

Kaysville City Planning Commission Meeting Minutes
June 11, 2026

The Planning Commission meeting was held on Thursday, June 11, 2026, at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street.

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

Staff in Attendance: Katie Ellis, Mindi Edstrom, and Anne McNamara

Public Attendees: City Councilmember Josh McBride and Abbi Hunt, Ryan Wilde, Jacalyn Wilde, Brian Harris, Shelley Harris, Jonah Harris, Jennifer Borup, Lauri Cragun, Michael Kunzler, Steve Kindred, Katie Kindred, Kathy Gill, Victoria Carlston, Tyler Edgar, Jennifer Edgar, Aubrie Sowell, Anne Crabb, Conzalo Calquin, Bonnie Baker, Maryanne Nybo, LaMar Nybo, Hannah Minanandana, Sirapli Minanandana, Terry Deru, Lori Noorlander, Tucker Hunsaker,

1- WELCOME AND MEETING ORDER

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

2- DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

3- CONDITIONAL USE PERMIT FOR A TEMPORARY MERCHANT-FARM STAND LOCATED AT 1872 WEST 75 SOUTH FOR VICTORIA CARLSTON

Ms. Edstrom presented a request from Victoria Carlston for a Conditional Use Permit to operate a farm stand at her residence located at 1872 West 75 South. She explained that the proposal was consistent with the Farm Stand Ordinance adopted by the City the previous year and would become the third farm stand approved within Kaysville, demonstrating community interest in this type of use.

Ms. Edstrom reviewed the location of the property and explained that the site is a single-family residence where the applicant proposed constructing a small farm stand near the street frontage. She displayed aerial and street-level images of the property and identified the proposed location of the stand. The applicant proposed operating the stand from the date of approval through November 8, consistent with the seasonal nature of the use and within the maximum 180-day operational period permitted by City ordinance.

Ms. Edstrom explained that the proposed farm stand would sell products including baked goods and other items prepared and packaged in compliance with the Utah Cottage Food Act. She reviewed the applicable ordinance standards, noting that the stand would comply with required setbacks, including maintaining at least a ten-foot setback from adjacent property lines. The stand would operate only between dawn and dusk, with all structures and materials being secured or removed at the end of each day. The applicant also proposed utilizing an A-frame sign consistent with ordinance requirements, including size limitations and placement

standards. The sign would be located within the permitted distance of the farm stand to provide visibility to passing traffic.

Ms. Edstrom reported that the required public notice sign had been posted on June 4 and that staff had not received any phone calls, emails, or inquiries regarding the application. She remarked that the applicant appeared to have done an excellent job communicating with neighbors about the proposal. Based on the application's compliance with the Farm Stand Ordinance and the absence of public concerns, staff recommended approval of the Conditional Use Permit subject to any conditions the Planning Commission deemed appropriate under Kaysville City Code Chapter 17-30-8.

Commissioner Toller made a motion to approve the Conditional Use Permit without additional conditions. Commissioner Young seconded the motion, and the vote was unanimous in favor of the motion (6-0).

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

4- PUBLIC HEARING FOR A REZONE REQUEST FOR THE PROPERTY LOCATED AT 1113 WEST 150 SOUTH (PARCEL #11-274-0010) FROM R-1-20 SINGLE FAMILY RESIDENTIAL TO R-4 ONE TO FOUR FAMILY RESIDENTIAL

Ms. McNamara presented a request from Brian Harris to rezone property located near the intersection of Flint Street and 150 South. She explained that the site currently contains a single-family residence and is surrounded primarily by properties zoned R-1-20, along with some Residential Agricultural (RA) zoning and nearby City-owned property.

Ms. McNamara noted that the application presented a unique circumstance because various elements of the General Plan could be interpreted as both supporting and opposing the request. To assist the Commission in evaluating the proposal, staff prepared a summary of applicable General Plan policies and goals.

Ms. McNamara reviewed several General Plan provisions that could support the request, including Chapter 1, Goal 8, which encourages a range of housing options; Chapter 3, Goal 1, which supports providing housing opportunities to meet varying economic and lifestyle needs; and Chapter 3, Goal 1, Implementation Measure C, which directs the City to give strong consideration to rezoning applications that are supported by General Plan objectives and provide additional housing opportunities.

She also reviewed General Plan provisions that could weigh against approval of the application, including Chapter 1, Goal 1, which emphasizes preserving Kaysville's small-town atmosphere;

Objective 1.1, which seeks to preserve single-family neighborhoods; and Chapter 1, Goal 6, which focuses on maintaining the established character of the community. Ms. McNamara emphasized that the Future Land Use Map designates the Flint Street area for single-family residential development and that approval of the request would represent a departure from that planned land use pattern.

Ms. McNamara reported that 67 public hearing notices had been mailed to surrounding property owners. Staff received two phone calls seeking information regarding the purpose of the rezone and the nature of the proposed project. In addition, seven written comments were submitted, all expressing opposition to the application. The concerns raised included potential traffic and visibility issues at the Flint Street intersection, increased residential density, and compatibility with surrounding single-family lots and neighborhood character.

Given the mixed direction provided by the General Plan, Ms. McNamara explained that staff's recommendation was not a traditional recommendation for approval or denial. Instead, staff advised the Planning Commission to give the application strong consideration in accordance with the Moderate Income Housing Element of the General Plan, while also weighing the competing policies that support preservation of existing single-family neighborhoods. She concluded by noting that the applicant had prepared additional materials and would provide further details regarding the proposed development for the Commission's consideration.

Applicant Brian Harris addressed the Planning Commission and thanked the Commission for the opportunity to present the proposal. He explained that he and his wife had been Kaysville residents for more than twenty-three years and had raised all four of their children in the community. He stated that one of the primary motivations behind the application was the future housing needs of their youngest son, who is down syndrome.

Mr. Harris explained that he and his wife had spent many years considering how to provide long-term housing and support options for their son while also planning for their own future needs as they age. He stated that the proposal was intended to create opportunities for independent living for their son while also allowing space for caregivers to remain nearby when necessary. He noted that a single accessory dwelling unit would not fully meet those future needs and that the proposal sought to create two small residential units rather than a larger home. He emphasized that the concept consisted of a one-bedroom unit and a two-bedroom unit and was not intended to significantly increase density or create a large multifamily development.

Mr. Harris stated that his family had been considering these long-term housing arrangements since learning more than twenty years earlier that their son would have Down syndrome. He explained that providing a secure and supportive living environment had been an important family goal and was a key factor behind the application.

Turning to the specifics of the property, Mr. Harris stated that the lot currently contained more than 7,000 square feet of buildable area while meeting all existing setback requirements. He

explained that the proposed development would occupy slightly more than 2,000 square feet of that buildable area, representing less than one-third of the available space on the lot. He further noted that the proposal had been designed based on current zoning standards and did not rely upon future changes that may result from the City's implementation of recent state legislation regarding accessory dwelling units.

Mr. Harris acknowledged concerns that had been raised regarding density and neighborhood character but stated that he believed those concerns should be considered in light of recent state legislation expanding opportunities for accessory dwelling units. He reiterated that the proposal was modest in scale and intended to address a specific family need rather than create a significant increase in residential density.

Mr. Harris also addressed compatibility with the surrounding neighborhood. He noted that a duplex containing six garage bays existed on a nearby property along Flint Street and that another duplex was located two houses away. Based on those existing residential patterns, he did not believe the proposal was inconsistent with the character of the area. He further observed that neighboring properties, including the church located across the street and an adjacent horse corral, would experience limited direct impacts from the proposed development.

In closing, Mr. Harris encouraged the Planning Commission to give strong consideration to the application and stated that he believed the proposal represented a reasonable and thoughtful approach to meeting his family's future housing needs while remaining compatible with the surrounding neighborhood.

Chair Packer opened up the meeting to the Public Hearing.

Terry Deru addressed the Planning Commission in support of the rezone request. Mr. Deru stated that he lived approximately one-quarter mile from the subject property and had been a resident of Davis County for approximately forty years. He expressed his belief that a modest two-unit residential development on the property was consistent with both state housing policy and the specific circumstances of the site.

Mr. Deru referenced recent state legislation encouraging additional housing opportunities on existing residential lots and noted that state law reflects a broader policy objective of increasing housing supply, reducing infrastructure costs, and providing families with flexibility to accommodate aging parents, adult children, individuals with special needs, caregivers, or rental opportunities.

Mr. Deru further argued that the subject property possessed unique characteristics that distinguished it from a typical interior subdivision lot. He noted that the property was located on the corner of Flint Street, a heavily traveled roadway, and observed that the existing home had been positioned toward the eastern portion of the lot, leaving a large open area adjacent to Flint Street. He characterized the remaining area as creating the appearance of an

undeveloped lot and suggested that additional development could improve the overall appearance and utilization of the property.

Mr. Deru also noted that the property was located across from a church and in proximity to other multifamily and duplex developments. He stated that, in his opinion, the area already contained a mixture of residential uses and was not exclusively single-family in character. He expressed disagreement with concerns that the proposal would negatively impact neighborhood character and instead suggested that the proposed development would be compatible with surrounding uses.

Mr. Deru stated that the proposal was modest in scale, would have limited visual impact, and would not substantially alter the character of the neighborhood. He further noted that the proposal would provide additional housing opportunities without contributing to urban sprawl, would be owner-occupied, would comply with applicable building and safety codes, and could enhance overall property values. He concluded by stating that he believed the public benefits of the proposal outweighed the concerns that had been raised and encouraged the Planning Commission to support the application.

Steve Kindred addressed the Planning Commission in opposition to the proposed rezone request. Mr. Kindred stated that he resided immediately south of the subject property and thanked the Commission for its service to the community. He emphasized that his comments were not personal in nature, noting that he knew the Harris family and other individuals who had spoken in support of the application. Rather, his concerns centered on the land use implications of the proposed zoning change and its effect on the surrounding neighborhood.

Mr. Kindred stated that he did not believe the proposed rezone was compatible with the established character of the neighborhood. He referenced discussions regarding the construction of an accessory building containing residential units and expressed concern about the scale and intensity of the proposed development, particularly given its proximity to neighboring homes. As the adjacent property owner, he felt the impacts would be more significant to those immediately surrounding the site than to residents living farther away.

Mr. Kindred further stated that he believed the proposal conflicted with General Plan policies intended to preserve the character of existing residential neighborhoods. He expressed concern that allowing additional residential units on the property would represent a departure from the single-family development pattern envisioned for the area.

Mr. Kindred also raised concerns regarding traffic and safety along Flint Street. He described the intersection of Flint Street and 150 South as already being difficult for motorists and stated that visibility challenges currently exist when entering or exiting the roadway. He expressed concern that construction of an additional structure near the intersection could further reduce sight distance and create additional traffic hazards.

In closing, Mr. Kindred referenced the staff report and noted that staff had not provided a

positive recommendation for approval of the application. He encouraged the Planning Commission to give substantial weight to the analysis contained within the staff report and respectfully requested that the existing zoning remain unchanged. He thanked the Commission for its consideration.

Michael Kunzler addressed the Planning Commission in opposition to the proposed rezone request. Mr. Kunzler stated that he resided at 215 Wilmer Drive, directly across the street and diagonally adjacent to the subject property. He explained that the parcel was clearly visible from his backyard and that his property would be among those most directly affected by any change in zoning.

Mr. Kunzler stated that his family had lived in the area for many years and had witnessed significant growth and development throughout West Kaysville. While acknowledging that growth is a natural part of community development, he expressed concern that much of the open space that once characterized the area had already been developed. In his view, the subject property represented one of the few remaining open areas that continued to contribute to the rural, low-density character of the neighborhood.

Mr. Kunzler explained that when his family purchased their home, they did so with the understanding that the surrounding properties were zoned for low-density residential uses. He stated that the existing zoning designation helped shape expectations regarding future development patterns and the overall character of the neighborhood. He emphasized that his opposition was not directed toward the applicant personally but rather toward the proposed zoning change itself.

Mr. Kunzler expressed concern that approval of a higher-density residential zoning designation would be inconsistent with the existing character of the surrounding area and would permanently alter one of the last remaining open spaces in that portion of West Kaysville. He stated that the neighborhood had already experienced substantial development over the years and that preserving the current zoning was important to maintaining the area's open feel, established character, and quality of life.

Mr. Kunzler concluded by respectfully requesting that the Planning Commission deny the rezone application and retain the property's current zoning designation. He thanked the Commission for its consideration.

Lauri Cragun addressed the Planning Commission in opposition to the proposed rezone request. Ms. Cragun explained that she had attempted to submit comments electronically but was unsuccessful and therefore chose to attend the meeting in person. She emphasized that her comments were not directed against the Harris family or their personal circumstances and expressed appreciation for what they were attempting to accomplish.

Ms. Cragun stated that she was somewhat confused by the request given the recent adoption of Senate Bill 284 concerning detached accessory dwelling units. She noted that the Planning

Commission was actively discussing implementation of the new state requirements and suggested that the City should take additional time to consider how those regulations would be applied before approving zoning changes intended to accomplish similar objectives.

Ms. Cragun referenced recent Planning Commission discussions regarding detached accessory dwelling units and recalled conversations about standards being considered by other communities. She specifically mentioned discussions regarding height limitations and neighborhood compatibility, noting concerns that multi-story detached units could alter the character and appearance of established residential neighborhoods.

Drawing from her own experience, Ms. Cragun explained that when she built her home in West Kaysville in 2004, she created living quarters for her elderly parents as part of the principal residence. She described the addition as approximately 1,500 square feet with two bedrooms and a common living area. She stated that the dwelling was integrated into the primary residence, shared utility connections, and maintained a unified architectural appearance. She further noted that several other homes within her neighborhood had implemented similar arrangements while remaining compliant with existing zoning regulations.

Ms. Cragun stated that, in her opinion, the applicant could potentially create an accessory dwelling arrangement on the property without requiring a zoning change. She suggested that alternative approaches existed that would allow additional living space while maintaining consistency with existing neighborhood standards.

Ms. Cragun also discussed the importance of private covenants, conditions, and restrictions (CC&Rs) within the Old Farm subdivision. She explained that the subdivision's CC&Rs were a significant factor in her decision to purchase property in the neighborhood and helped preserve the large-lot residential character that residents expected. While acknowledging prior Planning Commission discussions regarding the City's inability to enforce private covenants, she expressed concern that homeowners should be made more aware of existing CC&Rs during the permitting process. She stated that failure to recognize those restrictions could negatively affect established neighborhoods and the expectations of property owners who purchased homes based on those standards. She urged the Commission to consider those neighborhood character concerns when evaluating the rezone request.

Anna Crabb addressed the Planning Commission in support of the proposed rezone request. Ms. Crabb explained that she had attended the meeting for another agenda item but felt compelled to comment after hearing the discussion. She stated that she is the parent of a child with disabilities and wanted to share her perspective regarding the challenges faced by families caring for individuals with special needs.

Ms. Crabb explained that the transition to adulthood can be especially difficult for individuals with disabilities and their families. She described the uncertainty surrounding housing and long-term care arrangements as one of the most significant concerns parents face as their children become adults. She stated that meeting basic housing needs can be challenging and expressed

hope that communities would support families seeking reasonable solutions that allow individuals with disabilities to maintain independence while remaining close to family support systems.

While acknowledging that the City must follow applicable laws, ordinances, and planning regulations, Ms. Crabb encouraged the Commission to consider opportunities to accommodate housing arrangements that serve individuals with disabilities whenever reasonable. She stated that she was not fully familiar with the specific zoning mechanisms involved in the application but believed that if a lawful and reasonable path existed to support the family's goals, it should be considered.

Ms. Crabb concluded by noting that individuals with disabilities and their families often face unique challenges and that local communities have opportunities to provide meaningful support through thoughtful housing decisions. She encouraged the Planning Commission to consider the human impacts associated with the request and expressed support for the proposal.

Katie Kindred addressed the Planning Commission in opposition to the proposed rezone request. Ms. Kindred stated that she was not opposed to the Harris family creating an accessory dwelling unit for their son and expressed support for housing solutions that would meet the family's needs. However, she distinguished between the concept of an accessory dwelling unit and the requested zoning change.

Ms. Kindred expressed concern that rezoning the property to a higher-density residential designation could have long-term implications beyond the applicant's current intentions. She stated that while the present proposal may be modest in scope, a zoning change would remain with the property and could permit future development that differs significantly from what is currently being proposed.

Ms. Kindred suggested that if an accessory dwelling unit could be constructed under existing zoning regulations or through provisions available under state law, that approach would be preferable to changing the zoning designation of the property. She stated that retaining the existing zoning would better preserve the character of the neighborhood while still allowing the Harris family to pursue housing options for their son.

Ms. Kindred further expressed concern that future property owners could potentially redevelop the site more intensively if the zoning were changed. As an example, she questioned whether a future owner could remove the existing residence and construct a fourplex or other higher-density development on the property. She concluded by encouraging the Commission to explore alternatives that would allow an accessory dwelling unit without requiring a rezoning of the property.

Jennifer Borup addressed the Planning Commission in opposition to the proposed rezone request. Ms. Borup stated that she resided at 749 Chelsea Drive within the Old Mill Farms

subdivision. She noted that she did not personally know the Harris family but expressed sympathy for their circumstances and the challenges associated with caring for family members with special needs.

Ms. Borup explained that several families within her neighborhood had faced similar situations involving individuals with disabilities, aging parents, and other family members requiring additional care. She stated that those families had successfully created living arrangements through accessory dwelling units under existing zoning regulations and that those arrangements had functioned well without creating conflicts within the neighborhood.

Ms. Borup emphasized that her primary concern was not the Harris family's desire to provide housing for their son, but rather the long-term implications of changing the zoning designation of the property. She stated that while the current application was being presented as a solution for a family with special needs, any zoning change approved by the City would apply to the property generally and would not be limited to a specific family or circumstance. She expressed concern that future property owners could utilize the zoning in ways that were not currently contemplated.

Ms. Borup also referenced concerns previously raised by other residents regarding the impacts of larger accessory structures. She noted that a nearby property had constructed a two-story accessory building with a residential unit above it and stated that the structure had significantly altered privacy conditions for adjacent property owners. She expressed concern that similar outcomes could occur if additional properties were rezoned to allow more intensive residential development.

Ms. Borup concluded by stating that many residents purchased homes in large-lot neighborhoods with the expectation of privacy, open space, and lower-density development patterns. She expressed concern that changing the zoning designation of the property could set a precedent that would undermine those expectations and negatively affect other half-acre residential neighborhoods throughout Kaysville. She thanked the Commission for its consideration.

Chair Packer closed the public hearing.

Chair Packer invited Mr. Harris to respond to the comments and concerns raised by members of the public and to provide any additional information he felt would be helpful to the Commission's consideration of the application.

Mr. Harris stated that one of the things he appreciated most about Kaysville was that residents cared deeply about the community and wanted to preserve the qualities that make it a desirable place to live. At the same time, he observed that communities inevitably experience change and that local governments and residents must find ways to adapt to evolving circumstances. He noted challenges associated with water availability, changing development patterns, and the increasing difficulty many young adults face in finding affordable housing

opportunities within the community.

Mr. Harris addressed several comments related to accessory dwelling units, noting that recent state legislation had already changed the landscape regarding detached accessory dwelling units. He stated that many of the concerns expressed about future development potential could ultimately be affected by the City's implementation of state-mandated ADU regulations. He explained that his request was not motivated by those legislative changes and that he had been considering housing options for his son for more than twenty years. He noted that his inquiry to City staff regarding the rezone had actually occurred before he became aware of the recently adopted state legislation.

Mr. Harris emphasized that his primary objective was not to create a permanent higher-density zoning entitlement for the property but rather to provide housing accommodations that would allow his son to live independently while remaining close to family support and potential caregivers. He stated that if an alternative mechanism existed that would permit two small residential units without permanently rezoning the property, he would be willing to consider such an option. Mr. Harris specifically indicated that he would be open to alternatives such as a waiver, variance, or other regulatory approach if available, as his goal was to address a family housing need rather than to secure broader development rights associated with R-4 zoning.

Mr. Harris further stated that some of the concerns expressed about future rental opportunities and more intensive development under R-4 zoning were not objectives of his proposal. He explained that he had no interest in creating a non-owner-occupied rental property and that his intent had always been to maintain owner occupancy while providing housing for family members and caregivers. He concluded by reiterating that he was willing to consider alternative approaches that would achieve those goals while addressing concerns raised by neighboring residents and invited questions from the Commission.

Chair Packer opened Commission discussion on the rezone request. He first expressed appreciation for the applicant's circumstances and acknowledged the challenges associated with finding long-term housing solutions for family members with special needs. He stated that he supported the broader goal of providing a variety of housing types and housing opportunities within the community.

Chair Packer noted, however, that the request presented a difficult planning question. He explained that while the proposed residential density itself was not necessarily inappropriate, the location and zoning context created concerns. He stated that rezoning a single parcel in the middle of an established neighborhood with a different zoning designation is generally viewed cautiously by planning commissions because of the precedent it can create and the long-term implications for future development.

Chair Packer emphasized that the Commission must evaluate not only the applicant's current intentions but also what future property owners could potentially do with the property under the proposed zoning designation. He stated that this broader consideration is an important part

of the Commission's responsibility when evaluating rezoning requests.

He further noted that the City was still in the process of developing regulations to implement recently adopted state legislation regarding accessory dwelling units. Because those regulations had not yet been finalized, there may be alternative housing options available in the future that could help address the applicant's needs without requiring a permanent zoning change.

Chair Packer reiterated that he hoped a workable solution could be found for the applicant's family but acknowledged that the proposed R-4 zoning designation on a single parcel within an established neighborhood would likely be difficult for the Commission to support. He concluded by noting that any action taken by the Planning Commission would be a recommendation only and that the final decision would ultimately rest with the City Council at a future public hearing.

Commissioner Young stated that the application highlighted the very reasons she was supportive of the recently adopted state legislation allowing detached accessory dwelling units. She expressed enthusiasm for the flexibility that detached ADUs could provide for housing family members, promoting independence, and addressing housing needs while maintaining neighborhood character. Commissioner Young noted that detached ADUs could offer privacy, accessibility, and housing opportunities without requiring a rezoning of property.

Commissioner Young indicated that she was hesitant to support a zoning change for a single parcel when alternative housing options would soon be available through the City's implementation of the new ADU regulations. She observed that the combination of the primary residence, an internal accessory dwelling unit, and a future detached accessory dwelling unit could provide significant flexibility for the applicant's family while preserving the existing zoning pattern of the neighborhood. For those reasons, she stated that she would be inclined to support the use of internal and detached ADUs rather than a rezoning request.

Commissioner Sommerkorn stated that his views were similar to those expressed by Commissioner Young. He noted that the City had considered and approved rezonings involving larger properties and broader development areas in the past, but he viewed the current request differently because it involved a relatively small parcel located within an established neighborhood. He explained that changing a single half-acre lot from R-1-20 to R-4 represented a substantial increase in allowable density and a significant departure from the surrounding zoning pattern.

Commissioner Sommerkorn referenced the General Plan policies discussed by staff, particularly those focused on preserving neighborhood character. He observed that the applicant had already indicated that an internal accessory dwelling unit existed within the home and that upcoming state-mandated changes would likely permit a detached accessory dwelling unit as well. In his view, those opportunities would allow the property to accommodate multiple residential units while remaining consistent with the existing zoning designation. Commissioner Sommerkorn stated that, while the proposed rezoning could provide additional flexibility, he believed the applicant could achieve many of the desired objectives through existing and

forthcoming housing options. As a result, he was not inclined to support the rezone request.

Commissioner Birkenshaw stated that he largely agreed with the comments made by Commissioners Young and Sommerkorn. He acknowledged the personal nature of the request and expressed respect for the applicant's circumstances and concerns. However, he noted that rezoning a single parcel within an established neighborhood presented significant challenges. He stated that concerns regarding future development potential and the long-term implications of the zoning designation weighed heavily in his consideration of the application. Commissioner Birkenshaw further observed that the City's forthcoming ADU ordinance would likely address many of the applicant's housing objectives. Based on those considerations, he stated that he did not support the requested rezoning.

Chair Packer concurred with the comments of the other commissioners. He noted that the presence of nearby duplexes and other housing types demonstrated that a variety of residential uses existed in the area. However, he emphasized that a rezoning request differs from evaluating a specific development proposal because the Commission must consider the long-term land use implications associated with the zoning designation itself. Chair Packer stated that while the applicant's situation was unique and understandable, land use decisions frequently involve unique circumstances, and the Commission must evaluate each request based on the broader planning principles that guide development throughout the City.

Chair Packer stated that rezoning the property to R-4 would significantly alter the allowable development potential of the parcel and would reduce the City's ability to control future uses on the property. He indicated that those concerns made it difficult for him to support the requested rezoning. He then invited any additional comments from the Commission before proceeding with further discussion or a motion.

Commissioner Birkenshaw made a motion to recommend denial of the rezone request for property located at 1113 West 150 South from R-1-20 to R-4. Commissioner Sommerkorn seconded the motion, and the vote was in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Toller: Nay

5- PUBLIC HEARING FOR A REZONE REQUEST FOR THE PROPERTY LOCATED AT 80 EAST CENTER STREET (PARCEL #11-108-0021) FROM A-1 LIGHT AGRICULTURAL DISTRICT TO CC CENTRAL COMMERCIAL DISTRICT WITH A MU MIXED USE ZONING DISTRICT OVERLAY

Ms. McNamara presented a request to rezone the existing Presbyterian Church property located at 80 East Center Street and apply a Mixed-Use Overlay. She explained that the applicant proposed redevelopment of the site through construction of ten attached townhome

units, the addition of commercial space, and preservation and reuse of the existing historic church building.

Ms. McNamara reviewed the existing zoning and noted that the property is currently zoned A-1. She explained that the Future Land Use Map identifies the site as a religious use area, although the City's zoning code does not contain a specific religious-use zoning designation. She stated that several goals and policies within the General Plan support consideration of the proposal, including objectives related to providing a variety of housing opportunities, strengthening the City Center, enhancing downtown activity, and encouraging redevelopment that supports existing commercial areas.

Ms. McNamara stated that the proposal aligns with General Plan goals focused on creating a distinct City Center, expanding the heart of the community, providing a range of housing options and price points, and encouraging redevelopment that strengthens existing commercial districts. She further noted that the Housing Element of the General Plan supports providing a full range of housing opportunities throughout the community.

Ms. McNamara reviewed the proposed site plan, explaining that the development would include ten attached townhome units, two newly constructed commercial buildings, and the preservation and adaptive reuse of the existing Presbyterian Church. One commercial building would front Center Street, while another would be located toward the rear of the property. She noted that all required parking would be provided on-site.

Although the proposed commercial square footage represented approximately 29.87 percent of the total project area, Ms. McNamara stated that staff believed the proposal met the intent of the Mixed-Use Overlay because it incorporated a meaningful commercial component and activated the site with both residential and commercial uses.

Ms. McNamara explained that because the application involved a mixed-use development, a development agreement had been prepared and was included as part of the request. She summarized several key provisions of the agreement. One provision requires the applicant to obtain a valid building permit and complete footing and foundation inspections for Building B, the two-story commercial building fronting Center Street, prior to issuance of building permits for the townhome units. Another provision requires the applicant to improve and make the existing Presbyterian Church available for commercial use within twenty-four months.

Ms. McNamara also outlined several historic preservation commitments included within the development agreement. These commitments require repairs to the church roof while maintaining the existing roofline, preservation of the bell tower, and replacement of the original bell. She noted that, because the City currently lacks a formal historic preservation ordinance, the Planning Commission may wish to discuss whether the proposed preservation measures adequately address the historic character of the building and site.

Architectural renderings of the proposed development were presented, showing the Center

Street frontage, the proposed commercial buildings, the existing church structure, and the overall design character of the project.

Regarding public outreach, Ms. McNamara reported that 65 public hearing notices had been mailed to surrounding property owners. Staff did not receive any phone calls regarding the application but did receive two written comments through the online comment portal. Both comments expressed concerns related to increased traffic and vehicle speeds, particularly due to the property's proximity to the elementary school located across the street.

Based on the proposal's consistency with several General Plan objectives and the conditions contained within the development agreement, Ms. McNamara stated that staff recommended approval of the rezone request and Mixed-Use Overlay for the Presbyterian Church property, subject to the proposed development agreement. She concluded by noting that the applicant was present and available to answer questions from the Planning Commission.

Mr. Gonzalo Calquin, architect and representative for the applicant, addressed the Planning Commission regarding the proposed mixed-use redevelopment of the Presbyterian Church property. He explained that he was working with Ryan and Jackie Wild, whom he described as lifelong Kaysville residents with a strong passion for the community and the project.

Mr. Calquin stated that the applicants viewed the project as an opportunity to revitalize an important area near Main Street and Center Street while preserving the historic church building and introducing high-quality development to the site. He noted that Ryan Wild possessed a strong artistic vision for the project and was committed to creating a development that would contribute positively to the character of the neighborhood.

Mr. Calquin explained that the proposal was intended to be more than a typical residential development. He stated that the applicants had already identified commercial users interested in occupying the proposed commercial spaces and that those future tenants were committed to bringing activity and investment to the area. He noted that, unlike some mixed-use developments where commercial components are secondary to residential construction, the applicants were committed to ensuring the commercial portions of the project were developed and occupied.

Referring to the development agreement, Mr. Calquin noted that the applicants had agreed to begin construction of the commercial building fronting Center Street prior to the residential townhome portion of the project. He stated that this commitment demonstrated the applicants' dedication to creating a true mixed-use development rather than relying solely on residential construction.

Mr. Calquin described the proposed residential units as "brownstones" rather than conventional townhomes. He stated that the applicants were highly focused on architectural quality and intended to construct attractive brick buildings that would complement the historic church structure and contribute to the visual character of the area. He expressed the opinion

that the project would significantly improve the appearance of Center Street and help revitalize a portion of the City Center that currently lacked investment and activity.

Mr. Calquin emphasized the importance of preserving and reactivating the historic church building. He noted that the church had remained largely unused in recent years and stated that the project would provide an opportunity to restore the structure and make it available for future commercial occupancy, thereby bringing new life and purpose to the historic building.

Addressing concerns regarding traffic and parking, Mr. Calquin stated that the project exceeded parking requirements. He explained that each townhome unit would be provided with four parking stalls, including two garage spaces and two driveway spaces. In addition, the commercial portions of the development would provide more than thirty-six parking stalls. He noted that many of those stalls would be available for guest parking during evenings and other times when commercial uses were not operating.

Mr. Calquin stated that, compared to many similar mixed-use developments, the proposal was significantly over-parked and that parking availability should not be a concern. He further noted that the traffic analysis submitted with the application concluded that the project would not create significant traffic impacts and adequately addressed concerns regarding traffic generation and circulation.

Mr. Calquin concluded by expressing enthusiasm for the project and stated that the applicants welcomed public input and questions from the Planning Commission. He indicated that the project team was available to address any concerns regarding the proposal.

Chair Packer thanked the applicant for the presentation and then opened the public hearing portion of the agenda item.

LaMar Neybo addressed the Planning Commission in opposition to the proposed rezone and mixed-use development. Mr. Neybo stated that he had lived approximately one block east of the property for forty-six years and expressed his deep appreciation for Kaysville and its unique character. He noted that his wife had previously created a historical map of Kaysville for local Cub Scouts and emphasized the importance of preserving the City's historic identity.

Mr. Neybo stated that one of Kaysville's greatest strengths is its desirability as a place to live and attributed much of that appeal to the community's historic character, walkability, and overall quality of life. He expressed concern that the proposed development would alter those qualities and introduce a level of residential intensity that he believed was inconsistent with the surrounding area.

Mr. Neybo also raised concerns regarding site design and circulation. He noted that the development appeared to rely on a single access point and questioned how the site would function during winter conditions, particularly during significant snowstorms. He expressed concerns about snow storage, emergency vehicle access, and overall traffic circulation within

the development, suggesting that a single point of ingress and egress could create operational and safety challenges.

With respect to the historic church, Mr. Neybo stated that much of the justification for the project appeared to be centered on preservation of the church structure. He questioned whether the proposed adaptive reuse would truly preserve the historic value of the building. While acknowledging that the church may no longer function as an active religious facility, he stated that converting the building to commercial or other uses could diminish the significance of its original purpose and historic character.

Mr. Neybo referenced other historic buildings within Kaysville that have been lost over time and expressed concern that the proposed development represented a substantial change in the character of the area. He encouraged the Planning Commission to carefully consider the long-term impacts of the proposal and stated his belief that the project was not consistent with preserving the historic nature and identity of Kaysville. He concluded by respectfully urging the Commission to deny the requested zoning change.

Tucker Hunsaker addressed the Planning Commission in support of the proposed development. Mr. Hunsaker stated that he resided at 41 South 100 East, directly across from the existing five-unit residential development on 100 East. He noted that he had actively opposed the previous development proposal for the property, including organizing a petition and participating in neighborhood outreach efforts.

Mr. Hunsaker stated that, in his opinion, the current proposal was substantially improved from the previous application. He explained that the applicant and property owners had engaged neighboring residents throughout the process and had been more responsive to neighborhood concerns. He stated that many residents recognized the property would eventually redevelop and that their primary concern had been ensuring that any development was compatible with the surrounding neighborhood and completed in a responsible manner.

Mr. Hunsaker expressed support for the preservation of the historic church building and stated that maintaining the structure had been an important consideration for many residents. He also indicated that he supported the inclusion of commercial uses within the project and believed the proposal provided a better balance of residential and commercial development than the previous application.

Mr. Hunsaker noted several remaining concerns, including potential traffic and pedestrian safety issues near Kaysville Elementary School. He stated that traffic speeds, stop-sign compliance, and the absence of a crosswalk in the area were existing concerns that should be considered. He also expressed interest in learning more about the future commercial tenants and the final building heights proposed for the project.

Mr. Hunsaker stated that the revised site design, including rear-loaded garages and driveways, represented a significant improvement over the prior proposal and addressed many of the

concerns previously raised by neighboring residents. He concluded by stating that he felt considerably more comfortable with the current application and supported the project while acknowledging that some questions remained to be addressed.

Chair Packer closed the Public Hearing.

Commissioner Toller asked about the ownership and maintenance of the proposed playground and adjacent common area shown on the site plan near Building E. Specifically, he inquired whether the area would be owned in common by the development or whether it would belong to the owner of Building E.

Mr. Calquin responded that the specific ownership structure had not yet been finalized, as the site plan remained conceptual. However, he anticipated that the development would be governed by a homeowners association and that the playground and open space areas would serve as common amenities for residents. He explained that the commercial buildings would likely be established as separate lots or condominium units, but those details had not yet been determined. He emphasized that the playground was intended as a residential amenity and would be available for use by residents throughout the development.

Commissioner Toller noted that open space had been a significant concern during previous discussions regarding redevelopment of the site. He expressed the opinion that the playground and open space areas should remain dedicated as open space and not be reserved for future development.

Commissioner Toller then referenced the development agreement requirement that Building B, the commercial building fronting Center Street, be constructed prior to the residential townhomes. He asked whether the applicant was comfortable with that requirement.

Mr. Calquin responded affirmatively and stated that the applicants had recently discussed the requirement with staff. He reiterated that the project team already had prospective commercial users interested in the building and that they were committed to constructing the commercial component as part of the project.

Commissioner Toller next asked about the relationship between the proposed development and the adjacent former Zions Bank property to the west. He inquired whether the proposed buildings would directly abut the existing paved parking area on the neighboring property.

Mr. Calquin explained that the development would not directly abut the neighboring parking lot. He stated that the project would maintain approximately a sixteen-foot setback from the western property line, which was influenced in part by existing overhead utility lines. He noted that additional setback and landscaping existed on the neighboring property, resulting in a separation between the developments.

Commissioner Toller also asked whether there was an elevation change across the site from

east to west. Mr. Calquin confirmed that the property contained grade changes and explained that the proposed brownstone units would step with the natural slope of the site. He stated that the rear access drive would also follow the natural grade to minimize retaining walls and preserve existing drainage patterns.

Commissioner Toller indicated that his question was partly related to the possibility of future access easements or additional points of ingress and egress. In response, Mr. Calquin stated that the site had been designed to meet all applicable fire access requirements and that emergency access had been reviewed as part of the project design. He explained that the development included a code-compliant fire lane and turnaround area capable of accommodating emergency vehicles, including fire apparatus. Mr. Calquin stated that, based on the size of the development and the findings of the traffic study, the proposed access arrangement was adequate for the anticipated level of traffic.

Commissioner Toller thanked the applicant and indicated that he had additional questions for staff that he would address later in the discussion.

Commissioner Sommerkorn asked a follow-up question regarding the western boundary of the property. Referring to the site plan, he sought clarification regarding the location of the property line and the area between the proposed development and the adjacent property.

Commissioner Birkenshaw noted that the blue dashed line shown on the plan represented the edge of the power line easement rather than the property boundary.

Mr. Calquin explained that the site plan had been slightly cropped in the presentation, making the property line difficult to identify. He clarified that the proposed building would be located approximately sixteen feet from the western property line.

Commissioner Sommerkorn asked whether the area between the building and the property line would remain part of the development and who would be responsible for its maintenance. He questioned whether the area should be incorporated into the homeowners association and landscaped as part of the project.

Mr. Calquin responded that the area would be included as part of the overall development and indicated that landscape maintenance would likely be the responsibility of the homeowners association. He acknowledged that the landscaping shown on the current plan was conceptual and noted that a final landscape plan would be submitted as part of the development review process.

Commissioner Young asked whether a future use had been identified for the historic church building and whether it might continue to function as a church.

Mr. Calquin responded that no specific tenant or use had been identified at this time and that the future use remained undetermined. He explained that one of the challenges associated

with preserving the building is its relatively small size and limited functionality as a modern congregation space. While the structure has significant historic value, he stated that it may no longer be practical for use as an active church facility.

Mr. Calquin stated that the applicants were committed to investing in the preservation and restoration of the building and making it available for future occupancy. He noted that the development agreement allows a twenty-four-month period to complete the improvements and prepare the structure for a future user. He explained that because of the unique nature of the building, finding an appropriate tenant would likely require additional time and flexibility.

Chair Packer commented that the future use would likely need to be compatible with the building's historic character and jokingly remarked that it would not be suitable for a tire store. The comment was made in a lighthearted manner while discussing the types of future commercial uses that might occupy the building.

Ms. Wilde responded to Commissioner Young's question regarding the future use of the historic church building. She stated that she and Mr. Wilde have a great deal of respect for the building, its history, and its religious significance. She explained that, during the early stages of evaluating the property, they explored numerous options for preserving and reusing the structure.

Ms. Wilde stated that they met with representatives of the Presbyterian Church in an effort to determine whether there was interest in retaining or reoccupying the building for religious purposes. She also discussed conversations with City staff regarding whether the City might have interest in accepting ownership of the building for a public purpose, such as a museum or community facility. She noted that several concepts had been explored over the course of the project, including the possibility of converting the building into a preschool, but none had ultimately proven feasible.

Ms. Wilde explained that while a future tenant had not yet been identified, the applicants had actively investigated a variety of potential uses and remained committed to finding an appropriate occupant for the building.

Mr. Wilde added that the primary challenge in securing a tenant had been the condition of the building and the costs associated with its rehabilitation. He stated that many interested parties had expressed concern regarding the investment necessary to restore and occupy the structure. For that reason, the applicants elected to move forward with repairs and improvements themselves to make the building more attractive and functional for future tenants.

Mr. Wilde explained that the applicants had already engaged engineers to evaluate the structure and planned to make significant improvements, including replacing windows and addressing deferred maintenance issues. He stated that the goal was to restore the building to a condition where potential tenants could more easily envision occupying and utilizing the

space.

Ms. Wilde and Mr. Wilde emphasized that preserving the church was an important component of the project and that, even if a tenant was not immediately secured, the applicants intended to restore and maintain the building. Mr. Wilde commented that, at a minimum, the structure would become a restored and visually appealing landmark rather than remaining vacant and deteriorated.

The applicants also noted that they had already identified prospective occupants for the proposed commercial buildings. They explained that one prospective user was associated with a software-related business serving clients internationally, while another was a brokerage-type office user. They stated that neither use would generate substantial traffic or employee counts and therefore would have minimal impact on surrounding streets and neighborhoods.

Mr. Wilde concluded by responding to Commissioner Toller's earlier question regarding the development agreement requirement that the commercial building be constructed prior to the residential units. He stated that, while the applicants accepted the requirement, constructing the commercial and residential components simultaneously would likely be more efficient from a construction and cost perspective due to economies of scale. Nonetheless, he acknowledged the City's desire to ensure that the commercial component of the project was completed as part of the overall development.

Commissioner Sommerkorn commented that constructing the commercial building and residential portions of the project simultaneously would likely provide construction efficiencies, particularly with respect to concrete work and foundation construction. He noted that constructing the buildings together could reduce costs and simplify the construction process.

Mr. Wilde agreed and stated that the applicants would prefer to obtain permits and complete foundation work for both the commercial and residential components at the same time. He explained that doing so would be more economical and efficient from a construction standpoint.

Commissioner Toller stated that he believed the purpose of the development agreement requirement was to ensure that the commercial component of the project was actually constructed and not deferred indefinitely while the residential units were completed. He indicated that the provision appeared intended to guarantee that the development remained a true mixed-use project rather than becoming solely residential.

Commissioner Birkenshaw then asked for clarification regarding the scope of improvements planned for the historic church building. Specifically, he inquired whether the applicants intended to fully renovate the interior or whether the building would remain largely unfinished pending a future tenant.

Mr. Wilde explained that the applicants intended to focus primarily on structural stabilization

and exterior restoration. He stated that repairs would include masonry work, roof improvements, window replacement, and other necessary upgrades to address deferred maintenance and preserve the building. He noted that those items represented some of the most significant costs associated with rehabilitating the structure.

Mr. Wilde further explained that the interior would generally remain unfinished because a future tenant's needs were not yet known. He stated that the applicants did not want to invest substantial resources into a specific interior configuration only to have a future occupant remove or modify those improvements. Examples of potential future uses discussed with interested parties had included retail, specialty shops, and other commercial uses.

Ms. Wilde added that preserving the historic appearance and character of the building was an important goal of the project. She stated that the applicants wanted to maintain the overall architectural integrity of the church and ensure that any improvements were compatible with the character of the surrounding development. She noted that the project had been intentionally designed to reflect the historic nature of the area and to feel like an extension of Old Town Kaysville rather than a modern suburban development.

Commissioner Birkenshaw summarized his understanding that the applicants intended to complete the structural, exterior, and code-related improvements necessary to prepare the building for occupancy while leaving the final interior build-out to a future tenant. The applicants confirmed that understanding.

Ms. Wilde further noted that improvements would also include upgrades necessary to comply with current building and accessibility requirements, including modifications to restroom facilities and other code-related improvements as needed.

Mr. Calquin added that any future commercial use of the church building would still be required to undergo the normal tenant improvement and permitting process through the City.

Following the applicant's responses, Chair Packer indicated that the Commission could proceed with discussion. He noted that issues related to water service and long-term water availability would be addressed through the City's normal development review process and water planning requirements. Chair Packer stated that City staff routinely reviews water demands associated with development proposals and ensures that adequate planning occurs for future water needs.

Chair Packer stated that, regardless of the outcome of the application, issues such as water availability and service capacity would continue to be reviewed through the City's development process. He noted that City staff routinely evaluate water demands associated with development proposals and plan for future infrastructure needs.

Chair Packer then shared several observations regarding the proposed development. He stated that he appreciated the effort to preserve the historic Presbyterian Church building and noted

its significance to the community. As a history major, he commented on the importance of the structure and referenced its connection to William Allen, a prominent local architect responsible for designing many historic buildings throughout Kaysville and surrounding communities. Chair Packer stated that preserving the church represented an important opportunity to retain a valuable piece of Kaysville's history.

Chair Packer also expressed appreciation for the parking design. He noted that parking is frequently a concern with higher-density developments, but in this case each residential unit would have a two-car garage and driveway parking, in addition to the shared commercial parking available on site. He stated that the project appeared to provide sufficient parking and would help minimize parking impacts on surrounding streets.

Chair Packer further observed that the project would introduce additional housing opportunities within walking distance of Main Street businesses. He stated that locating residents near the downtown area could help support existing businesses while reducing reliance on vehicle trips and additional parking demand in the commercial district.

Commissioner Sommerkorn stated that he supported the proposed zoning designation and noted that the property logically extended the existing commercial and mixed-use character of the surrounding area. He commented that the proposal represented a substantial improvement over the previous application considered for the site and agreed with public comments indicating that the current plan was significantly more compatible with the neighborhood.

Commissioner Young stated that she was enthusiastic about the proposal. She described the historic church as the centerpiece of the development and expressed appreciation for the applicants' efforts to preserve the structure. She noted that the applicants had explored numerous possibilities for the building, including potential religious, public, and community uses. Commissioner Young stated that preserving the church was worthwhile even if only for its architectural significance and suggested that it could potentially serve as a gathering place or museum in the future.

Commissioner Young also expressed support for the architectural design of the proposed brownstone-style townhomes. She stated that the density appeared modest, the buildings provided a strong street presence, and the development was highly walkable. Overall, she felt the project was well designed and compatible with the City Center area.

Commissioner Toller stated that he generally agreed with the comments expressed by the other commissioners. He then asked the applicant to clarify the length of the driveway parking spaces associated with the townhome units and whether larger vehicles could be accommodated without extending into pedestrian areas.

Mr. Calquin responded that the driveways were designed with a minimum length of twenty feet, with some units providing slightly greater depth due to site geometry. He stated that the parking dimensions met applicable standards and would accommodate typical vehicles.

Commissioner Young then asked about the structure shown adjacent to the playground area in the center of the site.

Commissioner Toller noted that the structure was intended to house refuse containers and solid waste facilities.

Commissioner Young commented that refuse collection areas are often overlooked during site planning and stated that she appreciated seeing those facilities incorporated into the project design from the outset.

Following the discussion, Commissioner Toller indicated that he was prepared to make a motion if the Commission was ready to proceed. Chair Packer asked whether all commissioners felt they had sufficient information and were prepared to consider action on the application.

Commissioner Toller stated that he appreciated the thoughtful redesign of the project and the efforts made to address concerns raised during previous reviews of the property. He recalled that when an earlier proposal had been discussed by the City Council and Mayor, concerns had been expressed regarding the density of the development. Commissioner Toller observed that the current proposal significantly reduced the residential density while increasing the commercial component of the project.

Commissioner Toller stated that the revised plan provided a more appropriate balance of residential and commercial uses and was better suited to the character of the area. He further noted that the property is adjacent to existing commercial uses and that the proposed mixed-use development appeared compatible with the surrounding neighborhood and City Center area.

Commissioner Toller made a motion to recommend approval of the rezone request and Mixed-Use Overlay together with the associated Development Agreement, and forward a positive recommendation to the City Council and Commissioner Young seconded the motion.

Following the motion and second, Mr. Calquin requested clarification regarding the language contained in the development agreement related to the sequencing of construction. He noted that the applicants had previously expressed a desire to construct the foundations for the commercial and residential portions of the project concurrently and asked whether the motion would affect that possibility.

Mr. Christensen stated that the current language of the development agreement required certain commercial construction milestones before residential permits could proceed and suggested that clarification may be needed regarding whether simultaneous foundation work could be permitted.

Commissioner Sommerkorn stated that the issue would ultimately be decided by the City

Council but suggested that consideration be given to allowing the foundations for both the commercial and residential buildings to be poured and inspected concurrently.

Commissioner Toller responded that his motion was intended to approve the application as presented, including the staff recommendation and development agreement. He noted that details regarding construction sequencing could continue to be reviewed by staff and the City Council as part of the final approval process.

Chair Packer asked whether the Commission was comfortable acknowledging the applicant's request while leaving the matter for further consideration during the City Council review. Commissioner Young indicated that she supported allowing flexibility for that discussion to occur.

Commissioner Sommerkorn stated that, while he did not believe the issue needed to be included as a formal condition of the motion, he would recommend that staff and the City Council consider the applicant's request regarding concurrent foundation construction.

Commissioner Toller then agreed to amend his motion to include a recommendation that consideration be given to allowing the foundations for both the commercial and residential buildings to be poured and inspected concurrently, subject to staff review and City Council approval.

Commissioner Young affirmed that her second remained in place following the amendment.

The vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Toller: Nay

6- PUBLIC HEARING AND CONSIDERATION OF ENACTING A NEW SECTION OF CODE: 17-31-6 MICRO-EDUCATION ENTITIES AND HOMEBASED MICROSCHOOLS

Ms. McNamara presented a proposed ordinance amendment related to micro education entities and home-based micro schools. She explained that during the 2025 legislative session, the Utah Legislature adopted legislation allowing micro education entities with up to 100 students and establishing home-based micro schools as permitted uses in all zoning districts, subject to local regulation. She noted that additional revisions to the legislation were adopted during the 2026 legislative session, prompting the City to update its code to address the new requirements.

Ms. McNamara reviewed the definitions included within the proposed ordinance and explained

that the purpose of the amendment was to clarify how Kaysville would regulate micro schools under the updated state law.

She outlined several provisions included in the draft ordinance. These included limiting micro education entities and home-based micro schools to locations on minor arterial streets, collector streets, significant local streets, or private streets where permission had been granted by the property owner. The ordinance also proposed parking requirements of one parking space per employee and one parking space per five students.

Ms. McNamara explained that the draft ordinance would establish maximum student capacities based on lot size, with smaller lots limited to fewer students and larger lots potentially accommodating between fifty and one hundred students. Additional provisions included limiting operating hours to approximately 7:00 a.m. through 9:00 p.m., prohibiting micro schools on lots smaller than 8,000 square feet, and requiring operators to obtain a City business license.

Ms. McNamara reported that the required public hearing notice had been posted on May 29, 2026, and that staff had not received any public comments regarding the proposal. She stated that the General Plan was considered neutral with respect to the ordinance and that staff recommended forwarding a positive recommendation to the City Council for adoption of the proposed regulations governing micro education entities and home-based micro schools.

Chair Packer asked how much flexibility the Planning Commission had in reviewing the ordinance and whether the proposed language was largely intended to align with state requirements.

Ms. McNamara responded that the draft ordinance was intended as an initial proposal and that the Planning Commission was free to recommend modifications if desired. She explained that staff's goal was to establish a framework that would allow the City to regulate micro education entities in compliance with state law while addressing local concerns before such uses were proposed within the community.

Commissioner Young requested clarification regarding the distinction between a home-based micro school and a micro education entity. Referring to the definitions presented on the screen, she asked staff to explain the practical differences between the two uses.

Ms. McNamara explained that, based on her understanding, a home-based micro school was limited to a maximum of sixteen students, while a micro education entity could accommodate a larger number of students. She noted that the distinction primarily related to student capacity and the scale of the operation. Ms. McNamara then deferred to City Attorney McNamara for any additional legal clarification regarding the state statutory definitions and requirements.

Commissioner Sommerkorn noted that recent amendments adopted by the Utah Legislature modified the original legislation governing micro education entities. He explained that while

earlier versions of the law established a maximum enrollment of one hundred students, the Legislature later revised the language to allow occupancy based on the capacity permitted by applicable building and fire codes. He stated that the current draft ordinance appeared to align with those statutory changes.

Commissioner Sommerkorn then asked City Attorney Ellis whether she was comfortable that the proposed ordinance complied with the updated state requirements.

Ms. Ellis responded that staff had carefully reviewed the legislative amendments and worked to ensure that the proposed ordinance was consistent with current state law.

Ms. McNamara reminded the Commission that a public hearing was required before further discussion could occur.

Chair Packer opened the public hearing and invited comments from the public.

Public Hearing

Ms. Crabb introduced herself as the owner of a local micro school and expressed appreciation for the City's efforts to establish clear regulations. She explained that her school currently serves numerous students and maintains a substantial waiting list, demonstrating significant community demand for alternative educational opportunities.

Ms. Crabb stated that she had worked through a lengthy approval process to establish her program and emphasized the value of having clear standards and predictable regulations in place. She thanked the Planning Commission and staff for their efforts and stated that the proposed ordinance would provide important guidance for future operators.

Hearing no additional comments, Chair Packer closed the public hearing.

Chair Packer thanked Ms. Crabb for her comments and stated that it was helpful to hear directly from someone operating a micro school within the community. He noted that the City wanted to remain both compliant with state law and supportive of educational opportunities while maintaining appropriate regulations.

Commissioner Toller asked staff to confirm that the proposed ordinance reflected the requirements of the legislation as amended during the 2026 legislative session.

Ms. McNamara confirmed that the ordinance had been drafted to comply with the updated state law.

Commissioner Toller then asked for clarification regarding the proposed street classifications. He questioned how the City would determine whether a particular street qualified as a significant local street or collector street and whether those determinations would need to be

made on a case-by-case basis.

Ms. McNamara explained that the City maintains a Major Streets Plan identifying classifications such as arterial and collector streets. She noted that Public Works staff administer those classifications and that staff would be able to determine whether a proposed location met the ordinance requirements before approving an application.

Commissioner Toller next questioned the provision allowing micro schools on private streets with owner permission. He asked whether approval would require consent from all property owners on a private street or only certain owners.

Ms. McNamara explained that the intent was to require authorization from the governing entity responsible for the private street, such as a homeowners association. Commissioner Toller suggested that the language be clarified to explicitly state that requirement. Ms. McNamara agreed that additional specificity could be incorporated into the ordinance.

Commissioner Sommerkorn agreed that clarifying the language would be beneficial.

Commissioner Young returned to the ordinance definitions and asked for clarification regarding the distinction between a private school and a micro education entity. She noted that the definition indicated that a micro education entity provides educational services for compensation but is not considered either a public or private school and questioned the practical difference between those categories.

Ms. McNamara responded that she would need to review the specific state statutory language and consult further with legal counsel to provide a complete explanation. She acknowledged that the distinction was not immediately clear from the definitions alone and indicated that staff would review the issue further.

Chair Packer then asked about the proposed operating hours, noting that the ordinance would allow operations until 9:00 p.m. He questioned whether that timeframe was typical.

Ms. McNamara explained that the proposed hours were intended to accommodate after-school activities, tutoring programs, extracurricular events, and similar educational functions. She reiterated that the ordinance was intended to provide a baseline framework and that the Commission could recommend modifications if it felt changes were warranted.

Chair Packer commented that many school-related activities, performances, and events regularly extend into the evening hours and indicated that the proposed timeframe appeared reasonable.

Commissioner Toller stated that he was generally comfortable forwarding a recommendation to the City Council despite several items requiring additional clarification. He noted that the ordinance would ultimately be adopted by the City Council and expressed support for allowing

staff to continue refining the language before it advanced for final consideration.

Chair Packer observed that one amendment discussed by the Commission involved clarifying the language related to private streets and owner authorization.

Ms. McNamara agreed that additional revisions could be made to clarify the intent of that provision.

Commissioner Young returned to the discussion regarding the definitions contained in the ordinance. She indicated that she was still trying to better understand the distinction between micro education entities and private schools and wanted to ensure that the Commission fully understood what was being regulated.

Ms. Ellis suggested that the distinction appeared to be based primarily on scale and statutory definitions. She explained that a micro education entity is a specific type of educational use defined by state law and subject to enrollment limitations, whereas a private school may operate on a much larger scale.

Commissioner Sommerkorn agreed with that interpretation.

Commissioner Young questioned whether micro education entities could effectively be considered private schools and expressed concern regarding language stating that they were not private schools.

Ms. Ellis responded that the definitions were established by state statute and indicated that staff would further review the language and seek clarification as necessary.

Commissioner Young acknowledged that the issue would likely require additional research.

Chair Packer summarized that the Commission's primary concern was ensuring that the ordinance functioned properly regardless of any subsequent clarifications staff might make.

At that point, Ms. Crabb approached the podium and asked a question regarding the proposed student enrollment limits based on lot size. She stated that she wanted to ensure she understood the relationship between the lot-size limitations and the occupancy requirements established by state law.

Ms. Crabb observed that the ordinance appeared to allow up to sixteen students on smaller lots consistent with the definition of a home-based micro school, while larger lots could accommodate greater enrollment as a micro education entity. She asked whether occupancy limitations based on building size would continue to apply.

Commissioner Toller noted that lots larger than one acre could potentially accommodate between fifty-one and one hundred students under the proposed ordinance.

Ms. Crabb asked whether the state occupancy standards would still govern student capacity in addition to the local lot-size requirements.

Ms. McNamara explained that the state law had recently shifted away from lot-size-based limitations and now tied maximum enrollment to the occupancy capacity permitted under applicable building and fire codes. She stated that the City's proposed lot-size requirements would serve as an additional local regulation layered on top of those occupancy standards.

Commissioner Birkenshaw clarified that both requirements would effectively apply: occupancy limitations established by building and fire codes, as well as the City's proposed lot-size thresholds.

Ms. McNamara agreed and noted that staff could further evaluate whether additional references to state occupancy standards should be incorporated into the ordinance language.

Commissioner Sevy asked for clarification regarding where micro education entities could be located within the City.

Ms. McNamara explained that such uses could only be established on properties meeting the minimum lot-size requirements and located on qualifying street classifications, including designated arterial streets, collector streets, significant local streets, or approved private streets where the required permissions had been obtained.

Commissioner Sevy also noted that operators would be required to obtain a business license.

Commissioner Sommerkorn confirmed that the business license requirement was established by state law.

Commissioner Toller then asked whether staff faced any deadline for adopting the ordinance or whether additional review time was available.

Ms. Ellis responded that no immediate statutory deadline existed but noted that staff had already received inquiries regarding micro education entities. She explained that establishing local regulations before applications were submitted would provide greater clarity for applicants and the City. Otherwise, applications would default to the provisions of state law in the absence of a local ordinance.

Commissioner Young commented that the proposed ordinance appeared to be a good starting point and acknowledged that the regulations could be revisited and refined in the future as the City gained more experience with micro education entities.

Ms. McNamara agreed and explained that staff viewed the ordinance as an initial framework intended to establish reasonable standards while providing an opportunity to evaluate future

applications and make adjustments if necessary. She noted that the recent interest in micro schools made it important for the City to begin developing regulations sooner rather than later.

Mr. Christensen provided additional background regarding the legislation and the City's interest in the issue. He explained that Kaysville had experienced an unusually high level of interest in micro education entities compared to many other communities along the Wasatch Front. He stated that staff had contacted other cities during the legislative process and found that many communities had received few or no inquiries regarding micro schools, while Kaysville had already seen multiple applications or proposals.

Mr. Christensen noted that the growing interest appeared to be driven in part by families seeking alternative and potentially more affordable educational options. He explained that micro education entities are regulated differently than traditional private schools and may not be subject to the same operational requirements that apply to larger educational institutions.

Commissioner Young asked whether staff felt the proposed lot-size requirements and related standards struck an appropriate balance between accommodating micro schools and protecting residential neighborhoods.

Mr. Christensen responded that staff had attempted to develop a balanced approach. He explained that the goal was to avoid requiring operators to locate exclusively in institutional buildings while also preventing situations where micro schools would be established on lots that were too small to accommodate parking, traffic, and operational needs. He stated that the proposed standards were intended to allow flexibility while ensuring that sites could reasonably support the use.

Commissioner Toller then referenced language in the staff report discussing additional considerations such as parking, noise, and operational impacts. He questioned whether the Planning Commission was reviewing the complete ordinance or only a summary of the proposed regulations.

Ms. Ellis clarified that the full ordinance language had been drafted and included in the meeting materials, although the staff report summarized only the key provisions for discussion purposes.

Commissioner Sommerkorn asked whether staff believed the ordinance was ready to be forwarded to the City Council.

Ms. McNamara responded that the ordinance had been fully drafted and was ready for recommendation if the Planning Commission was comfortable proceeding. She noted, however, that the Commission could recommend revisions if desired.

The Commission briefly reviewed the ordinance language concerning private streets. Ms. Ellis located the provision specifying that micro schools on private streets would require consent

from all property owners with legal access rights to the private street, or approval from the governing homeowners association where applicable.

Commissioner Toller noted that the clarification addressed his earlier concern regarding private street authorization.

Commissioner Sevy asked whether establishing a micro education entity in a residential home would require a zoning change.

Commissioner Sommerkorn explained that state law allows these uses in all zoning districts and that a rezone would not be required. He compared the statutory treatment of micro education entities to the way charter schools are permitted under state law.

Commissioner Toller noted that the proposed ordinance would still prohibit micro schools on lots smaller than 8,000 square feet. He asked whether building size and occupancy limitations would continue to be regulated through building and fire codes rather than through zoning.

Commissioner Sommerkorn confirmed that occupancy limits would be governed by applicable building and fire code requirements and that those standards would operate in conjunction with the zoning regulations being considered by the Commission.

Commissioner Toller reviewed the proposed student capacity standards and observed that, under the draft ordinance, a property of approximately one-half acre could potentially accommodate between thirty-one and fifty students, subject to the applicable lot-size requirements and occupancy limitations.

During the discussion, Chair Packer and Commissioner Toller briefly referenced other state-mandated land uses and noted that some uses are required by state law regardless of local preference. The discussion was informal and related to the City's obligation to comply with state statutes when adopting local ordinances.

As discussion concluded, Chair Packer asked whether there were any additional questions or comments from the Commission.

Commissioner Toller then stated that, based on staff's explanation, the ordinance would provide the City with a useful administrative framework for reviewing future applications. He noted that staff had indicated a desire to establish regulations before additional applications were submitted and acknowledged that amendments could be made in the future if practical experience revealed areas needing refinement.

Commissioner Toller stated that he supported forwarding the ordinance to the City Council and allowing staff the flexibility to incorporate revisions and clarifications discussed by the Commission, including language related to private streets and any additional technical edits necessary to improve the ordinance.

Commissioner Toller then made the motion to recommend approval of the proposed Micro Education Entities and Home-Based Micro Schools Ordinance and forward it to the City Council, with staff authorized to incorporate revisions and clarifications based on the Planning Commission's discussion. Commissioner Sommerkorn seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Young: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Burkinshaw: Yay
Commissioner Toller: Nay

7- APPROVAL OF THE MINUTES FROM MAY 28, 2026 PLANNING COMMISSION MEETING

Commissioner Young made a motion to approve the May 28, 2026 minutes and Commissioner Sommerkorn seconded the motion. The vote was unanimous in favor of the motion (6-0).

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

8- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Mr. Christensen expressed appreciation for Ms. Greenwood's service to the City. He stated that she had served Kaysville for approximately four and a half years and described her as one of the hardest-working, most reliable, and professional staff members he had worked with. He noted that she was highly respected throughout City Hall and that her departure would be greatly felt by staff and the community.

Mr. Christensen reported that the City was actively recruiting to fill the vacant planning position. He stated that the recruitment period would close the following week and that staff hoped to have a replacement hired by late July or early August. In the meantime, he explained that staff would be sharing responsibilities, with Ms. McNamara taking on additional duties and the City considering outside assistance for certain projects.

Mr. Christensen specifically noted that the City must adopt regulations addressing detached accessory dwelling units before the October 1 state deadline and indicated that outside consulting assistance might be utilized to ensure the City remained on schedule.

Chair Packer thanked staff for the update.

Ms. Edstrom then reviewed upcoming agenda items. She noted that the proposed rezone application for the Sunset Equestrian Center property was scheduled for the June 25 meeting. Ms. McNamara explained that the applicant was seeking to rezone the property to R-1-6 residential and stated that staff anticipated significant public interest and attendance. She reported that public comments had already begun arriving regarding the application.

Commissioner Sommerkorn asked whether the ownership and homeowners association issues previously discussed in connection with the property had been resolved.

Ms. McNamara responded that, from the City's perspective, there was nothing preventing the property owner from moving forward with the application process.

Chair Packer observed that the topic would likely be discussed extensively during the public hearing regardless of the legal status of those issues.

Ms. Edstrom noted that discussion of the proposal had already begun on social media and encouraged commissioners to review the public comments if interested. Commissioner Birkenshaw commented that the topic had generated substantial public engagement in a short period of time.

Ms. Ellis added that the City Council had recently discussed the issue during a Council meeting and had provided some indication of its general position regarding future development in that area.

Ms. Edstrom also informed the Commission that Commissioner Cornelius's term would conclude at the end of June. She thanked him for his service and stated that he had been a valuable member of the Commission. She reported that the City had opened the application process for a new alternate commissioner and had already received applications. Commissioners were invited to share information about the vacancy with interested residents before the application deadline.

Ms. Edstrom further reminded the Commission that officer elections would occur during the first meeting in July. She noted that the Commission would select a Chair and Vice Chair for the coming year.

Commissioner Toller then noted that he had already received inquiries from residents and attorneys regarding issues associated with the Sunset Equestrian Center property, including questions about development agreements and the City's role in enforcement matters. He indicated that he would not be present for the June 25 meeting but suggested that commissioners would benefit from understanding the City's legal position regarding those issues before the public hearing.

Ms. Ellis responded that staff would be prepared to explain the City's position when the item

came before the Commission.

Commissioner Toller concluded by observing that the Commission's responsibility would be limited to evaluating the requested zoning change, while broader issues relating to Development Agreements and enforcement would ultimately be matters for the City Council and City administration.

9- ADJOURNMENT

Commissioner Young made the motion to adjourn the meeting at 9:04 pm.