



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

The Kaysville City Planning Commission will hold a regular meeting on August 8, 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 Conflict of Interest
3. Oath of Office for new Planning Commissioner, Katie Ellis
4. 2024 Moderate Income Housing Report Presentation
5. Conditional Use Permit for Simply Done Right Electric a Major B Home Occupation at 188 North 650 East for Rick Inman
6. Conditional Use Permit for Swim Lessons by Krista an Instructional Home Occupation at 2247 West Summerfield Way for Krista Wasden
7. Conditional Use Permit for Elysian Construction, LLC a Major B Home Occupation at 314 West 100 North for Thayne Ence
8. Public Hearing for an application to Rezone 579 South Main from PB Professional Business District to GC General Commercial District for Aaron Gomez
9. Consideration of a rezone application for Bryan Carling for 1735 South 550 West from A-1 to R-1-4 (Continued from July 11, 2024 meeting)
10. Approval of the minutes from the July 11, 2024 Planning Commission Meeting
11. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
12. Adjournment

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

Mindi Edstrom
Community Development Department

2024 Moderate Income Housing Report

Items in **red** text are general reporting information.

Items in **blue** text pertain to (A) Rezone for densities necessary to facilitate the production of moderate income housing.

Items in **green** text pertain to (F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

Items in **orange** text pertain to (H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

Items in **purple** text pertain to (J) Implement zoning incentives for moderate income units in new developments.

General Information:

1. Preparer's Name (first and last name): **Melinda Greenwood**
2. Preparer's Job Title: **Community Development Director**
3. Preparer's Email: mgreenwood@kaysville.gov
4. Preparer's Phone: **801-497-7021 (W)**
5. Address: **23 East Center Street, Kaysville UT 84087**
6. Legislative Body's email: **mayor.tran@kaysville.gov**
7. Other staff or elected officials' email: councilmember.jadams@kaysville.gov; councilmember.njackson@kaysville.gov; councilmember.ahunt@kaysville.gov; councilmember.poaks@kaysville.gov; councilmember.mblackham@kaysville.gov; jchristensen@kaysville.gov

Please choose from the following options:

(Select all that apply)

- ☐ 1) The county or municipality is completing the FIRST year of reporting on the moderate income housing plans.
- ☐ 2) The county or municipality implementation plan or strategies were updated or amended during the reporting period.

☒ 3) The county or municipality is in YEAR 2-5 of reporting on implementation plan tasks and timelines. (If the implementation plan has been updated or amended, progress made must be documented in this section of the report.)

Please be aware that zoning data submitted will be shared with the Utah Geospatial Resource Center.

Shapefiles (.shp) must be uploaded using this [link](#). If you have any questions, please contact mih@utah.gov.

If a shapefile is not available, please provide a link to maps and tables:

<https://kaysville.maps.arcgis.com/apps/webappviewer/index.html?id=3e3d37377cf147ec950c581d7aecaca3>

When did the last zoning map or text amendment occur?

In relation to any zone changes regarding MIH, the zoning map was last updated on January 9, 2024.

Entitled units are those units that have a legal right to be developed through the existing residential zone, existing development agreement, or other legal mechanisms for residential development, such as an overlay zone. The purpose of this data collection effort is to capture as built/zoned conditions on the ground. Please report entitled unit data as of May 1, 2024. Do not include any parcels/units that are only planned and in the process of being zoned residential. For example, if a parcel is zoned greenbelt on May 1, 2024 and a rezone application is in process, do NOT count the rezone of the greenbelt parcel in this data.

This report should include the units/parcels/lots/developments which are entitled, including by right, development agreement, or other legal mechanism for residential development. There are various situations where development on a zoned parcel may not be possible, be it geographic constraints, set back requirements, lack of infrastructure, etc. Please feel free to describe this context for your community in the barriers and narrative sections of the report.

Provide a count of residential units (single family, townhome, multi family, etc) that are entitled through a development agreement, planned unit development, or other legal document providing the landowner with the right to build residential units on a parcel, lot, or development that have NOT pulled a building permit.

220 total

132 Creekside Commons multifamily

3 Oak Lane townhomes

3 Oak Lane studio

36 Flint Acres multifamily

30 Flint Acres townhomes

16 Flint Acres single family

Less the units, parcels, lots, or developments reported in the previous question, provide a count of vacant parcels, lots, or developments that include an overlay zone and the number of residential units that could be built on said parcel, lot, or development that have NOT pulled a building permit.

0

Less the units parcels, lots, or developments reported in the previous two questions, provide a count of vacant parcels, lots, or developments that are currently zoned residential (single family, townhome, multi family, etc) and the number of residential units that could be built on said parcel, lot, or development that have NOT pulled a building permit.

324

From the counts reported above, provide a count of the entitled residential units which have received will serve letters from utilities or an equivalent that shows that all utilities and infrastructure (i.e. Roads, water, sewer, power, phone, gas) are complete for the units, parcels, or lots.

544

Describe any barriers to developing these units that have been experienced. These barriers could include infrastructure, public concerns, geographic constraints, etc. Providing detail here allows us to share the experiences and needs of communities to support the data reported above.

Though city staff have encouraged rezones which would more closely meet MIH goals in conversations with developers, over the past year developers have applied for rezones for single family lots with a minimum of 14,000 square feet or more.

There are 127 single family lots which are fully entitled within Kaysville that are unlikely to be developed as they are owned by Jordan Valley Water Conservancy District (62 lots) and Salt Lake County Water Conservancy District (75 lots).

Other barriers experienced would likely be those outside the influence of the city, including interest rates, costs of building materials, and the high costs of land. Discussions with various developers have indicated they want to hold off on development until interest rates are reduced.

Land prices in Kaysville are very high, with a current listing of a .32 acre lot showing at \$315,000. It will be nearly impossible with land costs this high for MIH to become a reality.

Provide any narrative or description to support the data entered above. This could highlight any notable developments moving forward, clarifications of the data, etc.

The 2023 American Community Survey reports Kaysville's population to be 32,941 and shows the median home price increased by \$102,600 from \$410,900 in 2021 to \$513,500 in 2023. The median household income is now \$121,867, up from \$110,700, which is an increase of \$11,167 from the 2023. The 2021 ACS shows the owner occupied housing rate at 87.9%. The 2023 ACS states the number of housing units in the City is 8,996. The median rent increased by \$197 from \$1,145 in 2021 to \$1,342 in 2023.

Safe Harbor, a family crisis shelter located in Kaysville, completed a project in January of 2024 which increased their number of rooms from six to twenty. The facility now has a 31-bed capacity and an overall occupancy of 68 people.

Please describe the number of Accessory Dwelling (internal and external detached or attached) units in your county or municipality to the best of your ability.

How does the county or municipality track known for rent Accessory Dwelling Units (select one)

☐ Count of building permits issued

☒ Count of business licenses or permits to rent issued

☐ Count of conditional use permits issued

o Other _____

Total known number of Accessory Dwelling Units recorded as of the report submission date:

15

Total number of building permits issued to construct an ADU in the county or municipality granted between August 1, 2023 and July 31, 2024:

Unknown

Total number of business licenses or permits to rent an ADU issued in the county or municipality granted between August 1, 2023 and July 31, 2024:

3

Total number of other types of permits or license issued for an ADU in the county or municipality granted between August 1, 2023 and July 31, 2024: (if applicable, please provide the count and type of permit or license issued)

N/A

What types of support would be helpful to our community as you implement the moderate income housing strategies? (Select all that apply)

X Housing supply data

X Housing needs data

X Planning technical assistance

X Model ordinances

X Case studies for strategies

X Staff resources

X Reporting technical assistance

X Guidebooks for planning and reporting

X Education of partnering with nonprofit organizations or housing authorities

Other

Describe any recommendations on how the state can support the county or municipality in implementing the moderate income housing strategies? If none, please write N/A.

N/A

Strategy Progress Reporting:

Please document progress made on the moderate-income housing strategies since the county or municipality received their compliance notice. A county or municipality must report on at least the minimum strategy requirements to comply in the subsequent report.

1. Select a moderate income housing strategy from UCA that the county or municipality has included in its moderate-income housing element. A-Z

(A) Rezone for densities necessary to facilitate the production of moderate income housing.

2. Reference the Implementation Plan for this strategy and list the timelines and benchmarks that were planned to be complete between August 1, 2023 and July 31, 2024. A county or municipality may include an ongoing action taken by the specified county or municipality prior to the 12-month reporting period applicable to the subsequent progress report if the specified county or municipality:

- i) has already adopted an ordinance, approved a land use application, made an investment, or approved an agreement or financing that substantially promotes the implementation of a moderate income housing strategy identified in the initial report;
- ii) demonstrates in the subsequent progress report that the action taken is relevant to making meaningful progress towards the specified county or municipality's implementation plan.

GOAL 1: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.3: (A) Rezone for densities necessary to facilitate the production of moderate income housing.

Timeline

Presenting a timeframe on rezoning property is difficult as the City merely processes rezoning applications and doesn't have any control or influence on when applications are submitted.

- The City will update the zoning map on an annual basis.
- As warranted, the City will update the Future Land Use Map.
- In keeping with best practices, the City will begin a General Plan Update in 2027.

Implementation Measures

- Give appropriate guidance to future applicants on rezone application options to guide development which would have the greatest chance of approval.
- Give positive staff recommendations to rezone applications which are harmonious with the future land use map and the General Plan.
- 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.
- Give consideration to rezone applications which may not have support of the currently adopted General Plan, but make sense in locations which will not detract from the character of existing neighborhoods.

3. What page in the submitted plan can this be found?

54

4. Describe each action taken between August 1, 2023 and July 31, 2024 to implement the tasks listed in Question 2. Include how the actions taken support the county or municipality's effort to implement the strategy.

Creekside Commons MU

On July 13, 2023, the Kaysville City Planning Commission considered an application to rezone 6.259 acres of property at 512 West 350 North from General Commercial to Mixed Use overlay (MU). The MU rezone requires a development agreement and the project proposed 132 apartments along with office space, a hotel and a retail building. The Planning Commission discussed the item and asked staff and the applicant to make changes to the project and bring it back for additional consideration. Some of the Planning Commission's requests included increasing residential density by reducing the number of parking stalls or landscaping and having a shared parking reduction allowance.

The Planning Commission discussed the project for a second time at their August 10, 2023 meeting. After discussion, they issued a recommendation of approval to the City Council for 160 dwelling units and a 24% parking reduction based on shared parking between the residential and commercial portions of the project.

The City Council heard the item at the September 7, 2023 meeting and approved the project unanimously (5-0) with 132 dwelling units and 302 parking stalls. This was a parking reduction of 42 stalls, which is a 12.1% reduction. Changes to the parking reduction from the Planning Commission's recommendation and the City Council's approval were first due to reasonable concerns with the hotel portion of the project having the same overnight parking needs as the apartment buildings. Second, the project site is an irregular shaped property and parking layouts aren't able to be ideally situated. Lastly, the City's MU ordinance only allows for a 10% reduction. However, the City Council's approval of reducing the parking requirements by 42 stalls exceeded the allowance provided in the ordinance by 2.1%.

The Council's approval of 132 units stemmed from concerns about not being able to adequately park the additional housing units and additional traffic in the area.

At 21 units per acre, the Creekside Commons project has the highest density in the history of the city. Additionally, at three stories, the project has the tallest multi-family building that has ever been approved.

The implementation measure from Chapter 3, Housing & Neighborhoods Goal 1, Objective 1.3b states

staff will give a recommendation of approval if a rezone application aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan. The staff report on this item included a recommendation of approval as it aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan.

The City updated the zoning map on September 19, 2023 to reflect the mixed-use zone change.

Oak Lane MU

On December 14, 2023, the Planning Commission considered an application for 166 and 196 North 200 West for a rezone application from General Commercial to Mixed Use overlay (MU). The Oak Lane Project is situated on .71 acres and included a total of six dwelling units, three townhomes and three studio units. Each of the dwelling units included a two-car garage. The project also offered 10,280 square feet of office space and 36 parking stalls. No parking reduction was requested. The Planning Commission sent a unanimous (6-0) recommendation of approval to the City Council.

The City Council considered the rezone at the January 4, 2024 meeting. The project was approved with six dwelling units and met parking requirements and the vote was unanimous (5-0).

The implementation measure from Chapter 3, Housing & Neighborhoods Goal 1, Objective 1.3b states staff will give a recommendation of approval if a rezone application aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan. The staff report on this item included a recommendation of approval as it aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan.

The City updated the zoning map on January 9, 2024 to reflect the mixed-use zone change.

Carling R-4

On July 18, 2024, the Planning Commission considered an application for Bryan Carling for 2.8 acres of agricultural land to be rezoned to R-4, a multi-family zone which allows attached dwelling units in numbers of up to four, depending on the lot size. The current zoning of A-1 requires a minimum of 40,000 square feet for a single-family dwelling. The subject property is located nearly in the middle of an approximate 55-acre region of the City which is currently zoned varying degrees of agricultural uses. The property is accessed through parcels which are not designated as right-of-way and lacks any paved access or culinary water services.

During the Planning Commission meeting, the applicant stated intent to develop the property with townhomes, which is counter to the 2022 Future Land Use Map. Through all previous communications with staff, the concept of single family detached homes had been understood. The staff report and recommendation had been written from the standpoint of single family detached homes, so the surprising communication of townhomes during the meeting created confusion. Given this confusion, the Planning Commission made a motion to have staff work with the applicant to bring a more defined concept back to the August 8, 2024 meeting. The outcome of this application will be fully reported on in the 2025 Moderate Income Housing report.

5. Describe each land use regulation or land use decision made between August 1, 2023 and July 31, 2024 to implement this strategy. Include how the regulations or decisions support efforts to implement the strategy.

Creekside Commons MU

On September 7, 2023 City Council considered an application to rezone 6.259 acres of property at 512 West 350 North from General Commercial to Mixed Use (MU). The MU rezone included 132 dwelling units in an apartment style along with office space, a hotel and a retail building. The City Council approved the project unanimously (5-0) with 132 dwelling units and 302 parking stalls, which was a parking reduction of 42 stalls.

The addition of 132 apartments in Kaysville will be substantial. The Creekside Commons development will be 21 units per acre, and is the densest development ever approved in the City. While a focus on single family homes and ownership exists, especially in regards to public sentiment, there is a need for quality housing units in the renter market, and this development will be the first of its kind for Kaysville.

Oak Lane MU

The City Council considered a rezone application for the Oak Lane mixed use project at 166 and 196 North 200 West at the January 4, 2024 meeting. The Oak Lane Project is situated on a total of .71 acres and includes six dwelling units, three townhomes and three studio units. Each of the dwelling units included a two-car garage. The project also offers 10,280 square feet of office space and 36 parking stalls. No parking reduction was requested. The project was approved with six dwelling units by a unanimous vote (5-0).

6. What barriers were encountered by the county or municipality between August 1, 2023 and July 31, 2024 while implementing this strategy? Describe the barriers, any delay in implementation, steps taken to address the barrier, and whether barriers did or will result in changes to the implementation plan. Documenting barriers provides HCD with context and better supports us in describing what counties and municipalities are experiencing as they implement their plans. The documentation of barriers does not exempt the community from reporting progress toward strategy completion and compliance with the implementation plan. At least the minimum required number of strategies must advance for compliance, regardless of the barriers faced. If no barriers were experienced, write "None."

Neither of the entitled projects have been submitted for building permits. The Creekside Commons MU project (132 units) has received preliminary plat approval. The Flint Acres MU project (82 units) has also received preliminary plat approval.

Both of these projects have phasing requiring the commercial portions to be permitted or constructed prior to receiving building permits for the residential portions.

Several weeks after the Oak Lane MU project was approved, the developer contacted city staff and said with interest rates and building costs, the project was going to be tough to finance and pencil out.

Staff will continue to work with the applicants to get the projects permitted and constructed.

7. Describe the changes observed and any other market responses identified as a result of implementing or taking action to implement this strategy. This question should answer how the actions taken have created changes in the county or municipality, whether positive or negative. Market responses could include units permitted, units entitled, deed restrictions, rezones, households displaced during redevelopment, changes in rents, etc.

The Creekside Commons and the Oak Lane projects are fully entitled. However, neither project has been constructed, nor have building permits been submitted. We are therefore unable to report on how the project and additional housing approvals have impacted the market.

8. Links to supporting documentation (Optional)
Attachment to supporting documentation (Optional)

None

Do you need to submit another strategy? (You will not be able to enter more information or go back after choosing "No". Please make sure you have entered all information up to this point.)

☒ Yes

☐ No

1. Select a moderate income housing strategy from UCA that the county or municipality has included in its moderate-income housing element. A-Z

(H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

2. Reference the Implementation Plan for this strategy and list the timelines and benchmarks that were planned to be complete between August 1, 2023 and July 31, 2024. A county or municipality may include an ongoing action taken by the specified county or municipality prior to the 12-month reporting period applicable to the subsequent progress report if the specified county or municipality:

- i) has already adopted an ordinance, approved a land use application, made an investment, or approved an agreement or financing that substantially promotes the implementation of a moderate income housing strategy identified in the initial report;
- ii) demonstrates in the subsequent progress report that the action taken is relevant to making meaningful progress towards the specified county or municipality's implementation plan.

GOAL 1: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.2:

(H) Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities.

Timeline

In 2024, staff will present an ordinance to the Planning Commission for a recommendation and seek approval from the City Council.

Implementation Measures

- Research best practices for parking reductions in relation to Kaysville's size, needs and existing transit opportunities.
- Identify future transit expansion opportunities and plan for parking flexibility as those areas redevelop.
- Draft and present a text amendment to Planning Commission and seek approval from the City Council to amend existing parking requirements.

3. What page in the submitted plan can this be found?

54

4. Describe each action taken between August 1, 2023 and July 31, 2024 to implement the tasks listed in Question 2. Include how the actions taken support the county or municipality's effort to implement the strategy.

Creekside Commons MU

Changes to the City's Mixed Use ordinance to allow parking requirements were accelerated, approved and previously reported on the 2023 Moderate Income Housing Report. However, we have had ongoing efforts. On September 7, 2023 the City Council unanimously (5-0) approved a mixed use project and rezone request for 132 dwelling units, a hotel, an office building and retail space. The City's code required a total of 344 parking stalls, but the project was approved with only 302 parking stalls. This was a parking reduction of 42 stalls, which is a reduction of 12.1% based on shared parking.

This was the first opportunity for the City to approve a parking reduction based on the changes made to code the year prior.

5. Describe each land use regulation or land use decision made between August 1, 2023 and July 31, 2024 to implement this strategy. Include how the regulations or decisions support efforts to implement the strategy.

On September 7, 2023 the City Council unanimously (5-0) approved a mixed use project and rezone request for 132 dwelling units, a hotel, an office building and retail space. The City's code required a total of 344 parking stalls, but the project was approved with only 302 parking stalls. This was a parking reduction of 42 stalls, which is a reduction of 12.1% based on shared parking.

This was the first opportunity for the City to approve a parking reduction based on the changes made to code the year prior. Implementation of the previously approved parking reduction allowance in the city's MU ordinance allowed for a substantial parking reduction of 12.1%.

6. What barriers were encountered by the county or municipality between August 1, 2023 and July 31, 2024 while implementing this strategy? Describe the barriers, any delay in implementation, steps taken to address the barrier, and whether barriers did or will result in changes to the implementation plan. Documenting barriers provides HCD with context and better supports us in describing what counties and municipalities are experiencing as they implement their plans. The documentation of barriers does not exempt the community from reporting progress toward strategy completion and compliance with the implementation plan. At least the minimum required number of strategies must advance for compliance, regardless of the barriers faced. If no barriers were experienced, write "None."

None

7. Describe the changes observed and any other market responses identified as a result of implementing or taking action to implement this strategy. This question should answer how the

actions taken have created changes in the county or municipality, whether positive or negative. Market responses could include units permitted, units entitled, deed restrictions, rezones, households displaced during redevelopment, changes in rents, etc.

This project has not yet been constructed and therefore we are unable to report on how the parking reduction has impacted the market.

8. Links to supporting documentation (Optional)

Attachment to supporting documentation (Optional)

None

Do you need to submit another strategy? (You will not be able to enter more information or go back after choosing "No". Please make sure you have entered all information up to this point.)

☒ Yes

☐ No

1. Select a moderate income housing strategy from UCA that the county or municipality has included in its moderate-income housing element. A-Z

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

2. Reference the Implementation Plan for this strategy and list the timelines and benchmarks that were planned to be complete between August 1, 2023 and July 31, 2024. A county or municipality may include an ongoing action taken by the specified county or municipality prior to the 12-month reporting period applicable to the subsequent progress report if the specified county or municipality:

- i) has already adopted an ordinance, approved a land use application, made an investment, or approved an agreement or financing that substantially promotes the implementation of a moderate income housing strategy identified in the initial report;
- ii) demonstrates in the subsequent progress report that the action taken is relevant to making meaningful progress towards the specified county or municipality's implementation plan.

GOAL 1: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.4

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

Timeline

- Presenting a timeframe on this item is difficult as the City merely processes rezoning applications and doesn't have any control or influence on when applications are submitted. Amending existing code for mixed use development can be accomplished in 2023.
- The City will update the zoning map on an annual basis.
- As warranted, the City will update the Future Land Use Map.
- In keeping with best practices, the City will begin a General Plan Update in 2027.

Implementation Measures

- a. Give appropriate guidance to future applicants on rezone application possibilities for mixed use zoning options which would have the greatest chance of approval.
- b. Give positive staff recommendations to rezone applications which are harmonious with the future land use map and the General Plan.
- c. 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.
- d. Give consideration to rezone applications which may not have support of the currently adopted General Plan, but make sense in locations which will not detract from the character of existing neighborhoods.
- e. Amend existing mixed use code to allow for greater flexibility in relation to moderate income

housing.

3. What page in the submitted plan can this be found?

54

4. Describe each action taken between August 1, 2023 and July 31, 2024 to implement the tasks listed in Question 2. Include how the actions taken support the county or municipality's effort to implement the strategy.

Creekside Commons MU

On July 13, 2023, the Kaysville City Planning Commission considered an application to rezone 6.259 acres of property at 512 West 350 North from General Commercial to Mixed Use (MU). The location of this project is just east of I-15 off the 200 North exit and is centered in a well-established commercial area. The MU rezone code requires a development agreement and the project proposed 132 apartments along with office space, a hotel and a retail building. The Planning Commission discussed the item and asked staff and the applicant to make changes to the project and bring it back for additional consideration. Some of the Planning Commission's requests included increasing residential density by reducing the number of parking stalls or landscaping and having a shared parking reduction allowance.

The Planning Commission discussed the project for a second time at their August 10, 2023 meeting. After discussion, they issued a recommendation of approval to the City Council for 160 dwelling units and a 24% parking reduction based on shared parking between the residential and commercial portions of the project.

The City Council heard the item at the September 7, 2023 meeting and approved the project unanimously (5-0) with 132 dwelling units and 302 parking stalls. This was a parking reduction of 42 stalls, which is a 12.1% reduction. Differences to the parking reduction from the Planning Commission's recommendation and the City Council's approval were first due to reasonable concerns with the hotel portion of the project having the same overnight parking needs as the apartment buildings. Second, the project site is an irregular shaped property and parking layouts aren't able to be ideally situated. The Council's approval of 132 units stemmed from concerns about not being able to adequately park the additional housing units and additional traffic in the area.

At 21 units per acre, the Creekside Commons project has the highest density in the history of the city. Additionally, at three stories, the project has the tallest multi-family building that has ever been approved.

The implementation measure from Chapter 3, Housing & Neighborhoods Goal 1, Objective 1.3b states staff will give a recommendation of approval if a rezone application aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan. The staff report on this item included a recommendation of approval as it aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan.

The City updated the zoning map on September 19, 2023 to reflect the mixed-use zone change.

Oak Lane MU

On December 14, 2023, the Planning Commission considered an application for 166 and 196 North 200 West for a rezone application from General Commercial to Mixed Use (MU). The location of this project is just east of I-15 off on 200 North and is centered in a well-established commercial area. The Oak Lane Project is situated on .71 acres and includes a total of six dwelling units, three townhomes and three studio units. Each of the dwelling units included a two-car garage. The project also offers 10,280 square feet of office space and 36 parking stalls. No parking reduction was requested. The Planning Commission sent a unanimous (6-0) recommendation of approval to the City Council.

The City Council considered the rezone at the January 4, 2024 meeting. The project was approved with six dwelling units, met parking requirements and the vote was unanimous (5-0).

The implementation measure from Chapter 3, Housing & Neighborhoods Goal 1, Objective 1.3b states staff will give a recommendation of approval if a rezone application aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan. The staff report on this item included a recommendation of approval as it aligned with the 2022 Future Land Use Map and other portions of the 2022 General Plan.

The City updated the zoning map on January 9, 2024 to reflect the mixed-use zone change.

5. Describe each land use regulation or land use decision made between August 1, 2023 and July 31, 2024 to implement this strategy. Include how the regulations or decisions support efforts to implement the strategy.

Creekside Commons MU

On September 7, 2023 City Council considered an application to rezone 6.259 acres of property at 512 West 350 North from General Commercial to Mixed Use (MU). The MU rezone included 132 dwelling units in an apartment style along with office space, a hotel and a retail building. The City Council approved the project unanimously (5-0) with 132 dwelling units.

Oak Lane MU

The City Council considered a rezone application for the Oak Lane mixed use project at 166 and 196 North 200 West at the January 4, 2024 meeting. The Oak Lane Project is situated on a total of .71 acres and includes six dwelling units, three townhomes and three studio units. Each of the dwelling units included a two-car garage. The project also offers 10,280 square feet of office space and 36 parking stalls. The project was approved with six dwelling units by a unanimous vote (5-0).

6. What barriers were encountered by the county or municipality between August 1, 2023 and July 31, 2024 while implementing this strategy? Describe the barriers, any delay in implementation, steps taken to address the barrier, and whether barriers did or will result in changes to the implementation plan. Documenting barriers provides HCD with context and better supports us in

describing what counties and municipalities are experiencing as they implement their plans. The documentation of barriers does not exempt the community from reporting progress toward strategy completion and compliance with the implementation plan. At least the minimum required number of strategies must advance for compliance, regardless of the barriers faced. If no barriers were experienced, write "None."

None

7. Describe the changes observed and any other market responses identified as a result of implementing or taking action to implement this strategy. This question should answer how the actions taken have created changes in the county or municipality, whether positive or negative. Market responses could include units permitted, units entitled, deed restrictions, rezones, households displaced during redevelopment, changes in rents, etc.

The Creekside Commons and the Oak Lane projects are fully entitled. However, neither project has been constructed, nor have building permits been submitted. We are therefore unable to report on how the project and additional housing approvals have impacted the market.

8. Links to supporting documentation (Optional)
Attachment to supporting documentation (Optional)

None

Do you need to submit another strategy? (You will not be able to enter more information or go back after choosing "No". Please make sure you have entered all information up to this point.)

☒ Yes

☐ No

1. Select a moderate income housing strategy from UCA that the county or municipality has included in its moderate-income housing element. A-Z

(J) Implement zoning incentives for moderate income units in new developments.

2. Reference the Implementation Plan for this strategy and list the timelines and benchmarks that were planned to be complete between August 1, 2023 and July 31, 2024. A county or municipality may include an ongoing action taken by the specified county or municipality prior to the 12-month reporting period applicable to the subsequent progress report if the specified county or municipality:

- i) has already adopted an ordinance, approved a land use application, made an investment, or approved an agreement or financing that substantially promotes the implementation of a moderate income housing strategy identified in the initial report;
- ii) demonstrates in the subsequent progress report that the action taken is relevant to making meaningful progress towards the specified county or municipality's implementation plan.

GOAL 1: PROVIDE A FULL RANGE OF HOUSING OPPORTUNITIES TO MEET THE ECONOMIC, LIFESTYLE AND LIFECYCLE NEEDS AND EXPECTATIONS FOR RESIDENTS

Objective 1.5

(J) Implement zoning incentives for moderate income units in new developments.

Timeline

In 2023, research best practices for zoning incentives and density bonuses in preparation for presenting appropriate text amendments to the Planning Commission and City Council in 2024.

Implementation Measures

- a. Conduct research regarding best practices on zoning incentives in relation to moderate income and affordable housing.
- b. Solicit feedback from the local development community on feasible and desirable incentives and incorporate feedback into text amendments as appropriate.
- c. Draft applicable text amendments for residential and mixed use zones to incentivize and allow for the construction of moderate income housing.

3. What page in the submitted plan can this be found?

55

4. Describe each action taken between August 1, 2023 and July 31, 2024 to implement the tasks listed in Question 2. Include how the actions taken support the county or municipality's effort to implement the strategy.

Staff conducted research on zoning incentives in November and December of 2023. Staff pulled data from Salt Lake City, Provo, Park City, West Valley City, Heber and Ogden. In addition, information from

Portland, Oregon was reviewed and compiled. The majority of the information reviewed included details on density bonuses in exchange for proffering moderate income housing. Research on how these bonuses can successfully be implemented includes deed restrictions, development agreements and having an affordable housing overlay which could be added in certain zones.

Topics of fee waivers and reductions, parking reductions near adequate transit and fast-tracked permitting were also researched.

Staff is currently reviewing the research and plans to bring an ordinance to the Planning Commission for consideration this fall with action by the City Council in November or December.

5. Describe each land use regulation or land use decision made between August 1, 2023 and July 31, 2024 to implement this strategy. Include how the regulations or decisions support efforts to implement the strategy.

This has not yet been taken forward for action, however research and data compilation has been conducted.

6. What barriers were encountered by the county or municipality between August 1, 2023 and July 31, 2024 while implementing this strategy? Describe the barriers, any delay in implementation, steps taken to address the barrier, and whether barriers did or will result in changes to the implementation plan. Documenting barriers provides HCD with context and better supports us in describing what counties and municipalities are experiencing as they implement their plans. The documentation of barriers does not exempt the community from reporting progress toward strategy completion and compliance with the implementation plan. At least the minimum required number of strategies must advance for compliance, regardless of the barriers faced. If no barriers were experienced, write "None."

The City experienced a staffing deficiency for several months in early 2024, making the continuation of drafting an ordinance based on the research conducted in 2023 stall. Staff should still be able to make the timeline of bringing an ordinance forward for consideration by the end of 2024.

7. Describe the changes observed and any other market responses identified as a result of implementing or taking action to implement this strategy. This question should answer how the actions taken have created changes in the county or municipality, whether positive or negative. Market responses could include units permitted, units entitled, deed restrictions, rezones, households displaced during redevelopment, changes in rents, etc.

Not applicable as only research has been conducted.

8. Links to supporting documentation (Optional)
Attachment to supporting documentation (Optional)

None

Do you need to submit another strategy? (You will not be able to enter more information or go back after choosing "No". Please make sure you have entered all information up to this point.)

☐ Yes

☒ No

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: July 31, 2024

Agenda Item #5: Conditional Use Permit for a Major B Home Occupation for Simply Done Right Electric at 188 North 650 East for Rick Inman

Meeting Date	August 8, 2024
Application Type	Conditional Use Permit
Applicant Owner	Rick Inman Simply Done Right Electric
Address Parcel ID Number	188 North 650 East 11-102-0033
Lot Size	0.27 11,761 ft ²
Current Use Zone	Single Family Dwelling R-1-8
Conditional Use	Major B Home Occupation

1. BACKGROUND

Mr. Rick Inman is one of the owners of Simply Done Right Electrical, LLC located at 188 North 650 East which is zoned R-1-8. Simply Done Right Electric is a commercial and residential electric contractor business run by Rick Inman, who has his Apprentice Electrician License and his son Dylan Inman, who has his Master Electrician License. Rick and his son Dylan own and live at the home together and it will be used mainly as an office for business logistics. The only equipment they have is a work truck that will be parked daily in the driveway and they will use a storage room in the basement to store miscellaneous electrical supplies.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, August 2, 2024. No comments have been received.

3. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 188 North 650 East for Simply Done Right Electrician LLC with any conditions Planning Commission feel are necessary based on standards in [KCC 17-30-8](#).

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4 Major Home Occupation B](#) regulations for Contractors that have equipment such as a trailer stored at the home.
- B. The applicant has been made aware of Major B 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 neighborhood as regulated by [KCC 17-26-4 Major Home Occupation B](#) regulations.

PLANNING COMMISSION STAFF REPORT

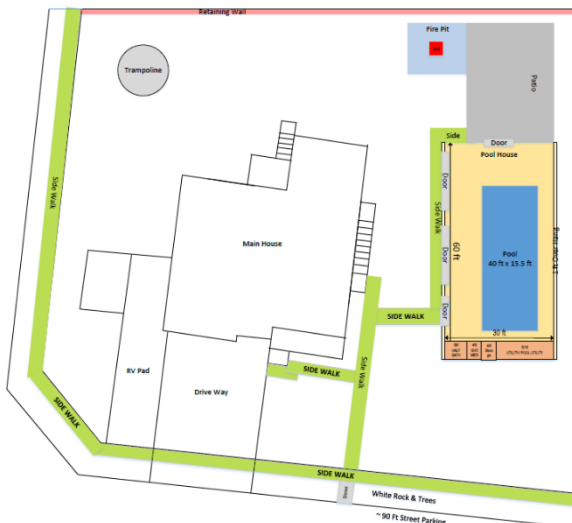
To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: Aug 1, 2024

Agenda Item 6: Conditional Use Permit for Swim Lessons by Krista an Instructional Home Occupation at 2247 West Summerfield Way for Krista Wasden

Meeting Date	August 8, 2024
Application Type	Conditional Use Permit
Applicant Owner	Swim Lessons by Krista Krista Wasden
Address Parcel ID Number	2247 West Summerfield Way 11-863-0109
Lot Size	0.43 acres 18,730 ft ²
Current Use	Single Family Dwelling
Conditional Use	Instructional Home Occupation Business

1. BACKGROUND

Krista Wasden is the owner of Swim Lessons by Krista and will be giving swimming instruction at 2247 West Summerfield Way. Ms. Wasden will be using the pool of Jill Derington and she has signed a consent form allowing Swim Lessons by Krista to use her pool on Saturday's beginning at 9:00 am where she will teach private lessons as well as small group lessons up to 5 students. The lessons will last 45 minutes and there will be a 15 gap between lessons. Students will be able to park in front of the home as well as the driveway for their lessons. Ms. Wasden is compliant with the State of Utah and the City of Kaysville.





2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on August 2, 2024.

3. RECOMMENDATION

Staff is recommending approval of Conditional Use Permit for the Instructional Home Occupation Business at 2247 West Summerfield Way for Swim Lessons by Krista with any conditions Planning Commission feel are necessary based on standards in [KCC 17-30-8](#).

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4b Instructional Home Occupation](#) regulations for classes of no more than 12 students and 4 instructors.
- 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

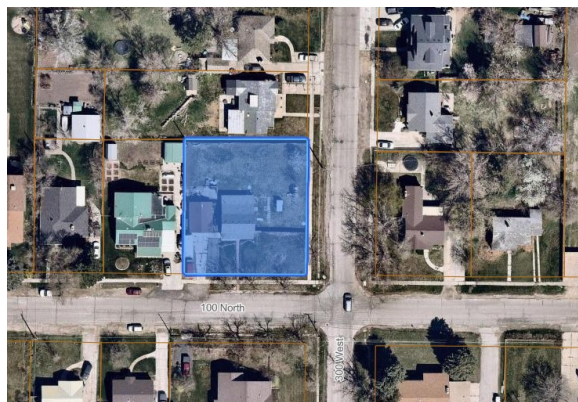
To: Kaysville City Planning Commission
From: Mindi Edstrom, Business License Officer
Date: August 1, 2024

Agenda Item #7: Conditional Use Permit for a Major B Home Occupation for Elysian Construction LLC located at 314 West 100 North for Thayne Ence

Meeting Date	August 8, 2024
Application Type	Conditional Use Permit
Applicant Owner	Thayne Ence Elysian Construction
Address Parcel ID Number	314 West 100 North 11-102-0033
Lot Size	0.34 14,810 ft ²
Current Use Zone	Single Family Dwelling R-T Zone
Conditional Use	Major B Home Occupation

1. BACKGROUND

Mr. Thayne Ence is the owner of Elysian Construction, LLC located at 314 West 100 North which is in the R-T zone of Kaysville City. Elysian Construction is a General Contractor business. Mr. Ence is in the process of completing his General Contractors license with the State of Utah and is compliant with the Department of Commerce. Once that is completed the city will finish approval of his business license. The home will be strictly used as a home office and no equipment or supplies will be stored at the location and there will be no employees or customers at the home.



2. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on Friday, August 2, 2024.

3. RECOMMENDATION

Staff is recommending approval of this Conditional Use Permit located at 188 North 650 East for Simply Done Right Electrician LLC with any conditions Planning Commission feel are necessary based on [KCC 17-30-8](#).

Findings for a recommendation of approval include:

- A. The proposed use is consistent with the [KCC 17-26-4 Major Home Occupation B](#) regulations for Contractors that have equipment such as a trailer stored at the home.
- B. The applicant has been made aware of Major B 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 17-26-4 Major Home Occupation B](#) regulations.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: August 1, 2024

Agenda Item #8: Rezone request and public hearing for 579 South Main Street from a PB Professional Business District to a GC General Commercial District for applicant for Aaron Gomez

Meeting Date	August 8, 2024
Application Type	Rezone
Applicant Owner	Aaron Gomez Kaysville Main LLC
Address Parcel ID Number	579 South Main Street 07-099-0035
Lot Size	0.179. acre 7,797 ft ²
Current Use	Business office
Current Zoning	PB Professional Business District
Density Entitlement	NA
Requested Zoning	GC General Commercial District
Density Entitlement	NA

1. BACKGROUND

The subject property is a 0.179 acre parcel on the east side of Main Street at 579 South Main Street. It has been the office space of Wasatch ActionCOACH business consulting since 2021.

The Professional Business Zone allows for business and professional use, as well as accessory uses that are related to the permitted use in the zone. The change to a General Commercial zone would allow for additional commercial uses including retail sales and services, and government offices according to the provisions of KCC 17-19-3.



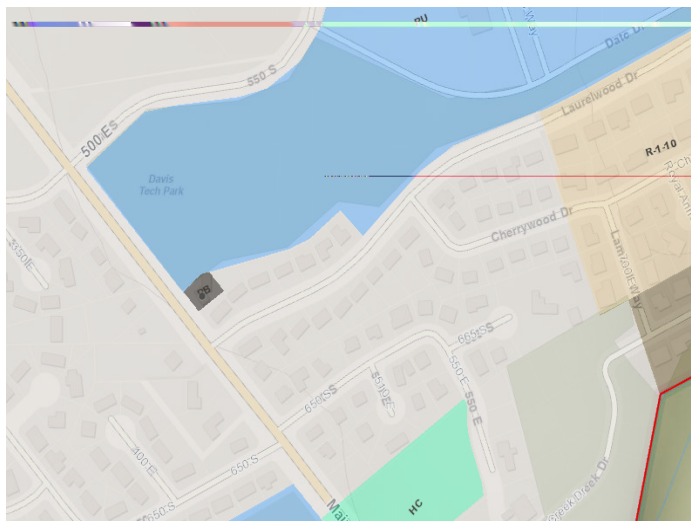
The site has been rezoned in the past, through an application that was approved by Planning Commission in September of 2021. At that time the property was zoned for Professional Business

and had a history of various commercial uses. The rezone was requested to allow for an adult day care under the Health Care zoning permitted uses.

2. SURROUNDING LAND USE AND ZONING

The parcel is located on the east side of Main Street and 579 South Main is the address. The application submitted for the Commission's consideration of whether or not the rezone to the GC zone on the subject property is appropriate for the location, the following characteristics of the surrounding area and neighborhood are provided.

- **Adjacent** – Public Utilities lot for Davis Technical College, R-1-8 on all other sides
- **North** – PU for Davis Technical College
- **South** – Health care district to the south
- **East** – R-1-10 to the east
- **West** – R-1-8 to the west



3. GENERAL PLAN

The future land use map on the 2022 General Plan shows the property at 579 South Main Street to be zoned as a commercial use, which includes the GC zone. The rezone request to General Commercial is supported by the future land use map.

Staff review of the General Plan believes it supports the zone change proposed. The future land use section of the plan encourages the redevelopment and maintenance of uses “along 200 North, Historic Main Street and Deseret Drive.” In the goals section the plan also delineates in Objective 2.3 that the City to should “carefully integrate new developments with existing uses in established neighborhoods.” By rezoning this property from Professional Business to General Commercial, the property is given allowance for a wider range of commercial uses that can help facilitate the redevelopment of existing uses that the Plan encourages. Furthermore, the Economic Development Chapter 5 explains that existing neighborhoods are expected and anticipated to redevelop with small scale office sites within existing neighborhoods. Allowing rezones of existing commercial sites to promote redevelopment also aligns with Objective 1.2 of the Economic Development chapter that states “Focus on small scale and local services to meet public requests and provide local growth.”



4. ZONING

GC ZONE

The General Commercial zone is intended to *“provide for appropriate uses in locations in which business, commercial, industrial, entertainment, and related activities may be established. The regulations of this district are designed to provide for a suitable environment for those uses which are vital to the economic life of the city.”*

The existing zone of PB permits businesses and professional offices as well as accessory uses which are incidental to those uses. By revising the zoning of the property to be GC, the zoning will allow a wider range of commercial uses including offices, retail sales and services, conditional sale of beer and liquor for consumption, and government offices and services.

The conditional uses of the GC zone as listed in KCC 17-9-4 are listed below:

17-19-4 Conditional Uses

Compliance with standards shall be determined by the Planning Commission by reference to KCC 17-30.

- 1. Single family dwellings which are an integral part of a commercial use and serves as housing for the proprietor or an employee.*
- 2. Light industry/research uses subject to the provisions of KCC 17-23.*
- 3. Buildings of height greater than thirty-five feet (35').*
- 4. Recreational vehicle parks subject to the provisions of KCC 17-31-24.*
- 5. Public utility substations.*
- 6. Sale of beer for consumption on the premises of a full-service restaurant, limited service restaurant, beer-only restaurant, banquet or reception center.*
- 7. Sale of liquor for consumption on the premises of a full-service restaurant, limited service restaurant, banquet or reception center.*

Any uses in the GC zone are subject to the height regulations as listed in KCC 17-19-76:

17-19-6 Height Regulations

- 1. No building shall exceed thirty-five feet (35') in height, except pursuant to KCC 17-19-4.*
- 2. No building shall be less than ten feet (10') in height.*

17-19-5 Special Provisions

The design of off-street parking facilities shall assure compatibility of vehicular and pedestrian circulation. Site plan drawings prepared for site plan review shall illustrate clearly all existing and proposed vehicular and pedestrian paths.

17-19-7 Area, Lot Coverage And Yard Requirements

There are no lot size or yard requirements except that where a lot in the General Commercial District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20').

17-19-8 Prohibited Uses

Uses which are singularly focused on vehicles are expressly prohibited on properties with frontage along 200 North between I-15 and 100 East and Main Street between the City's northern border and 100 South. Such uses include but are not limited to auto repair shops, tire shops, auto detailing services, towing services, auto tinting services, auto rentals, lube and oil service stations, spray and tunnel car washes, windshield repair centers, drive-through establishments which do not include indoor retail or dining spaces for customers and other uses which create a heavy emphasis on vehicle space.

5. PUBLIC COMMENT

A total of 43 public notices were mailed to property owners within 500' of the subject property and a sign was placed on the property on Friday, August 2, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending the zone change with support of the 2022 General Plan as the best compatible zone for the new proposed business.

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

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Melinda Greenwood, Community Development Director
Date: August 5, 2024

Agenda Item #9: Consideration of a rezone application for 1735 South 550 West from A-1 Light Agricultural District to R-4 One to Four Family Residential District for applicant Bryan Carling (continued from July 11, 2024)

Meeting Date	August 8, 2024
Application Type	Rezone
Applicant Owner	Bryan Carling MOBA LLC
Address Parcel ID Number	1735 South 550 West 08-027-0008
Lot Size	2.8 acres 121,968 ft ²
Current Use	Agricultural
Current Zoning	A-1 Light Agricultural District (40,000 ft ² min. lot size)
Density Entitlement	3 dwelling units
Requested Zoning	R-4 One to Four Family Residential District (3,000 ft ² min. lot size)
Density Entitlement	≤ 40 dwelling units (27 Units Proposed)

1. BACKGROUND

This item was continued from the July 11, 2024 Planning Commission meeting as the Commission motioned for the applicant and staff work together to return with a different proposal which was less dense. After several discussions between staff and the applicant, Mr. Carling wishes to proceed with his application for R-4 as it was originally submitted.

As a refresher, Bryan Carling submitted an application to rezone his property located at approximately 1735 South 550 West from A-1 to R-4, which is a medium density zone. The property has historically been used for the keeping of horses and is largely surrounded by undeveloped agricultural land.



Access to the property comes from a private drive owned by the City but it is not dedicated as public right of way.

If the property were to be subdivided with the A-1 zoning, the potential to have three dwelling units is possible. If the R-4 zoning were to be implemented, although unlikely, the density allowed could be as many as 40 units. *It should be noted that in either subdivision scenario described in this paragraph the land needed to dedicate a public road and property dimensions are not taken into account. The number of allowable lots is likely 20-30% less than the figures outlined above.*

Mr. Carling submitted a subdivision concept (attached) that proposes 27 units which are townhome style dwellings and the initial creation of eight lots, broken down as shown below.

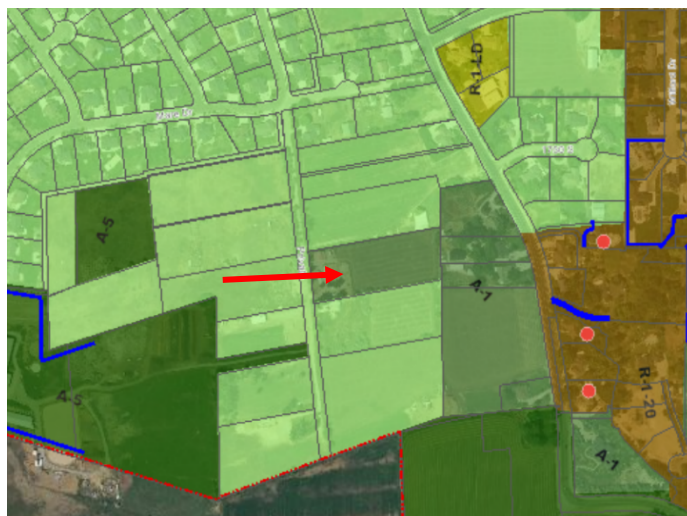
- Four lots approximately 12,000 ft² in size with four townhomes (16 units).
- Three lots approximately 10,000 ft² with three townhomes (9 units).
- One lot approximately 10,000 ft² with two townhomes (2 units).

The subdivision concept also includes a public road with a stubbed road leading to the parcel south of the Carling property.

2. SURROUNDING LAND USE

When contemplating a rezone, a careful look at the existing character of the area should be considered. The parcel is surrounded by land that is zoned agricultural and is located on a private drive which is unimproved. The property is on the east side of 550 West and is located in the southwest quadrant of the City west of Sunset Drive. The current zoning and existing characteristics are discussed in more detail in the bulleted list below.

- **Adjacent** – Directly adjacent to the subject property are agricultural uses and some single family homes to the east.
- **North** – Properties to the north are zoned R-A, which is a single family agricultural zone that requires a minimum lot size of 21,780 ft². There are three undeveloped parcels north of the subject property. Further north of that are single family homes which are also zoned R-A.
- **South** – Directly south of the parcel are properties which are zoned R-A. Further south are properties which are zoned A-5 Heavy Agriculture. The border between Kaysville and Farmington is also south of the subject property.



- **East** – Properties to the east are in the A-1 zone and have lots which front Sunset Drive and have single family dwellings. Across Sunset Drive are single family homes in the R-1-20 zone.
- **West** – Across the private drive on 550 West are properties within the R-A Agricultural Residential zone, which requires a minimum lot size of 21,780 ft². Directly across the street from the Carling property is Bridle Up Hope, a 501(c)(3) which is an equestrian center for girls and women in need of hope, confidence and resilience. Further to the west is the Sunset Equestrian Center.

The area surrounding the subject property allows single family homes even though they are considered agricultural zones. Those properties are all categorized as low density single family, and a change to the R-4 zone could allow attached dwelling units in numbers of two, three or four, depending on lot size. The rezone would bring medium density to the area which doesn't currently exist and allow lots as small as 3,000 ft². It is reasonable to believe the area will develop in the future, however, even with that thought, the R-4 zone is a stark contrast to the existing conditions and currently does not seem to be a good fit.

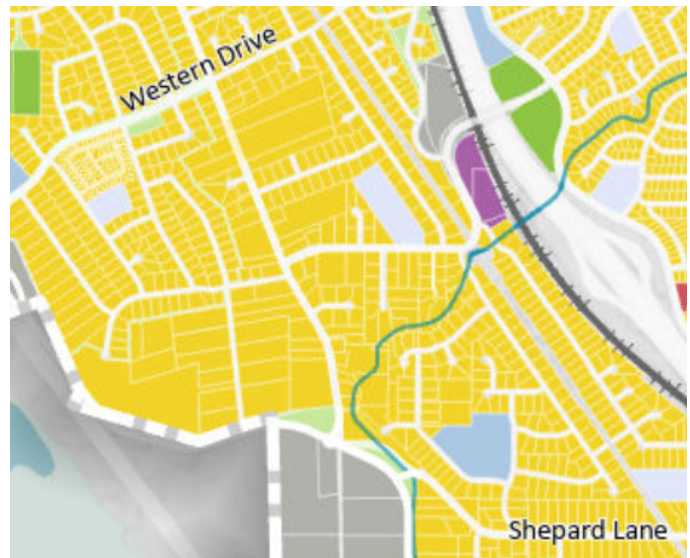
3. 2022 GENERAL PLAN

a. FUTURE LAND USE MAP

The 2022 General Plan Future Land Use Map indicates the property is to be used as single family. The proposed zone change to R-4, medium density and multifamily is not supported by the Future Land Use Map.

b. GUIDING PRINCIPLES

The 2022 General Plan has several additional components which support the rezone application and proposed project. One of the five **guiding principles** says the City should look to:



Provide diverse housing options - We will work to preserve our existing neighborhoods while accommodating a full range of housing opportunities to meet the economic, lifestyle and life-cycle needs of our residents.

The proposed R-4 zoning and small lots will increase the housing supply in Kaysville and provide additional options which do not currently exist, especially in this area of the City.

c. GOALS, OBJECTIVES AND IMPLEMENTATION MEASURES

The 2022 General Plan has a section of goals, objectives and implementation measures at the end of each chapter. Staff has reviewed these sections to determine if there is adequate support for the rezone request.

- i. **Chapter 1 Land Use & Placemaking Plan** outlines Goal 1 and 5, which do not entirely support the R-4 rezone. However, Goal 8 in the same chapter does support the rezone request.

Goal 1: Preserve and protect Kaysville's "small town" atmosphere by limiting change in functioning neighborhoods and districts. It is reasonable to advocate that this agricultural district is functioning and changing the area by adding medium density housing would detract from the existing atmosphere. The Planning Commission should give this goal adequate consideration as the rezone approval would set a tone for the area and shift the rural agricultural feel which currently exists.

Goal 5: Preserve and enhance Kaysville's remaining pastoral atmosphere and agricultural history through careful planning and the preservation of open space. The objectives which support this goal speaks to cluster subdivisions and conservations easements. Because the R-4 rezone requires the dedication of at least 600 square feet of open space per unit, one could consider this a cluster subdivision of sorts. With 27 units proposed for multifamily units, the development would need to provide at least 16,200 ft² of open space.

Conversely, the development of 2.8 acres in a well-established agricultural area could be seen as the antithesis of this goal, especially when R-4 is a medium density zone and no conservation easements are required or proposed by the applicant.

Goal 8: Provide a range of housing options and price points that help ensure Kaysville is an affordable place to live. Kaysville is limited in its existing housing options and affordability. The provision of 27 townhomes would diversify housing options and price points, especially in this area of the community.

- ii. **Chapter 3: Housing and Neighborhoods**

The General Plan was amended in November of 2022 to account for the State's laws which are designed to increase the production of moderate income housing. Cities must now include moderate income housing goals in general plans. Moderate Income Housing portions of the 2022 General Plan which support the rezone application follow.

Goal 1: Provide a full range of housing opportunities to meet economic, lifestyle, and lifecycle needs and expectations for residents. Rezoning this property to R-4 would provide needed housing which is outside the large lots that are traditionally offered in Kaysville, specifically in this area of the city.

Objective 1.3: Rezone for densities necessary to facilitate the production of moderate income housing. The density and type of housing offered by the proposed R-4 rezone should facilitate housing which is considered moderate income housing.

4. ZONING

The purpose statement for the [R-4 One to Four Family Residential District](#) states:

To provide for areas in appropriate locations where quiet medium density development may be established, maintained and protected. The regulations permit the establishment of one, two, three and four-family dwellings, and also permit, with proper controls, public and quasi-public activities such as schools, libraries, churches, parks and playgrounds.

Single family dwellings as well as multifamily dwellings of no more than four units are allowed in the zone. The R-4 zone requires frontage of at least 70' for a main building and setbacks are 25' for the front yard and 8' for side yards. The rear yard setback is 15'.

Lot size for R-4 dwellings require:

- 8,000 ft² – One or two-family dwelling
- 10,000 ft² – Three-family dwelling
- 12,000 ft² – Four-family dwelling

Buildings must be at least 10' in height and cannot exceed 30' in height. The R-4 zone also requires 600 ft² of open space per unit and 20 ft² of outdoor storage space for each unit.

The Planning Commission should determine if the purpose statement for the R-4 zone is fulfilled in this particular location.

5. PUBLIC NOTICE AND PUBLIC COMMENT

Public notices were mailed on Friday, June 28, 2024 and a sign was placed on the property on that same day.

The Planning Commission has received dozens of emails through the contact portal on the City's website. Additionally, a public hearing was held at the July 11, 2024 Planning Commission meeting where many citizens commented and expressed their opposition to the rezone application. These comments are summarized in the draft minutes included in this packet.

6. RECOMMENDATION

The Moderate Income Housing section of the 2022 General Plan states an application which is not supported by the Future Land Use Map but has other areas which support the rezone application should be given "strong consideration" for approval. This application falls into that category. Staff is confident that a recommendation of approval *is not required* for future reporting compliance.

While the 2022 General Plan contains some information which supports the application, overall, after closely reviewing the guiding principles, goals, objectives and implementation measures elsewhere in the General Plan, staff is unable to offer a positive recommendation for the rezone request.

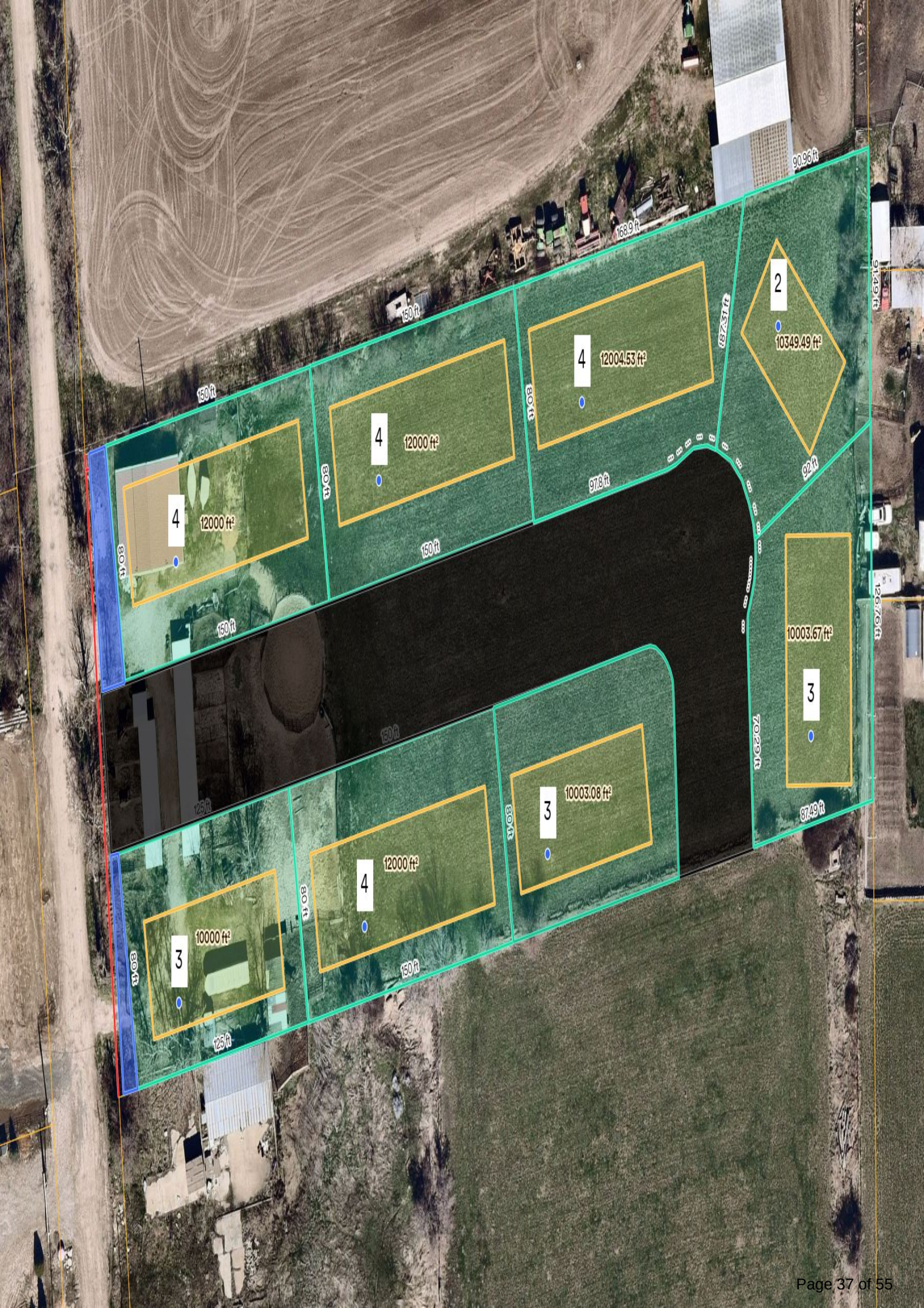
A staff recommendation for denial does not seem to be a clean fit either as there are portions of the 2022 General Plan which support the application. Giving "strong consideration" for approval isn't

defined in our Moderate Income Housing plan, so a recommendation for approval or denial is difficult to pinpoint.

The staff recommendation on this application is close to neutral, but overall, staff finds the most persuasive argument for denying the rezone request is that attached dwellings and medium density doesn't fit the current functioning agricultural area. Further, the R-4 zone is a far more intensive use compared to the other residential zones which exist in the vicinity. This argument is too difficult to overcome and staff recommends the Planning Commission send a recommendation of denial to the City Council for rezone application for 1735 South 550 West to R-4 One to Four Family Residential District for applicant Bryan Carling.

ATTACHMENTS:

1. Proposed subdivision concept for 27 units



Kaysville City Planning Commission Meeting Minutes
July 11, 2024

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

Planning Commission Members in Attendance: Commissioners Paul Allred, Wilf Sommerkorn, Debora Shepard, Erin Young, Michael Packer, and Megan Sevy

Planning Commissioners Absent: N/A

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Rick Jones, Jacquie Jones, Alexis Larson, Bryan Carling, Steven Pederson, Nicole Burton, Matthew Mann, Shauna Mann, Boyd Argyle, Norma Argyle, Dale Lisby, Kathryn Lisby, Brent Eberhard, Gina Carling, Meridith McCombs, Jason Gagner, Jamie Muirbrook, Laurene Starkey, Tara Oveson, Mark Oveson, Merrill Sheriff, B Jensen, Mike Jensen, Karl Price, Katie Ellis, Kirk Nacey, Lori Nacey, Sara Torgesen, Leroy Anderson, Tim Hirsch, Gage Jensen, Sapientia Fernandez, Dave Heath, Matt Howes, Jeff Hansen, Brent Giles, and Mark Tren.

1 - WELCOME AND MEETING ORDER

Vice Chair Shepard welcomed everyone to the July 11, 2024 Planning Commission meeting. She said that a new Chair and Vice Chair need to be elected for the 2024-2025 year.

Commissioner Allred nominated Commissioner Young and Commissioner Young nominated Commissioner Michael Packer for the Planning Commissioner Chair. The vote was unanimous in favor of Commissioner Packer as the 2024-2025 Planning Commission Chair (6-0).

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

Commissioner Shepard nominated Commissioner Erin Young to be the Vice-Chair. The vote was unanimous in favor of Commissioner Young as the 2024-2025 PC Vice Chair (6-0).

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

2 - DECLARATION OF CONFLICTS OF INTEREST

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

3 - CONDITIONAL USE PERMIT FOR FARM ANIMALS FOR 789 EAST 80 NORTH FOR NICOLE BURTON

Anne McNamara introduced the Conditional Use Permit for 789 East 80 North for farm animals to be placed on the property. The applicant, Heather Burton wanted to place six goats on her property in the over grown grass. Having farm animals is a permissible use with a Conditional Use Permit and additional conditions that staff would recommend would be those for nuisance abatement and screening from adjacent neighbors. Ms. McNamara shared a slide with outlined areas where the goats would be placed showing sufficient space for them. Ms. McNamara recommended approval for the Conditional Use Permit.

Ms. Edstrom added that there was a Conditional Use Permit previously on this property with the previous owners. Because there had been a lapse in the use the new home owner needed to apply for a new permit.

Commissioner Shepard asked if the Conditional Use Permit was posted and if there were any comments.

Ms. McNamara said there were no public comments made regarding the permit.

Commissioner Young made the motion to approve the Conditional Use Permit for farm animals at 789 East 80 North with no additional conditions to be placed and Commissioner Sevy seconded the motion. The vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Sevy: Yay

Commissioner Packer: Yay

Commissioner Shepard: Yay

Commissioner Allred: Yay

4 - CONDITIONAL USE PERMIT FOR WASATCH KINDER-PREP PRESCHOOL LOCATED AT 556 EAST 1150 SOUTH FOR MERIDITH MCCOMBS

Mindi Edstrom introduced the Conditional Use Permit for Meridith McCombs and Wasatch Kinder-Prep. The property is located at 556 East and 1150 South and is in the R-1-8 Residential Zone. There were no other Conditional Use Permits in close proximity to the applicant's home. The applicant will have students coming to the home between 9:00am to 12:00pm Monday through Friday with activities both in the home and in the yard. There was a sign placed in their yard notifying the neighbors of the application and staff received no comments from the public. Ms. McCombs has registered her business with the State of Utah and is needing to get an

inspection from the Fire Department once she has her preschool set up and ready to go. Staff recommended approval of the Conditional Use Permit for the Major B Home Occupation located at 556 East 1150 South for Meredith McCombs.

Commissioner Allred thanked that applicant for her efforts to teach preschool.

Commissioner Shepard asked the applicant if she had a drop off and pick up plan for her preschool.

Ms. McCombs said she will have 10-12 students and that she has talked with her neighbors regarding parking drop off and pick up so as to not inconvenience them. She will have the parents line their cars by the curb on her side of the road and her neighbors across the street. The parents will then need to walk their student to the preschool. For the pick up she will walk the students to their parents who will be parked on 500 East. She is trying to prevent blocking her neighbor's mailboxes and driveways.

Commissioner Allred asked Meredith if she has any outside employees.

Ms. McCombs will not have employees. She will have volunteers from time to time.

Commissioner Allred made the motion to approve the Conditional Use Permit for a Major B Home Occupation for Wasatch Kinder-Prep for Meredith McCombs with the recommendation and research performed by staff and in compliance with all State of Utah licensing regulation. Commissioner Packer seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Sevy: Yay

Commissioner Packer: Yay

Commissioner Shepard: Yay

Commissioner Allred: Yay

5- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR ROCK'N ROBYN PRESCHOOL LOCATED AT 916 WILLOMER DR.

Mindi Edstrom introduced the Conditional Use Permit Rock'n Robyn Preschool noting that the preschool would operate in the basement of Robyn Eberhard's home. The preschool aims to accommodate fewer than 12 students, with no additional employees. The application included a detailed drop-off plan to ensure safety and efficiency.

Commissioner Allred raised questions about the safety and accessibility of the basement, specifically regarding the exit to the backyard, which involves ascending ten steps. He expressed concerns about public safety, particularly regarding emergency egress for children, and inquired about the presence of window wells and ladders.

Brent Eberhard, speaking on behalf of the applicant, confirmed that the basement had appropriate windows and that the home, built in 2006-2007, met current safety standards.

Commissioner Allred emphasized the necessity of a fire department inspection and approval before granting the permit, specifically focusing on the ingress and egress safety measures.

Commissioner Allred made a motion to approve the Conditional Use Permit contingent on approval from the Kaysville Fire Department. Commissioner Young seconded the motion and the Commissioners voted unanimously in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Sevy: Yay

Commissioner Packer: Yay

Commissioner Shepard: Yay

Commissioner Allred: Yay

Ms. Edstrom confirmed that once the fire inspection is completed and approved, the permit would be formally issued, allowing the preschool to commence operations in the fall.

6- CONSIDERATION OF A REZONE APPLICATION FOR 1735 SOUTH 550 WEST FROM A-1 LIGHT AGRICULTUREAL DISTRICT TO R-4 ON TO FOUR FAMILY RESIDENTIAL DISTRICT FOR APPLICANT BRYAN CARLING

Melinda Greenwood addressed the Planning Commission and provided an overview of the application submitted by Bryan Carling to rezone a 2.8-acre property located at 1735 South 550 West from agricultural use to a different zoning designation. Greenwood explained that the current zoning would allow for three dwelling units. She also clarified the terminology used in zoning discussions, distinguishing between low, medium, and high density, and categorized the proposed development as medium density rather than high density.

Ms. Greenwood highlighted the state's requirements for cities to include moderate-income housing elements in their general plans, a mandate that has been increasingly enforced over the past several years. She noted that non-compliance could result in penalties, including the loss of funding for city projects and fines of up to \$500 per day starting in 2025. This context is critical in understanding the pressures and constraints faced by the city in evaluating such rezoning applications.

The property in question is surrounded by undeveloped agricultural land and is accessed by a private road that is not a public right of way. The current zoning map shows the area as largely agricultural, with adjacent zones allowing for residential development on larger lots. Carling's proposal includes 27 single-family dwellings, which would be considered under the city's medium density category.

Ms. Greenwood discussed the Kaysville City General Plan adopted by the city in 2022, which includes provisions for moderate-income housing. She emphasized that while the General Plan is considered advisory in Utah, the state views the moderate-income housing elements as more mandatory. The plan's goals include providing a diverse range of housing options and maintaining the city's small-town atmosphere. Ms. Greenwood noted that while some aspects of the General Plan do not support the rezoning application, others do, particularly in relation to the need for more affordable housing.

The staff recommendation is to approve the rezoning application, considering the supportive elements of the General Plan and the state's requirements for moderate-income housing. Ms. Greenwood acknowledged public concerns about changing the area's rural character, potential traffic increases, and other impacts. However, she stressed the importance of adhering to state mandates to avoid penalties and support future city funding opportunities.

Ms. Greenwood also mentioned potential future developments by other property owners in the area, such as Ivory homes and Symphony homes, which could further change the character of the neighborhood from agricultural to residential. She noted that the city is committed to informing residents about upcoming developments and emphasized the importance of community input in the planning process.

The discussion concluded with Ms. Greenwood suggesting that if the Commissioners were inclined to approve the rezoning, they should consider implementing a Development Agreement to ensure that the development adheres to the proposed plans and addresses community concerns. This agreement could limit density, specify housing types, and manage infrastructure improvements, such as road access. She explained that the Planning Commission will deliberate and make a recommendation to the City Council, who will have the final decision-making authority.

Commissioner Shepard asked for clarification on the state of utilities in the area.

Ms. Greenwood responded, confirming the presence of water and power but noting that culinary water and stormwater infrastructure would be addressed through a pioneering agreement. This indicates a significant financial responsibility for any developer starting in the area.

Bryan Carling approached the Planning Commission introduced himself as the property owner and applicant, having owned the property for about 20 years. He mentioned purchasing the land with the initial intent to possibly build and retire there, but circumstances have since changed. Carling was present to provide answers and clarifications about his development plans.

Commissioner Allred recalled a past situation where Carling opposed a neighboring development by Merrill Sheriff, particularly due to road issues.

Bryan Carling confirmed his opposition at the time, primarily because the proposed development had a long cul-de-sac without considering future development on 550 West, which the city owns. Carling explained that his current proposal is for a zoning change, suggesting a different road layout would not limit access for neighbors. He emphasized that the city and property owners need to address road width and access issues, with discussions around a 65-foot right-of-way classification for a local collector road.

Mr. Carling presented a conceptual plan highlighting the highest possible density under the proposed zoning, allowing for a 55-foot road with sidewalks and adequate parking. He described the potential layout, which included single-family townhomes, possibly attached as twin homes, with a typical setup of two-car garages, living spaces, and bedrooms.

Commissioner Sommerkorn clarified that the lots would feature individually owned units, akin to condos.

Mr. Carling clarified that the proposed townhomes would be individually owned, not condominium units, emphasizing that these homes would be structured for individual ownership. He stated his commitment to maintaining this concept in the development. Carling expressed concern over the affordability of housing in Kaysville, noting that current market conditions make it challenging for younger residents to purchase homes. He highlighted the increase in median home prices and interest rates over recent years, indicating a desire to create more accessible housing options.

Commissioner Allred noted that discussions had strayed beyond the zoning and density issues, which were the primary focus of the meeting. He emphasized the importance of clarifying the nature of the proposed housing, particularly the distinction between townhomes and other multi-family housing types like condos, duplexes, or triplexes.

Mr. Carling agreed that the goal was to provide housing options that were more attainable for local residents, particularly younger families.

Commissioner Shepard inquired about the intentions of Carling's neighbors to the south, asking if they also planned to pursue similar zoning changes.

Mr. Carling confirmed that his neighbors were interested in developing their property in a similar fashion and had expressed support for the zoning change.

Ms. Greenwood confirmed that a favorable comment had been received from the neighbors.

Commissioner Allred suggested that a coordinated development effort involving both properties could result in a more efficient and better-designed development pattern. He proposed the possibility of rear-loading options for the properties, which could improve design and utility placement.

Ms. Greenwood stated that somehow a misunderstanding had occurred between the applicant and herself and said the staff report and recommendation had been written from the standpoint of single family detached homes and not townhomes as the applicant had stated in his comments.

Commissioner Shepard asked staff whether the new information about the housing being attached townhomes, rather than detached single-family homes, would affect their recommendation.

Ms. Greenwood acknowledged that this change might impact some elements of the general plan, particularly regarding single-family housing designations. However, she stated that she thought the recommendation would still favor the proposal, given the importance of meeting moderate-income housing goals.

Commissioner Allred raised concerns about the definition and affordability of the proposed housing, emphasizing the need to clarify the project's alignment with moderate-income housing standards.

Ms. Greenwood explained the state's criteria for moderate-income housing, which involves ensuring that housing costs do not exceed 30% of the income for households earning up to 80% of the area median income. She noted that the county's area median income was approximately \$85,000, and that moderate-income housing should be affordable to households earning 80% of that figure.

Commissioner Allred emphasized the importance of using precise terminology when discussing housing affordability. He clarified the difference between "affordable housing" and "moderate-income housing," noting that the latter is the focus of the state requirements.

Bryan Carling responded by acknowledging the challenges of developing affordable housing, particularly given high land costs and environmental constraints like a high water table. He mentioned that the proposed homes would likely be two-story structures with crawlspaces due to the water table issues.

Carling also expressed a desire to support local public servants, saying that he and his family would donate \$30,000 to the city, earmarked as three \$10,000 grants for first-time homebuyers among city employees, police, or firefighters. He emphasized his long-term commitment to Kaysville, where he has lived for 32 years, and reiterated his wish for a straightforward vote on his proposal.

Commissioner Sevy Megan asked about Mr. Carling's plans for the development, questioning whether he intended to develop the property himself or sell it to another developer, given interest from large developers like Symphony Homes.

Mr. Carling confirmed he had received offers but expressed his desire to retain the property for future equity and personal development, aiming to create housing where his children and others could live.

Commissioner Shepard opened the public hearing and asked speakers to limit their remarks to three minutes and avoid repetition.

Commissioner Sommerkorn mentioned that the Commissioners had reviewed all emailed comments.

Ms. Greenwood emphasized creating a respectful and safe environment for all speakers, requesting no applause or boos to ensure everyone felt comfortable expressing their views. Commissioner Packer clarified that the public comment period was for the commission to listen, not engage in dialogue, and that any questions raised would be addressed after the public hearing.

Leroy Wilson addressed the Planning Commission with concerns about a proposed development near Sunset Drive and a dirt road. He emphasized that if the development proceeds, the fate of the dirt road must be addressed. Wilson recounted previous issues where Woodside Homes attempted to close the road but was stopped by residents who use it for access to their properties. He argued that keeping the dirt road open is crucial for emergency access and questioned how an additional 27 homes would manage ingress and egress without it. Wilson expressed frustration over the road's current condition, blaming the city for neglect and pointing out ongoing issues with dirt and debris affecting nearby properties. He concluded by urging the Commissioners to prioritize road maintenance and consider the impact of further development on traffic and safety in the area.

Matt House, a nearby resident, expressed concerns during the meeting regarding the proposed development and its potential impact on traffic in the area. He argued that assumptions about traffic patterns favoring the southbound I-15 extension were overly optimistic, suggesting that many residents would likely travel north towards schools and churches via 515 West and Mare Drive. House pointed out that Seabiscuit Drive, which currently accommodates 29 houses, would face a substantial increase in traffic if the development were approved. He warned that the proposed rezoning, just one of many anticipated, could double traffic on Seabiscuit Drive and create further congestion in the neighborhood. House criticized the ethics of a \$30,000 first time homebuyer grant offer from Bryan Carling, stating that he perceived as a bribe, and did not pass a basic ethical test. He stressed the need to reconsider the connectivity of 550 West to Mare Drive and Seabiscuit Drive, advocating for traffic to be directed instead towards the Angel Street extension to mitigate congestion on Seabiscuit and Mare Drive. House highlighted existing traffic challenges at intersections like Western Drive and Sunset Drive, expressing doubt that current infrastructure could handle the increased volume. He concluded by urging the Commission to reconsider the development's impact on traffic flow and neighborhood safety before making a decision on rezoning.

Kathryn Lisbey, a resident of 1814 South Sunset Drive, voiced her concerns during the council meeting regarding the proposed rezoning that she feels directly affects her property. Lisbey, who has lived in her home for 27 years, emphasized the importance of preserving the rural lifestyle and spacious environment that initially attracted her family to west Kaysville. She expressed worry about the increasing density in the area due to changing rules and developments, fearing potential impacts on traffic, noise, light pollution, and property values. Lisbey acknowledged the city's pressure to accommodate moderate-income housing but urged the Commissioners to consider a more strategic and phased approach to development, similar to discussions she had with Symphony Homes, a neighboring development. She emphasized the need for clear plans and road access considerations before approving any rezoning, echoing concerns raised by fellow residents like Leroy Wilson about the safety and practicality of such developments. Lisbey concluded by appealing to the council to deny the rezoning request, emphasizing their decisions should also protect the interests of long-standing property owners like herself.

Matthew Mann, a resident living near the proposed development, expressed concerns about the potential rezoning that would increase housing density. Mann highlighted that the surrounding area is primarily zoned for larger lots, typically around half an acre, which aligns with the community's established character. He argued that approving the rezoning request could set a precedent leading to numerous similar requests, thus significantly altering the neighborhood's landscape and possibly devaluing existing properties.

Mann referenced the city's General Plan, specifically noting its encouragement for large, undeveloped properties to be developed as conservation subdivisions, which would maintain the city's small-town feel by clustering homes and preserving open space. He also pointed out that the General Plan suggests that multifamily housing should be near the city center to provide access to downtown services, whereas the proposed development is on the outskirts of the city.

Furthermore, Mann raised concerns about the impact on local infrastructure, specifically the recently repaired south Sunset Road, which would face increased traffic from the new development. He cited a community engagement survey conducted during COVID, which showed significant opposition to high-density developments in west Kaysville. Mann urged the Planning Commission to respect the wishes of the existing residents who have invested in the area and to consider the feedback from the survey, which highlighted a preference for maintaining open spaces and larger lot sizes.

Karl Price, a resident living at the corner of Mare Drive and 550 West, expressed his concerns about the proposed development near his home. Price emphasized that he and his neighbors chose to build and live in this community due to its small-town atmosphere and family-friendly environment. He noted that the area to the north features significantly larger and more expensive homes, valued at two to three million dollars, while the proposed development to the south would introduce medium-density housing. Price stressed that the community's

appeal lies in its single-family homes, not apartment complexes, and voiced his opposition to changing the neighborhood's character by introducing higher-density housing.

Jason Gagner addressed the Commission with concerns about the proposed high-density and moderate-density housing in his area. He recalled previous City Council discussions where it was communicated to residents along 550 West that the road would not be improved and would remain as is indefinitely. Gagner urged the city to honor this commitment made to homeowners.

He mentioned living south of the proposed development and suggested a discrepancy in the land ownership records, pointing out that the county records still list the Andersons as the owners of the land, despite a possible contract with Ira Homes. Gagner highlighted that the development of a connector road was a significant factor for these properties and questioned the city's compliance with state-imposed moderate housing requirements. He sought clarity on how the proposed subdivision would contribute to meeting these requirements, especially concerning timelines and their impact.

While acknowledging the high housing prices, Gagner argued that the proposed location was not suitable for this type of development. He suggested that more appropriate areas for such housing include places with better access to commercial amenities, like those near Antelope Drive or other underutilized spaces along 250 on Main Street. Gagner concluded by requesting that the city maintain the existing zoning, which residents had bought into and planned for.

Sapienta Fernandez, a relatively new resident living at the corner of Sunset Drive and Shepherd Drive since 2020, voiced her concerns about the proposed housing developments in her neighborhood. Fernandez shared that the quiet nature of the area was a significant factor in their decision to move there, especially considering they have two young children. She noted that prior to the construction of the roundabout, the sharp turn onto Sunset naturally slowed traffic. However, the new roundabout has turned Sunset Drive into a high-speed road, raising safety concerns for her children and others due to the increased traffic that additional housing would bring.

Fernandez emphasized her appreciation for Kaysville's small-town feel, which drew her family to move from higher-density areas like Salt Lake City and North Salt Lake. She expressed a desire to maintain the spacious and quiet environment that Kaysville provides, in contrast to the more crowded and high-density areas they left behind. She also mentioned that her neighbor across the street sold their lot to Symphony Homes, which, along with other potential rezoning and development, raises concerns about property value and community character.

Fernandez questioned the city's incentive program offering grants for moderate-income housing, suggesting that if such developments devalue existing properties, homeowners should be compensated as well. She concluded by reiterating her family's love for the quiet, spacious streets of Kaysville and their concerns about increased traffic and potential devaluation of their property if more houses are built in the area.

Steven Pederson, who resides at the corner of West Burton Drive and Sunset Drive, expressed his concerns regarding the proposed development and its impact on his neighborhood. Pederson highlighted the increase in traffic near his property, especially with no development yet occurring, indicating that future construction would likely exacerbate the issue. He emphasized the importance of maintaining the mixed rural environment that drew him to the area, including the enjoyment of rural sights and sounds such as cows and horses.

Pederson appealed to the commission to preserve the rural character of the neighborhood and to decline the rezoning request. He suggested that if development must occur, it should be reconsidered with a lower density to better align with the existing environment. Pederson concluded by reiterating his request for the commission to deny the current rezoning proposal.

Jamie Muirbrook, a resident of Mare Drive, shared her concerns about the proposed development in West Kaysville. Muirbrook emphasized the unique rural character of the area, noting that the horse-themed street names and the sounds of cows in the morning were key reasons she and her family were drawn to the neighborhood.

She highlighted a nearby therapeutic program called "Bridle of Hope," which uses horse riding and yoga to help women and young girls manage anxiety. This program, located across from the proposed development site, aligns with the rural and tranquil environment that Muirbrook values. She argued that the high-density housing proposed for the area is not a good fit, suggesting that developments would be better suited to areas closer to main streets and services.

Muirbrook also raised concerns about the potential increase in traffic, which is already an issue due to the proximity of schools. She concluded by stressing the importance of preserving the rural feel of West Kaysville, which contributes to the area's unique charm and appeal.

Jacquie Jones, a resident and developer in the area, addressed the proposed zoning changes. Jones, who built three homes between 2007 and 2011, emphasized the importance of respecting existing zoning regulations, specifically the R-1-20 zoning, which mandates larger lot sizes. She shared that as both a developer and a resident, she prioritized harmony with the surrounding neighborhood and adhered to the zoning laws in place at the time.

Jones acknowledged the inevitability of urban sprawl and the need to accommodate growing populations, particularly for the benefit of future generations. However, she expressed concerns that the current proposal for higher-density housing might disregard the established norms and expectations of the community. She suggested that maintaining or reconsidering a zoning category like R-1-20, which has been consistently upheld by previous builders and developers, would be a more appropriate approach.

Jones concluded by urging the Commissioners to reconsider the proposed zoning changes, emphasizing the importance of maintaining the character and integrity of the neighborhood.

Mike Jensen, a property owner across the street from the proposed development, delivered an appeal to maintain the current zoning and preserve the small-town atmosphere of Kaysville. Jensen shared a personal story about losing his son over a decade ago and how his wife, along with another grieving mother from Alpine, started an equestrian therapy program. This program, which teaches young women the skills of the "seven habits" to find hope and resilience, has grown significantly, currently serving 15 young girls and women, with plans to expand further.

Jensen emphasized the importance of the peaceful, rural environment that supports this therapeutic program. He cited the first goal of the city's general plan, which aims to preserve and protect Kaysville's small-town atmosphere by limiting changes in functioning neighborhoods. He expressed concerns that the proposed rezoning and development would drastically alter the neighborhood, impacting the environment that supports the equestrian therapy program and the community's overall character.

Jensen mentioned his long-standing efforts, along with Bryan, another resident, to maintain the local dirt road, highlighting their commitment to the area. He urged the Commission to prioritize the voices of the community and uphold the first goal of the general plan. He also questioned the feasibility of the proposed moderate-income housing, given current interest rates and economic conditions, suggesting that these homes would need to sell for around \$250,000 to be affordable.

Jensen concluded by calling for a comprehensive discussion involving all stakeholders to address the needs and preserve the heritage of Kaysville. He requested a pause on the proposed changes to ensure that any development considers the broader impact on the community and its values.

Mark Treu addressed the proposed rezoning and expressed his concerns about the process and its implications. Treu acknowledged the validity of property owners' desires to sell their land but emphasized that the focus should be on the rezoning decision itself, which he argued is currently disconnected from any specific development plans or agreements.

Treu pointed out that the intent behind the proposed rezoning is not as important as the potential outcomes and implications of the decision. He highlighted that the commission's challenge is to avoid repeating past planning mistakes and to make informed decisions that will protect the small-town character of Kaysville. He stressed that without a broader perspective on how the rezoning fits into the larger context of the area's development, it is difficult to ensure that the city's character is preserved while also accommodating growth.

He expressed his love for Kaysville, his hometown, and recognized that change is inevitable. However, Treu urged the commission to approach the decision responsibly by considering the views and needs of adjacent property owners and engaging in a comprehensive discussion about the future of the property. He recommended that the commission delay the decision to

allow for a more thorough examination and discussion of how the proposed changes will fit into the overall planning for the area.

Lori Assay, a resident whose property abuts the proposed development site, voiced her opposition to the rezoning proposal. Assay has lived in her home for about 25 years and highlighted her concern that the development would significantly alter the rural character of the area, which she values deeply. She noted that her property has traditionally been surrounded by horse properties, and the proposed 27-unit development on 2.8 acres would impact her and her family's quality of life.

Assay expressed frustration over the lack of awareness among her neighbors regarding the proposed changes, stating that many were unaware of the rezoning details until recently. She questioned the definition of "moderate-priced homes," suggesting that even homes in nearby developments, such as those at Station Park, exceed median home prices.

She also pointed out the increasing traffic congestion on Sunset Drive, exacerbated by nearby developments and the Davis corridor, which now makes it difficult for her to back out of her driveway. Assay invited the commission to visit the area to better understand the potential impact of the proposed changes. Assay requested that the commission carefully consider the perspectives of long-term residents and the impact on the community's character before making a decision on the rezoning proposal. She reiterated her opposition to the rezoning and urged the commission to take into account the concerns of Kaysville's residents.

Kirk Assay, husband of Lori Assay, expressed his concerns about the proposed rezoning. He recalled previous contentious discussions about the development of smaller lots in the area, which faced significant opposition from the community, including from individuals such as Marilyn, who strongly opposed such changes.

Assay said he thought communication tonight stinks, and as a negotiator, he criticized the staff presentation on the rezoning proposal, accusing it of being biased and focused on aspects he felt were not full transparent or relevant. He questioned whether the state's housing rules would influence the decision and if the proposal was being pushed under false pretenses.

Assay emphasized that the rural character of the area, saying he gets his hay from various properties in the area and he and his neighbors value for its open space and equestrian environment, should be preserved. He argued that the influx of high-density housing would undermine the reasons people chose to live in Kaysville, which is valued for its low-density, rural setting, stating that Kaysville are elite people who are different from Layton. He said he could support half acre or third acre lots. He expressed frustration over the lack of open, public dialogue about the proposed changes and warned against converting the community into a high-density area, suggesting that this would diminish the quality of life and potentially lead to more problematic developments. He concluded by urging the commission to reconsider the proposal and maintain the area's rural character, which he believes is central to the community's identity and appeal.

Alexis Larson addressed the planning commission, sharing her perspective as a recent college graduate who moved back to Kaysville with her husband. Despite the nationwide housing crisis and the typical need for affordable housing solutions, Larson expressed her opposition to the proposed rezoning.

She explained that although younger families like hers are often forced into smaller, high-density housing options due to the lack of available single-family homes, she believes that packing homes too closely together is not an ideal solution. Larson emphasized that her preference, and likely the preference of many in similar situations, is for more spacious homes rather than the dense, cramped units proposed. She stressed the importance of having enough space to grow and not feeling confined by proximity to neighbors.

Commissioner Shepard asked for any additional comments.

Commissioner Sommerkorn said they had received a number of emails in support of doing the rezone supporting affordable housing and asked if any of those residents were in attendance and willing to speak.

Bryan Carling said many of those were his children but they were too afraid to come to the meeting.

Commissioner Shepard closed the Public Hearing and asked Mr. Carling if he would come to the podium and respond to any comments or questions the Commissioners might have.

Bryan Carling expressed understanding and sympathy for the concerns raised by the community, especially regarding the uncertainties of rezoning. He emphasized that his request was simply for a rezone and that further discussions would take place at the City Council level. Carling highlighted that while he provided a conceptual plan, he was not obligated to do so and noted that a higher density could occur if the proposed road was developed. He pointed out that a more intensive use, like an overlay Planned Residential Unit Development (PRUD), could result in even higher density, which might not be as desirable for the community.

Carling acknowledged the lack of affordable housing options in Kaysville, stating that many young people, including friends of his children, could not afford to live in the area. He admitted to not knowing the exact costs of infrastructure improvements, such as sewer lines, and indicated that larger developers with more resources, like Ivory Homes or Symphony Homes, would likely handle these developments. Carling reiterated his support for property owners' rights to develop their land, suggesting that change is inevitable and necessary to accommodate future growth.

Commissioner Sommerkorn, raised questions about the road development, specifically 550 West, which was intended to be a significant local collector.

Melinda Greenwood clarified that the city's policy has been to require developers to pay for road improvements as properties are developed, rather than using taxpayer money. She noted that 550 West is planned to be a 66-foot right-of-way and that the developer would bear the cost of the road, with the city potentially contributing if necessary. She added that she had asked Mr. Carling if he had ever received a letter from the City stating 550 West would not be improved, and he indicated that he had not received such a letter.

Commissioner Sevy expressed concerns about the limited space in Kaysville for new developments, acknowledging that the city is landlocked and lacks the necessary property for significant expansion. She highlighted the financial challenges faced by first-time, second-time, and third-time homeowners, stating that current housing prices are not ideal. Sevy noted that while the proposed rezoning might not fit due to the area's constraints, Kaysville needs more modest housing opportunities for residents. She emphasized the need for solutions that allow people to continue living in the city with a little more space.

Commissioner Packer appreciated the public's comments and emails, explaining that the commission must consider the entire city. He noted that this area is one of the least densely populated parts of Kaysville and argued that similar developments exist in other parts of the city without detracting from its small-town feel. Packer supported the landowner's right to apply for a zoning change, asserting that the city's denial of the application should be based on legal grounds. He acknowledged that changes could affect views and local landscapes but emphasized that the commission's role is to consider the broader city's needs. Packer suggested that the proposal should proceed to the City Council for further discussion, although he personally preferred less dense zoning.

Commissioner Young supported the idea of reviewing the city's zoning as a whole, noting that other parts of Kaysville have also faced pushback against development. She shared her experience living in west Kaysville, where initial opposition to a new development faded once it became a thriving community. Young argued for the benefits of diverse housing options across economic levels in the city. She emphasized the importance of offering different housing types and densities to accommodate varying needs and supported the proposal going before the City Council.

Commissioner Shepard agreed that the area in question would eventually be developed, much like other parts of Kaysville. However, she sided with Commissioner Sommerkorn in believing that the proposed density might be too intense for the area. Shepard suggested that while higher density might be suitable closer to main roads or connectors, the current proposal's density level might not be appropriate.

Commissioner Sommerkorn raised questions about the type of development allowed under the city's current zoning ordinances. He clarified that the proposal for detached units on 12,000 square foot lots would not fit within existing single-family zoning standards, which require larger lot sizes. Sommerkorn suggested that a development agreement might be necessary to specify the type of housing to be built, particularly if the council is concerned about what the

final development will look like. He also noted the trend of zoning reform across the country, where some states mandate that cities allow multiple units on residential lots. Sommerkorn proposed continuing the discussion at a future meeting to explore zoning alternatives.

Commissioner Allred provided context on Utah's urbanization, noting that the state's population is concentrated in a small geographical area due to natural features and water availability. He argued that the state is already highly urbanized and that the demand for housing necessitates smaller lots and higher density developments. Allred pointed out that the state's high birth rate and early family formation add to the housing demand, making smaller lots a practical solution.

Bryan Carling clarified his understanding of the city's zoning code. He explained that the proposal never intended individual single-family lots but rather for attached units on shared lots. He expressed willingness to work within the constraints of a Development Agreement if necessary and urged the Commissioners to consider the proposal based on existing code provisions.

Commissioner Sommerkorn motioned to continue the discussion at the next meeting on August 8, 2024 to explore other zoning options and potentially a Development Agreement. Commissioner Allred seconded the motion and the vote was unanimous in favor of the motion (6-0).

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

Commissioner Shepard suggested making a motion to extend the meeting past 10:00pm. Commissioner Sommerkorn seconded the motion and all were in favor of extending the meeting (6-0).

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

8- APPROVAL OF THE MINUTES FROM THE JUNE 13, 2024 PLANNING COMMISSION MEETING

Commissioner Packer made a motion to approve the minutes for June 13, 2024. Commissioner Sommerkorn seconded the motion and was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Abstained, not in attendance
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Abstained, not in attendance
Commissioner Allred: Yay

9- CONSIDERATION OF ESTABLISHING A TEMPORARY LAND USE REGULATION AS ALLOWED BY STATE CODE 10-9A-504 FOR APPROPRIATE CAR WASH LOCATIONS AND REGULATORY STANDARDS

Ms. Greenwood addressed ongoing issues related to car washes, focusing on recent developments and the need for new regulations. She began by explaining that the city had previously amended its code to prevent car washes east of I-15 on Main Street and 200 North. This change came after Mr. Carwash, a business adjacent to residential properties, caused significant disturbances for local residents, highlighting the general incompatibility of car washes with residential areas.

Greenwood proposed that the Planning Commission recommend to the City Council a temporary land use regulation to implement up to a 180-day moratorium on new car wash applications. This pause would allow city staff to research best practices and establish appropriate regulations. Greenwood noted that larger communities often have extensive regulations for car washes, which Kaysville currently lacks, leading to the problems experienced by residents near Mr. Carwash.

Commissioner Sommerkorn summarized the existing ordinance, clarifying that it currently prohibits auto-oriented businesses on properties fronting 200 North and Main Street, but does not address those adjacent to residential areas.

Ms. Greenwood confirmed this and elaborated on the difficulties faced by residents despite mitigation efforts by Mr. Carwash. She emphasized the need for comprehensive regulations, including lighting and noise standards, which are currently insufficient.

Commissioner Young asked whether the proposed moratorium would apply only to car washes next to residential properties or city-wide.

Ms. Greenwood confirmed that the intent was to pause all car wash applications across the city for up to 180 days.

Commissioner Allred made a motion that the Planning Commission recommend the establishment of a Temporary Land Use Regulation. This would enable a study on suitable car wash locations and regulatory standards throughout Kaysville. Commissioner Packer seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

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

10- APPROVAL OF THE MINUTES FROM THE JUNE 27, 2024 PLANNING COMMISSION MEETING

Commissioner Sommerkorn made a motion to approve the minutes for June 27, 2024.

Commissioner Allred seconded the motion and was unanimous in favor of the motion (5-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Packer: Yay
Commissioner Shepard: Abstained, not in attendance of meeting
Commissioner Allred: Yay

11 - OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Katie Ellis has been selected to fill the Planning Commissioner spot.

Our next meeting will be held July 25, 2024, but staff is considering cancelling the meeting if more applications are not received.

Ms. Greenwood told the Commissioners about the Fall APA Conference.

Commissioner Young reported back on the Spring APA Conference.

Ms. Greenwood announced the ULI Affordable Housing Conference.

12 - ADJOURNMENT

Commissioner Packer made a motion to adjourn the meeting at 10:12pm.