses

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

1. Theaters.
2. Motels or hotels.
3. Light industry/research uses subject to the provisions of [KCC 17-23](#).
4. ~~Dwellings~~.
5. Social halls, lodges, fraternal organizations.
6. Amusement arcades.
7. Public utility substations.
8. Sale of beer for consumption on the premises of a full-service restaurant, limited-

- service restaurant, beer-only restaurant, banquet or reception center.
9. Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from _____ and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE KAYSVILLE CITY COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Council Member Adams	_____	_____	_____	_____
Council Member Blackham	_____	_____	_____	_____
Council Member Hunt	_____	_____	_____	_____
Council Member Jackson	_____	_____	_____	_____
Council Member Oaks	_____	_____	_____	_____

Presiding Officer

Attest

Tamara Tran, Mayor, Kaysville City

Annemarie Plaizier, City Recorder,
Kaysville City

Kaysville City Planning Commission Meeting Minutes
February 8, 2024

The Planning Commission meeting was held on Thursday, February 8, 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 Mike Packer, Wilf Sommerkorn, Debora Shepard, Megan Sevy, Paul Allred and Erin Young

Planning Commissioners Absent: None

Staff Present: Dan Jessop and Melinda Greenwood

Public Attendees: City Councilmember Abbi Hunt, Jill Dredge, and Kenneth Krum

1- WELCOME AND MEETING ORDER

Chair Lyon opened the meeting by welcoming all in attendance to the February 8, 2024 Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest from the Commissioners.

3- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR HOIZON RENOVATION LOCATED AT 891 SOUTH KAYS DRIVE

Melinda Greenwood introduced the Conditional Use Permit for Horizon Renovations located at 891 South Kays Drive. She explained that Kenneth Krum is the owner of the Horizon Renovations and needed a Conditional Use Permit for his business as a handyman. He owns one truck for the business and stores his supplies and tools at a storage unit as well as his son's home. All supplies will be sent to project sites and there will not be any employees or customers at his home. A notice sign was placed on his property Friday, February 2, 2024 and staff did not receive any calls or emails for this item. Staff is recommending approval of the Conditional Use Permit for 891 South Kays Drive and referred to the staff report for findings regarding the approval of the application.

Chair Lyon asked staff what type of equipment Mr. Krum will be using in his renovation business.

Ms. Greenwood stated that he does not have a lot of equipment because he will be doing more handyman type work.

Commissioner Sevy asked what the current zoning is for this business and if his son lives in Kaysville.

Mr. Jessop responded saying that the only thing going on at the home location would office work and most of his tools will be in his truck or off site.

Ms. Greenwood said the zoning is R-1-20.

Mr. Krum approached the Commissioners and was asked by Chair Lyon if he will be mostly doing business as a handyman and where he will be storing his equipment.

Mr. Krum responded saying that he will be doing paper work at the home and storing everything else in his warehouse.

Commissioner Packer made a motion to approve the Conditional Use Permit for Horizon Renovations at 891 South Kays Drive and Commissioner Young seconded the motion. The vote was unanimous in favor of the motion (6-0).

Commissioner Young: Yay
Commissioner Shepard: Yay
Commissioner Lyon: Yay
Commissioner Packer: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Absent

4- PLANNING COMMISSIONER TRAINING

Commissioner Sommerkorn gave a presentation on "Planning Commission 101" for the Commissioners.

4- APPROVAL OF THE MINUTES FROM THE JANUARY 25, 2024 PLANNING COMMISSION MEETING

Commissioner Allred (who arrived late to the meeting) made the motion to approve the minutes and Commissioner Shepard seconded the motion and the vote was unanimous in favor of the motion (7-0).

Commissioner Young: Yay
Commissioner Shepard: Yay
Commissioner Lyon: Yay
Commissioner Packer: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Allred: Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood said she sent out an email regarding the APA training coming up for those interested.

Ms. Greenwood said the City presented the Community Reinvestment Area Plan for Kaysville

City Center to the County Commission and it went really well, so the City is moving forward with the County, Davis School District and other taxing entities.

Ms. Greenwood spoke to the comments and concerns going around regarding Kaysville City having a homeless shelter. She said state laws passed last year require all the class 2 counties to have a location for the homeless shelter for temperatures under 15 degrees

7- ADJOURNMENT

Commissioner Allred motioned to adjourn and Commissioner Young seconded the motion. The meeting ended at 8:48 pm.