

1. Planning Commission Meeting Materials

Documents:

[10 AUGUST 2017 PACKET.PDF](#)
[10 AUGUST 2017 AGENDA.PDF](#)

2. Meeting Audio & Video

- [MEETING AUDIO](#)
- [MEETING VIDEO](#)

**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 10, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meeting of July 27, 2017.
2. Conditional use permit for a major home occupation "B", electrical contractor at 375 West Paddock Lane – Ronald Houskeeper.
3. Conditional use permit for farm animals at 711 East Crestwood Road – Rustin Jessen.
4. Consideration of a development agreement and request to rezone 2.84 acres of property at approximately 701 South Main Street from R-1-8 (Single Family Residential) to the HC (Health Care) zoning district – Dave Whitaker.
5. Call to the public.
6. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
7. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, August 4, 2017.


Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Electrical Contractor August 10, 2017

Applicant/Owner: Ronald Houskeeper
Location: 375 West Paddock Lane
Zone: R-A (Residential Agriculture)

Description:

Mr. Houskeeper is requesting a conditional use permit for Major Home Occupation B at the above listed address. The request is for the use of his home for his electrical contracting business. He will be using his home for scheduling bids and appointments and processing paperwork. He has arrangements for the keeping of materials and equipment off site.

Staff has visited with the applicant and reviewed the restrictions of Title 17-26-4 Major Home Occupations B.

Recommendation:

Staff is recommending approval of the proposed conditional use permits for a Major Home Occupation B, contractor, at the above listed address.

Reasoning:

The restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

375 West Paddock Lane





Planning Commission Staff Report

Conditional Use Permit for Farm Animals August 10, 2017

Applicant/Owner: Rustin Jessen
Location: 711 East Crestwood
Zone: R-1-8

Description:

The applicant is requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 2.04 acres or 88,862 square feet. Based on the property size nearly 200 chickens may be permitted on this property. The owner recently received approval at a different location in town but has moved to a new address and is taking the coop and chickens to the new address. The applicant had 6 hens at the previous location which are the hens that will be at this new location.

Staff has not received any complaints at the previous location. The applicant has a coop and area on the subject property that can appropriately contain the animals on site.

Recommendation:

Staff is recommending approval of the proposed conditional use permit for farm animals subject to compliance with the provisions of Chapter 17-24 Farm Animals.

Reasoning:

The existing conditions on site and the restrictions of the ordinance appear to be appropriate for mitigating potentially anticipated detrimental impacts.

Attachment 1: Area Map

711 East Crestwood Road





Planning Commission Staff Report

Consideration of Development Agreement and Rezone of 2.84 acres of property at approximately from R-1-8 (Single Family Residential) to the HC (Health Care) zoning district. August 10, 2017

Applicant/Owner: Dave Whitaker
Location: 701 South Main Street

Update:

The Planning Commission previously held a hearing on this item where ultimately a motion was made to recommend approval of the rezone to the HC zoning district subject to an acceptable development agreement. The applicant has provided additional information and plans which have been put into a draft development agreement now being presented to the Planning Commission for its consideration.

The previous discussion brought up two separate but related issues being the use of this property and the street network connectivity in the area specifically what may happen with 550 East Street. There was a general support for the HC zone and an assisted living center but concerns regarding the street network. The review of a future subdivision application will be the means for consideration of what will happen with the street, but knowing at least in part what street improvements are necessary for the development of this property specifically are relevant.

Description:

The applicant has submitted a request to rezone the subject property to the HC zoning district for the purpose of accommodating an assisted living center. The property fronts Main Street and is surrounded by the R-1-8 zoning district with the exception of the PU zoning district across the street where the USU Botanical Center is located.

The existing zoning is primarily for 8,000 sq. ft. single family lots. Chapter 17-12 of the Kaysville City Ordinance regulates the R-1-8 zone.

The following is the entirety of the HC zoning district regulations found in Chapter 17-17 of the City Ordinances:

Chapter 17 HC Health Care District

17-17-1 Purpose

To provide areas in appropriate locations where residential health care facilities with various support services for residents may be established, maintained and protected. The regulations of this district are designed to promote and encourage longer term health care facilities.

17-17-2 Site Plan Review

A site plan is required and a site plan shall be submitted for all permitted and conditional uses (consult KCC Chapter 18-4).

17-17-3 Permitted Uses

1. Residential facilities for persons with a disability.
2. Assisted living facilities.
3. Nursing care facilities.
4. Accessory uses and buildings considered incidental and customary to a permitted use, subject to the provisions of KCC 17-31-2.

17-17-4 Conditional Uses

There are no conditional uses.

17-17-5 Accommodations for Persons with Disabilities

1. Reasonable accommodations that may be necessary for persons with disabilities to have an equal opportunity to use and enjoy dwellings shall be determined through an interactive process resulting in a development agreement. The rezone to Health Care District will be approved if a development agreement is approved by the developer and City Council. The development agreement shall be in effect before the zone is effective and the zone shall be voided if the provider of the residential health care facility fails to comply with the development agreement.
2. Accommodations for persons with disabilities shall be granted if the requested accommodations are found to be:
 - a. Necessary to afford persons or groups of persons with disabilities, as defined by the Fair Housing Act, an equal opportunity to use and enjoy a dwelling; and
 - b. Reasonable. A requested accommodation is reasonable if it will not:
 - i. Impose an undue financial or administrative burden on a local government; or
 - ii. Create a fundamental alteration in the land use and zoning scheme.

17-17-6 Height Regulations

1. No building shall exceed thirty feet (30') in height, except as pursuant to KCC 17-25-2.
2. No building shall be less than ten feet (10') in height.

17-17-7 Area, Lot Coverage and Yard Requirements

There are no lot size or yard requirements except that where a lot in the Health Care District abuts a residential district, the yard abutting the residential district shall be at least twenty feet (20'). An existing building may have the twenty feet (20') yard requirement reduced to the yard requirement of the abutting residential zone if the reduced yard contains only landscaping.

General Plan Excerpts:

III. Growth and Development

A. Growth should mostly occur through development within the City. Development should improve public safety and sense of community. An adequate revenue base should be developed to fund City operations and infrastructure.

1. Refurbish or replace deteriorating structures so that land is used to its longterm potential.
2. Reserve land and promote development that is high quality, diversified and adaptable to changing conditions.
3. Encourage businesses and industries to locate and invest within the City.
4. Regulate the more intensive uses that create traffic and public service problems and costs.

Goals and Policies

I. Housing

A. Housing should be located throughout the City and restricted only where it is incompatible with other necessary uses.

1. West of I-15, allow zero to two units per acre with some higher density housing along the major streets.

2. East of I-15, allow zero to five units per acre with some higher density housing.

B. The majority of the housing should be one unit per structure (single unit). About ten percent (10%) of the housing should be more than one unit per structure (multiple unit). Multiple unit housing should consist mostly of duplexes (two unit structures) and some three to six unit structures dispersed throughout the City.

C. Housing development should have a minimum of through vehicular traffic and a maximum of open space.

D. Housing developments should essentially pay for themselves.

II. Business and Industry

A. Most sites used primarily for business or industry should be located on major streets. Mitigate impacts on adjacent residential uses through compliance with ordinances and regulations.

B. Home occupations should be located throughout the City, but not be allowed to change or interfere with the character of residential areas.

Recommendation:

Upon review of the draft development agreement staff recommends that the design demonstrate compliance with the international fire code section 503.1.1 Buildings and facilities which requires that a fire apparatus be able to access all points of the facility within 150 feet. More specifically a fire truck needs to be able to park within 150 feet of all points of the building.

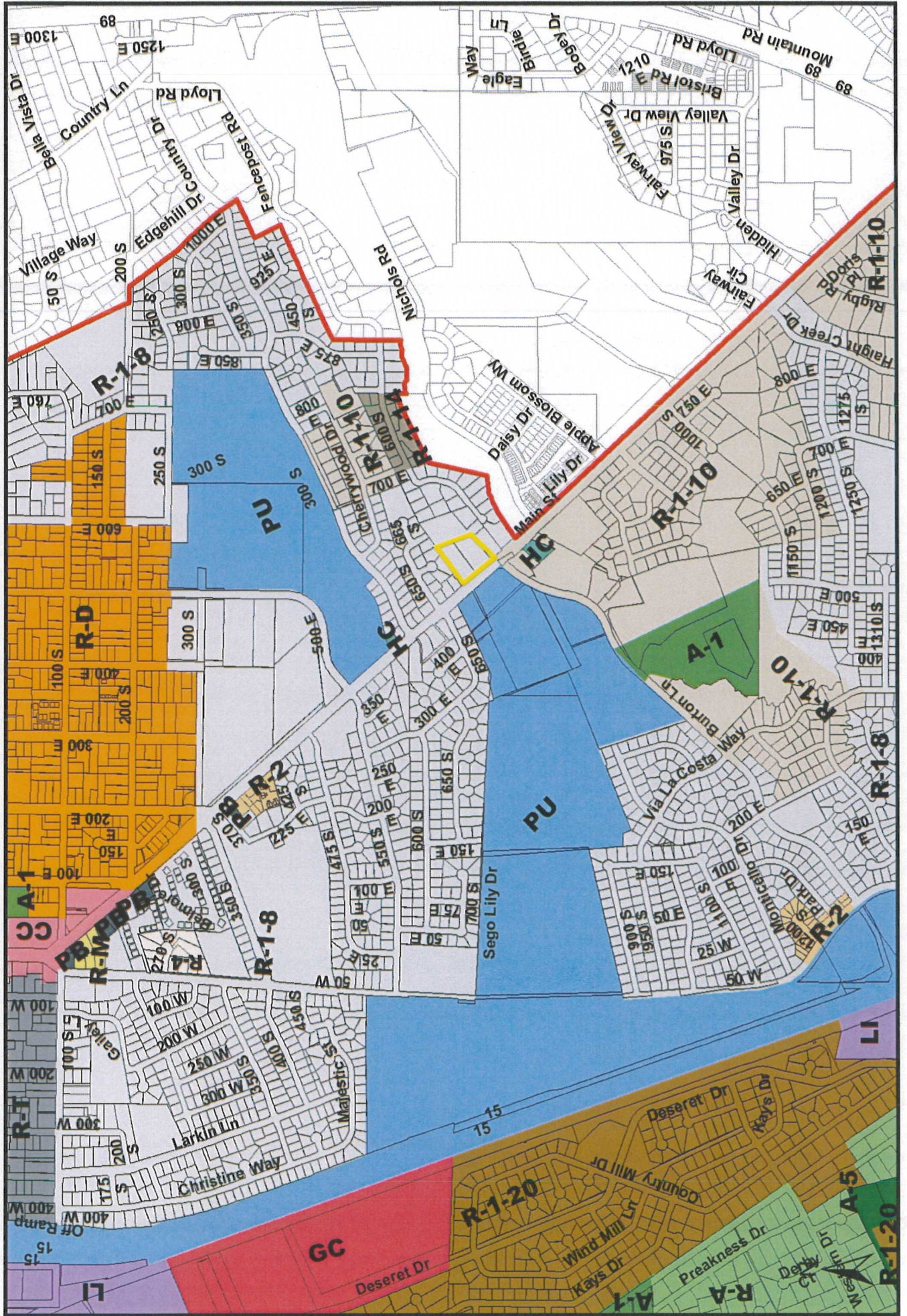
Recommended Motions:

Recommend approval of the development agreement subject to additional access on the east side of the property providing appropriate fire service access to be included in the development agreement for the City Council's consideration.

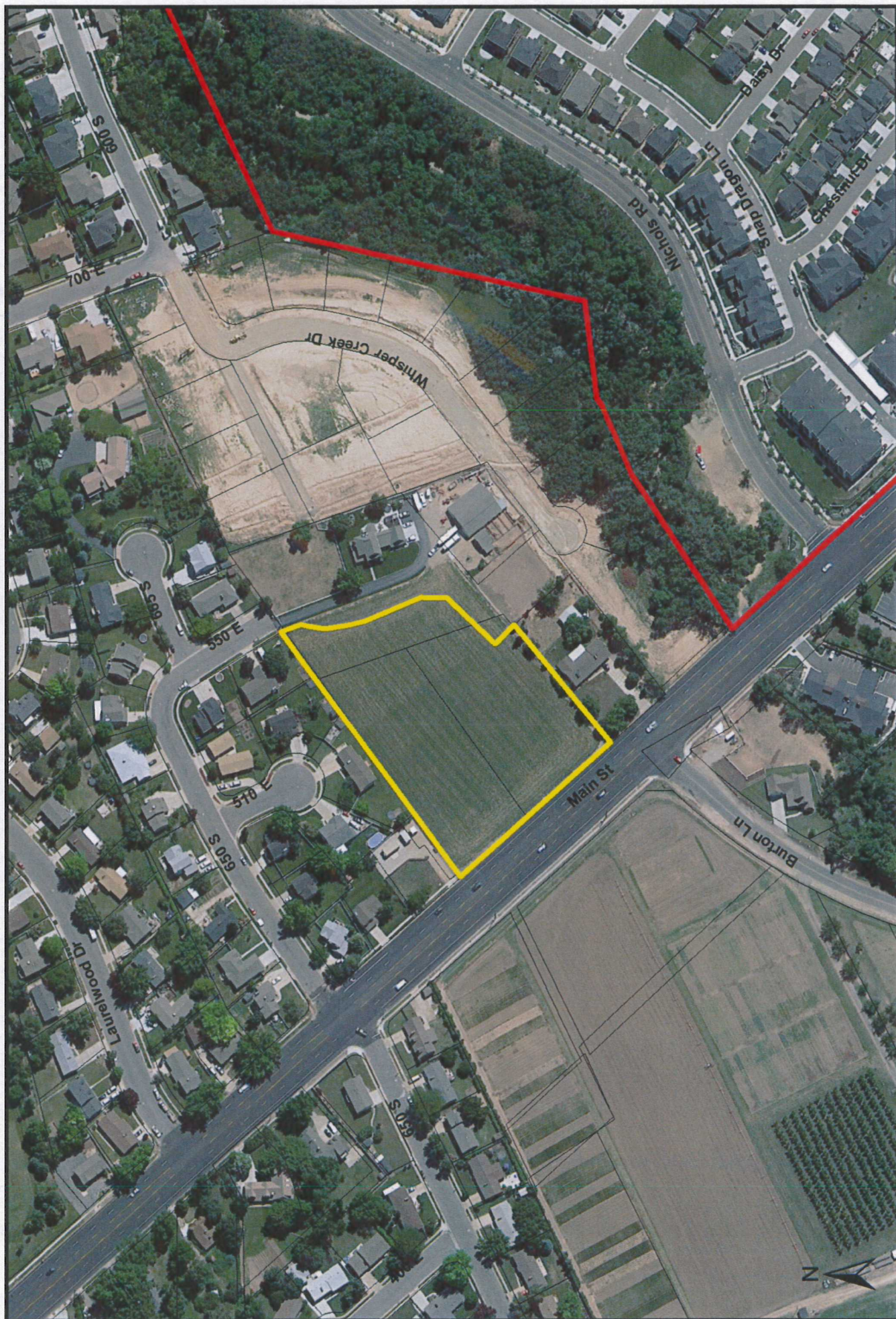
Table the item subject to implementing the requested fire access (or other items desired by the Planning Commission) to return to the Planning Commission for its review before providing a formal recommendation to be forwarded to the City Council.

Attachment	1:	Area Zoning Map
Attachment	2:	Location Map
Attachment	3:	Draft Development Agreement

701 South Main Street Rezone from R-1-8 to HC



Rezone of 2.84 acres to HC (Health Care)



**DEVELOPMENT AGREEMENT
FOR AN ASSISTED LIVING FACILITY**

THIS AGREEMENT is made and entered into this ____ day of _____, 2017 by and between Kaysville City, a municipal corporation organized and existing under the laws of the State of Utah (hereinafter the "City"), and David A. & Carla J. Whitaker - Trustees (hereinafter the "Developer;") ("Developer" includes successors and/or assigns of David A. & Carla J. Whitaker - Trustees), as follows:

RECITALS

WHEREAS, Developer is desirous of developing a type I or type II assisted living facility (the "Facility") on certain real property located in the City of Kaysville, County of Davis, State of Utah and more particularly described on the approved site plan, construction drawings and buildings plans. The conceptual site plan is attached hereto as Exhibit C (the "Site Plan"); and

WHEREAS, the purpose of this Agreement is to define the development standards, conditions and improvements, schedule for development of the Facility and other terms and conditions pursuant to which the Facility proposed by Developer is to be developed within the City; and

WHEREAS, the City is willing to authorize the development of the Facility proposed by Developer in conformance with this Agreement, City Ordinances, and applicable Utah law;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. GENERAL DESCRIPTION.

A. Area Description. The property upon which the Facility shall be developed (the "Property") is located as shown on the Property Location Map, a copy of which is attached as

Exhibit A hereto and incorporated by reference herein. The property is further described as parcels #07-094-0085 and 07-096-0057.

B. Project Description. The project proposed by Developer is an Assisted Living Facility which is a residential facility that provides assistance with activities of daily living and social care of residents who require protected living arrangements and are capable of achieving mobility sufficient to exit the facility without the assistance of another person or with the limited assistance of one person.

2. DEVELOPMENT STANDARDS AND GUIDELINES

A. Adoption of Development Standards. The City hereby adopts, as the development standards and guidelines for the Facility (the “Development Standards”), the following in addition to all other applicable City Ordinances, standards and guidelines:

(1) Compliance With Approved Plans. Developer shall comply with all requirements identified in the approved site plan, construction drawings and building plans related to all of the improvements to be constructed on the Property, and the development of the Facility shall conform in all material respect with the approved site plan, construction drawings and building plans.

(2) Architecture. Developer shall construct the Facility in substantial compliance and conformance with the Architecture as set forth in Exhibit B, Elevation Drawings, Exhibit C, Rendering and Materials, Exhibit D, Architectural Site Plan, Exhibit E, Main Floor Plan, and Exhibit F, Landscape Plan, attached hereto and incorporated by reference herein.

B. Findings of Compatibility. In adopting the Development Standards identified in Section 2.A, the City hereby expressly finds that the development of the Facility, in conformance with the Development Standards and this Agreement, promotes the creation of a desirable type I or type II assisted living facility in an appropriate location. The City further finds that the development of the Facility, in conformance with the Development Standards and this

Agreement, will not violate the general purpose, goals and objectives of the City Ordinances and any plans adopted by the Planning Commission and City Council of the City.

Subject to the Developer's performance and compliance with the terms of this Agreement and City Ordinances in effect on the date of this Agreement, Developer's rights to develop the Facility in accordance with the approved site plan, construction drawings and building plans is vested.

3. ON-SITE PROJECT IMPROVEMENTS

Developer shall construct and install all site improvements, including utilities, required for the Facility, at Developer's sole cost and expense, in compliance with approvals, and all applicable ordinances, regulations, standards and status of the City, the secondary water provider, The Central Davis Sewer District, other providers and the State of Utah.

4. OFF-SITE PROJECT IMPROVEMENTS

In accordance with applicable standards and subject to the design approval of the City Engineer, Developer shall construct and install street improvements, utilities, and drainage improvements, on Main Street as shown on the approved construction drawings, with construction of the on-site improvements.

5. REPRESENTATIONS OF DEVELOPER

A. Authority. Developer hereby represents that it has authority to proceed with the Facility.

B. Ability. Developer represents that it has the ability to timely proceed with the development and construction of the Facility. Developer agrees to begin construction of the Facility as soon as practicable and complete development with occupancy approval by December

31, 2018.

6. ASSIGNMENT

Developer may assign this Agreement to any other third party provided that the City consents to such assignment, which consent shall not be unreasonably withheld, upon a showing to the satisfaction of the City that such third party has the financial ability to perform Developer's obligations hereunder.

7. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

8. ATTORNEY'S FEES

In the event that this Agreement or any provision hereof shall be enforced by an attorney retained by a party hereto, whether by suit or otherwise, the fees and costs of such attorney shall be paid by the party who breaches or defaults hereunder, including fees and costs incurred upon appeal or in bankruptcy court.

9. SEVERABILITY

If any term or provision of this Agreement shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Agreement.

10. CAPTIONS

The section and paragraph headings contained in this Agreement are for the purposes of reference only and shall not limit, expand or otherwise affect the construction of any provisions hereof.

11. GOVERNING LAW

This Agreement and all matters relating hereto, shall be governed by, construed and interpreted in accordance with the laws of the State of Utah.

12. ENTIRE AGREEMENT

This Agreement, together with the exhibits attached hereto, constitutes the entire understanding and agreement by and among the parties hereto, and supersedes all prior agreements, representations or understandings by and among them, whether written or oral, pertaining to the subject matter hereof.

13. CONSTRUCTION

As used herein, all words in any gender shall be deemed to include the masculine, feminine, or neuter gender, all singular words shall include the plural, and all plural words shall include the singular, as the context may require.

14. AUTHORIZATION OF EXECUTION

A. City. The execution of this Agreement by the City has been authorized by the City Council of Kaysville City at a regularly scheduled meeting of that body, pursuant to the notice.

B. Developer. The execution of this Agreement has been duly authorized by the Developer.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

Dave Whitaker

ATTEST:

By: _____

Dave Whitaker
Member

Secretary

KAYSVILLE CITY

ATTEST:

By: _____

STEVE A. HIATT
Mayor

Maria Devereux
City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2017, personally appeared before me STEVE A. HIATT, and MARIA DEVEREUX, who being by me duly sworn did say, each for himself and herself that he, the said STEVE A. HIATT, is the Mayor of Kaysville City, Davis County, State of Utah and that she, the said MARIA DEVEREUX, is the City Recorder of Kaysville City, and that the within and foregoing instrument was signed on behalf of the said Kaysville City by authority of the City Council of Kaysville City and said STEVE A. HIATT and MARIA DEVEREUX, each duly acknowledged to me that the said Kaysville City executed the same and that the seal affixed is the seal of the said Kaysville City.

NOTARY PUBLIC

(SEAL)

STATE OF UTAH)

: ss.

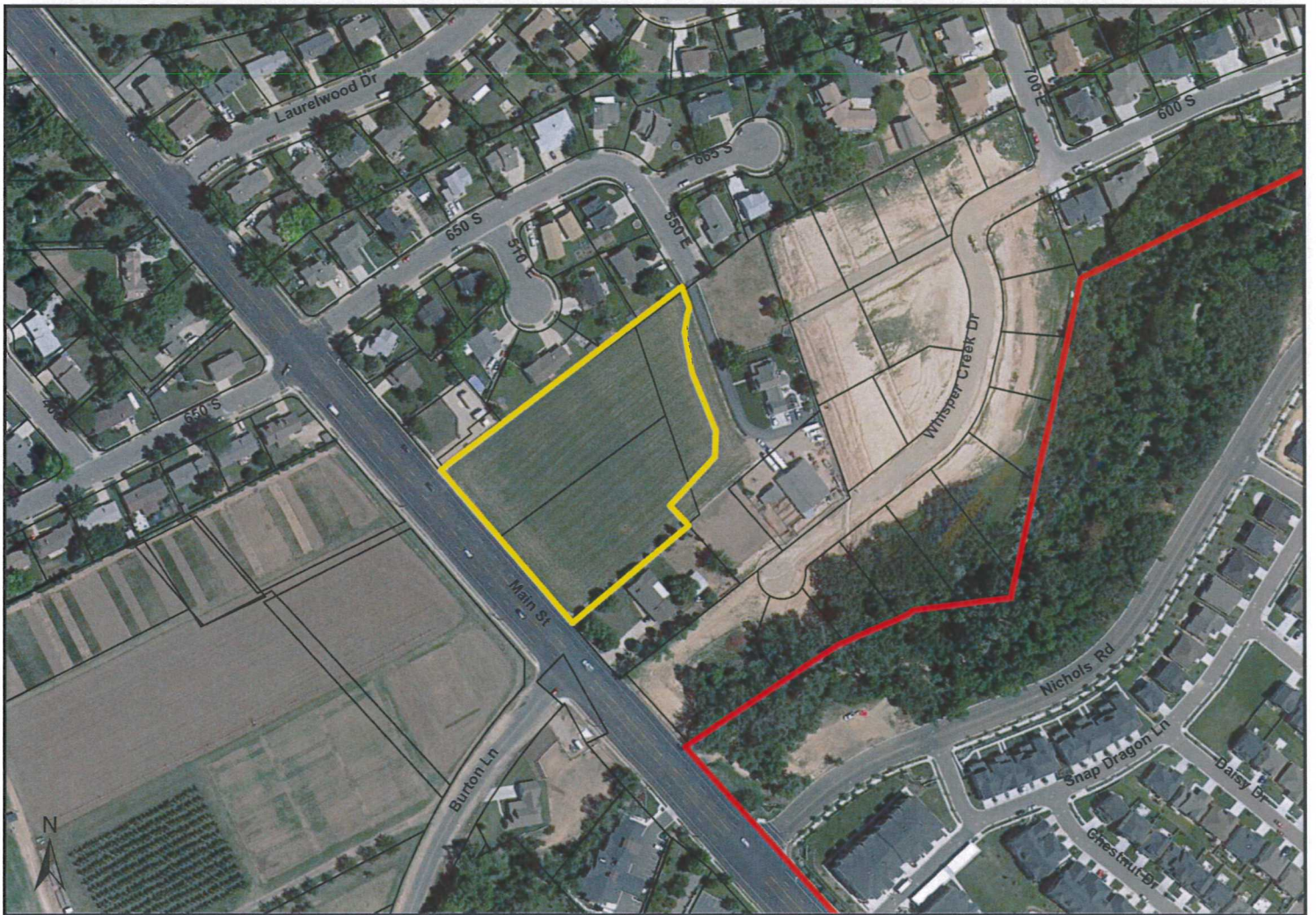
COUNTY OF DAVIS)

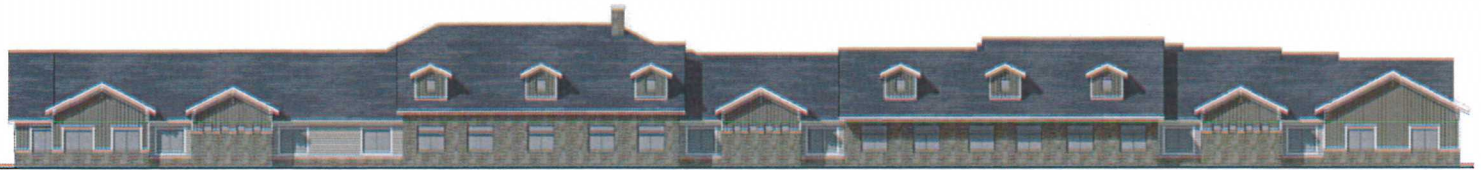
On the ____ day of _____, 2017, personally appeared before me, DAVID A. WHITAKER, the signer of the foregoing Development Agreement for David A. & Carla J. Whitaker - Trustees, who duly acknowledged to me that he executed the same for and on behalf of David A. & Carla J. Whitaker - Trustees.

NOTARY PUBLIC

(SEAL)

Exhibit A - Property Location Map





1. SOUTH ELEVATION



2. WEST ELEVATION



3. EAST ELEVATION



4. COURTYARD SOUTH ELEVATION



5. COURTYARD NORTH ELEVATION



6. NORTH ELEVATION

Exhibit B SUNRIDGE KAYSVILLE ASSISTED LIVING
17096
KAYSVILLE, UT





1. BOARD & BATTEN
SW 6173 - COCOON



2. HORIZONTAL SIDING
SW 7052 - GRAY AREA



3. ASPHALT SHINGLES



4. STANDING SEAM
METAL ROOF



5. HARRISTONE CUSTOM STONE
SIMILAR TO LUEDERS - BIANCA



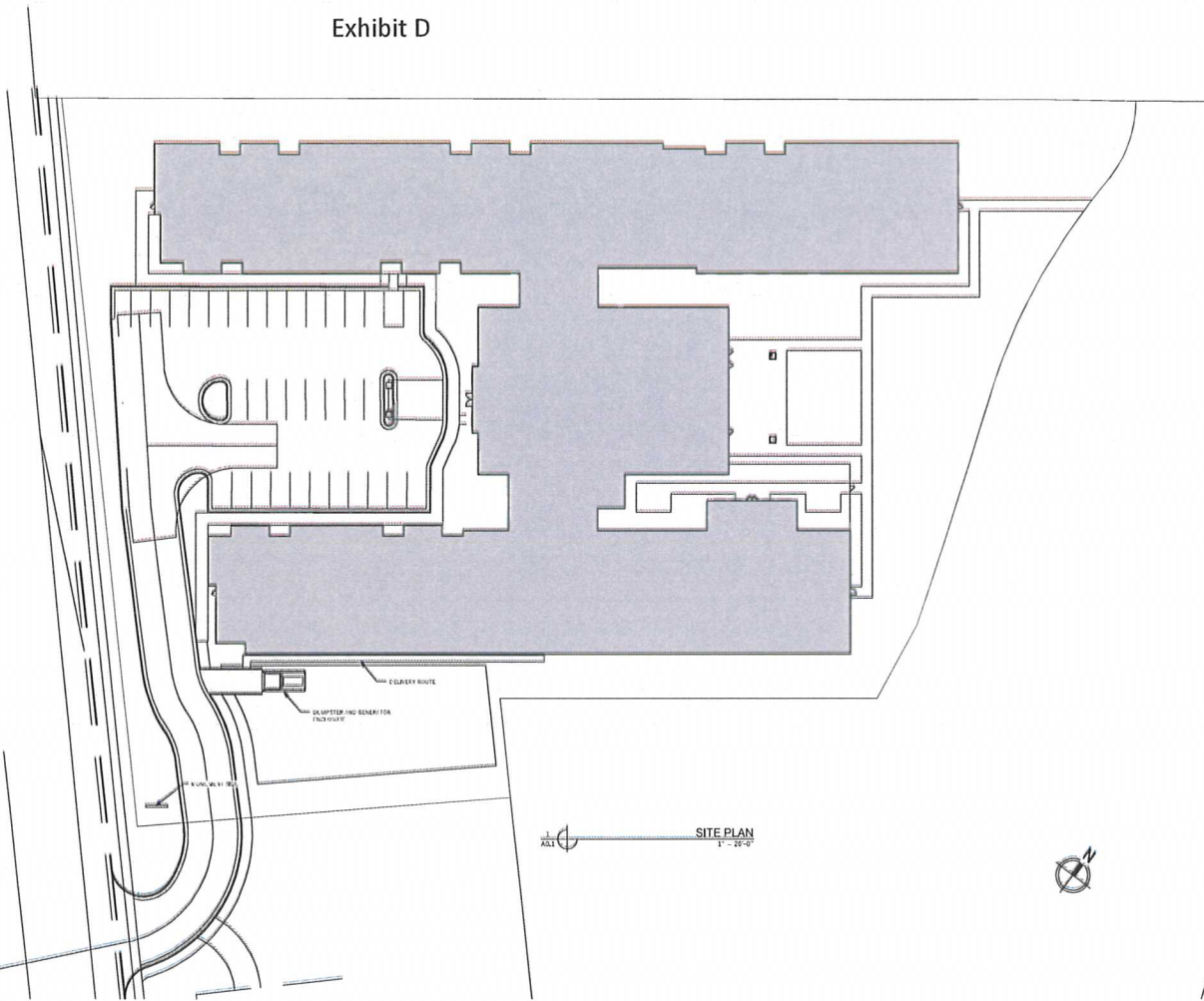
6. TRIM
SW 7004 - SNOWBOUND

Exhibit C SUNRIDGE KAYSVILLE ASSISTED LIVING

17096
KAYSVILLE, UT



Exhibit D



PROJECT NUMBER
17003

ISSUE DATE:
JULY 28, 2017

REVISIONS:
No. Date

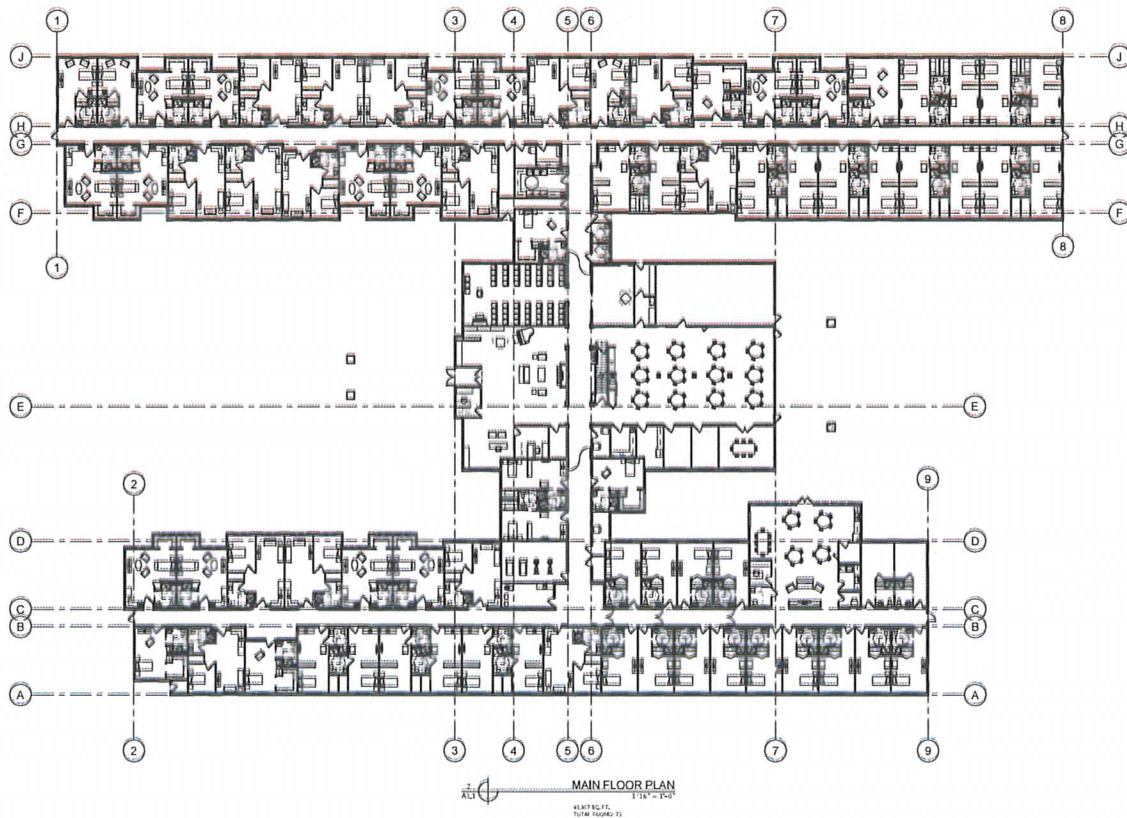
SUNRIDGE OF KAYSVILLE
KAYSVILLE, UT

ARCHITECTURAL
SITE PLAN

A0.1

JZW
ARCHITECTS

Exhibit E



PROJECT NUMBER
17003

ISSUE DATE:
JULY 28, 2017

REVISIONS:
No. Date

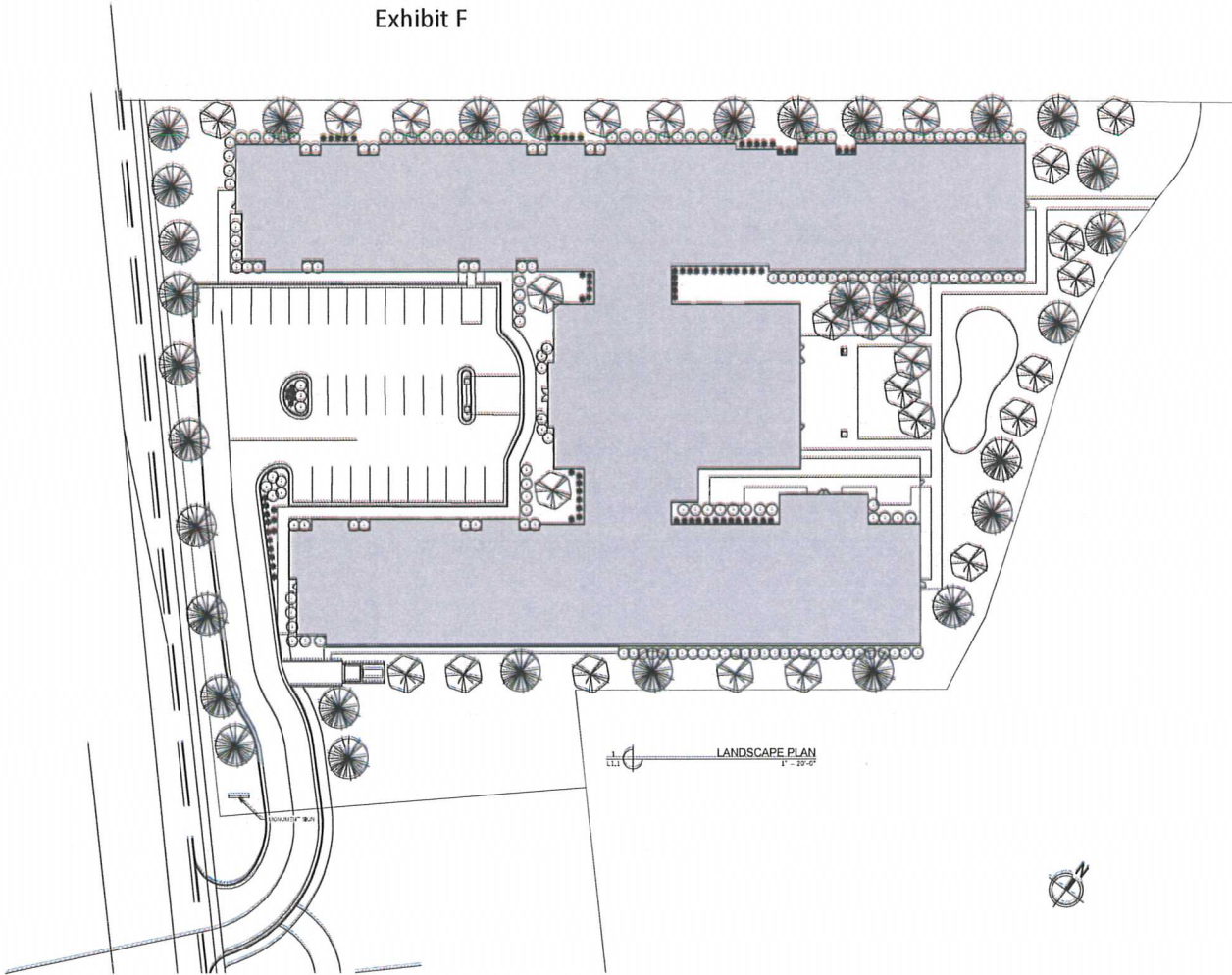
SUNRIDGE OF KAYSVILLE
KAYSVILLE, UT

MAIN FLOOR
PLAN

A1.1

JZW
ARCHITECTS

Exhibit F



PROJECT NUMBER
17003

ISSUE DATE:
JULY 28, 2017

REVISIONS:
No. Date

SUNRIDGE OF KAYSVILLE
KAYSVILLE, UT

LANDSCAPE PLAN

L1.1

JZW
ARCHITECTS

KAYSVILLE CITY PLANNING COMMISSION

July 27, 2017

Members Attending: Chairperson Betty Parker, Matthew Anderson, Gary Bullock, Stroh DeCaire, Lorene Kamalu, Joshua Sundloff

Excused: Thomas Wood

Staff Present: Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Tara Zaugg, Ed Zaugg, Milissa Ramirez, Timothy Thomas

OPENING

The Planning Commission meeting was held on Thursday, July 27, 2016 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present. The minutes of the July 13, 2017 meeting was presented for approval.

Stroh DeCaire made a motion to approve the minutes of the July 13, 2017 meeting. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION "B", PRESCHOOL AT 1007 EAST MANCHESTER ROAD – TARA ZAUGG

Lyle Gibson explained that Mrs. Zaugg is requesting a conditional use permit for a major home occupation "B" to run a preschool from her home at 1007 East Manchester Road. She plans to start with one class per day, with not more than eight students at one time. Her students will range in age from three to four years old. Staff has spoken with Mrs. Zaugg and notified her that if she holds more than one class per day that the classes would need to be staggered so as to help alleviate any traffic congestion.

Tara Zaugg added that because she lives near Morgan Elementary School, she plans to stagger her start time from theirs and will hold class from 9:15 a.m. until 11:45 a.m.

Betty Parker asked if Mrs. Zaugg had spoken with her neighbors about her business intentions.

Tara Zaugg responded that she had spoken with many of them and had received no complaints or concerns. Many of the children that will come to her class will be from the neighborhood and parents will walk them to her home for class. If parents do drive she will instruct them to park in her driveway to try to keep cars off of the road.

Stroh DeCaire made a motion to grant a conditional use permit for a major home occupation “B”, preschool at 1007 East Manchester Road for Tara Zaugg. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 601 EAST 250 NORTH – TIMOTHY THOMAS

Lyle Gibson explained that Timothy Thomas is requesting a conditional use permit to keep farm animals, specifically chickens, on his property at 601 East 250 North. The property is zoned R-1-8 and is 0.28 acres in size, which allows them up to seven fowl, rabbits, or similar animals. There is no coop on site as of yet, but Staff has discussed the placement of the coop with the applicant to ensure it will meet city regulations. The rear yard of the property is enclosed with a fence.

Matthew Anderson made a motion to grant a conditional use permit for farm animals at 601 East 250 North for Timothy Thomas. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 2008 WEST BONNEVILLE LANE – MILISSA RAMIREZ

Lyle Gibson explained that the Ramirez family lives at 2008 West Bonneville Lane and is requesting a conditional use permit to keep chickens on their property. The Ramirez’s have had the chickens on site for almost a year now but were unaware that a conditional use permit was required until recently. They are requesting a conditional use permit in order to get into compliance. The Ramirez’s property is 0.46 acres in size, allowing them to keep up to twenty-five fowl, rabbits, or similar animals. There is a coop on site and they are in the process of having their entire rear yard enclosed with a fence. There have been no complaints about the Ramirez’s chickens.

Gary Bullock made a motion to grant a conditional use permit for farm animals at 2008 West Bonneville Lane for Milissa Ramirez. Lorene Kamalu seconded the motion and it passed unanimously.

DISCUSSION OF POTENTIAL PROCESS CHANGES REGARDING FARM ANIMALS, MAJOR HOME OCCUPATIONS, LOT LINE ADJUSTMENTS, LOT CONSOLIDATIONS, AND SUBDIVISIONS

Lyle Gibson explained that recently the City Council discussed the city’s current noticing process and asked Staff to review it and possibly incorporate other options. Staff is presenting some of those options to the Planning Commission tonight for further input. Conditional use permits are brought before the Planning Commission for approval because of their character and potential impact on surrounding neighboring properties. Most conditional use permit requests received include farm animals and major home occupational businesses. Staff would like to know the Commission’s opinion on what type of noticing is appropriate for these types of requests as well as for other issues. Should the ordinance be changed so certain conditional uses are permitted uses? Should conditional use permits be approved by Staff or should they remain

with the Planning Commission? It would probably be best to do the same noticing for all conditional use requests, rather than picking and choosing what should or should not have more noticing.

Gary Bullock said that in the past it has been discussed about grouping conditional use permit requests on the agenda as one item, and approving them as one unless one of the requests is more controversial than another. While we want to remain transparent as a city, is it really necessary to send mailed notice to adjacent property owners for conditional use requests?

Stroh DeCaire agreed that each conditional use request might not need to be addressed individually unless there are extenuating circumstances. Sending mailed notice for simple conditional use permits is unnecessary. Posted notice on the property seems to have been adequate in notifying the neighboring properties of these requests. Transparency has become a great concern with citizens, and we should allow a place for people to come and speak if they have concerns.

Lyle Gibson commented that state law does not require that conditional use permit requests be noticed. It is something the city has been doing on its own to try to keep more transparent. Recently the city has been sending mailed notice to property owners within 500 feet of a property being considered for rezone. Each notice generates about ninety mailers. The more noticing that is required to be done, the more costly it becomes for the applicant.

Betty Parker added that she thinks that it's good for the Commission to review major home occupations because it gives a chance to welcome these businesses to the city.

Lorene Kamalu agreed and said she likes to hear about the businesses that are coming to the city. It seems a nice token of appreciation and support to those businesses, and it's good to have them individually recognized. Mrs. Kamalu suggested having conditional use permit requests for chickens reviewed by Staff.

Stroh DeCaire said that there have been times when people come to the Planning Commission with concerns about a conditional use permit request for chickens.

Josh Sundloff asked why the Commission needs to be involved with the revocation of conditional use permits for chickens. It seems that it could be handled by Staff. Mr. Sundloff suggested having those types of permits approved by Staff, and then if there is a problem then let Staff do enforcement on it. Those conditional uses that could potentially have more of a detrimental impact should still be brought before the Commission.

Stroh DeCaire said that most requests to have chickens are pretty straightforward and the current ordinance is easy to follow. Home businesses can vary more in that each one is different type of business in different areas.

Lyle Gibson commented that currently Kaysville City only has one process for all subdivisions including boundary line adjustments and the consolidation of lots. Mr. Gibson asked if the Planning Commission feel like they need to see requests for lot line adjustments or lot

consolidations.

The Planning Commission members agreed that lot line adjustment and lot consolidation requests don't seem necessary for Planning Commission review.

Lyle Gibson said that the ordinances would need to be revised to reflect the Commission's desires. Mr. Gibson asked if the Planning Commission would be interested in having more responsibility as the approval body for standard subdivision requests.

Gary Bullock asked about the appeal process if the Planning Commission were to approve subdivisions.

Lyle Gibson responded that if there was an appeal to a decision the Planning Commission made, it would go to the City Council. Currently, because the City Council makes the final decision on subdivision approvals, any appeals go to the district court.

Josh Sundloff commented that some cities have a Board of Adjustment for those types of situations.

Lyle Gibson said that many cities have moved away from having a Board of Adjustment because they tend to rarely meet. Some cities have gone to having a designated Judge who makes the appeal decision. It tends to make the process cleaner and more efficient.

Lorene Kamalu commented that it might help the City Council if the Planning Commission were to take on the final approval of subdivisions.

Matthew Anderson stated that he prefers to see requests continue to go to the Council for approval because he feels it helps to give more guidance and opinions on different requests.

Josh Sundloff said that he feels that the elected body should be making the final decisions on subdivision requests.

Lyle Gibson asked the Commission if they felt the City should provide more notice for subdivisions and should we consider options other than posting required notices in the newspaper.

Josh Sundloff commented that he feels that posting notices in the newspaper doesn't meet our current need and the city should notify citizens through social media, emails and, when possible, through texts.

Lyle Gibson responded that the City Council has recently been looking into a program that would help to better notify citizens by sending alerts by text and email. Mr. Gibson added that Staff will take into consideration the comments made tonight and work on bringing further information or possible ordinance revisions to the Planning Commission in the near future.

Councilman Larry Page stated that he feels that Staff should handle requests from residents to

keep chickens on their property. There have been times previously when items are brought before the City Council for review and things have been approved or denied because of pressure from the public. Sometimes a nonelected official would be able to make a better decision because they are not worried about being reelected. It might be better to have the Planning Commission approve subdivisions so that if their decision is appealed it will go to the City Council instead of the courts. However, it is also good for the Council to review subdivisions because it gives a different viewpoint and it informs them of what development is going on in the city. Mr. Page said that he agrees that posting notices in the newspaper is outdated and noticing requirements need to be updated. However, mailed notices might not be ideal because people are so mobile that they don't check their mail anymore. Mr. Page added that the Planning Commission reviews items very efficiently and maybe should take on more responsibilities.

CALL TO THE PUBLIC

Nothing was brought under this item.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, August 10, 2017 at 7:00 p.m.

ADJOURNMENT

Stroh DeCaire made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:08 p.m.

10 August 2017 Agenda

KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 10, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meeting of July 27, 2017.
2. Conditional use permit for a major home occupation “B”, electrical contractor at 375 West Paddock Lane – Ronald Houskeeper.
3. Conditional use permit for farm animals at 711 East Crestwood Road – Rustin Jessen.
4. Consideration of a development agreement and request to rezone 2.84 acres of property at approximately 701 South Main Street from R-1-8 (Single Family Residential) to the HC (Health Care) zoning district – Dave Whitaker.
5. Call to the public.
6. Other matters that properly come before the Planning Commission:
 7. Reports.
 8. Correspondence.
 9. Calendar.
10. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday, August 4, 2017.

Lyle Gibson
Zoning Administrator