

Kaysville City Planning Commission Meeting Minutes
August 13, 2026

The Planning Commission meeting was held on Thursday, August 13, 2026, at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Young, Commissioners Megan Sevy, Wilf Sommerkorn, Rachel Lott, David Moore, and Michael Packer

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

Public Attendees: City Councilmember Abbi Hunt and Josh McBride, Jaysen Christensen, Brad McIlwrath, Lauri Cragun, Susan Harris, Curtis Cragun, Jennifer Borup, Dawn Hardy, Lary Hardy, Brent Toller, Cindy Kerr, Tom Kerr, Jim Day, Gary Uresk, Laurene Starkey, and Jill Dredge

1- WELCOME AND MEETING ORDER

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

2- DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

3- PUBLIC HEARING TO CONSIDER CHANGES TO 17-31-3 INTERNAL ACCESSORY DWELLING UNITS TO COMPLY WITH SENATE BILL 284

Ms. McNamara introduced the proposed ordinance regarding detached accessory dwelling units (DADUs) and provided background on Senate Bill 284, Local Land Use and Water Modifications, which was passed during the 2026 Utah Legislative Session. The legislation requires cities to establish regulations for DADUs by October 1, 2026.

She explained that state law requires cities to allow DADUs on qualifying single-family residential lots and requires them to comply with applicable building, health, fire, and safety codes. The legislation also requires cities to establish a process for converting legal accessory structures into DADUs, subject to applicable setback requirements.

She said that while state law establishes certain parameters regarding what cities can and cannot regulate, the City still has discretion in several areas. Two of the primary issues identified for Commission consideration were setbacks and building height. She asked the Commission to consider whether DADUs should be allowed up to 30 feet in height and two stories or whether the City should establish a lower height limit. She also identified whether DADUs should have additional setbacks beyond those required for a typical accessory structure as an important issue for discussion.

She noted that Commissioner Sommerkorn had prepared the draft ordinance based on the requirements of the new state law. Staff was seeking feedback from both the Commission and the public regarding potential additions or modifications that would make the ordinance a better fit for Kaysville.

Ms. McNamara reported that the public hearing notice was posted on July 27, 2026. She stated that the General Plan does not specifically support or oppose the proposed amendment and was therefore considered neutral. Staff recommended that the Planning Commission forward a recommendation of approval to the City Council for the proposed text amendment as presented in the draft ordinance, subject to any revisions resulting from the Commission's discussion and public input.

Chair Young asked Commissioner Sommerkorn to provide additional background and walk the Commission through the draft ordinance before opening the public hearing.

Commissioner Sommerkorn explained that he volunteered to prepare the ordinance while the Community Development Department was short-staffed and because of the October 1, 2026 deadline established by the Legislature. He noted that without an ordinance in place by the deadline, the City could lose the ability to impose certain local restrictions on detached ADUs. He described his draft as intentionally minimal, incorporating the basic requirements of state law while leaving several policy decisions for discussion by the Planning Commission. These included height, setbacks, design standards, and other development requirements.

Commissioner Sommerkorn also referenced an alternative draft ordinance provided by Commissioner Toller, which had been prepared by Commissioner Toller's brother. He complimented the draft as thorough and well-crafted, noting that it included specific recommendations on several issues that his original draft had intentionally left open for Commission discussion. He suggested reviewing the available options and determining what the Commission wanted to ultimately recommend to the City Council.

He clarified that although he is a member of the Planning Commission, he was functioning more in a staff capacity for this agenda item because he had prepared the ordinance. For that reason, he chose to sit with staff during the discussion to avoid having undue influence on the Commission's eventual recommendation.

Commissioner Sommerkorn further explained that Senate Bill 284 limits cities from creating undue barriers to converting existing accessory structures into DADUs. While reviewing the City's existing regulations for accessory structures, he identified several provisions that he believed should also be reconsidered. He noted that many of the standards applicable to accessory structures could ultimately affect DADUs and vice versa.

He recommended that the City separately review its accessory structure regulations, particularly because some existing standards may not be appropriate when an accessory structure is used as a dwelling. Chair Young agreed that the review was timely and suggested that the Commission first walk through Commissioner Sommerkorn's original draft ordinance, then hold the public hearing and consider whether the public comments aligned with some of the additional provisions contained in the alternative draft.

Commissioner Toller asked for clarification regarding the action expected from the Planning

Commission. He questioned whether the Commission was being asked to recommend an ordinance that evening or whether a final draft would return at a subsequent meeting after additional revisions.

Ms. Ellis explained that, because of the approaching state deadline, staff encouraged the Commission to forward some form of recommendation to the City Council that evening. She noted that the ordinance was scheduled for discussion on the City Council's work agenda the following week, which would provide additional time for both staff and the Council to review and refine the ordinance.

Commissioner Toller expressed concern that the discussion could result in significant changes to the draft ordinance and questioned whether the schedule allowed additional Planning Commission review. Chair Young suggested proceeding with the discussion before determining the appropriate action. She noted that the Commission could recommend approval with specific amendments, recommend the ordinance as presented, recommend denial, or determine that additional review was necessary.

Staff then displayed the redlined version of the proposed ordinance for the Commission and public to follow during the discussion.

Commissioner Sommerkorn began reviewing the draft ordinance and explained that the City Code already contains provisions for internal accessory dwelling units as a result of previous state legislation. The proposed amendments would expand and reorganize those provisions to address accessory dwelling units more broadly while distinguishing between internal and detached ADUs and incorporating the requirements of the new state legislation.

He directed the Commission to the proposed regulations for detached accessory dwelling units and identified lot size as the first policy issue for discussion. The draft ordinance provided that DADUs would be permitted on lots or parcels of 11,000 square feet or larger, consistent with the threshold established by state law.

Commissioner Sommerkorn explained that state law does not prohibit municipalities from allowing DADUs on lots smaller than 11,000 square feet. He noted that some communities have chosen to allow them on smaller lots as one tool for addressing housing affordability and increasing housing opportunities. He asked whether the Commission had an interest in recommending that Kaysville allow DADUs on lots smaller than the 11,000-square-foot threshold.

Chair Young stated that she would be open to considering DADUs on lots smaller than 11,000 square feet but felt that the state-required threshold would likely be a reasonable starting point for Kaysville. Commissioner Sommerkorn agreed that the ordinance could initially be adopted using the 11,000-square-foot standard and amended in the future if the City determined that a smaller lot size was appropriate.

Commissioner Sommerkorn noted that some Utah communities allow DADUs on lots as small

as 8,000 square feet, while others do not establish a minimum lot size and instead regulate DADUs through setbacks, lot coverage, and available yard area.

Brad McIlwrath discussed how other communities are approaching DADUs. He stated that Layton City already allows detached ADUs on lots as small as 6,000 square feet and that Syracuse allows them on lots of approximately 10,000 square feet. He explained that there are several ways Kaysville could regulate DADUs depending on what best fits the community, including minimum lot size, setbacks, whether the structure may be located in the side or rear yard, and whether one- or two-story structures are permitted.

Mr. McIlwrath also discussed the conversion of existing accessory structures into DADUs. He noted that accessory structures may currently be permitted closer to property lines than the City might otherwise prefer for a residential use. Because a DADU could have a greater impact on neighboring properties than a shed, garage, or other accessory structure, the Commission could consider requiring greater setbacks for new DADUs while also addressing how existing legal accessory structures may be converted as required by state law. He noted that, prior to the recent state legislation, a 10,000-square-foot minimum lot size was common among cities that already permitted detached ADUs.

Commissioner Sommerkorn added that the original legislation proposed an 8,000-square-foot threshold before it was increased to 11,000 square feet during the legislative process. Chair Young asked the remaining Commissioners for their thoughts on minimum lot size. Commissioner Packer stated that he was also open to allowing DADUs on smaller lots. He suggested that, if the Commission selected a threshold below 11,000 square feet, it may be helpful to align the requirement with one of Kaysville's existing residential zoning districts for clarity, such as a 10,000-square-foot standard corresponding with the R-1-10 zone. Chair Young agreed that aligning the standard with an existing zoning designation could provide clarity.

Commissioner Toller agreed that DADUs could potentially be appropriate on lots smaller than 11,000 square feet, depending on the setbacks and other development standards ultimately adopted. He expressed concern that DADUs could negatively affect property values, particularly in West Kaysville, where larger lots and high-value homes create a unique residential environment. He noted that after considering setbacks, placement, and other requirements, he would not necessarily oppose allowing DADUs on smaller lots where they could reasonably fit.

Chair Young and Commissioner Sommerkorn disagreed that DADUs would necessarily decrease property values. Commissioner Sommerkorn stated that ADUs could potentially increase property value because they provide an opportunity for rental income. Commissioner Toller acknowledged the potential for rental income but said that, based on his professional experience with residential appraisals and lending, he believed DADUs could have an impact on property values.

Commissioner Sommerkorn shared his experience with the adoption of ADU regulations while serving as Planning Director for Salt Lake City. He recalled that there was greater acceptance of

ADUs on the west side of Salt Lake City, where homes and lots were generally smaller and less expensive, while some of the strongest opposition came from larger and more expensive properties on the east side and in the Avenues.

Commissioner Sommerkorn then continued reviewing the draft ordinance. He explained that DADUs would be required to comply with applicable building, health, and fire regulations, as required by state law, as well as the applicable land use regulations of the underlying zoning district.

He then identified setbacks as the next significant issue for Commission consideration. The draft ordinance initially required DADUs to comply with the same setbacks applicable to accessory structures. Commissioner Sommerkorn suggested that a different standard may be appropriate because the City's current accessory structure regulations allow structures to be located as close as one foot from a rear property line. While that setback may be reasonable for a small shed, he expressed concern about allowing a residential structure, potentially containing windows and living areas, that close to neighboring property.

He noted that some communities require DADUs to meet the same setbacks as the primary residence but cautioned that doing so could significantly limit where a DADU could be located, particularly when the intent is often to place the structure within a rear yard. He suggested that DADUs could reasonably have a smaller setback than the primary residence while still requiring more separation than the one-foot setback currently permitted for some accessory structures. He also noted that the appropriate setback could be considered together with potential limitations on height and whether DADUs should be restricted to a single story.

Commissioner Packer asked whether the Commission wanted to continue discussing specific setback standards at that point or wait until after receiving public comment.

Commissioner Sommerkorn agreed that it would be helpful to wait until after the public hearing to discuss specific setback requirements and encouraged the Commission to listen for public comments regarding that issue.

He then addressed the proposed requirement that a DADU be designed consistently with the primary single-family dwelling. He explained that this presents a potential conflict within state law. Previous legislation prohibits local governments from regulating certain design characteristics of one- and two-family dwellings, including exterior materials and other architectural features. However, the new DADU legislation also states that municipalities may require a DADU to be designed consistently with the primary dwelling.

Commissioner Toller referenced the applicable section of Utah Code and agreed that the two provisions appeared to conflict. He suggested that, to the extent permitted by state law, Kaysville should retain the ability to require consistency between the DADU and the primary residence.

Commissioner Lott questioned what "consistent" would mean in practice. She gave the example of a homeowner whose existing brick or exterior material is no longer available and noted that requiring an exact match could create difficulties for property owners.

Ms. Ellis explained that if the ordinance were legally challenged because of ambiguity in state law, a court would generally look to the more specific statutory provision and, in a land use matter involving multiple reasonable interpretations, interpret the provision in favor of the property owner.

Commissioner Sommerkorn recommended using the general language provided in state law requiring DADUs to be "consistent with the design" of the primary residence without attempting to identify specific materials, colors, or architectural features. He felt that adding detailed design standards could conflict with the separate statutory restrictions on local design regulation.

Commissioner Lott also questioned how a design consistency requirement would apply when converting an existing legal accessory structure into a DADU, particularly if the existing structure was constructed of materials such as metal that did not match the primary residence. Commissioner Sommerkorn acknowledged the potential conflict and said that keeping the language general would provide staff with some discretion while preserving the property owner's protections when more than one reasonable interpretation exists.

Ms. Ellis agreed that the City should avoid regulating the specific design elements that state law expressly prohibits municipalities from regulating. She added that the Utah League of Cities and Towns was aware of the ambiguity in the legislation and anticipated that the Legislature may address the issue during the next legislative session, at which time the City could amend its ordinance if necessary.

Commissioner Sommerkorn clarified that state law requires the City to provide a path for converting an existing accessory structure into a DADU, provided the structure can comply with the requirements established for DADUs. Commissioner Toller agreed, noting that an existing structure may require modifications, such as increased setbacks or changes to exterior materials, before it could qualify for conversion. Commissioner Sommerkorn confirmed that if an existing structure could be brought into compliance, it could be converted; otherwise, it would not qualify.

Commissioner Sommerkorn then discussed the proposed size limitation, which stated that a DADU could not be larger than the primary single-family dwelling. He noted that the Commission could consider a more restrictive standard, such as limiting a DADU to a percentage of the primary dwelling or establishing a maximum square footage. He explained that a percentage-based limitation could create challenges on properties with smaller primary homes and suggested that the Commission consider which approach would be most reasonable.

He reviewed additional provisions prohibiting DADUs within utility easements or front yards and then discussed parking requirements. State law limits the amount of additional off-street

parking the City may require. For a DADU smaller than 650 square feet, the City may require one additional off-street parking space, while a DADU larger than 650 square feet may be required to provide two. Additional provisions address existing parking, paving, and utility service requirements.

Commissioner Sommerkorn next discussed the proposed limitation of one ADU per property, whether internal or detached. He noted that some communities allow both an internal ADU and a DADU on the same property and asked whether the Commission wanted to consider that option. Chair Young recalled a recent discussion involving a resident who was considering both types of ADUs and suggested returning to the issue later in the discussion.

Commissioner Sevy asked how allowing both an internal and detached ADU would affect parking requirements. Staff confirmed that an internal ADU requires one additional non-tandem parking space and discussed how additional parking requirements could apply if both types of ADUs were permitted on the same property.

Commissioner Sommerkorn continued by reviewing rental and occupancy provisions. The draft required a rental permit, prohibited rentals for periods of less than 30 days, and required the property owner to reside in either the primary dwelling or the ADU. Chair Young noted that state law allows the City to establish a minimum rental period of up to 90 consecutive days and identified the appropriate rental period as another issue for Commission consideration.

Commissioner Sommerkorn added that state law also allows cities to regulate certain aspects of DADUs such as building mass, lot coverage, and window placement. He suggested that the Commission consider whether those standards should be incorporated into Kaysville's ordinance.

Commissioner Toller expressed concern about the limitations state law places on parking requirements, particularly because parking is frequently an issue considered during development review. Commissioner Sommerkorn acknowledged that a DADU could potentially house multiple individuals with multiple vehicles while the City may only be able to require one or two additional parking spaces. He noted that on-street parking is generally permitted on public streets, but additional vehicles could create challenges during the winter when City Code prohibits overnight street parking.

Chair Young thanked Commissioner Sommerkorn for his work in preparing the draft ordinance and for walking the Commission through the proposed provisions.

She then opened the public hearing and explained that public comments would generally be limited to three minutes per speaker. She asked each speaker to state their name and requested that comments remain respectful toward other members of the public and City staff.

Jill Dredge commented on the potential impacts of DADUs on neighboring properties. She encouraged the Commission to visit neighborhoods in West Kaysville where accessory

structures and ADUs have already been constructed to see examples of both successful projects and those that have created concerns for surrounding residents.

She said that while an ADU may increase the value of the property on which it is located, it could potentially have a negative effect on neighboring properties. She specifically expressed concern about two-story structures with windows overlooking adjacent backyards and the resulting loss of privacy.

Ms. Dredge also described a situation where a metal accessory structure located near a neighboring garden had reportedly increased the temperature in the backyard. She encouraged the Commission to consider impacts such as privacy, building height, window placement, exterior materials, and effects on neighboring properties as it develops the DADU regulations.

Laurene Starkey expressed concerns regarding enforcement of the proposed DADU regulations, treatment of existing structures and nonconforming properties, and the City's ability to meet the October 1 deadline.

She emphasized that regulations are only effective if they are consistently enforced and referenced existing accessory structures in Kaysville that residents believe have negatively affected neighboring properties. She asked how the City intends to enforce the new standards, including whether inspections would occur, whether enforcement would primarily rely on complaints from neighbors, and whether Code Enforcement has sufficient staffing to accommodate an increase in DADU applications. She also suggested that the City consider publicly tracking the number of DADU permits issued each year so the cumulative effects could be monitored over time.

Ms. Starkey also asked how the ordinance would address properties and existing structures that do not clearly conform to the new standards, including corner lots, flag lots, and accessory structures constructed under previous regulations. She questioned whether existing structures would automatically be considered grandfathered or whether they would be subject to a review process before conversion to a DADU.

Finally, she expressed concern about the October 1, 2026 deadline and asked what would occur if the City had not adopted final standards by that date. She encouraged the Commission to establish clear regulations and an appropriate enforcement process before the deadline and to use the authority available to the City to protect neighboring properties and ensure that the adopted standards are consistently enforced.

Lauri Cragun, a resident of the Old Mill Farms neighborhood, stated that she owns a 1,500-square-foot internal ADU and understands the benefits ADUs can provide for families needing housing.

She expressed concern that the proposed ordinance does not address several areas the City is still permitted to regulate under state law, including DADU size, height, lot coverage, setbacks,

window orientation, design consistency, rental terms, owner occupancy, and parking. She recommended including diagrams showing permitted DADU locations on residential lots. Ms. Cragun described a 2,400-square-foot, 30-foot-high steel accessory building located approximately 10 feet from her property line, which she said has four windows overlooking her property and has affected her privacy. She also referenced other large accessory structures being constructed in the neighborhood and said the City's existing accessory structure regulations should be reviewed.

She requested that the Commission return the draft ordinance for additional work and consider a revised draft in two weeks, with another opportunity for public comment before forwarding a recommendation to the City Council. She acknowledged the October 1 deadline but encouraged the City to establish more specific DADU standards before adopting the ordinance.

Susan Harris stated that she had previously submitted a letter to the Commission regarding the proposed DADU regulations and expressed concern about the potential impacts on established neighborhoods. She questioned why a recommendation would be forwarded to the City Council before the Commission had fully considered public input.

She described an existing accessory structure approximately one foot from her property line and expressed concern that current City regulations have allowed structures that negatively affect neighboring properties. She encouraged the City to review its existing accessory structure standards as part of the DADU discussion.

Ms. Harris urged the Commission to carefully establish standards for DADUs before adoption, noting that the number of these structures could increase over time and significantly change neighborhood character. She acknowledged the requirements imposed by state law but encouraged the City to use its remaining regulatory authority to ensure the ordinance reflects Kaysville's existing neighborhoods and community character.

Gary Uresk, a resident of Joshua Drive, expressed concern about accessory structures that have been constructed in his neighborhood and said both the City's existing standards and enforcement should be reviewed.

He recommended limiting accessory structures and DADUs to one story and prohibiting windows that overlook adjacent properties to protect privacy. He also recommended an eight-foot setback for DADUs, noting that they are residential dwellings and should have greater separation from neighboring structures. He supported requiring DADUs to be consistent with the design of the primary residence.

Mr. Uresk also expressed concern about parking, particularly where a DADU may have more vehicles than the City is permitted to require off-street parking spaces. He noted that inadequate parking requirements can create neighborhood problems.

He concluded by emphasizing the importance of enforcement, stating that regardless of the

standards adopted, they will only be effective if they are consistently enforced.

Chair Young closed the public hearing and summarized several issues raised during public comment, including the need to review the City's accessory structure regulations, enforcement concerns, architectural standards, setbacks, building height, parking, and window placement. She invited the Commission to discuss potential changes to the draft ordinance.

Commissioner Sommerkorn suggested addressing the issues individually, beginning with building height. Commissioner Lott commented that height should be considered together with setbacks and window placement because the impacts of a two-story DADU would depend on its location relative to neighboring properties.

Commissioner Sommerkorn noted that some communities limit DADUs to one story and said that could be appropriate for structures intended to remain accessory to the primary residence. Chair Young raised concern that a single-story limitation could prevent conversion of existing detached garages with living space above them. Commissioner Sommerkorn agreed and suggested that a height limit below the currently permitted 30 feet might provide another option.

Commissioner Sevy asked whether separation from the primary residence was governed by fire code requirements. Commissioner Sommerkorn explained that fire code requirements would apply and could allow structures to be relatively close when appropriate fire-rated construction is provided. Commissioner Sevy noted that building height, setbacks, separation from the primary residence, and minimum lot size were therefore interconnected issues.

Commissioner Lott supported providing generous setbacks from neighboring properties and suggested considering the same setbacks required for primary residences. Commissioner Toller agreed, stating that because a DADU is a residential use, applying residential setbacks would provide a simple standard.

Commissioner Sommerkorn cautioned that requiring all primary-residence setbacks could significantly limit the ability to construct DADUs on otherwise qualifying lots. The Commission reviewed the City's existing side-yard requirements and noted that accessory structures already must comply with applicable side-yard setbacks. Commissioner Sommerkorn said the greater issue would likely be determining an appropriate rear-yard setback for DADUs.

Commissioner Sevy asked how setbacks would apply to irregularly shaped or corner lots. Commissioner Sommerkorn acknowledged that the City's existing accessory structure requirements for corner lots are unclear and should be addressed when the accessory structure ordinance is reviewed. For DADUs, however, the City could establish specific standards now. He noted that corner lots typically have a 20-foot setback along the street-facing side and asked whether DADUs should be permitted within that setback. Commissioner Toller supported maintaining the 20-foot setback because a DADU functions as a residence. Commissioner Toller summarized several provisions he would like incorporated into the

ordinance, including generally limiting DADUs to one story while addressing existing structures with living space above garages, regulating window orientation, establishing appropriate side-yard setbacks, requiring converted accessory structures to comply with all DADU standards, and requiring DADUs to be designed consistently with the primary residence as permitted by state law. He also noted the importance of enforcement and referenced the existing \$100-per-day penalty provision.

The Commission briefly discussed whether permits for accessory structures could be paused while the City reviews its regulations. Commissioner Sommerkorn explained that the City could initiate a process commonly referred to as a moratorium, which would place applicants on notice that regulations are under review and that projects proceeding during that period could be affected by subsequent code changes. Chair Young clarified that the October 1 state deadline makes it necessary for the City to adopt DADU regulations rather than delay action on those provisions.

The discussion returned to building height. Commissioner Sevy noted that allowing a second story could make DADUs more practical on smaller or irregular lots by preserving ground area for setbacks and parking. Chair Young and Commissioner Lott discussed whether increased setbacks and restrictions on window placement could adequately address privacy concerns associated with second-story DADUs.

Commissioner Lott suggested first determining the minimum lot size because that decision would affect the other development standards. The Commission discussed whether to retain the proposed 11,000-square-foot minimum or allow DADUs on smaller lots when all applicable setbacks and other requirements can be met. Commissioner Sevy supported allowing DADUs on smaller lots if they comply with the adopted standards. Commissioner Sommerkorn noted that some communities do not establish a minimum lot size and instead rely on setbacks and other development requirements to determine whether a DADU can fit on a particular property.

The Commission did not reach a final determination on minimum lot size during this portion of the discussion and acknowledged that the standards adopted now could be amended in the future based on experience with the ordinance.

Commissioner Toller asked whether the Commission should recommend a minimum lot size below the 11,000 square feet established by state law or leave that standard unchanged. Commissioner Lott supported providing a specific recommendation, and Commissioner Sommerkorn encouraged the Commission to give direction because the City Council was expected to discuss the ordinance at an upcoming work session.

The Commission discussed reducing the minimum lot size to either 8,000 or 10,000 square feet. Chair Young and Commissioner Sevy initially considered 8,000 square feet, noting that the other development standards, including setbacks and height, would still determine whether a DADU could reasonably fit on a property. After reviewing the City's residential zoning districts, the Commission generally favored a 10,000-square-foot minimum as a starting point.

The Commission then returned to building height. Commissioner Lott expressed concern that limiting DADUs to one story could unnecessarily prevent conversion of existing two-story accessory structures. Commissioner Packer agreed, noting that a second-story DADU could be appropriate on larger properties where substantial separation from neighboring property lines exists.

Commissioner Packer suggested coordinating height with setbacks rather than imposing an absolute one-story limitation. Commissioner Sommerkorn explained that the City's current accessory structure regulations allow structures closer to the rear property line at lower heights, with additional setback required as building height increases. Staff clarified that the applicable height threshold begins at 12 feet.

The Commission discussed using a similar graduated approach for DADUs, potentially establishing a larger minimum setback, such as eight feet, and then requiring additional setback as the structure increases in height. This approach could allow second-story DADUs where sufficient space exists while providing greater separation from neighboring properties.

The Commission continued discussing rear-yard setbacks and building height. Chair Young clarified that the proposed eight-foot setback would apply to the rear property line, while DADUs would continue to meet the applicable side-yard setbacks. Commissioners Lott and Sevy expressed concern that an eight-foot rear setback may be insufficient for a two-story structure.

The Commission discussed using a graduated setback based on building height, beginning with an eight-foot rear setback for structures up to 12 feet in height and requiring additional setback as the structure becomes taller. Commissioner Sevy also suggested that a DADU should not exceed the height of the primary residence. The Commission generally supported that concept, noting that it would limit DADUs associated with single-story homes while allowing additional height where the primary residence is taller.

The Commission also discussed limiting the overall size of a DADU to a percentage of the primary residence, with approximately 75 percent discussed as a possible maximum. Commissioner Toller questioned whether DADUs should instead comply with the standard 15-foot rear setback applicable to residential dwellings, stating that existing setback requirements reflect what neighboring property owners have historically expected.

Chair Young and Commissioners Sevy and Lott noted that a 15-foot requirement could substantially limit DADUs on smaller qualifying lots and reduce the flexibility the Commission had discussed providing.

The Commission also considered the likely frequency of DADU construction. Commissioners Lott, Sevy, and Packer noted that constructing a detached dwelling requires a significant financial investment and suggested that DADUs may represent only a relatively small percentage of residential properties, even where they are permitted.

Ms. McNamara shared information from Farmington City regarding its experience after allowing detached ADUs. She said Farmington had experienced only a small number of new DADUs each year rather than a significant increase. Commissioner Sommerkorn added that information gathered by the Utah League of Cities and Towns and experiences in other communities generally indicated that DADU construction has remained relatively limited.

Commissioner Packer said he had initially favored requiring DADUs to meet the same setbacks as primary residences but had become more comfortable treating DADUs as a separate category with potentially reduced setbacks. Commissioner Lott suggested that if eight feet was considered too close, the Commission could consider a 10- or 12-foot rear setback rather than the full 15-foot residential setback. Commissioner Toller continued to support using the existing residential setback but acknowledged that a graduated height requirement could effectively increase the setback for taller structures.

At the Commission's request, Mr. McIlwrath described Layton City's existing DADU standards. He explained that DADUs located within a side yard must generally meet the same setbacks as the primary residence. For DADUs located in the rear yard, Layton requires a five-foot side setback and 10-foot rear setback for a single-story structure, while a two-story structure requires 10-foot side setbacks and a 20-foot rear setback.

Mr. McIlwrath also addressed concerns regarding architectural design and window placement. He explained that current state law significantly limits a city's ability to regulate certain design characteristics, including building materials and window placement. As a result, he suggested that the City's primary regulatory tools may be height, setbacks, location, and DADU size unless the Legislature provides additional authority in a future session.

Chair Young noted that establishing separate setback standards for one- and two-story DADUs, similar to Layton City's approach, could be simpler than requiring an incremental increase in setback for each additional foot of building height.

Commissioner Toller requested that the ordinance incorporate the authority provided by state law to consider proximity to property lines, easements, and window orientation. He also supported including language requiring DADUs to be designed consistently with the primary single-family dwelling, while acknowledging the potential conflict with other state restrictions on design standards.

Chair Young suggested returning to the draft ordinance and reviewing it provision by provision to establish specific recommendations. Beginning with the setback provision, the Commission agreed that DADUs should not simply follow the City's existing accessory structure setbacks, particularly the current one-foot rear-yard setback.

The Commission discussed two approaches. Chair Young and Commissioner Sevy favored establishing uniform DADU setbacks throughout the City, potentially with different requirements for single- and two-story structures. Commissioner Toller favored requiring

DADUs to comply with the residential setbacks applicable to the underlying zoning district, stating that property owners have relied upon those setbacks when purchasing and developing their properties.

Commissioner Packer supported allowing reduced setbacks for DADUs, explaining that he viewed them as a new and distinct residential category rather than an additional primary dwelling. He felt smaller setbacks could be appropriate to make DADUs reasonably feasible while still providing appropriate protections for neighboring properties.

Commissioner Moore supported Commissioner Toller's approach of generally using the existing residential setbacks, noting that those standards are already established and familiar to property owners.

Chair Young noted that the Commission remained divided on the appropriate setback standard but appeared to agree that the existing accessory structure setback requirements were insufficient for DADUs.

The Commission continued discussing potential size limitations for DADUs. Chair Young asked whether a maximum of 75 percent of the size of the primary residence would be appropriate. Commissioner Packer supported establishing a size limitation but noted that a percentage-based standard could create unusual results for properties with very small primary residences, such as older farmhouses located on large lots.

Commissioner Toller agreed that larger agricultural properties could present circumstances where a larger accessory dwelling may be reasonable and suggested that zoning could potentially be considered in those situations. He nevertheless supported using a 70- or 75-percent limitation as a starting point.

At the Commission's request, Mr. McIlwrath described standards used by other communities. He said some jurisdictions limit DADUs to a percentage of the primary residence combined with a maximum square footage, such as 50 percent of the primary residence or 1,200 square feet, whichever is less. He emphasized the importance of specifying whether the percentage is based on total living area or the building footprint. He suggested that using the footprint could better control the visual scale of the DADU in relation to the primary residence.

Commissioner Toller referenced comparative information he had previously provided showing how several Utah communities regulate DADU size through maximum square footage, percentages, or lot-based standards. Commissioner Sevy noted that where DADU size limitations make a detached unit impractical, a property owner may have the alternative of constructing an addition and creating an internal accessory dwelling unit.

Commissioner Sommerkorn agreed that where an existing primary residence is particularly small, expanding the primary residence to accommodate an internal ADU may be more appropriate than constructing a disproportionately large detached unit.

The Commission continued discussing an appropriate size limitation. Commissioner Packer supported establishing a clear maximum smaller than the primary residence, while Chair Young favored basing the calculation on the footprint of the primary residence rather than its total living area. Commissioner Sevy noted that using the footprint would help control the overall scale of the DADU while still allowing additional living area if a second story were permitted. Commissioner Toller referenced South Jordan's approach, which requires additional Planning Commission review when an ADU exceeds certain size thresholds. Commissioner Packer encouraged the Commission to adopt a simple standard initially, given the approaching state deadline, with the understanding that the ordinance could be amended later if needed.

After further discussion, the Commission generally supported recommending a maximum DADU footprint of 50 percent of the primary residence's footprint or 1,200 square feet, whichever is less. Ms. Ellis explained that staff would incorporate the Commission's feedback, along with feedback anticipated from the City Council, into a revised draft.

The Commission then discussed whether a property should be permitted to contain both an internal ADU and a detached ADU. Commissioner Sevy supported allowing both if all applicable requirements could be met. Commissioner Toller favored limiting each property to one ADU.

Commissioner Packer indicated that both could be appropriate in some circumstances but did not strongly advocate for changing the proposed limitation. Commissioner Lott was comfortable retaining the one-ADU limitation initially and reconsidering it later if appropriate. The Commission generally agreed to leave the draft provision limiting a property to one ADU, either internal or detached, unchanged for the time being.

The Commission agreed to recommend increasing the minimum rental period for an ADU from 30 to 90 consecutive days. The Commission also reached consensus on reducing the minimum lot size for a DADU from 11,000 to 10,000 square feet.

Commissioner Sevy asked about the owner-occupancy requirement. Commissioner Toller supported retaining the provision requiring the property owner to reside in either the primary residence or the ADU, stating that this would prevent a single-family property from effectively becoming a multi-unit rental property. The Commission agreed that the existing language adequately addressed this concern.

The Commission then returned to rear-yard setbacks, where members continued to have differing opinions. Commissioner Lott supported a rear setback of approximately eight to ten feet rather than requiring the full residential setback, noting that a larger setback could unnecessarily limit DADU opportunities. Chair Young agreed that a reduced setback could be appropriate.

Commissioner Toller continued to favor the setback required by the underlying residential zone, citing concerns about privacy and maintaining established neighborhood expectations. He suggested that deviations from the residential setback might receive Planning Commission

review as a possible compromise.

Commissioner Sommerkorn cautioned that requiring discretionary Planning Commission review could conflict with state law prohibiting cities from treating ADUs as conditional uses. Commissioner Toller acknowledged that concern and withdrew the suggestion as a potential solution.

The Commission discussed using standards from neighboring communities as guidance. Commissioners Lott and Sevy expressed interest in an approach similar to Layton City's, with different rear-yard setbacks based on whether the DADU is one or two stories, as a possible compromise between a reduced setback and the full residential setback.

The Commission summarized the proposed changes to the draft ordinance. Chair Young noted that the Commission had generally agreed to recommend allowing DADUs on lots of 10,000 square feet or larger and to consider setback standards similar to those used by Layton City. She said the ordinance should require the DADU to be consistent with the design of the primary dwelling and proposed limiting its size to no more than 50% of the footprint of the primary dwelling or 1,200 square feet, whichever is less.

She also summarized the Commission's consensus to require a minimum rental period of 90 consecutive days and to retain the provision allowing no more than one ADU per property, whether internal or detached.

The Commission clarified that a property owner could not have both an IADU and a DADU or multiple DADUs. Other accessory structures could still be permitted subject to applicable regulations.

Chair Young raised window placement as an additional issue for consideration. Commissioner Toller noted that state law appeared to provide some authority to address window orientation, although the extent of that authority had been discussed earlier in the meeting.

Commissioner Lott indicated she was prepared to attempt a motion incorporating the Commission's recommendations. Chair Young and Commissioner Packer emphasized that the recommendation would not constitute a finished ordinance and that additional drafting and review would occur before final adoption.

Commissioner Lott moved to recommend approval of the ordinance as written with the following amendments: allow DADUs on lots of 10,000 square feet or larger; use Layton City's code as a reference for setback requirements under Section 3(B)(3); retain the requirement that the DADU be consistent with the design of the single-family dwelling; limit the DADU to 50% of the footprint of the primary dwelling or 1,200 square feet, whichever is less; and require rentals to be for no fewer than 90 consecutive days. Commissioner Moore seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Young: Yay
Commissioner Moore: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay
Commissioner Packer: Yay

4- DISCUSSION OF POSSIBLE ACTION TO REVIEW ACCESSORY STRUCTURES CODE REQUIREMENTS

Chair Young moved the discussion to the accessory structure code requirements. Mr. Sommerkorn explained that the DADU ordinance review had identified concerns with the City's existing accessory structure regulations. He said a detailed discussion was not necessary that evening, but the Commission should formally initiate consideration of amendments so the issue could be placed on the record and reviewed within the applicable six-month period.

Chair Young clarified that the proposed DADU amendments would establish separate setback standards rather than relying on the existing accessory structure setbacks. Mr. Sommerkorn confirmed and explained that the broader accessory structure regulations could then be reviewed independently.

The Commission discussed concerns with the current accessory structure standards, including provisions that may allow structures as close as one foot from a property line. Mr. Sommerkorn stated that staff would like direction from the Commission to consider potential amendments to the accessory structure code.

Chair Young invited a motion to formally begin consideration of changes to the accessory structure requirements.

Commissioner Lott moved that the Planning Commission discuss possible amendments to the accessory structure code requirements at a future meeting. Commissioner Lott seconded the motion and the vote was unanimous in favor of the motion (6-0).

5- APPROVAL OF THE MINUTES FROM JULY 23, 2026 PLANNING COMMISSION MEETING

Commissioner Packer made a motion to approve July 23, 2026 minutes and Commissioner Toller seconded the motion. The vote was unanimous in favor of the motion (6-0).

Commissioner Young: Yay
Commissioner Moore: Yay
Commissioner Lott: Yay
Commissioner Sevy: Yay
Commissioner Sommerkorn: Yay

Commissioner Packer: Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

Ms. Edstrom recognized Ms. McNamara's final Planning Commission meeting and thanked her for her service to Kaysville City over the past two years. Ms. McNamara shared that she would be relocating to Northern Virginia. Ms. Ellis also thanked Ms. McNamara for her professionalism and continued commitment through her final day with the City.

Ms. Edstrom announced that Brad McIlwrath was anticipated to join Kaysville City staff on August 31 and expressed appreciation for his participation and input during the meeting. She reminded Commissioners of upcoming planning conferences and asked those interested in attending the APA conference to notify her so she could coordinate registration. She also noted an upcoming ULUI conference at the Davis Conference Center.

Ms. Ellis advised the Commission that a variance would be considered at the August 27 meeting. She explained that Commissioners would be acting as the appeal authority and should avoid discussing the matter with staff, neighbors, or others prior to the hearing. She said she would provide Commissioners with training materials regarding their responsibilities as an appeal authority so their decision could be based solely on the evidence presented at the hearing.

Ms. Edstrom also reported that an application had been received for a conditional use permit for a preschool and requested that it be placed on the August 27 agenda. The Commission agreed.

Mr. Sommerkorn returned briefly to the Commission's decision to review the accessory structure ordinance. He explained that initiating the review could affect applications submitted while potential amendments are being considered. He noted that the intent was primarily to evaluate regulations for larger accessory structures rather than routine structures such as small storage sheds. Staff discussed the need to appropriately advise applicants that regulations were under review and could potentially change. Ms. Ellis noted that conducting much of the review during the winter months may reduce the number of affected applications.

7- ADJOURNMENT

Commissioner Sommerkorn motioned to adjourn the meeting at 9:10 pm.