



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

The Kaysville City Planning Commission will hold a regular meeting on March 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](http://www.Kaysvillelive.com).

1. Welcome and Meeting Order
2. Declaration of Conflict of Interest
3. Conditional Use Permit for an Electronic Message Center Sign for Barnes Park located at approximately 950 West 200 North
4. Approval of the minutes from the February 13, 2025 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).

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:** March 3, 2025

**Agenda Item #3:** Conditional Use Permit for an Electronic Message Center sign for Barnes Park located at approximately 950 West 200 North

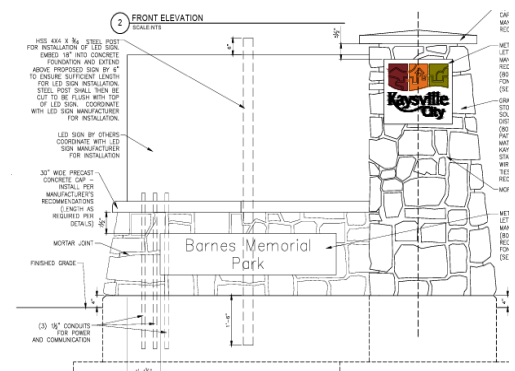
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|-----------------------------------|--------------------------------------------------------|
| <b>Meeting Date</b>               | March 13, 2025                                         |
| <b>Application Type</b>           | Conditional Use Permit                                 |
| <b>Applicant   Owner</b>          | City of Kaysville                                      |
| <b>Address   Parcel ID Number</b> | 304 North Flint (aka 950 West 200 North)   11-095-0093 |
| <b>Lot Size</b>                   | 45.9 acres   2,000,318 ft <sup>2</sup>                 |
| <b>Current Use</b>                | City Park                                              |
| <b>Conditional Use</b>            | Electronic Message Center sign                         |

### 1. BACKGROUND:

The City of Kaysville Parks & Recreation Department is requesting a conditional use permit to allow for the installation of an Electronic Message Center (EMC) sign at approximately 950 West 200 North at Barnes Park. The existing sign has been demolished, and the proposed EMC monument sign will replace it. The sign will be placed near the southeastern corner of the property near the intersection of 200 North and Kays Drive. EMC signs are allowed as a conditional use in the Public Utility (PU) zone subject to the provisions found in [KCC 17-33](#).



Per KCC 17-33-9, EMC signs are allowed only as part of monument and ground signs. The sign shall not exceed 50% of total allowed sign size and not more than 75% of the sign cabinet. The applicant is proposing 36.4 square feet of EMC installed on a freestanding monument sign, which is only 39% of the sign face and meets the code requirements.



## 2. ZONING

The property located at approximately 950 West 200 North Flint (Parcel 11-095-0093) is zoned as Public Utility (PU). EMC signs are subject to the regulations found in KCC 177-33-9 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.*

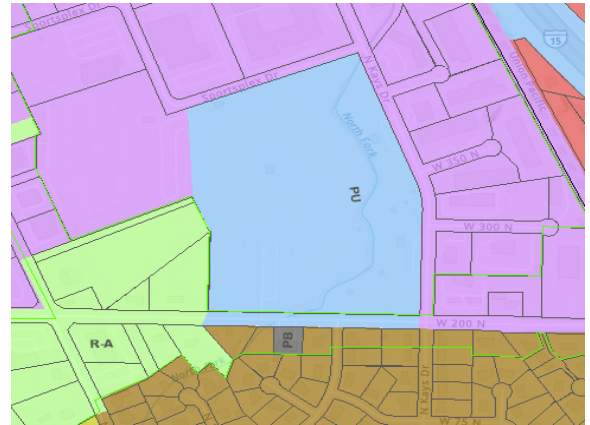
*Location: EMC signs shall not cause glare or rapid blinking, nor be intensely lighted so as to create a nuisance or hazard to vehicular traffic, pedestrians, or adjacent properties. EMC signs shall be capable of being programmed to automatically dim according to ambient light conditions. Conditional 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 a mixture of industrial uses as well as lower density single family.

Adjacent zoning:

- To the north of the property are several LI properties that are part of the Kaysville Business Park as Barnes Park.
- To the east of the property are additional LI properties in the Kaysville Business Park, a large cluster of general commercial properties and the I-15 interchange.
- To the west of the property is LI and R-A.
- To the south of the property is a mixture of GC commercial, R-A, R-1-LD, 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 March 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 as allowed by [KCC 17-30-8 Conditional Use Standards](#).

**Kaysville City Planning Commission Meeting Minutes**  
**February 13, 2025**

The Planning Commission meeting was held on Thursday, February 13, 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, Paul Toller, and Paul Allred

**Planning Commissioners Absent:** Commissioner Ellis

**Staff Present:** Anne McNamara, Melinda Greenwood, and Mindi Edstrom

**Public Attendees:** City Councilmember Abbi Hunt, Brittin VanBrocklin, John Lassiegne, Haecman Gim, and Jill Dredge

**1- WELCOME AND MEETING ORDER**

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

**2- DECLARATION OF CONFLICTS OF INTEREST**

Commissioner Toller declared a conflict of interest with agenda items 3 and 4.

**3- CONDITIONAL USE PERMIT FOR AN EMC SIGN FOR AMERICA FIRST CREDIT UNION LOCATED AT 1302 WEST 200 NORTH (FLINT SIDE)**

Ms. McNamara addressed a Conditional Use Permit request for an Electronic Message Center (EMC) sign. The proposal involves replacing an existing static monument sign with the new EMC sign at a property located on the corner of Flint and 200 North. To clarify the signage placement, Ms. McNamara specified that this particular sign would be installed on the Flint Street side of the property. Ms. McNamara noted that the proposed EMC sign complies with all applicable standards for size and zoning as outlined in the city's regulations. Consequently, staff did not recommend any additional conditions for its approval. However, due to the nature of electronic message signs, they fall under conditional use classification, necessitating review and approval by the Planning Commission. Ms. McNamara displayed a slide illustrating the proposed sign, mentioning that an identical slide would be shown later for a second sign under consideration. Eric Cheney from YESCO Signs was present at the meeting and available to address any questions from the commission.

Ms. McNamar said staff recommended approval of the Flint-side EMC sign in accordance with the provisions detailed in Section 17-33 of the city's sign regulations.

Commissioner Paul Allred raised a concern regarding the color spectrum of the sign's lighting and noted a preference for lighting with a color temperature under 4000K (4K), as warmer lighting—closer to 2700K—tends to be more visually appealing, particularly in evening settings.

Eric Cheney, representing America First, responded by clarifying that the LED components of

the sign were not manufactured by his company, and he did not have immediate specifications on the color temperature of the message center's display. However, he indicated that he had a spec sheet from the supplier and could review it to determine whether the lighting aligned with the city's preferences. While the color temperature was not a requirement, Commissioner Allred's inquiry was based on best practices for signage and lighting aesthetics.

Commissioner Sommerkorn inquired whether the entire sign would be electronic or if only a portion of it would be.

Eric Cheney clarified that only the message center itself would be digital, while the rest of the sign would be a static, illuminated display with routed-out push-through Plex lettering.

Commissioner Young asked about the nature of the illumination and whether any moving or changing elements would be present.

Eric Cheney confirmed that the sign would not have video, motion, or flashing elements but would instead display static images that rotate at set intervals. He also presented a rendering showing that the top cap of the sign would have a glow-down effect, and other lettering would be illuminated while non-illuminated vinyl bars would remain static.

Commissioner Young then inquired whether city code included restrictions on motion for EMC signs.

Commissioner Allred referenced the sign code, which prohibits chasing, blinking, or flashing lights, ensuring that the display remains a gradual and controlled transition between messages.

Eric Cheney further explained that high-quality message centers have controls to adjust brightness and prevent technical malfunctions, reducing the risk of excessive brightness or distracting movement.

The Commissioners expressed approval of the sign's compliance with city code and agreed that properly managed EMC signs contribute to a balanced visual environment without causing excessive distraction or over-stimulation in the city.

Commissioner Sommerkorn reviewed key considerations for the EMC sign, including hours of operation, height, size, and setbacks.

Ms. McNamara confirmed that the proposed sign location is in proximity to General Commercial properties across the street and residential properties nearby. However, she stated that the sign's brightness would not likely be significant enough to cause a nuisance.

Commissioner Sommerkorn referenced past concerns over the brightness of car wash signage, noting the importance of preventing similar issues.

Ms. McNamara explained that while the city's code does not specify illumination standards with a precise numerical value, the Commission should still consider brightness levels in their evaluation.

Commissioner Young inquired whether any public comments had been received regarding the application. Ms. McNamara confirmed that no phone calls or comments were submitted.

Commissioner Allred asked if the required notice sign was posted on-site.

Melinda Greenwood confirmed that an A-frame sign was placed, though there was temporary confusion when America First staff mistakenly removed it. The sign was returned the same day.

Commissioner Allred then questioned whether residential properties directly faced the sign location.

Chair Packer clarified that residences existed to the east.

Commissioner Allred suggested that a reasonable condition for approval could include an automatic dimming feature to reduce brightness after 9 or 10 p.m.

Commissioner Young reviewed the city code and noted that automatic dimming was already a requirement.

Eric Cheney confirmed that the EMC sign system included automated controls for brightness adjustment, and he would verify the specific dimming capabilities with the manufacturer.

Commissioner Allred made a motion to approve the Conditional Use Permit for the America First Credit Union Electronic Message Center sign. The sign is a Conditional Use within the zone and that approval is based on the findings in the staff report and the staff's recommendation. He noted that the code sufficiently addresses the concerns discussed and did not propose any additional conditions beyond what was already outlined.

Commissioner Sommerkorn suggested adding a stipulation to require the sign to be programmed to dim after sunset, proposing an adjustment approximately an hour after sunset. Commissioner Allred agreed to the amendment, and Commissioner Sommerkorn seconded the motion with that addition. The vote was unanimous in favor of the motion (6-0).

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

**4- CONDITIONAL USE PERMIT FOR AN EMC SIGN FOR AMERICA FIRST CREDIT UNION LOCATED AT 1302 WEST 200 NORTH (FLINT SIDE)**

Ms. McNamara shared that there is nothing different about this agenda item other than the address.

Commissioner Allred made a motion to approve based on agenda item 3 with the same condition added to have the sign intensity dim on hour after sunset year-round. Commissioner Sommerkorn seconded the motion. The vote was unanimous in favor of the motion (6-0).

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

**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.**

Anne McNamara introduced a proposed text amendment to add Chapter 31-5 to Title 17, which would allow farm stands as a temporary use. She explained that the discussion would be structured differently than usual, as there were several key points requiring Commissioners input.

The first major point was defining whether farm stand products must be grown entirely on-site or if they could be sourced from other locations within the city. Staff recommended limiting sales to products primarily grown on-site, but welcomed the Commission's input.

Commissioner Allred raised concerns about enforcement, questioning how the city would verify whether products were actually grown on-site.

Ms. McNamara explained that the proposed ordinance required farm stands to be operated by the legal owner of the property where the products were produced, but beyond that, enforcement would be a challenge. Since the use would be conditional, the Planning Commission would review applications, and any violations would be handled through enforcement actions.

Commissioner Allred shared his prior experience working with farm stands in other cities. He described how some communities allowed vendors to sell produce grown outside city limits, if the vendor was a Utah-based farmer. In those cases, cities often adopted an "honor system" approach due to the difficulty of enforcement. He noted that because farm stands were temporary, the regulatory burden was lower.

Melinda Greenwood asked whether Commissioner Allred's experience applied to farm stands in commercial or residential areas. Commissioner Allred clarified that the stands he dealt with were in Commercial areas.

Ms. Greenwood explained that the key distinction in this proposal was that it would allow farm stands in agricultural and residential zones, which is why staff recommended the restriction to on-site produce, aiming to minimize neighborhood impact.

The Planning Commission continued discussing the proposed farm stand ordinance, focusing on enforcement, public safety, and the potential impact on residential neighborhoods.

Commissioner Sommerkorn pointed out that an existing farm stand on Main Street south of the Bowman's area operates in a commercial zone, where retail sales are already allowed.

Ms. Greenwood emphasized that this proposal effectively allows retail sales in residential areas, which requires different considerations.

Commissioner Allred shared additional experiences from his time in Sandy City, where farm stands created unintended traffic hazards. Complaints from local grocery stores led to an investigation, but ultimately, the city determined that the real issue was public safety. People would pull over abruptly, park partially in the road, and create dangerous conditions. To address this, Sandy required farm stand operators to submit a site plan showing safe parking and setback from the roadway. He noted that in other cities, farm stands were only permitted in commercial areas with adequate infrastructure, such as sidewalks and parking lots.

Commissioner Sommerkorn confirmed that the proposed ordinance requires a site plan submission and specifies that street parking must comply with city regulations without impeding safe traffic circulation.

Commissioner Allred agreed that reviewing safety measures at the administrative level, rather than through Planning Commission approval, could be sufficient.

Commissioner Toller appreciated the revisions made to the ordinance since its initial draft. He supported the defined seasonal operating period and noted that farm stands already exist in the city, selling both homegrown and family-supplied produce. He pointed out that between

the two proposed options—requiring products to be grown on-site versus allowing them to come from elsewhere within the city—the second option (Option B) actually provides more control by restricting sales to locally sourced goods rather than allowing shipments from outside municipalities.

Ms. Greenwood added that the applicant, who is part of the Utah Cut Flower Farm Association, was comfortable with restricting sales to on-site produce. However, she noted that other local growers had expressed interest in selling flowers through a single farm stand rather than operating their own, which could create a wholesaling situation not currently allowed in residential areas.

Commissioner Toller acknowledged that permitting off-site products could lead to an unintended increase in scale, such as someone establishing a greenhouse elsewhere in the city and selling flowers from a separate residential property, potentially affecting neighborhood character.

Commissioner Young expressed strong support for the proposal, emphasizing that the primary concerns should be traffic safety and public impact. She noted that access to fresh, locally grown food is beneficial for the community and saw no issue with farm stands selling produce, flowers, or eggs as long as safety concerns were addressed. She voiced her preference for Option B, which allows the sale of produce grown anywhere within Kaysville.

Commissioner Sommerkorn agreed, humorously stating that with the current egg shortage, he would welcome anyone selling eggs. He also indicated his preference for Option B.

Chair Packer invited Brittin VanBrocklin, the applicant and owner of Cherry Petal Flower Farm, to share her perspective.

Ms. VanBrocklin explained that she had wanted a farm stand for a long time but found that current zoning regulations prohibited it in residential areas. She worked with staff to propose this text amendment. Her reasoning for allowing off-site produce from other Kaysville farms stemmed from an example of a fellow flower farmer who also grows produce on her elderly neighbor's property. Ms. VanBrocklin emphasized that she personally only wanted to sell what she grew but thought the ordinance should account for similar situations.

Commissioner Sevy pointed out that Ms. VanBrocklin's situation, primarily focused on flowers, might differ from others who want to sell different types of produce.

Ms. VanBrocklin reiterated that the intent of the amendment is to encourage urban farming, particularly micro farms (classified as farms under five acres) are the fastest-growing type of farms in the U.S.

Commissioner Sommerkorn reaffirmed his support for Option B, stating that allowing produce from anywhere in Kaysville would be beneficial.

Ms.Greenwood then asked the Commission to consider a further distinction—whether farm stands should be allowed to sell packaged food items under the state's cottage food laws. The ordinance already permits cottage foods produced on-site, but she raised the question of whether farm stands should be able to sell cottage foods made elsewhere in Kaysville, such as a neighbor's homemade jam.

Commissioner Young expressed no concerns, as long as traffic safety was maintained. She saw it as an opportunity to support local residents' skills and creativity while promoting urban farming.

Commissioner Sommerkorn and Young both voiced their agreement with this approach.

Commissioner Sevy asked for clarification on the types of cottage foods allowed, noting that certain animal products like eggs would not be permitted under state regulations.

Ms. Greenwood confirmed that Cottage Food Laws prohibit animal products and require all items to be shelf stable.

The Planning Commission continued discussing the proposed farm stand ordinance, focusing on the exclusion of food trucks, defining "temporary" use, and setting a reasonable operational time frame.

Commissioner Toller asked whether the ordinance explicitly excluded food trucks. Ms. Greenwood confirmed that food trucks would not be included, as they fall under a different category. Mike Packer noted that the Salt Lake City ordinance, used as a reference, prohibits on-site food preparation, and he questioned whether that needed to be clarified further. Greenwood responded that the cottage food industry regulations already provide clear guidelines, ensuring compliance with state law.

Commissioner Sevy then raised questions about defining the temporary nature of farm stands, particularly regarding whether "seasonal" alone was sufficient or if more specific guidelines were needed.

Anne McNamara presented the two duration options being considered: 180 consecutive days (six months) or 240 consecutive days (eight months). She noted that 180 days aligns with the city's home occupation code for temporary uses, while 240 days would allow for both warm and cool-season crops. However, the applicant, Brittin VanBrocklin, had not expressed a strong

preference between the two durations but wanted to ensure flexibility for different types of farmers.

Commissioner Young expressed support for the 180-day option, emphasizing the importance of accommodating multiple growing seasons.

Commissioner Allred questioned whether a stand operating for the majority of the year could truly be considered temporary. He noted that in a previous city he worked for, the limit was set at 120 days due to concerns from local retailers who felt that longer durations blurred the line between temporary and permanent businesses. He suggested that 180 days might be the upper limit and that a shorter timeframe might be preferable.

Ms. VanBrocklin responded that, in her case, a 180-day limit would allow her to open for Mother's Day flowers and continue selling until mid-October, aligning with the typical growing season from the last frost in spring to the first frost in fall. While she personally didn't need 240 days, she acknowledged that some farmers might grow early crops like spinach in March or late crops like pumpkins in October, requiring different timing considerations.

Commissioner Young pointed out that the proposed 180-day period would accommodate operations through October, which seemed reasonable.

Ms. Greenwood emphasized the need to clearly define "temporary" in the ordinance to avoid ambiguity in enforcement. She noted that the 180-day limit was consistent with business licensing regulations and was designed to balance urban farming opportunities with neighborhood considerations. The Commission agreed that excessive operation length could lead to concerns from residents.

Commissioner Young then sought clarification on how "consecutive days" would be interpreted.

Ms. Greenwood explained that the count would begin on the first operational day and continue uninterrupted, meaning a stand could not pause operations and restart later to extend the total duration. However, closing on certain days (e.g., Sundays) would not reset the clock. The Commissioners nodded in agreement, indicating consensus on the proposed structure.

Chair Packer suggested specifying that the stands could operate within a 180-day window during the calendar year, rather than limiting it to consecutive days.

Ms. McNamara proposed considering a period defined by consecutive months to clarify the intended duration.

Commissioner Allred advocated for using an annual calendar, suggesting fixed windows like April 15 to October 15.

Chair Packer supported flexibility to accommodate different growing seasons for various crops like flowers or pumpkins.

The Commissioners agreed that flexibility was important, but the window should be consistent across the city for ease of enforcement. There was concern that allowing too much flexibility could lead to businesses manipulating the system, so they favored a consistent period with clear rules.

Ms. VanBrocklin clarified that farmers would specify their operating window when applying for a conditional use permit. The group debated whether to standardize the window or allow for slight variations based on crop types.

Commissioners seemed to lean toward 180 days as the time frame for farm stands.

Commissioner Sommerkorn suggested defining the period as 25 consecutive weeks, which would allow flexibility without opening the door for manipulation, though Commissioner Sevy raised concerns that this could lead to too much leniency with scheduling.

Commissioner Toller emphasized that they wanted to avoid people exploiting the 180-day period by being less transparent, but in general, the commissioners were leaning toward the 180-day window.

Chair Packer reminded everyone that it was a public hearing item, so they would now open the floor to public comments.

John Lassienge, a recent graduate from the planning program at the University of Utah, provided a suggestion to use the term "180-day interval" as a useful way to phrase the time for farm stands. He did not have further comments and thanked the Commissioners.

Chair Packer closed the public hearing.

Ms. McNamara discussed signage provisions for farm stands, presenting two options: Option A would allow temporary signage up to 15 square feet, placed within 25 feet of the stand and removed after operating hours, while Option B would prohibit all signage, including temporary signs.

Commissioner Allred suggested considering the illumination of temporary signs, expressing concern that bright, illuminated signs could create safety issues. He recommended prohibiting illumination for temporary signs, and the commissioners agreed.

Commissioner Sommerkorn added that, since farm stands would not operate at night (per proposed regulations), there should be no need for illuminated signs.

Commissioner Toller emphasized that the proposed regulations should ensure signs are not left up after operating hours.

The consensus was to allow temporary, non-illuminated signs, no larger than 15 square feet, to be taken down daily after operating hours.

Ms. McNamara introduced the idea of allowing farm stands as a Conditional Use in lower density Residential and Agricultural zones, while excluding higher density residential zones (like R2 and R4). The reasoning was that farm stands would better align with the character of lower density zones, where people have space for setbacks and agricultural activities.

Commissioner Sommerkorn raised the point that even in higher density zones, some large residential lots may still be used for farming, and he proposed allowing farm stands as a Conditional Use in those areas.

Commissioner Sevy and Commissioner Young emphasized that if the farm stand couldn't meet setback requirements, it should be prohibited, and that enforcement would be the key issue.

Ms. Greenwood noted that in multi-family zones, open space is often owned collectively, so additional permissions (like from an HOA) would be needed.

Commissioner Allred agreed, pointing out that there may be large properties in higher density zones that could accommodate farm stands, and restricting those zones entirely might not be reasonable.

The Commission considered starting conservatively by allowing farm stands only in lower density and agricultural zones but acknowledged that a future text amendment could allow farm stands in other zones if needed.

Ms. Greenwood clarified that if a request to include higher density zones came up, it could be submitted as a text amendment.

Ms. McNamara also asked about the implications of including farm stands in the RM (multi-family) zone, where development agreements are usually required.

Ms. Greenwood confirmed that such agreements typically cover entitlement and zoning, so farm stands would likely not be an issue in those cases.

Ms. McNamara presented two options for owner presence at farm stands. Option A would require the owner or legal occupant to be on-site during operating hours, while Option B would allow flexibility, permitting the owner to step away if contact information was posted.

Commissioner Sommerkorn supported Option B, citing the honor system commonly used in farm stands, where a phone number is posted, and customers pay on trust.

Commissioner Allred felt Option A was too restrictive, noting that it could prevent owners from going on vacation or running errands.

Commissioner Young added that Option A would turn owners into full-time shopkeepers, which may not align with their main activities, like farming or caring for family.

Commissioner Sevy raised a concern about whether Option A would prevent family members, like older children, from helping run the stand.

Ms. Greenwood explained that the intent of Option A was to ensure accountability and prevent issues like theft or vandalism, and that the owner or legal occupant must be present. She clarified that the legal occupant includes family members, so children could run the stand, but not a non-resident (like an extended family member). This approach mirrors the rules for other home occupations, where the business must be operated by the resident.

The Commission seemed to favor a flexible approach that would allow for family involvement while ensuring that the owner remained accountable for the stand's operation.

Ms. McNamara introduced the final discussion point: the allowance for packaged goods at farm stands. She asked the Commission whether these goods should only be produced on-site or if goods from nearby locations could be sold, subject to cottage food regulations.

Commissioner Sommerkorn suggested allowing packaged goods produced in Kaysville, citing examples like local honey being sold at flower stands. The commission seemed open to allowing goods from within Kaysville, adhering to the appropriate regulations.

Commissioner Sevy raised a question about the temporary nature of the farm stand, asking whether the stand itself must be taken down when not in use.

Ms. Greenwood clarified that products must be removed outside operating hours to prevent theft, but the stand itself, if non-permanent (e.g., a table or pop-up tent), could remain. Permanent structures would not be allowed. The Commission agreed that temporary structures are acceptable if the product is removed at the end of each day and that the structure stays within setback requirements.

Further discussions included defining setbacks more clearly, where the property line is typically about a foot from the sidewalk, with an additional 10-foot setback required.

Commissioner Toller inquired about signage, asking if the removal of signage each day was included in the takedown requirement. The group agreed that signage should be included in the takedown rules to avoid issues like lighted signs being left on overnight.

The Commission agreed on several parameters: signage should not exceed 15 square feet, must not include lighting, and should be removed when the farm stand is not operating. Additionally, there was consensus that signage should be placed within 25 feet of the stand and should not encroach into the right-of-way.

Commissioner Allred suggested explicitly adding that signs cannot be placed in the right-of-way, to ensure clarity.

Ms. Greenwood agreed to include this detail, recommending that signs be placed at least 5 feet from the property line.

Regarding zoning, the Commissioners appeared comfortable with farm stands being a Conditional Use in all residential and agricultural zones within Kaysville.

The discussion on duration was focused on the 180-day operating period for farm stands. Commissioner Young expressed comfort with this limit, as it would keep the farm stand seasonal, while Commissioner Allred was also in favor of limiting the duration to 180 days to prevent it from becoming a year-round operation.

The Commissioners debated the need for clarity on how the 180-day period would be defined.

Ms. McNamara clarified that as part of the Conditional Use Application, applicants must provide a clear start and end date for their operations, ensuring that the city could enforce these limits. This provision would prevent neighbors from having to monitor farm stand operations.

The discussion turned to the language around the prohibition of farm stands in the public right-of-way. Ms. Greenwood suggested using more precise language to clarify that farm stands are prohibited in the right-of-way, which would give the city more authority to address

unauthorized setups on public property, while still allowing youth enterprises (such as lemonade stands) to operate under existing youth enterprise licenses.

The Commissioners also revisited the idea of defining "temporary" for farm stands. There was a suggestion to make sure that non-consecutive days of operation wouldn't reset the 180-day clock, and that a clear framework would be established for how "temporary" stands would function. Commissioner Young expressed comfort with the proposed definition, and Ms. Greenwood agreed to refine the wording before finalizing.

After a final review of the ordinance, the Commission felt confident in its direction and was ready to move toward a motion. Minor adjustments would be made to the zoning language to include additional zones (R2, R4, and RM).

Commissioner Toller made a motion to recommend that the City Council enact the Farm Stand Ordinance (17-31-5), including the redline changes discussed during the meeting, with the addition of the other zones. Commissioner Allred seconded the motion, and the vote was unanimous in favor of the motion (7-0).

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

#### **6- APPROVAL OF THE MINUTES FROM THE JANUARY 23, 2025 PLANNING COMMISSION MEETING**

Commissioner Young made a motion to approve the minutes for the January 23, 2025, Planning Commission meeting and Commissioner Sevy seconded the motion. The vote was unanimously approved in

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

#### **7- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION**

Ms. Greenwood shared that the next Planning Commission meeting on the 27th will not have rezones or text amendments, and as of now, no Conditional Use Permits have been submitted.

She updated the Commissioners on a town hall meeting held for the Community Reinvestment area, which had around 80 attendees. The City Council will discuss the topic as a work item in an upcoming meeting.

Commissioner Sommerkorn provided insights on Land Use Bills making their way through the Legislature, including one concerning schools' compliance with local regulations, which is moving quickly but could be amended to apply only to first-class cities. He also mentioned other major Land Use Bills, including one about annexation, which he worked on. Some bills, like those about detached accessory dwelling units and 6,000-square-foot single-family lots, are now unlikely to pass due to lack of collaboration.

There was also a discussion about a bill concerning billboards and their relocation rights during state highway expansions. Additionally, Ms. Greenwood shared updates on a bill related to gravel pits, which would expand their rights to continue and expand operations.

Lastly, Commissioner Toller asked about the upcoming City Council meeting, and Ms. Greenwood clarified that the Community Reinvestment Area will be discussed during a work session, not an action item.

Commissioner Allred introduced two students from the University of Utah Planning Program that were in attendance of the meeting.

## 9- ADJOURNMENT

Commissioner Sommerkorn motioned to adjourn the meeting at 8:42 pm and Commissioner seconded the motion.