



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

The Kaysville City Planning Commission will hold a regular meeting on February 13, 2025, 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 an EMC sign for America First Credit Union located at 1302 West 200 North (Flint Side)
4. Conditional Use Permit for an EMC sign for America First Credit Union located at 1302 West 200 North (200 North side)
5. Public Hearing for Consideration of Enacting Kaysville City Code Title 17 Chapter 31-5 Farm Stands and amending the following titles of Kaysville City Code: Title 17 Chapter 2 Definitions; Chapter 17-8 Heavy Agricultural District; Chapter 17-9 Light Agricultural District; Chapter 17-10 Agricultural Residential District; Chapter 17-11 Old Kaysville Townsite Residential District; Chapter 17-12 Single Family Residential District; and Chapter 17-13 Diverse Residential District.
6. Approval of the minutes from the January 23, 2025 Planning Commission Meeting
7. Other matters that properly come before the Planning Commission
 - a. Reports
 - b. Correspondence
 - c. Calendar
8. Adjournment

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

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

Mindi Edstrom
Community Development Department

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 3, 2025

Agenda Item #3: Conditional Use Permit for an EMC sign for America First Credit Union located at 1302 West 200 North (Flint Side)

Meeting Date	February 13, 2025
Application Type	Conditional Use Permit
Applicant Owner	Skyler Walser America First Credit Union
Address Parcel ID Number	1302 West 200 North (Flint Side) 11-743-0004
Lot Size	1.43 acres 62,465 ft ²
Current Use	Credit Union
Conditional Use	Electronic Message Sign (EMC)

1. BACKGROUND

Skyler Walser with YESCO signs is requesting a conditional use permit to allow America First Credit Union (AMCU) to install an Electronic Message Sign (EMC) at 1302 West 200 North. An existing monument base will be utilized to replace the existing static sign. The sign will be placed on the Flint Street facing side of the property EMC signs are permitted as a conditional use in the Light Industrial zone subject to the provisions found in [KCC 17-33](#).



2. ZONING

The property located at 1302 West 200 North (Parcel 11-857-0202) is zoned as Light Industrial (LI). EMC signs are subject to the regulations found in 17-33-9 which are listed below:

17-33-9 Signs Permitted By Zone

Size: Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of any sign cabinet.



1 SIGN TYPE S1- DOUBLE FACED MONUMENT SIGN FRONT VIEW
 SCALE: 1/4" = 1'-0"

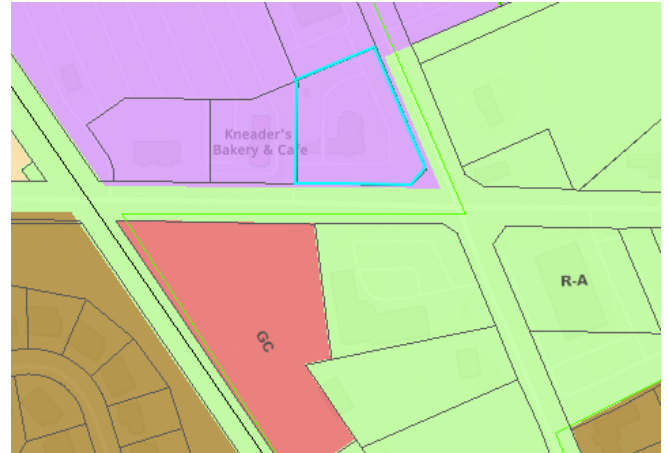
Location: EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs. As part of the conditional use review the designated Land Use Authority may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by

Adjacent zoning:

1. To the north of the property is several LI properties that are part of the same business complex as the project sign. There are also a handful of R-2 and R-M lots farther north to allow for a mixture of uses.
2. To the east of the property is a large segment of RA lot, as well as City owned land zoned PU for Barnes Park
3. To the west of the property is primarily R-1-20 zoned lots with a one cluster of R-2 lots for higher density residential and one R-A lot.
4. To the south of the property is a mixture of GC commercial, R-A, R-1-LD, and R-1-20, with R-1-20 comprising the majority of the lots to the south.



4. FINDINGS

The proposed sign meets requirements outlined in 17-33 Sign Regulations and with the following codified provisions, there should not be need for additional conditions:

- a) Setbacks
KCC 17-33-7 provides general sign provisions for what setbacks are applicable. According to KCC 17-33-7 (4) all signs shall be at least eighteen inches from the property line measured from the leading edge of the sign. The applicant's site plan demonstrates compliance with this standard.
- b) Lighted Signs
According to KCC 17-33-7(6) all illuminated signs shall not be installed in a location that permits the light to permeate beyond the property in a manner than interferes with adjacent properties. The illumination plans for the sign show compliance with this standard.
- c) Maintenance of Signs
According to KCC 17-33-7(9) all signs shall be maintained in a safe presentable condition.
- d) Abandonment of Signs
All signs that fail to meet the maintenance provisions provided in KCC 17-33-7(9) will be subject to the requirements of 17-33-7(10) that outline compliance and fee requirements for abandonment of any permitted signs.

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on February 7, 2025. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of this application with any conditions the Planning Commission feel are appropriate based on the standards outlined in [KCC 17-30-8 Conditional Use Standards](#).

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 3, 2025

Agenda Item #4: Conditional Use Permit for an EMC sign for America First Credit Union located at 1302 West 200 North (200 North side)

Meeting Date	February 13, 2025
Application Type	Conditional Use Permit
Applicant Owner	Skyler Walser America First Credit Union
Address Parcel ID Number	1302 West 200 North (200 North side) 11-743-0004
Lot Size	1.43 acres 62,465 ft ²
Current Use	Credit Union
Conditional Use	Electronic Message Sign (EMC)

1. BACKGROUND

Skyler Walser with YESCO signs is requesting a conditional use permit to allow America First Credit Union (AMCU) to install an Electronic Message Sign (EMC) at 257 North Flint. An existing monument base will be utilized to replace the existing static sign. The sign will be placed on the southern property line along 200 North. EMC signs are permitted as a conditional use in the Light Industrial zone subject to the provisions found in [KCC 17-33](#).



2. ZONING

The property located at 1302 West 200 North (Parcel 11-857-0202) is zoned as Light Industrial (LI). EMC signs are subject to the regulations found in 17-33-9 which are listed below:

17-33-9 Signs Permitted By Zone

Size: Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of any sign cabinet.



1 SIGN TYPE S1- DOUBLE FACED MONUMENT SIGN FRONT VIEW
 SCALE: 1/4" = 1'-0"

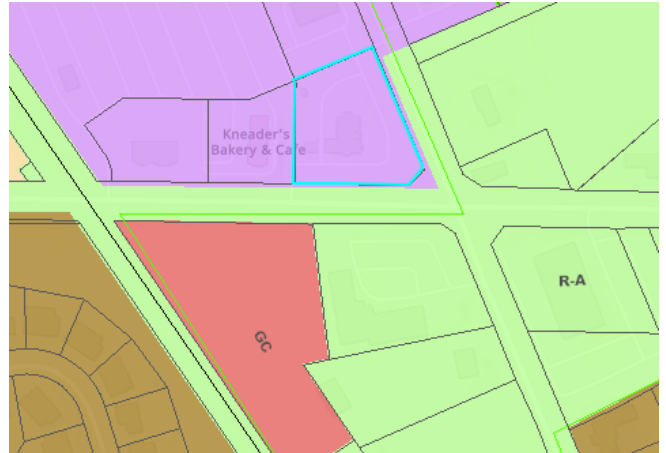
Location: EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional use in zones where permitted. Allowed only as part of monument and ground signs. As part of the conditional use review the designated Land Use Authority may consider hours of operation, sign height, sign size, and/or setbacks from property lines.

3. SURROUNDING NEIGHBORHOODS & USES

The property is surrounded by

Adjacent zoning:

1. To the north of the property is several LI properties that are part of the same business complex as the project sign. There are also a handful of R-2 and R-M lots farther north to allow for a mixture of uses.
2. To the east of the property is a large segment of RA lots, as well as City owned land zoned PU for Barnes Park
3. To the west of the property is primarily R-1-20 zoned lots with a one cluster of R-2 lots for higher density residential and one R-A lot.
4. To the south of the property is a mixture of GC commercial, R-A, R-1-LD, and R-1-20, with R-1-20 comprising many of the lots to the south.



4. FINDINGS

The proposed sign meets requirements outlined in 17-33 Sign Regulations and with the following codified provisions, there should not be need for additional conditions:

- a. Setbacks
KCC 17-33-7 provides general sign provisions for what setbacks are applicable. According to KCC 17-33-7 (4) all signs shall be at least eighteen inches from the property line measured from the leading edge of the sign. The applicant's site plan demonstrates compliance with this standard.
- b. Lighted Signs
According to KCC 17-33-7(6) all illuminated signs shall not be installed in a location that permits the light to permeate beyond the property in a manner than interferes with adjacent properties. The illumination plans for the sign show compliance with this standard.
- c. Maintenance of Signs
According to KCC 17-33-7(9) all signs shall be maintained in a safe presentable condition.
- d. Abandonment of Signs

All signs that fail to meet the maintenance provisions provided in KCC 17-33-7(9) will be subject to the requirements of 17-33-7(10) that outline compliance and fee requirements for abandonment of any permitted signs.

5. PUBLIC NOTICING AND PUBLIC COMMENT

A sign was placed on the property on February 7, 2025. As of the date of this report, no comments have been received.

6. RECOMMENDATION

Staff is recommending approval of this application with any conditions the Planning Commission feel are appropriate based on the standards outlined in [KCC 17-30-8 Conditional Use Standards](#).

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 5, 2025

Agenda Item #5: Public Hearing for Consideration of Enacting Kaysville City Code Title 17 Chapter 31-5 Farm Stands and amending the following titles of Kaysville City Code: Title 17 Chapter 2 Definitions; Chapter 17-8 Heavy Agricultural District; Chapter 17-9 Light Agricultural District; Chapter 17-10 Agricultural Residential District; Chapter 17-11 Old Kaysville Townsite Residential District; Chapter 17-12 Single Family Residential District; and Chapter 17-13 Diverse Residential District.

Meeting Date	February 13, 2025
Application Type	Ordinance Text Amendment
Applicant	Brit Van Brocklin
Chapter Title Section	Title 17-2 Definitions Title 17-31-5 Farm Stands Title 17-8 Heavy Agricultural District Title 17-9 Light Agricultural District Title 17-10 Agricultural Residential District Title 17-11 Old Kaysville Townsite Residential District Title 17-12 Single Family Residential District Title 17-13 Diverse Residential District

1. BACKGROUND

Brit Van Brocklin applied for a Title 17 Planning and Zoning Text amendment application to allow for seasonal farm stands to be located in low density residential and agricultural zones. The permitting of seasonal farm stands would enable the applicant to sell the flowers she grows for her business on site at her home.

After researching similar ordinances enacted in other cities, staff has compiled a set of definitions and standards to enable farm stands as a temporary use including limitations on their duration as well as lot area restrictions.

The following matrix depicts differences between the applicant's proposal and staff's proposed regulations.

Proposed Changes Matrix

Regulation	Applicant Proposal	Staff Recommendation	Comments
Signage	Signs for seasonal farm stands are allowed as a temporary sign within 25' of stand location. Sign should not exceed 15 square feet in size	Needs discussion as most home occupations do not permit signage	• Minor Home Occupations: No signage allowed • Major Home Occupation A: No signage allowed • Major Home Occupation B: One wall sign, one square foot, indicating the address and the occupant's name • Major Home Occupation C: One wall sign, one square foot, indicating the address and the occupant's name
Duration	No definition provided	No more than 180 consecutive days per calendar year Operating hours should be between dawn and dusk	Temporary uses not limited by number of days in other portions of code – potential inconsistency and issues determining what is classified as “temporary”
Zones	Permitted use in all Agricultural and Residential zones	Permitted in (conditionally): Chapter 17-8 Heavy Agricultural District; Chapter 17-9 Light Agricultural District; Chapter 17-10 Agricultural Residential District; Chapter 17-11 Old Kaysville Townsite Residential District; Chapter 17-12 Single Family Residential District; and Chapter	Farm stands not really compatible with medium density residential areas (R-2, R-4 and R-M)

		17-13 Diverse Residential District	
Permitted vs Conditional Uses	Permitted outright	Conditional use in single family residential and in agricultural zones	Classifying as conditional use allows for better tracking of applications and enforcement of conditions to mitigate impacts and noncompliance
Packaged goods	Packaged foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department agriculture facility	Packaged foods produced onsite per cottage food establishment regulations as defined by Utah State Annotated Code Title 4-5-501 Cottage Food Operations	• Recommendation to keep farm stand sale products to one single site • Allow Cottage Food Operations which provides additional requirements to ensure proper regulation of any packaged food sold

To ensure the enactment of the proposed Farm Stand ordinance is consistent with other provisions of City Code and similar uses, staff is also proposing these additional regulations or details:

- Defining temporary sales within the parameters of a farm stand
- Owner/Legal occupant required to be who operates the farm stand
- Site plan submittal requirement
- Kaysville City Business license requirement
- Contiguous parcels that have the same owner are considered one site

2. PUBLIC NOTICING AND PUBLIC COMMENT

A public hearing notice for this item was posted on January 23, 2025. To date, no comments have been received.

3. GENERAL PLAN

The general plan does not speak in favor of or against the proposed regulations of farm stands and is therefore considered neutral on this matter.

4. RECOMMENDATION

Staff recommends the Planning Commission send a recommendation of approval to the City Council for enacting 17-31-5 Farm Stands and text amendments to 17-8 Heavy Agricultural District, 17-9 Light Agricultural District, 17-10 Agricultural Residential District, 17-11 Old Kaysville Townsite Residential District, 17-12 Single Family Residential District, and 17-13 Diverse Residential District as provided in the attached draft ordinance.

KCC Title 17 Amendments for Farm Stands

Chapter 2 Definitions

Farm Stand: Temporary retail sales of:

- a. Food crops grown onsite including fresh fruits, vegetables and herbs;
- b. Ornamental crops grown onsite including flowers and small plants; and
- c. Packaged foods produced onsite per cottage food establishment regulations as defined by Utah State Annotated Code Title 4-5-501 Cottage Food Operations.

Chapter 31-5 Farm Stands

17-31-5-1 Purpose

To authorize and establish regulations for the operation of temporary farm stands in agricultural and certain residential districts to encourage urban farming.

17-31-5-2 Permitted Zones

Farm stands are allowed as a conditional use in the following zones:

- a. [Chapter 17-8 Heavy Agricultural District](#)
- b. [Chapter 17-9 Light Agricultural District](#)
- c. [Chapter 17-10 Agricultural Residential District](#)
- d. [Chapter 17-11 Old Kaysville Townsite Residential District](#)
- e. [Chapter 17-12 Single Family Residential District](#)
- f. [Chapter 17-13 Diverse Residential District](#)

17-31-5-3 Farm Stand Requirements

- a. Farm stands shall be operated by the owner or legal occupant of the site. The legal occupant shall provide documentation showing proof of occupancy.
- b. Farm stand applications are required to submit a site plan as well as a plan for when temporary sales are estimated to begin and conclude.
- c. Farm stands shall obtain a Kaysville City business license as required by KCC Title 16 Licensing Control and Regulation of Business and comply with all retail sales requirements from the State of Utah.
- d. During hours of operation, the property owner or legal occupant shall be on site.
- e. Farm stand products shall be removed from the farm stand location outside of the hours of operation.

17-31-5-4 Lot Area Restrictions

- a. The total square footage of the farm stand shall not exceed 100 square feet.
- b. Farm stands shall be setback at least ten feet from the property line of the site and the adjacent property line.

KCC Title 17 Amendments for Farm Stands

- c. For the purposes of this section, a single site can be considered as contiguous properties owned or occupied by the same individual.

17-31-5-5 Duration

- a. Farm stands may not operate before dawn or after dusk, including setup and take down time.
- b. Farm stands are not permitted to operate for more than 180 consecutive days in a calendar year.

17-31-5-6 Parking and Circulation

Any on street parking shall comply with existing regulations in Kaysville City Code. Farm stand operations shall not impede safe circulation of traffic.

17-31-5-7 Prohibited

- a. Farm stands are only allowed as temporary uses and shall not entail the construction of permanent structures.
- b. Seasonal farm stands are prohibited within the public right of way.
- c. On-site advertising and signage is prohibited.
- d. Christmas tree sales are not permitted as a farm stand.
- e. No live animals are permitted to be within 20 linear feet of the operating stand at any time with the exception of service animals.

17-8-4 Conditional Uses (Heavy Agricultural District)

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

1. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
2. Agricultural home occupations subject to the provisions of [KCC 17-26](#).
3. Golf courses subject to the provisions of [KCC 17-31-8](#).
4. Greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
5. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
6. Public utility substation or storage facilities developed by a public agency.
7. Animal hospital or clinic, dog breeding, dog kennels, dog training school, provided any building or enclosure for animals shall be located not less than one hundred feet (100')

KCC Title 17 Amendments for Farm Stands

from a public street and not less than fifty feet (50') from any dwelling or adjacent property.

8. Accessory building larger than three thousand (3,000) square feet in area, subject to the provisions of [KCC 17-31-2](#).
9. [Farm stands, subject the provisions of KCC 17-31-5](#)

17-9-4 Conditional Uses (Light Agricultural District)

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

1. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
2. Instructional Home Occupation Subject to the provisions of KCC 17-26.
3. Agricultural home occupations subject to the provisions of [KCC 17-26](#).
4. Golf courses subject to the provisions of [KCC 17-31-8](#).
5. Greenhouses and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
6. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
7. Public utility substation or storage facilities developed by a public agency.
8. Animal hospital or clinic, dog breeding, dog kennels, dog training school, provided any building or enclosure for housing animals shall be located not less than one hundred feet (100') from a public street and not less than fifty feet (50') from any dwelling on adjacent property.
9. Accessory building larger than three thousand (3,000) square feet in area, subject to the provisions of [KCC 17-31-2](#).
10. [Farm stands, subject the provisions of KCC 17-31-5](#)

17-10-4 Conditional Uses (Agricultural Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Public utility substations subject to the provisions of [KCC 17-31-15](#).
5. Golf courses subject to the provisions of [KCC 17-31-8](#).

KCC Title 17 Amendments for Farm Stands

6. Plant nurseries occupying one-half (1/2) acre or more.
7. [Farm stands, subject the provisions of KCC 17-31-5](#)

17-11-4 Conditional Uses (Old Kaysville Townsite Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Public utility substations subject to the provisions of [KCC 17-31-15](#).
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
8. [Farm stands, subject the provisions of KCC 17-31-5](#)

17-12-4 Conditional Uses (Single Family Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of KCC 17-26.
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Public utility substations subject to the provisions of [KCC 17-31-15](#).
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
8. Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.
9. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
10. [Farm stands, subject the provisions of KCC 17-31-5](#)

KCC Title 17 Amendments for Farm Stands

17-13-4 Conditional Uses (Diverse Residential District)

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

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of [KCC 17-26](#).
3. Instructional Home Occupation Subject to the provisions of [KCC 17-26](#).
4. Residential child care subject to the provisions of [KCC 17-26](#).
5. Twin homes subject to the provisions of [KCC 17-28](#). Must also be permitted as two-family dwellings.
6. Farm animals other than those allowed as a permitted use subject to the provisions of [KCC 17-24](#).
7. Swimming clubs subject to the provisions of [KCC 17-31-10](#).
8. Public utility substations subject to the provisions of [KCC 17-31-15](#).
9. [Farm stands, subject the provisions of KCC 17-31-5](#)

Proposed code for Kaysville Seasonal Farm Stand Provision

Purpose: The purpose of this section is to authorize seasonal farm stands within Kaysville city limits while encouraging urban farming.

Allowance: The keeping of a seasonal farm stand shall be allowed as a permitted use within the Agricultural (A) and/or Residential (R) Zones.

Duration: Business activity associated with a seasonal farm stand shall be of a temporary nature.

Farm Stands on Residential Lots:

As provided in this section, and notwithstanding any contrary provision in this title, a farm stand, may be set up with following:

Setback: Seasonal farm stands must be set back a minimum of ten feet (10') from the edge of pavement of a city street

Size: a seasonal farm stand may not exceed one hundred (100) square feet in size

Signs: Signs for seasonal farm stands are allowed as a temporary sign within 25' of stand location. Sign should not exceed 15 square feet in size.

Sales:

Food crops and/or nonfood ornamental crops, such as flowers, grown locally are allowed to be sold at a seasonal farm stand. Packaged foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department agriculture facility.

Parking:

Farm stands shall not impede access to parking or loading areas. Any on street parking shall comply with the existing roadway status.

Animals:

No live animals, birds, or fowl shall be kept or allowed within 20' of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.

Storage:

Perishable foods must be stored in a vermin proof area or container when the stand is closed.

Garbage:

All garbage shall be stored and disposed of in accordance with established health department standards.

Below is the Salt Lake City Code section regarding seasonal farm stands:

21A.36.220: QUALIFYING PROVISIONS FOR A SEASONAL FARM STAND:

- A. Duration: Business activity associated with a seasonal farm stand shall be of a temporary nature.
- B. Right Of Way: No seasonal farm stand is allowed within the public right of way.
- C. Third Party Location: No business activity shall take place on the premises of a third party without first receiving written permission from the property owner.
- D. Parking: Unless approved by the transportation division, if the seasonal farm stand is located within an existing parking lot, it shall not remove or encroach upon required off street parking or loading areas for other uses on the site or impede access to parking or loading areas. All vehicular circulation, staging, and parking provided shall be on a hard surfaced area. Any on street parking shall comply with the existing roadway status.
- E. Setback: Seasonal farm stands must be set back a minimum of ten feet (10') from the edge of pavement of a city street.
- F. Size: A seasonal farm stand may not exceed one hundred (100) square feet in size.
- G. Food Preparation: Food preparation is prohibited at farm stands.
- H. Signs: Signs for a seasonal farm stand are allowed as temporary portable signs subject to the regulations in section [21A.46.055](#) of this title. Signs are not allowed to be placed more than fifty feet (50') from the stand location.
- I. Sales: Food crops and/or nonfood, ornamental crops, such as flowers grown locally are allowed to be sold at a seasonal food stand. Prepackaged "shelf stable" foods produced in close proximity to the farm stand may be sold as well, provided they are fully labeled and produced in an approved health department or Utah state department of agriculture facility.
- J. Animals: No live animals, birds, or fowl shall be kept or allowed within twenty feet (20') of any area where food is stored or held for sale. This requirement does not apply to guide dogs, signal dogs, or service dogs.
- K. Garbage: All garbage and refuse shall be stored and disposed of in accordance with established health department standards.
- L. Storage: Perishable foods must be stored in a vermin proof area or container when the facility is closed. (Ord. 21-11, 2011)

Effective 5/3/2023

4-5-501 Cottage food operations.

- (1) For purposes of this chapter:
 - (a) "Cottage food operation" means a person who produces a cottage food product in a home kitchen .
 - (b) "Cottage food product" means a nonpotentially hazardous baked good, jam, jelly, or other nonpotentially hazardous food produced in a home kitchen.
 - (c) "Home kitchen" means a kitchen:
 - (i) designed and intended for use by the residents of a home; and
 - (ii) used by a resident of the home for the production of a cottage food product.
 - (d) "Potentially hazardous food" means:
 - (i) a food of animal origin;
 - (ii) raw seed sprouts; or
 - (iii) a food that requires time or temperature control, or both, for safety to limit pathogenic microorganism growth or toxin formation, as identified by the department in rule.
- (2) The department shall adopt rules pursuant to Title 63G, Chapter 3, Utah Administrative Rulemaking Act, as necessary to protect public health and ensure a safe food supply.
- (3) Rules adopted pursuant to Subsection (2) may not require:
 - (a) the use of a commercial surface such as a stainless steel counter or cabinet;
 - (b) the use of a commercial grade:
 - (i) sink;
 - (ii) dishwasher; or
 - (iii) oven;
 - (c) a separate kitchen for the cottage food operation; or
 - (d) the submission of plans and specifications before construction of, or remodel of, a cottage food production operation.
- (4) The operator of a cottage food operation shall:
 - (a) register with the department as a cottage food operation before operating as a cottage food operation;
 - (b) hold a valid food handler's permit; and
 - (c) package a cottage food product with a label, as specified by the department in rule.
- (5) Notwithstanding the provisions of Subsections 4-5-301(1)(a) and (c), the department shall issue a registration to an applicant for a cottage food operation if the applicant for the registration:
 - (a) pays the fees required by the department; and
 - (b) meets the requirements of this section.
- (6) Notwithstanding the provisions of Section 26A-1-114, a local health department:
 - (a) does not have jurisdiction to regulate the production of food at a cottage food operation operating in compliance with this section, as long as the products are not offered to the public for consumption on the premises; and
 - (b) does have jurisdiction to investigate a cottage food operation in an investigation into the cause of a foodborne illness outbreak.
- (7) A food service establishment as defined in Section 26B-7-401 may not use a product produced in a cottage food operation as an ingredient in a food that is prepared by the food establishment and offered by the food establishment to the public for consumption.

Amended by Chapter 327, 2023 General Session

Kaysville City Planning Commission Meeting Minutes
January 23, 2025

The Planning Commission meeting was held on Thursday, January 23, 2025, at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Megan Sevy, Paul Toller, Wilf Sommerkorn, Erin Young, and Katie Ellis

Planning Commissioners Absent: Commissioner Allred and Commissioner Shepard

Staff Present: Anne McNamara and Mindi Edstrom

Public Attendees: City Councilmember Abbi Hunt, Kyle Curb, Kurt Fashimpaur, Michael Mettler, Jill Dredge, and Laurene Starkey

1- WELCOME AND MEETING ORDER

Chair Packer welcomed all in attendance to the Kaysville City Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

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

3- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR GRASS MASTERS LOCATED AT 61 SOUTH PRESTON STREET FOR MICHAEL METTLER

Ms. Edstrom introduced Michael Mettler who is the owner of Grass Masters Yard Care LLC, located at 61 South Preston Street and he applied for a Conditional Use Permit. Grass Masters Yard Care provides landscaping services for both residential and commercial properties. Ms. Edstrom explained that the property will not function as a base of operations for employees or equipment storage; instead, it will serve solely as an office for administrative purposes. She explained that landscaping services would be conducted at client properties, with no business-related customer visits, employee gatherings, or equipment deliveries occurring at the residence.

The applicant, Mr. Mettler approached the Commissioners for further discussion but the Commission did not have any questions for him.

Commissioner Toller made a motion to approve the Conditional Use Permit for 61 South Preston Street for Michael Mettler with no additional conditions. The motion was seconded by Commissioner Young and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Ellis: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay

Commissioner Toller: Yay

4- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR CINNAMON CREEK CONSTRUCTION LOCATED AT 676 EAST CENTER STREET FOR KURT FASHIMPAUR

Ms. Edstrom introduced the application for a Conditional Use Permit for Kurt Kashipaur, the owner of Cinnamon Creek Construction. Mr. Fashimpaur's lives at 676 East Center Street and Cinnamon Creek Construction is a small company that contracts with City, State, and Federal projects. Mr. Fashimpaur previously appeared before the Planning Commission on May 20, 2022, for the same business but has since relocated to 676 East Center Street. The original staff report for his prior address at 849 East Westbrook Road was included in the meeting packet for reference.

Mr. Fashimpaur stores two trucks and three trailers in his one-acre backyard, though when business activity is high, only one truck and two flatbed trailers remain on the property. He employs five workers, and while rare, employees may stop by his home between 7:00 and 7:30 a.m. to pick up tools from a shed. He has plans to install a fence and construct a new shed on the property and has been working with an architect and the City's Building Official to ensure compliance. He remains in compliance with both the Department of Commerce and the Department of Professional Licensing.

Commissioner Young asked if the number of trucks he has on his property was excessive for his lot size.

Ms. Edstrom provided clarification regarding the zoning regulations for a Major Home Occupation B under KCC 17-26-4. She explained that businesses classified under this category are permitted to use a limited portion of their property for business-related activities. Specifically, under subsection 11 of the ordinance, the Planning Commission determines the allowable number and size of vehicles and equipment. Only one vehicle exceeding 22 feet in length is permitted to be stored at the home, while additional vehicles or trailers over 22 feet must not be parked on the street or within a yard abutting a street.

Ms. Edstrom acknowledged potential concerns regarding property use but noted that, in this case, the applicant's one-acre parcel behind the main property provides adequate space to absorb equipment storage without impacting the surrounding area. She further clarified that a home occupation may not occupy more than 5% of the total lot area. For a 14,000-square-foot property, this limitation equates to 700 square feet available for business use. However, because the applicant also owns an additional acre behind the primary property, the overall space available for business operations is greater.

Commissioner Sommerkorn questioned whether the Conditional Use Permit should extend beyond the applicant's primary residential lot to also include the adjacent one-acre parcel where vehicles are to be stored.

Ms. Edstrom confirmed that this adjustment could be made easily by including both the

residential lot and the additional parcel in the permit.

Ms. Edstrom said the office had received one call from the public regarding the sign in the front of the property however, once they learned that it was a for a home occupation there were no further concerns.

Commissioner Sommerkorn further clarified that instead of issuing the Conditional Use Permit solely for the residential lot, it could also cover the additional parcel by referencing its address or parcel number.

Ms. Edstrom acknowledged this approach and noted that the additional property does not have street frontage, which may be a consideration in the decision-making process.

Ms. Edstrom confirmed that it would be appropriate to include both the residential property and the additional parcel by referencing its parcel number, 11-150-0110.

Commissioner Sommerkorn noted that under KCC 17-26-4, the Planning Commission has the authority to determine the number and size of vehicles allowed on the property, meaning they are not strictly limited to one vehicle over 22 feet. He referenced the average length of pickup trucks, typically ranging from 16 to 20 feet, and confirmed that the applicant's vehicles should fall within an acceptable range.

Commissioner Sevy clarified that while the applicant is working on expanding and developing the back acre for vehicle storage, the trucks are currently parked in the primary residential lot.

Kurt Fashimpaur confirmed that the vehicles are parked at the far end of the back property.

Commissioner Ellis expressed support for approving the Conditional Use Permit, stating that the additional parcel provides sufficient space for parking and that there is no evidence of negative impacts on the neighborhood.

Ms. Edstrom agreed, emphasizing that the property can adequately absorb the business's equipment and that no concerns had been raised by neighbors.

Chair Packer stated that after reviewing the code, the regulations allow for this use, especially given that the applicant owns two parcels. He reiterated that the Commission has discretion in setting the number of permitted vehicles and ensuring compliance with the lot usage percentage requirements.

Commissioner Ellis made a motion to approve the Conditional Use Permit for 676 East Center and included parcel number 11-150-0110 with no additional conditions. Commissioner Sevy seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay

Commissioner Ellis: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Toller: Yay

5- CONDITIONAL USE PERMIT FOR A MAJOR B HOME OCCUPATION FOR K & R COATINGS LOCATED AT 382 SOUTH WELLINGTON DRIVE FOR KYLE CURB

Ms. Edstrom introduced Kyle Curb, the owner of K & R Coatings located at 382 South Wellington Drive which is zoned R-A. Mr. Curb is a General Contractor and by our KCC 17-26-4 Major Home Occupation B is required to have a Conditional Use Permit. The property will not serve as a base of operations for employees or equipment storage. Instead, the home will be used as an office for administrative tasks.

The coating services will be performed exclusively at the client properties. There will be no business-related customer visits, employee gatherings or equipment delivered to the property.

As regulated, this use should have no negative impacts on the residential character of the neighborhood as the business will be conducted off site. There were two calls from the public regarding the application, however once they learned that it was for a home occupation there were no further concerns.

There were no further questions regarding the Conditional Use Permit from the Commissioners.

Commissioner Sommerkorn motioned to approve the Conditional Use Permit for 382 South Wellington Drive for K & R Coatings with no additional conditions applied. Commissioner Young seconded the motion, and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Ellis: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Toller: Yay

6- APPROVAL OF THE MINUTES FROM THE DECEMBER 12, 2024 PLANNING COMMISSION MEETING

Commissioner Ellis made a motion to approve the minutes for the December 12, 2024 Planning Commission meeting and Commissioner Toller seconded the motion. The vote was unanimously approved in favor of the motion (6-0).

Commissioner Packer: Yay

Commissioner Ellis: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Toller: Yay

7- APPROVAL OF THE MINUTES FROM THE JANUARY 9, 2025, PLANNING COMMISSION MEETING

Commissioner Sommerkorn made a motion to approve the minutes for the January 9, 2025, Planning Commission meeting and Commissioner Sevy seconded the motion. The vote was unanimously approved in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Ellis: Yay
Commissioner Young: Abstained
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Toller:

8- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. McNamara provided an update on the status of the Community Reinvestment Area (CRA), noting that the city is in the process of selecting a new date for the upcoming open house. More information will be shared once it becomes available.

She also outlined the agenda for the next Planning Commission meeting, which will include two Conditional Use Permits (CUPs) and one text amendment. The Conditional Use Permits will pertain to Electronic Message Center (EMC) signs, while the text amendment is a resident-submitted proposal.

Commissioner Sommerkorn was asked for an update on legislative matters, he indicated that there was not much activity yet as the legislative session was still in its early stages.

9- ADJOURNMENT

Commissioner Toller motioned to adjourn the meeting at 7:31 pm.