



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

The Kaysville City Planning Commission will hold a regular meeting on September 26, 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. Conditional Use Permit for a religious use for an LDS Stake Center at ~ 2103 West 200 North
4. Approval of the minutes from the August 8, 2024 Planning Commission Meeting
5. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
6. Adjournment

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

Mindi Edstrom
Community Development Department

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: September 20, 2024

Agenda Item #3: Conditional Use Permit for a religious use for an LDS Stake Center located at approximately 2103 West 200 North

Meeting Date	September 26, 2024
Application Type	Conditional Use Permit
Applicant Owner	Michelle MacDonnell Corp of the Presiding Bishop of the Church of Jesus Christ of LDS
Address Parcel ID Number	2103 West 200 North 11-802-0306
Lot Size	3.92 acres 170,755.2 ft ²
Current Use	R-1-20 - Undeveloped
Conditional Use	Religious Building

1. BACKGROUND

The subject property is a 3.92 acre lot located on the south side of 200 North and to the west of the 200 North and Angel Street intersection. The lot will face 200 North and will be the location for a new stake center for the LDS church.

The property is owned by the LDS church and is currently vacant, with a zoning designation of R-1-20 to allow for residential single family housing units. Religious buildings are a conditionally allowed use in the R-1-20 zone.



2. ZONING

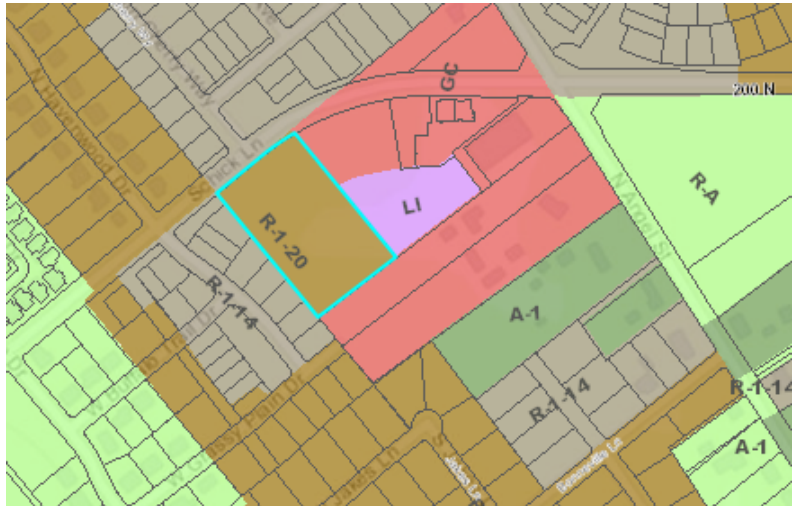
This property is zoned R-1-20. R-1 Single Family Residential District allows for religious buildings as a conditional use under [KCC 17-12-4](#).

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by a mixture of residential uses as well as a small amount of commercial property. It is located in the far western portion of the city where 200 North becomes Schick Lane as it proceeds west.

Adjacent zoning:

- To the north of the property is a mixture of residential densities including other lots zoned R-1-20, a handful zoned either R-A or A-1 and then a large portion of R-1-14 lots.
- To the east of the property is a small cluster of commercial properties, with one lot directly adjacent to the property zoned as LI, and several parcels further east of the LI parcel are zoned GC.
- To the west of the property is primarily residential with R-A and R-1-20 being the predominant zoning designations that line the western border of the city.
- To the south of the property is a mixture of residential that consists primarily of R-A lots, with a handful of A-1 lots and R-1-14 lots to the southeast.



4. FINDINGS

a. Height restrictions

In the R-1-20 zone, KCC 17-12-5 limits heights of buildings to be a maximum of 30 feet tall. However, exceptions to this provision are included in Chapter 25 Exception and Modifications, wherein KCC 17-25-2 Height Limit Exceptions has allowances for religious buildings that include:

1. *Roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building, skylights, steeples, chimneys, antennas, or similar structures may be erected above the height limits herein prescribed, but no spaces above the height limit shall be allowed for the purpose of providing additional floor space except for religious uses.*

The application indicates that the building height will be roughly 31 feet tall, and the steeple on the roof of the building will reach 171 feet. The building and steeple heights comply with height restrictions pursuant to the exceptions found in KCC 17-25-2.

b. Parking

KCC 17-32-2 which regulates Off Street Parking standards outlines the following guidelines for non-residential uses:

17-32-2 Off Street Parking

6. Parking Areas, Development and Maintenance. Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile, farm equipment, or other open-air sales lot, shall be developed and maintained in accordance with the following requirements:

a. Public parking areas in all zones except Professional Business (PB), General Commercial (GC), Central Commercial (CC), and Light Industrial (LI) shall be separated from the property lines abutting streets by landscaped buffers of not less than four feet (4'). Public parking areas within ten feet (10') of residential uses shall be separated from property lines abutting residential uses by a screening fence.

- 1. At least ten (10) square feet of landscaping for each parking space shall be provided within off-street parking areas. Such landscaping shall be in addition to the required landscaped setback areas and consist of at least fifty percent (50%) live plant materials. The remaining fifty percent (50%) may include mineral or nonliving organic permeable material such as rock or bark mulch.*
- 2. The landscaping requirements of this subsection shall apply to the development of a new parking area, the expansion of an existing parking area, or an existing parking area where the building which uses the parking area is being expanded by fifty percent (50%) or more.*

17-32-5 Number of Parking Spaces Required

KCC 17-32-5 outlines the number of parking spaces required for particular uses through a table. This table requires uses that are “Churches, auditoriums, assembly halls, theaters” to provide one parking space for every 5 seats.

The interior chapel on site will have an occupancy capacity of 1001, and the applicants is therefore required to provide at least 201 parking spaces. The site plan shows a total of 243 parking spaces, demonstrating this requirement has been met.

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on September 20, 2024. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of this application with any conditions from [17-30 Conditional Uses](#) the Planning Commission may feel are appropriate.

Kaysville City Planning Commission Meeting Minutes

August 8, 2024

The Planning Commission meeting was held on Thursday, August 8, 2024 at 7:00 pm in the Kaysville City Hall Council Chambers located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Paul Allred, Wilf Sommerkorn, Rachel Lott, Erin Young, and Katie Ellis

Planning Commissioners Absent: Commissioner Debora Young

Staff Present: Melinda Greenwood, Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Aaron Gomez, Rick Inman, Val Starkey, Laurene Starkey, Richard Enfield, Katilin Ellis, Merrill Sheriff, Alexis Larson, Rick Jones, L Wilson, Kathryn Lisby, Dale Lisby, Bryan Carling, Boyd Argyle, Krista Wasden, Jill Dredge, Kirk Nacey, Lorri Nacey, Madison Nacey, Doug Stanger and Sri Puppla via phone

1- WELCOME AND MEETING ORDER

Chair Packer welcomed everyone to the August 8, 2024 Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

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

3- OATH OF OFFICE FOR NEW PLANNING COMMISSIONER, KATIE ELLIS

Ms. Edstrom led Ms. Katie Ellis in the Oath of Office after which she joined the Commission at the dias.

4- 2024 MODERATE INCOME HOUSING REPORT PRESENTATION

Ms. Greenwood provided a detailed overview of the city's obligations and processes related to moderate-income housing requirements as mandated by state law. She outlined the recent changes to the reporting process and the requirements that the city must fulfill under state code 10-9a-403. These requirements include ensuring the city's General Plan accommodates a variety of housing types that cater to various income levels, thereby fostering inclusivity in neighborhood and community life.

Ms. Greenwood explained that the city's General Plan was last updated in August 2022, with a subsequent revision in November 2022 to comply with the state's evolving moderate income housing requirements. The city is required to select at least three items from a list of 26 (labeled A through Z) to include in the General Plan. The selected items must include an implementation timeline and measures, and failure to meet these commitments can result in the city being deemed non-compliant by the state.

Ms. Greenwood highlighted the specific items the city chose to incorporate—identified as H, J, and N—and discussed the challenges in implementing some of these due to the city’s practices, such as not actively rezoning properties unless prompted by an application.

Additionally, Ms. Greenwood touched on the goal of implementing a mortgage assistance program for city employees, which could be funded through Redevelopment Agency Funds. She noted the evolving nature of the state's requirements and the penalties for non-compliance, which include potential loss of funding and daily fines.

Ms. Greenwood also discussed the reporting process, which involves an annual submission by August 1st. This report must detail the city's actions regarding each item in the General Plan, the applications received, and the outcomes. The state reviews these reports and determines compliance, with the possibility of issuing penalties if the city is found non-compliant.

5- CONDITIONAL USE PERMIT FOR SIMPLY DONE RIGHT ELECTRIC A MAJOR BO HOME OCCUPATION AT 188 NORTH 650 EAST FOR RICK INMAN

This Conditional Use Permit was presented by Mindi Edstrom. The applicant, along with his son, has proposed operating an electrical company from their residence. Both have the necessary permits and licenses, including those from DOPL, with one being a master electrician and the other an apprentice electrician.

The business will primarily use the home for logistics and office work, with minimal physical impact on the neighborhood. Ms. Edstrom clarified that the only additional traffic would involve a work vehicle, with no supplies being delivered to the home, aside from some materials stored in the basement.

One neighbor inquired about the sign in the front yard.

Staff recommended approval of the Conditional Use permit, stating that the business is consistent with other contractor home-based businesses in the area and should not have any adverse effects on the neighborhood as regulated by city code. Ms. Edstrom assured the Planning Commission that the applicants were aware of the regulations regarding Major Home Occupations and plan to remain compliant and that the applicant was present for any further questions from the Planning Commission.

Commissioner Allred raised a question about the necessity of bringing certain routine and non-controversial items, such as the discussed home-based business application, before the Planning Commission. He proposed that such applications could be handled as over-the-counter approvals to simplify the process. He expressed the opinion that there wasn’t much for the Commission to review in such straightforward cases and said the city could streamline the process for home-based business applications.

Ms. Greenwood stated that staff agreed with the idea but the City Council had not supported this approach. She mentioned that last year, staff had worked on a text amendment that would

allow Conditional Use Permits to be administratively approved, but the City Council was not interested in pursuing the change and the proposed. The Council's primary concern was transparency and ensuring that the public has the opportunity to be informed and to comment on such matters if they choose to do so.

Ms. Greenwood clarified a common misconception regarding Conditional Use Permits, noting that many people believe the Planning Commission has the authority to approve or deny these permits outright. However, in reality, under case law and state code, these permits are almost always approved, with the Planning Commission's role being limited to determining whether any additional conditions need to be applied to the proposed use.

Despite acknowledging that this approach delays the business licensing process, Ms. Greenwood expressed respect for the City Council's decision.

Commissioner Allred made the motion to approve the Conditional Use Permit for Simply Done Right Electric with no additional conditions to be placed and Commissioner Lott seconded the motion. The vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Ellis: Yay
Commissioner Packer: Yay
Commissioner Lott: Yay
Commissioner Allred: Yay

6- CONDITIONAL USE PERMIT FOR SWIM LESSONS BY KRISTA AN INSTRUCTIONAL HOME OCCUPATION AT 2247 WEST SUMMERFIELD WAY FOR KRISTA WASDEN

Mindi Edstrom introduced the Conditional Use Permit for swim lessons for an Instructional Home Occupation permit for Krista Wasden, a swim instructor without a swimming pool, who intends to use a pool at a private residence for her lessons.

The concept of an Instructional Home occupation is a relatively new business classification in Kaysville City, created two years ago to accommodate situations where instructors need to use facilities outside of their own homes, such as swimming pools, pickleball courts, or spaces for teaching various skills like music or sewing.

Ms. Wasden applied for this permit to conduct swim lessons at the home of Mr. and Mrs. Darrington, who own a property with an indoor swimming pool. The Darrington's have consented to allow Ms. Wasden to use their underutilized pool, which is particularly advantageous because it can be used year-round. Ms. Wasden plans to offer group lessons with up to five students or private lessons, primarily on Saturdays.

Ms. Edstrom highlighted that the property has adequate parking both in the driveway and on the street, ensuring that there would be no issues with accommodating student vehicles. No objections or concerns were received from neighbors regarding this application.

Ms. Edstrom said staff recommends approval of the Conditional Use Permit for Krista Wasden to conduct swimming lessons at 2247 West Somerfield Way. The applicant was present to address any further questions from the Planning Commission.

Chair Packer asked if the city has any restrictions on hours of operations if the applicant wanted to do lessons at midnight.

Ms. Edstrom said that there are no restrictions but that the city has a noise ordinance and that would need to be obeyed.

Commissioner Allred motioned to approve the Conditional Use Permit for Swimming Lessons by Krista at 2247 West Summerfield Way with no additional conditions placed. The motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Ellis: Yay

Commissioner Packer: Yay

Commissioner Lott: Yay

Commissioner Allred: Yay

7- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR ELYSIAN CONSTRUCTION A MAJOR B HOME OCCUPATION AT 314 WEST 100 FOR THAYNE ENCE-
Staff notified the Planning Commission the application had been withdrawn.

8- CONSIDERATION OF A REZONE APPLICATION 579 SOUTH MAIN FROM PB PROFESSIONAL BUSINESS DISTRICT TO GC GENERAL COMMERCIAL DISTRICT FOR AARON GOMEZ

Anne McNamara presented a Rezone Application for a property on the east side of Main Street, owned by Kaysville Main LLC and associated with an applicant named Aaron Gomez. The property, approximately 0.179 acres, was previously used as office space by a business called Wasatch Action Coach, which has been inactive since 2022.

This Rezone Application aims to change the property's zoning from Professional Business to General Commercial.

Ms. McNamara provided some background on the property, noting that it has undergone multiple rezones in the past. In 2017, it was rezoned to a Health Care zone to allow for an adult daycare facility but was later changed back to PB Professional Business zoning in 2021. The surrounding land uses are primarily residential, with zoning designations such as R-1-10 and R-1-8 nearby.

Ms. McNamara emphasized that the General Plan supports the rezone to General Commercial, as the future land use map designates this parcel for commercial use. Additionally, the land use and economic development chapters of the General Plan encourage the integration of new developments and small businesses within residential neighborhoods, which this rezone would facilitate. The shift from PB Professional Business to GC General Commercial zoning would allow a slightly broader range of uses, including offices, retail sales, and government offices, while still maintaining a commercial designation.

At the time the staff report was written, no comments had been received regarding the rezone. However, staff mentioned that they received one phone call earlier that day with general inquiries about the property and the reasons for the rezone. Based on the alignment with the Future Land Use Map and the General Plan, staff recommended approval of the rezone.

Commissioner Allred asked what the proposed land use would be.

Ms. McNamara responded saying the applicant, representing Honeysucks LLC, an HR Consulting Firm, is requesting the zoning change.

Chair Packer invited the applicant to approach the Commission to speak and answer questions.

Aaron Gomez said his company has had this property for over a year and they have several tenants wanting to move in but require General Commercial zoning.

Ms. Greenwood said that one of the main differences between the two zones is the General Commercial does allow for retail sales and services while the Professional Business does not. While a minor difference, it could be one that could create a challenge for the Professional Business zone.

Chair Packer opened up the meeting to the Public Hearing.

Val Starkey, a resident of the neighborhood, expressed concerns regarding the proposed rezone to General Commercial for the property on Main Street. Starkey mentioned that his family has been particularly sensitive to traffic issues, as his daughter was recently involved in an accident on 550 East in May. Although this isn't the exact location, he pointed out similarities between the areas.

Mr. Starkey's primary concern was the increase in traffic that could result from the shift to commercial zoning, especially with vehicles entering and exiting onto a 40-mile-per-hour street. He highlighted the proximity of Laurelwood Drive, located about 180 feet to the south, and suggested that before any decisions are made, the Planning Commission and staff should review accident reports for Laurelwood and Main Street to assess the potential impact of increased traffic from the commercial property.

Starkey also expressed a broader concern about the expansion of commercial zoning in the residential area. While he acknowledged that a few offices in the neighborhood are not problematic, he feared that introducing commercial zoning could lead to a camel and the tent situation, where one commercial property might encourage neighboring properties to seek similar zoning changes, leading to a proliferation of commercial development in the area. He urged the Planning Commission to consider these potential issues, particularly the increased accident risk, before making a decision.

Chair Packer closed the Public Hearing.

Upon closing the Public Hearing Laurene Starkey, another resident of the neighborhood, approached the Commission to voice her concerns regarding the proposed rezone to General Commercial. She began by recounting a recent incident where a car, traveling northbound, lost control and crashed into a neighbor's house, underscoring the dangers of the traffic in the area. She mentioned that while her family's previous accident was relatively minor, the situation on the street is more hazardous than it might appear, especially given the 45-mile-per-hour speed limit and the potential for drivers to run red lights, as happened in the accident involving her daughter and her three young children.

Ms. Starkey also expressed concerns about the broader implications of changing the zoning to commercial. While she and some of her neighbors are somewhat comfortable with the idea of a business like a law firm or healthcare office, they are uneasy about the potential for more intrusive commercial developments in the future. She emphasized the uncertainty that comes with rezoning, particularly the possibility that the property could eventually be sold to someone who might use it for something far less desirable, like a gas station or other commercial venture that could significantly alter the character of the neighborhood.

Ms. Starkey's comments reflected a broader concern among residents about maintaining the residential nature of the area and the unpredictability of what future developments could arise if the zoning is changed. She concluded by thanking the Planning Commission for listening to their concerns.

Commissioner Allred inquired whether the property, which is planned to be used as a professional office, would host multiple tenants and how many tenants might be expected. His question aimed to gain a better understanding of the scale and impact of the proposed office use on the neighborhood.

Aaron Gomez said that he believes the building has five rooms and he would like to use them for individual tenants.

Commissioner Allred inquired the amount of parking available for this smaller lot.

Gomez said that there is parking around back, on the side of the building and also in front.

Ms. Greenwood said that the other applicant who joined the meeting via phone wanted to add some comments.

The co-applicant, Sri Puppla responded to Commissioner Allred's question saying the property is intended to be used primarily for professional office spaces, such as law offices or consulting firms, which would have a limited number of clients visiting each day. He emphasized that the nature of these businesses would be low-impact, with very few daily appointments, similar to the previous tenant, who was a professional business coach with only two or three appointments per day.

Puppla also reassured the Planning Commission that there is ample parking available on the property, including spaces in front, next to, and behind the building. This parking capacity would prevent any issues with clients parking on the street, further mitigating concerns about increased traffic or congestion in the neighborhood. He also indicated a preference for limiting the tenants to professional office spaces rather than allowing busier retail operations, aligning with the low-impact nature of the proposed use.

Commissioner Sommerkorn made a motion to recommend to City Council an approval of the rezone request from PB Professional Building to GC General Commercial at 579 South Main Street. Commissioner Lott seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay
Commissioner Young: Yay
Commissioner Ellis: Yay
Commissioner Packer: Yay
Commissioner Lott: Yay
Commissioner Allred: Yay

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

Ms. Greenwood started her presentation by demonstrating how Kaysville residents can be informed on items that come before Planning Commission. She shared how to get signed up for emails on the Kaysville City webpage. She also shared the Kaysville City Facebook page where agendas are always posted and the State of Utah Public Notice website.

Ms. Greenwood then addressed the Planning Commission regarding a rezone application for a 2.8-acre property located at approximately 1735 South 200 West. The property is currently zoned A-1 Light Agricultural and the applicant, Mr. Bryan Carling, has requested it be rezoned to R-4. Ms. Greenwood explained a significant misunderstanding that occurred between the staff and the applicant, Carling, regarding the intended use of the property. Initially, the staff report prepared for the July 11, 2024 meeting was based on the assumption that the property would be developed with single-family detached dwellings. However, during that meeting, it

was clarified that Carling's intent was to develop townhomes on the property. Consequently, the staff report for this meeting was rewritten to reflect this change, leading to a different recommendation than what was originally proposed.

Ms. Greenwood provided an overview of the property, noting its location in an agricultural area and its current zoning. The property had been previously used for single-family purposes, and the Future Land Use Map designates the area for single-family residential development. The proposed concept plan submitted by Carling includes eight lots that could accommodate banks of townhomes, with each lot allowing two or three attached units.

Ms. Greenwood highlighted the conflicting elements within the City's General Plan. While certain goals and objectives support the development of diverse housing options, including multi-family housing, the General Plan also emphasizes the preservation of Kaysville's small-town atmosphere and the protection of existing neighborhoods. Specifically, the land use and place-making plan and goal five of the General Plan both support maintaining the current agricultural and single-family residential character of the area, which would not align with the proposed R-4 zoning.

Ms. Greenwood acknowledged that the city's commitment to providing diverse housing options and complying with moderate-income housing requirements could support the rezone. However, because the townhome development proposed by Carling does not align with the single-family designation of the Future Land Use Map, the staff ultimately recommended denial of the rezone application.

Ms. Greenwood also mentioned that the Planning Commission had directed staff to work with Carling to find a solution that might be more acceptable to the public and the Commission. Despite these discussions, Carling chose to proceed with the request for the R-4 zoning. Staff's recommendation for denial was based on the fact that the proposed townhomes do not conform to the Future Land Use Plan, which designates the area for single-family homes, and the overall impact of introducing multi-family housing in the middle of an agricultural area. The recommendation reflected staff's assessment that the proposed rezone would not fit the existing or planned character of the surrounding neighborhood.

Chair Packer invited the applicant, Bryan Carling to make any comments regarding his rezone.

Carling spoke in favor of his request to rezone a 2.8-acre property from A-1 Light Agricultural to R-4. Carling addressed several points of opposition and clarified his intentions for the project.

He acknowledged that some of the opposition is due to a general reluctance to see change in the area, with many residents preferring to keep the land as agricultural fields. However, he emphasized that the property is privately owned and that, as the owner, he has the right to pursue development options that align with his goals and the economic realities of the area.

Carling reiterated that his application has always been for R-4 zoning, which would allow for townhomes, not single-family homes. He expressed frustration over what he perceived as a misunderstanding or misrepresentation of his intentions, noting that he has never implied that the development would be for single-family homes. His goal is to develop townhomes that would share lot lines and structural walls, which he believes is necessary to make the project financially viable given the high costs of infrastructure and development in the area.

He provided an economic rationale for the rezone, explaining the high costs associated with developing the property, including an estimated \$1.1 million for road construction and additional costs for connecting to existing utilities. He argued that these costs would make single-family development impractical and unaffordable for most people, especially given the rising cost of land and construction.

Carling emphasized that the current zoning and General Plan are outdated and do not reflect the economic realities of today, particularly the affordability crisis that makes it difficult for new graduates and young families to live in Kaysville. He pointed out that the city's lack of diverse housing options, particularly on the west side of I-15, has created a situation where the city is not meeting the needs of its residents or the state's push for more affordable and moderate-income housing.

He also addressed concerns from neighbors about the potential impact of the development on the area, particularly regarding traffic and the preservation of the agricultural character. Carling expressed his willingness to work with the neighbors directly impacted by the development, particularly those on the east side, and to make compromises to address their concerns.

Carling concluded by asking the Planning Commission for a fair consideration of his rezone request, urging them to think about the broader needs of the community and the potential benefits of providing more affordable housing options in Kaysville. He also mentioned that he had communicated with the Governor's office about the project and expressed his intention to pursue legal options if necessary. Carling left a letter with the staff and offered to answer any questions the Planning Commission might have about the proposed development.

(See attached letter at the end of the minutes)

Commissioner Sommerkorn sought clarification from Carling regarding his willingness to consider alternative zoning options for his property. Sommerkorn referred to the discussions from the previous meeting, where the idea of exploring different options, such as small lots for single-family homes, was mentioned.

Carling responded candidly, expressing his frustration with the city and stating that he is seeking an up-or-down vote on the R-4 zoning request. He indicated that his primary goal is to have the property rezoned to R-4 to allow for townhomes. However, when pressed by Commissioner Sommerkorn, Carling acknowledged that he would consider an R-1-8 zoning

designation, if necessary, as it would still allow for twin homes through a Conditional Use Permit, even though it would not permit the same level of density as R-4.

Carling made it clear that while his preference is for R-4 zoning, he would be "tickled" with R-1-8 zoning as a fallback option. He pointed out that an R-1-8 designation would still allow for the development of twin homes under certain conditions, similar to other developments in the area. Despite this, he reiterated his desire for the Planning Commission to make a definitive decision on the R-4 zoning.

Commissioner Sommerkorn thanked Carling for the clarification, confirming that Carling's primary request is for the R-4 zoning but that he would consider R-1-8 as an alternative.

Commissioner Allred raised important points about the potential for achieving affordable housing through the proposed rezone. He acknowledged that simply rezoning for the sake of rezoning would be insufficient if it did not align with the city's General Plan goals, particularly the creation of affordable housing options. Commissioner Allred emphasized the importance of ensuring that any rezone would result in housing that is actually affordable, particularly for younger families, and not just lead to expensive developments that don't meet the community's needs.

Carling responded by acknowledging the concerns about affordability but also expressed frustration with the city's approach, particularly the push for larger lot sizes, which he feels would make it impossible to create affordable housing. Carling noted that while he's open to negotiation, his experience has led him to seek a definitive decision on the R-4 zoning request, despite being open to R-1-8 as a fallback option.

Commissioner Allred continued by exploring the possibility of using a Development Agreement to achieve a balance, potentially allowing for smaller lots or a mix of housing types that could still meet affordability goals. He shared his personal experience with similar developments and pointed out that many younger people today prefer townhomes or smaller lots with less maintenance, indicating a need for such housing in Kaysville.

Commissioner Allred expressed a desire to find a middle ground that would align with the General Plan while also addressing the state's push for more diverse and affordable housing options. He underscored the need for change in the city's approach to housing to meet the needs of younger generations, who are increasingly looking for alternatives to traditional single-family homes.

Commissioner Young expressed her support for the proposed development and the broader idea of introducing more housing options in West Kaysville. She mentioned that she is not opposed to the concept as it is currently drawn up and pointed out the potential for the townhomes to be attractive and well-designed, similar to those on the north end of Main Street in Kaysville, which she finds beautiful.

Commissioner Young shared her personal experience, noting that she currently lives on a small 6,000-square-foot lot in West Kaysville. She highlighted the growing unaffordability of her own home, which underscores the need for more diverse and affordable housing options in the area. While she appreciates the movement towards higher density and smaller lots, she indicated that she would like to see City Council have the opportunity to review the proposal.

Her comments reflected a recognition of the housing affordability challenges facing the community and a willingness to consider developments that could help address these issues, even if they involve higher density and non-traditional housing types like townhomes.

Commissioner Ellis expressed her internal conflict regarding the rezone proposal. She acknowledged the persuasive arguments made during the discussion but shared her instinct that the density of the proposed development should be tapered. Commissioner Ellis voiced concern that if state regulations limit the Planning Commission's ability to make decisions on such matters, it could undermine the purpose of having a Planning Commission.

Commissioner Ellis found the decision challenging but reiterated her belief that the density should be adjusted, reflecting a concern for balancing development with the character of the surrounding area. Her comments highlighted the tension between following state mandates and maintaining local control over land use decisions.

Carling discussed the zoning options available for his proposed development. He mentioned that while the RM zoning would allow for higher density (six units per structure), it would likely cause significant opposition. He pointed out that the front, back, and side setbacks, as well as the height restrictions, are the same across different zoning categories, with the main difference being the number of walls that can be shared between units.

Commissioner Ellis acknowledged that zoning options like R-2 and R-1-8 with twin conversions are very similar, and noted that if the development were considered under a Conditional Use Permit, higher density could potentially be achieved regardless of the zoning.

Carling reiterated his desire to push for a decision on the R-4 zoning.

Commissioner Sommerkorn expressed openness to the idea of R-1-8 zoning, which could accommodate twin homes or duplexes that resemble single-family homes. He noted that while these types of homes are uncommon in Kaysville, they can be designed to blend seamlessly into the neighborhood. Sommerkorn suggested that smaller lots could achieve the same visual effect as single-family homes while still providing more housing options.

Commissioner Sommerkorn emphasized that any consideration of R-4 zoning would require a detailed Development Agreement that clearly outlines what would be built. Without such an agreement, he was not willing to recommend R-4 zoning to the council but expressed support for the R-1-8 zoning as a more viable alternative.

Chair Packer shared his thoughts on the rezone application, acknowledging the complexity and conflicting aspects of the decision-making process. He noted that the General Plan often contains multiple, sometimes conflicting, priorities, making it challenging to satisfy all goals simultaneously. He recognized that the land in question will eventually be developed, whether or not the zoning is changed.

Chair Packer observed that large lots, which are prevalent in west Kaysville, are not significantly different in appearance from smaller lots when it comes to the visual impact of houses and landscaping. He questioned whether the continuation of large lots is what Kaysville truly needs, given the clear demand for smaller lots and more diverse housing options.

Chair Packer highlighted the General Plan's priority to provide variety and diversity in housing, noting that the area west and south of the freeway currently lacks higher-density housing options. Chair Packer pointed out that the property's location near major roads and future freeway access, including the new Shepard Lane interchange and the West Davis Corridor, could make it well-suited for development that offers more density.

Chair Packer addressed the concern about whether the proposed development would fit the area's existing density. He acknowledged that while the proposed density is different, he did not see it as a significant issue. He argued that the physical characteristics of the buildings, such as height, setbacks, and overall appearance, would not be substantially different from those of houses that could be built under the current zoning. He emphasized that the main difference would be the increased density, which, in his view, does not present the kind of extreme contrast that might be problematic, such as placing industrial facilities next to a school.

In conclusion, Chair Packer expressed that, while the decision is not straightforward, he leans towards supporting the development. He sees the potential for it to work well within the context of the area, particularly given the city's goals of fostering diverse housing options across different parts of the city.

Commissioner Allred delivered a strongly-worded critique of the current situation surrounding zoning, development standards, and the General Plan of Kaysville. He expressed frustration with what he views as contradictory and outdated elements in the City's General Plan, particularly the language that describes Kaysville as a "small town" with a "rural" or "pastoral" atmosphere. Commissioner Allred argued that this language is misleading and does not reflect the reality of Kaysville as a growing suburb within a highly urbanized region. He asserted that the city needs to stop using such terms, which he believes perpetuate a resistance to change and hinder the development of more diverse and affordable housing options.

Commissioner Allred criticized the city's history of zoning and planning, particularly the large lot zoning that has dominated the west side of Kaysville. He pointed out that this approach has created a lack of housing diversity and has contributed to the exclusion of younger families and those with moderate incomes from living in the area. He expressed frustration that Kaysville's

development standards, particularly for street widths, are excessively large and contribute to the high cost of infrastructure, which in turn raises the cost of housing.

He also took issue with the City's General Plan, arguing that it is inconsistent and does not effectively support the creation of affordable housing. He lamented that the plan's contradictory language makes it difficult to achieve meaningful change and that it should not have been adopted in its current form.

Commissioner Allred urged the Planning Commission to focus on good planning practices rather than worrying about how their recommendations might be received by the public or the City Council. He advocated for increased density in the proposed development and supported the applicant's request for a straightforward up-or-down vote on the R-4 zoning. Commissioner Allred's comments highlighted concern for the direction of development in Kaysville and a call for more progressive, inclusive planning practices that better reflect the needs of the community and the realities of the region.

Commissioner Sommerkorn began by reiterating his position that he could not support the R-4 zoning without a more detailed Development Agreement, which he believes is necessary to ensure that the project aligns with the spirit of the General Plan, particularly regarding single-family housing. He suggested that the R-1-8 zoning, combined with a conditional use for twin homes, could achieve a balance between increasing density and maintaining the character of the area.

Commissioner Ellis agreed with Commissioner Sommerkorn, stating that she could be persuaded to support the project with the right Development Agreement that provides a buffer and addresses density concerns.

Carling responded to the discussion by explaining the limitations he faces as a small developer with only 2.8 acres, indicating that he is not in a position to engage in a complex Development Agreement process typically handled by larger developers. He expressed a preference for a straightforward rezone without additional complications.

Ms. Greenwood clarified that while Development Agreements typically include time frames and detailed conditions, they can be flexible and tailored to the specific circumstances of a project. She mentioned that in some cases, time frames are not strictly enforced, providing some leeway for the developer.

Commissioner Young made a motion to recommend the rezone from A-1 (Light Agricultural) to R-4 (One to Four Family Residential) for the property at 1735 South 550 West owned by Bryan Carling. Commissioner Allred seconded the motion.

Commissioner Sommerkorn reiterated his opposition to the R-4 zoning without a Development Agreement. The vote was 3-3 resulting in a tie. The tie vote meant that the motion failed.

Commissioner Sommerkorn: Nay
Commissioner Young: Yay
Commissioner Ellis: Nay
Commissioner Packer: Yay
Commissioner Lott: Nay
Commissioner Allred: Yay

The Planning Commission continued its discussion following the tie vote on the motion to recommend approval of the R-4 zoning request. Commissioner Sommerkorn clarified that, according to the bylaws, a tie vote does not automatically mean a denial rather, it results in no recommendation being made to the City Council. This situation allowed the Commission to consider another motion if they wished to proceed further.

Commissioner Sommerkorn then made a motion to recommend that the applicant consider an R-1-8 zoning with a development agreement, emphasizing that the Planning Commission would be willing to look favorably on such a proposal.

This motion was seconded by Commissioner Allred, who raised a procedural concern about voting on a zoning application that had not been formally submitted. It was acknowledged that the Planning Commission should not make a recommendation on an application that doesn't exist, but they can express a preference for what they would support if such an application were to be submitted.

The discussion then focused on the procedural implications of the tie vote and the potential options available to the applicant, Bryan Carling. Ms. Greenwood clarified that the tie vote meant the motion to recommend approval of R-4 zoning did not pass, but it did not constitute a denial. This outcome would be reported to the City Council as a lack of recommendation from the Planning Commission due to the 3-3 tie.

The Commission members debated whether to proceed with another motion or to leave the matter as it stood.

Ultimately, it was decided that the tie vote would result in no recommendation being forwarded to the City Council. However, Commissioner Sommerkorn reiterated that the Planning Commission would be open to considering an R-1-8 zoning with a development agreement if the applicant chose to pursue that route. The Commission members agreed that this suggestion would be noted in the minutes but that no further formal action would be taken at this time.

Chair Mike Packer acknowledged the time and effort invested by everyone involved, including Mr. Carling and the Commissioners, noting that the democratic process can sometimes be slow.

10- APPROVAL OF THE MINUTES FROM THE JULY 11, 2024 PLANNING COMMISSION MEETING
Commissioner Sommerkorn made a motion to approve the minutes for July 11, 2024.

Commissioner Lott seconded the motion and was unanimous in favor of the motion (6-0).

Commissioner Sommerkorn: Yay

Commissioner Young: Yay

Commissioner Ellis: Yay

Commissioner Packer: Yay

Commissioner Lott: Yay

Commissioner Allred: Yay

11 - OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Greenwood confirmed that Commissioners Packer, Young, and Ellis have been registered for the APA Conference in Provo, and mentioned that Commissioner Young and Commissioner Sevy would be attending the Housing Summit Conference.

Ms. Greenwood also informed the Commissioners about an upcoming Planner's Day at the League of Cities and Town annual conference in Salt Lake City on September 5. She highlighted that attending this event would fulfill the legal requirement for four hours of training per year for the Commissioners and also cover their Open Meetings training. Ms. Greenwood encouraged those interested to check their calendars and confirm their availability, noting that the budget could accommodate the registration fees since no lodging or extensive travel expenses would be required.

Commissioner Allred expressed interest in attending the Planners' Day, and Ms. Greenwood made a note to register those interested. She also mentioned that Mr. Carling's application would be taken to the City Council on September 5.

Finally, Ms. Greenwood noted that the Planning Commission's next scheduled meeting might be on August 22 depending on whether any new agenda items, such as Conditional Use Permits or text amendments, are submitted. She assured the Commissioners that they would stay busy as they move forward with these tasks.

12 - ADJOURNMENT

Commissioner Lott made a motion to adjourn the meeting at 9:40pm.

Letter from Bryan Carling to Kaysville City
1623 Haight Creek Dr
Kaysville, UT 84037
Bryancarling@yahoo.com
801-815-8824

August 8, 2024

Planning Commission
Kaysville, Utah

Dear Members of the Planning Commission,

I am writing to advocate for the approval of the rezone request concerning my property located at 1735 S 550 West.

This request is critical not only for optimizing land use but also for contributing to our community's broader goals, including addressing the pressing need for affordable housing—a key objective emphasized by the State of Utah.

The width of my property measures 215 feet, allowing for a 55-foot-wide road complete with standard sidewalks, curb, and gutter. This design will facilitate safe and efficient traffic flow for both vehicles and pedestrians, enhancing the overall functionality of the area.

The property dimensions also enable a 40-foot depth for residential dwellings, adhering to standard zoning requirements of 25-foot front setbacks and 15-foot rear setbacks. This layout ensures that development will be compliant with zoning regulations and will maintain an aesthetically pleasing and cohesive streetscape.

The importance of this request extends beyond just land use. It directly contributes to the State of Utah's goal of increasing the availability of affordable housing. With rising housing costs, it is crucial that we develop more affordable housing options to meet the needs of our growing population. By approving this request, we will be making a positive impact on addressing this significant issue, providing more accessible and affordable living solutions for families and individuals in our community.

I understand that some neighbors have expressed concerns about this development. However, it is important to address that these concerns often come from individuals who are not directly impacted by the proximity of the property. The distance from their homes to the proposed site renders their concerns less relevant to the specific context of this development. Furthermore, their objections are not grounded in a fair assessment of the facts or the pressing need to address the high costs of housing.

The proposed development will be in line with community standards and will include thoughtful planning to ensure it integrates seamlessly with the surrounding area. It is essential to focus on the broader benefits of this project, including its alignment with state objectives and the tangible benefits it will bring in terms of affordable housing.

I urge the Planning Commission to support this request, recognizing the critical need for affordable housing and the positive impact this development will have on our community. Your approval will not only facilitate practical and efficient land use but will also contribute significantly to addressing an important state and community goal.

Thank you for considering this matter. I look forward to your favorable response and am confident that this development will be a valuable addition to our community.

Sincerely,

Bryan Carling
Applicant