

1. Planning Commission Meeting Materials

Documents:

[24 AUGUST 2017 PACKET.PDF](#)  
[24 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 24, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening.
2. Conditional use permit for farm animals at 729 South Country Mill Drive – Troy and Angie Sampson.
3. Conditional use permit for electronic message center sign at 353 Market Street – M Graphics and Signs Inc.
4. Review of conditional use permit for model home and low profile sign at 1901 West Bonneville Lane – Perry Homes.
5. Review of draft land use process considerations.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
  - a. Reports.
  - b. Correspondence.
  - c. Calendar.
8. 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 18, 2017.

  
\_\_\_\_\_  
Lyle Gibson  
Zoning Administrator



## **Planning Commission Staff Report**

---

### **Conditional Use Permit for Farm Animals August 24, 2017**

Applicant/Owner: Troy & Angie Sampson  
Location: 729 Country Mill Dr.  
Zone: R-1-20

#### **Description:**

The applicant is requesting a conditional use permit for farm animals, specifically for keeping chickens. Their property is 0.24 acres or 10,454 square feet. Based on the property size 6 chickens may be permitted on this property. The applicants do not have a coop on site to date but have indicated during a site visit to staff their intentions for a coop/run that would be in compliance with Chapter 17-24.

#### **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 and the following condition.

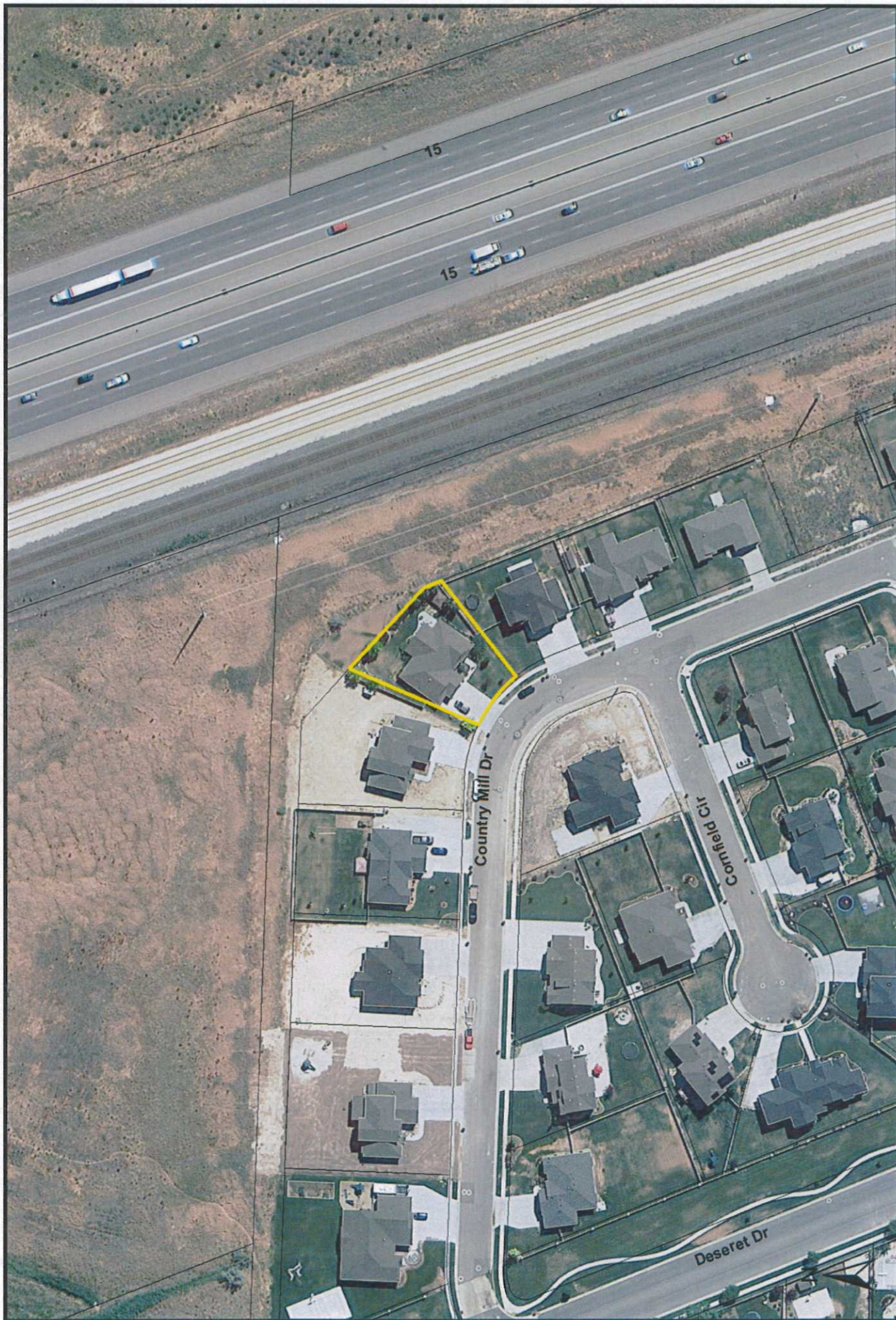
- A coop/run be in place before the chickens are brought on site.

#### **Reasoning:**

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

Attachment 1: Area Map

729 Country Mill Dr.





## Planning Commission Staff Report

---

### Conditional Use Permit for an Electronic Message Center Sign.

**August 24, 2017**

Applicant/Owner: M Graphics and Signs, Inc.  
Location: 353 Market Street  
Zone: GC (General Commercial)

#### **Description:**

M Graphics is seeking a conditional use permit for a sign with an Electronic Message Center Component. The sign is considered a ground sign per city code which is allowed under 17-33-9 Signs Permitted by Zone under the following restrictions:

#### On-Premise Ground Sign:

**Size:** 1.5 sq. ft. per foot of frontage, up to 300 sq. ft. maximum within 300 feet of I-15; 1.5 sq. ft. foot of frontage, up to 200 sq. ft. maximum within 3,000 feet of I-15 ....

**Height:** 45 ft. maximum within 300 feet of I-15; 30 ft. maximum within 3,000 feet of I-15 ...

1 Sign per Frontage

Other: ... Illumination may be built into or attached to signs. More than one sign on one parcel shall be separated by 100 ft. The base and structure of all on-premise ground signs beyond 300 ft. of I-15 shall be the same method of construction, style and design of the materials used in the construction of the building(s). The sign element shall be an integral part of the architecture and design of the site. The colors shall be subdued and unobtrusive. Signs with exposed metal supports or metal masking shall not be permitted.

#### Electronic Message Center (EMC):

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

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

This sign is to be located on a property which has frontage along I-15, the sign is proposed along the western property line for freeway exposure and the structure would be within 300 of the freeway. The property has 100 ft. of frontage against the freeway.

As proposed the sign is 35 ft. tall, 150 sq. ft. in size, and has an EMC component which is half of the sign size. The proposed height, size, and percentage of EMC all appear to meet minimum requirements of the ordinance. The site plan does not state specifically the setback or location of the sign along the western property line. Discussions with the applicant indicate that the sign will be located wherever it is best suited once Blue Stakes has been on site. The sign ordinance requires that the leading edge of all signs be set back at least 18" from any property line.

### **Recommendation:**

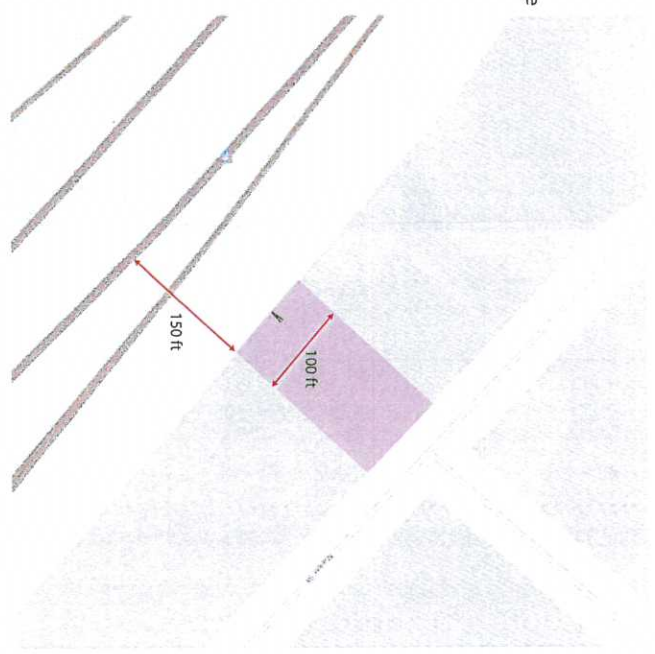
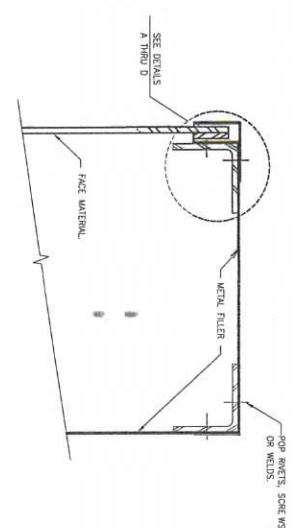
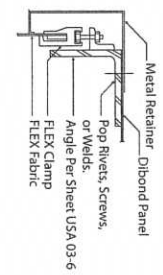
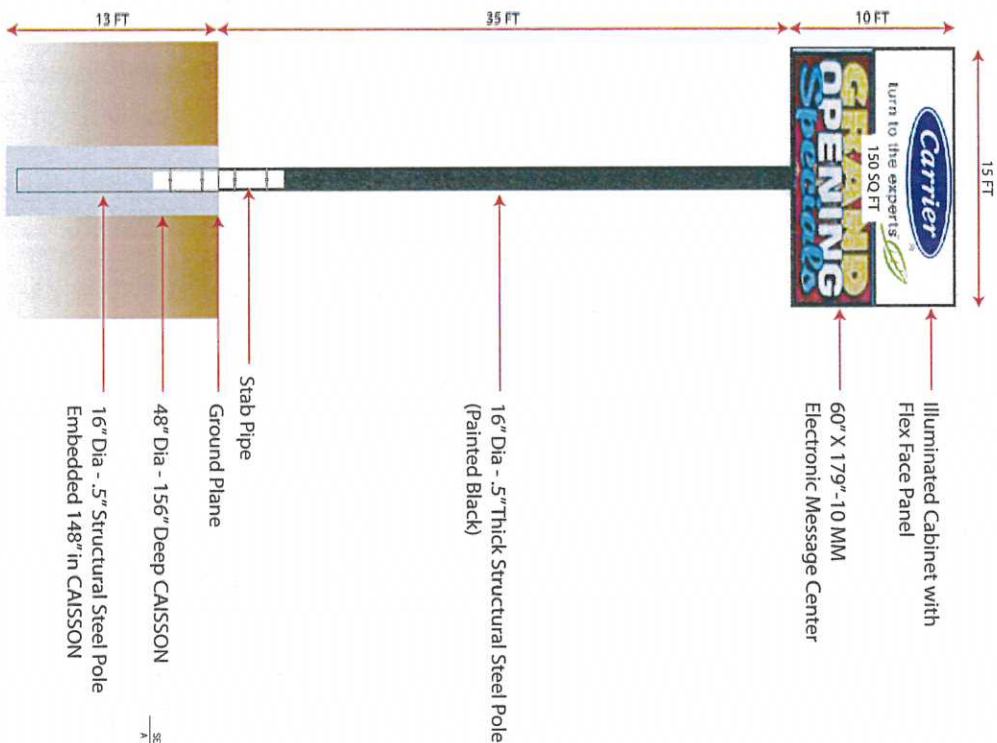
Based on the location of the property in relation to the freeway and the surrounding uses, staff is recommending approval as proposed subject to applicable regulations already stated within the Kaysville City Ordinances.

Attachment 1: Area Map

Attachment 2: Sign details

**353 Market Street**





Pole Sign with Electronic Message Center

|                                                                                                                                                                                                                                                                                                                           |  |                                                                                                                              |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------------------------------------------|--|
|                                                                                                                                                                                                                                                                                                                           |  | 9273 S. 700 E.<br>Sandy, UT 84070<br>801.743.1177<br>mgraphicsinc.com                                                        |  |
| <b>PROJECT INFO</b>                                                                                                                                                                                                                                                                                                       |  |                                                                                                                              |  |
| <b>PROJECT NAME:</b> Carrier Pole Sign                                                                                                                                                                                                                                                                                    |  | <b>SIGNAGE APPROVAL</b>                                                                                                      |  |
| <b>PROJECT ADDRESS:</b> 353 W Market St Kaysville                                                                                                                                                                                                                                                                         |  | <input type="checkbox"/> Approved<br><input type="checkbox"/> Approved with changes<br><input type="checkbox"/> Non Approved |  |
| <small>The design depicted herein is the sole property of MGS Inc. and may not be reproduced in any form without the written permission of MGS Inc. Reproduction and/or display shall render the information liable for up to \$150,000 in statutory damages, plus attorneys fees and cost for each infringement.</small> |  | <b>Customer Approval</b>                                                                                                     |  |
| <b>Customer Signature</b>                                                                                                                                                                                                                                                                                                 |  | <b>Date</b>                                                                                                                  |  |
| Page 1                                                                                                                                                                                                                                                                                                                    |  | Page 1                                                                                                                       |  |



## **Planning Commission Staff Report**

---

### **Review of the conditional use permit for a model home and low profile sign at 1901 West Bonneville Lane August 24, 2017**

Applicant/Owner: Perry Homes  
Location: 1901 West Bonneville Lane

#### **Description:**

A model home was originally approved for the Shadow Crossing Subdivision located at Angel Street and Bonneville Lane in August of 2013. The Planning Commission again reviewed the model home in August of 2015 after the initial 2 year approval had expired. Another 2 year extension was approved based on the expected rate of home sales. Perry Homes is still selling lots in the Shadow Crossing subdivision and expects that it will complete the sale of these homes on its final phase within the next 12 months.

Staff is not aware of any issues or complaints raised from the model home to date.

#### **Recommendation:**

Staff recommends that the Planning Commission approve an extension of the model home for an additional year or until such time as all lots in the Shadow Crossing Subdivision are sold, whichever is less.

#### **Reasoning:**

Staff is not aware of any issues to date from this use and there is still occurring development in the area.

Attachment 1: Location Map  
Attachment 2: Photo of Model Home



**1901 West Bonneville Lane**





## **Planning Commission Staff Report**

---

### **Review of draft land use process considerations. 8/24/2017**

#### **Description:**

The Planning Commission was given an initial introduction to some concerns and concepts regarding the noticing that the city does with different application types and how that relates to reconsideration of a few processes.

The initial introduction was a PowerPoint presentation only with no written concepts for the Planning Commission to review. Some conversation took place together with the presentation to get some general feedback which has informed the ideas included with this report.

This is not a formal consideration of changes to an ordinance, but will ultimately lead to that. This item is on the agenda for a more thorough conversation to inform an official ordinance change at a future date for the Planning Commission to recommend to the City Council.

Attachment     1:       Draft of process and noticing ideas.

## Kaysville City Noticing and Land Use Procedures

### Summary

Currently when noticing an agenda item for consideration by the Kaysville City Council or Kaysville Planning Commission meetings city staff adheres to the State requirements for a public meeting and public hearing as applicable. These noticing processes are governed by Utah State Code under Statute 52-4-202 for general public meeting noticing requirements and Statute 10-9a in The Land Use Development and Management Act (LUDMA) which deals with public hearing and public meeting requirements specific to items such as Conditional Use Permits, Subdivisions, and Rezones.

In addition to the minimum requirements outlined by the State of Utah, for the past couple of years staff has been mailing notices to the property owner of adjacent properties on rezones only. More recently per the request of the City Council staff has changed this process to mail notices to residents within 500 feet of a property requesting a rezone. In response to this same request this recommendation has been created for the consideration of the council in outlying the process for notifying residents regarding future applications. The following is a summary of changes proposed by Kaysville City staff.

#### Brief highlight of proposed changes.

##### Conditional Uses:

Fowl, rabbits, or similar animals (chickens) have been removed from R-1 zoning districts as a conditional use and are proposed as a permitted use. Additional requirements have been added to 17-24 Farm Animals addressing concerns most commonly addressed as a conditional use. (no fee)

All other conditional use permits: mailed notice to property owners within 200 ft. (increased fee)

##### Variances:

No Change – posted notice

##### Subdivisions:

Standard Subdivisions - preliminary and final dealt with at Planning Commission level only.

New lot line adjustment and lot consolidation process.

No Change – Posted notice

##### Rezones:

Mailed notice to properties within 500 ft. per ordinance. No longer published in Davis Clipper

## **Conditional Use Permits**

### **Brief Summary of Proposed Changes**

Fowl, rabbits, or similar animals (chickens) have been removed from R-1 zoning districts as a conditional use and are proposed as a permitted use. Additional requirements have been added to 17-24 Farm Animals addressing concerns most commonly addressed as a conditional use. (no fee)

All other conditional use permits: still goes to planning commission for approval. Noticing of residents within 300 Ft. examples: Agricultural Home Occupation, Telecommunications Tower

Fees: current \$50 ... proposed \$150 (postage for mailers, prints, staff time)

Ordinance Changes:

Example Zone:

## **Chapter 12 R-1 Single Family Residential District**

### **17-12-3 Permitted Uses**

1. Agriculture.
2. Single-family dwellings.
3. Public parks and playgrounds, and privately-owned parks, playgrounds, and recreational grounds not operated as a business in whole or part and to which no admission is charged.
4. Minor home occupations subject to the provisions of KCC Chapter 17-26.
5. Two household pets per dwelling unit.
6. Private swimming pools subject to the provisions of KCC 17-31-9.
7. Accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of KCC 17-31-2.
8. Fowl, rabbits, or similar animals subject to the provisions of KCC Chapter 17-24.

### **17-12-4 Conditional Uses**

Compliance with standards shall be determined by the Planning Commission by reference to KCC Chapter 17-30.

1. Public or quasi-public buildings of the educational, recreational, religious, cultural, or public service type, not including corporation yards, storage or repair yards, warehouses, and similar uses.
2. Major home occupations A and B subject to the provisions of KCC Chapter 17-26.
3. Residential child care subject to the provisions of KCC Chapter 17-26.
4. Temporary buildings for uses incidental to construction work subject to the provisions of KCC 17-30-7, which buildings must be removed upon the completion or abandonment of the construction.
5. Temporary tract offices and development signs subject to the provisions of KCC 17-30-7 and KCC Chapter 17-33.
6. Public utility substations subject to the provisions of KCC 17-31-15.
7. Farm animals other than those allowed as a permitted use subject to the provisions of KCC Chapter 17-24.

8. Swimming clubs subject to the provisions of KCC 17-31-10.
9. Two-family dwellings. Not more than two duplexes (4 units) may be allowed within 500 feet of any duplex (2 units). The 500 feet shall be measured in a straight line from the center of a duplex site to the boundary of any other duplex or twin home property.
10. Twin homes subject to the provisions of KCC Chapter 17-28. Must also be permitted as two-family dwellings.

## **Chapter 30 Conditional Uses**

### **17-30-1 Purpose**

To allow the proper integration into Kaysville City of uses which may be suitable only in certain locations in the City in accordance with applicable standards.

### **17-30-2 Conditional Use Permit**

1. A Conditional Use Permit shall be required for all uses listed as conditional uses in the district regulations or elsewhere in this title. A Conditional Use Permit may be revoked upon failure to comply with conditions precedent to the original approval of the permit.
2. Conditional Use Permits are issued by the Planning Commission. The granting of a Conditional Use Permit shall not exempt the application from other relevant provisions of this or other ordinances of Kaysville City.
3. Application for a Conditional Use Permit shall be made by the property owner or certified agent thereof to the Zoning Administrator.
4. The application shall be accompanied by maps, drawings, or other documents sufficient to meet the requirements of a site plan review (see KCC Chapter 18-4) for those conditional uses which require such a review, and sufficient to demonstrate that the reasonably anticipated detrimental effects of the proposed use will be mitigated in accordance with applicable standards. In considering an application for a Conditional Use Permit, the Planning Commission shall give due regard to the nature and condition of adjacent uses and structures.
5. The application for any Conditional Use Permit shall be accompanied by the appropriate fee as established from time to time by resolution of the City Council.
6. For Major Home Occupations only posted notice on the subject property is required at least 48 hours before the Planning Commission holds a public meeting to consider the request.
7. All other Conditional Uses must mail written notice of the requests to property owners within 200 feet of the property boundaries for the property which is requesting the Conditional Use Permit; such mailer shall be sent no later than 5 days before the public meeting in which the Conditional Use Application is to be considered by the Planning Commission.

## **Chapter 24 Farm Animals**

### **17-24-3 Yard And Structure Regulations**

1. Structures for the care and keeping of fowl, rabbits or similar animals may be permitted in all districts where fowl, rabbits or similar animals are permitted, provided that all such structures are located at least fifteen feet (15') from all buildings on adjacent lots predominantly used or occupied by humans. Other structures for the care and keeping of farm animals except swine, may be permitted in all districts where farm animals are permitted, provided that all such structures are located at least fifty feet (50') from all buildings on adjacent lots predominantly used or occupied by humans. Structures for the care and keeping of swine shall be located at least

two hundred feet (200') from all buildings on adjacent lots predominantly used or occupied by humans.

2. Applicant shall show that odor, dust, noise, or drainage will be so controlled as to not constitute a nuisance or hazard to adjoining property or uses.
3. Farm animals must be kept within an enclosed area or structure sufficient to contain the animals on site.

**Variances:** No Change – posted notice

**Subdivisions:**

Summary of proposed changes:

Lot line adjustment / lot consolidation – Approved by Staff as a Plat Amendment

Standard Subdivision (no PRUD) – Preliminary and Final go to Planning Commission (nothing to City Council).

Notice: PRUD Subdivision = (done with rezone process – gets mailed notice to properties within 500 ft.)

Standard Subdivision = posted notice

Lot Line Adjust = posted notice

Fees: Subdivision = Same

Lot Line Adjust = \$150? (no prelim and final)

Ordinance changes:

**19-1-7 Definitions**

Lot Line Adjustment – The adjustment of a mutual boundary between either multiple subdivided lots or multiple established lots of record where the property line is modified in compliance with yard, lot size, and frontage requirements for the applicable zoning district and where no new lot is created.

Lot Consolidation – The combination of two or more lots whether previously subdivided or established lots of record where the legal description of more than one contiguous parcel of property is revised into one legal description encompassing all such parcels of property and where no zoning violation is created.

### 19-2-1 Subdivision Development Process

The following steps are required:

1. The Subdivider contacts the City Engineer for information concerning the City subdivision requirements and compatibility with the General Plan, and discusses the proposed plan of development prior to preparing any plats, plans or charts.
2. The Subdivider pays the preliminary plat fee at the City Office.
3. The Subdivider submits the following to the City Engineer:
  - a. Three (3) copies of the preliminary plat prepared by a registered engineer or surveyor and supporting documents as specified in KCC 19-3-3.
  - b. A copy of the preliminary plat fee receipt.
4. The Subdivider submits copies of the preliminary plat and any applicable utility load information to agencies and service providers as needed. If a State highway is involved, the Subdivider provides evidence of approval of access, curbs, gutters, and sidewalks by the Utah Department of Transportation to the City Engineer.
5. The City staff will review the documents and make recommendations. Ten (10) working days are allowed for completion of staff review for each submittal or re-submittal.
6. Upon completion of the staff review, the City Engineer will place the item on the Planning Commission agenda and notify the Subdivider.
7. The Planning Commission will meet and review the preliminary plat and take action. The Subdivider or agent must attend and present the plat. ~~The Planning Commission then forwards the plat to the City Council, with its recommendations and conditions thereon.~~
- ~~8. The City Council will meet and review the plat. The Subdivider or agent must meet with the Council and discuss the plat. (Refer to KCC 19-3-5(2).)~~
- ~~9-8.~~ The Subdivider pays the final plat fee at the City Office.
- ~~10-9.~~ The Subdivider submits six (6) copies of the tentative final plat to the City Engineer.
- ~~11-10.~~ The City Engineer checks the tentative final plat for compliance with conditions and returns one copy to the Subdivider.
- ~~12-11.~~ The Subdivider submits the final plat and irrigation system drawings to any irrigation providers involved and obtains approval.
- ~~13-12.~~ The Subdivider submits the following to the City Engineer:
  - a. Original and two (2) copies of the final plat prepared by a registered engineer or land surveyor in accordance with KCC 19-4-3.
  - b. Cross sections and profiles of the streets and all other construction drawings related to all of the improvements to be constructed within the subdivision. All such drawings and materials must be signed and stamped by a registered professional engineer.
  - c. Open space improvement drawings if applicable.
  - d. Copy of final plat fee receipt.
- ~~14-13.~~ The City staff will review the documents and make recommendations. Ten (10) working days are allowed for completion of staff review for each submittal or re-submittal.
- ~~15-14.~~ Upon completion of staff review, the City Engineer will place the item on the Planning Commission agenda and notify the Subdivider.
- ~~16-15.~~ The Planning Commission will meet and review the final plat and take action. The Subdivider or agent must attend and present the plat. ~~The Planning Commission then forwards the plat to the City Council with its recommendations and conditions thereon.~~
- ~~17. The City Council will meet and review the final plat. The Subdivider or agent must meet with the Council and discuss the plat. (Refer to KCC 19-4-5(3).)~~
- ~~18-16.~~ The Subdivider submits the following to the City Engineer.

- a. Preliminary Title Report.
  - b. Written results of a test for suspect soil in the area upon which public improvements will be constructed.
  - c. Agreements if applicable.
- ~~19-17.~~ The City Attorney will review the documents submitted to insure adequacy and sign the plat when approved.
- ~~20-18.~~ The Subdivider must then pay the following fees at the City Office:
- a. Development fees.
  - b. Recording fees.
  - c. Inspection fees.
  - d. Utility extension fees.
- ~~21-19.~~ The Subdivider submits the Storm Water Pollution Prevention Plan (SWPPP) for the subdivision to the City Engineer.
- ~~22-20.~~ The Subdivider and contractors and other representatives meet with City representatives in a preconstruction conference.
- ~~23-21.~~ The Subdivider constructs and installs all improvements, except the Slurry Seal Type III or approved equivalent, with inspection by the City. In the event the Subdivider has constructed and installed all improvements except sidewalks and asphalt pavement in a subdivision phase and desires to begin construction of residential buildings before the sidewalks and asphalt pavement are installed in the subdivision phase, the City may accept building permit applications upon compliance with all other requirements, including recording the plat, plus the following:
- a. The Subdivider shall guarantee the proper installation of the sidewalks and asphalt pavement in accordance with Kaysville City standards and specifications, by cash deposit furnished and filed with Kaysville City in an amount equal to one hundred fifteen percent (115%) of the cost of the installation of the sidewalks and asphalt as determined by licensed contractor quote.
  - b. All building lots within the subdivision phase shall be owned by the Subdivider and remain owned by the Subdivider until the sidewalks and asphalt are installed in the subdivision phase and the improvements are completed and certified.
  - c. No final building inspection will be scheduled nor conducted and no occupancy allowed until all subdivision phase improvements have been completed and certified.
- ~~24-22.~~ The Subdivider has as-built drawings prepared and submits them, the Improvement Completion Assurance and Improvement Warranty to the City Engineer.
- ~~25-23.~~ The Public Works Superintendent certifies that the improvements are completed.
- ~~26-24.~~ The City Engineer addresses the lots on the plat and has the final plat recorded at the office of the Davis County Recorder and then building permit applications will be accepted.
- ~~27-25.~~ The City Council accepts the improvements and the Improvement Warranty Period begins.
- ~~28-26.~~ Near the end of the warranty period, the City inspects the improvements and the Subdivider corrects deficiencies.
- ~~29-27.~~ When the improvements comply with City standards as certified by the Public Works Superintendent, the Subdivider applies a Slurry Seal Type III or approved equivalent on all asphalt pavement in streets, then the Improvement Warranty Period ends and the Improvement Completion Assurance and Improvement Warranty are released.

## 19-2-7 Lot Line Adjustments and Lot Consolidations

1. Applications that meet the definition of a lot line adjustment or lot consolidation are not required to be processed as a subdivision provided:
  - a. The consolidation does not affect an existing street, alley, walkway, or right-of-way; and
  - b. No public utility, drainage, or trail easements exists along the mutual boundary of any two lots being consolidated.
2. The petitioner shall file an application for the lot line adjustment or lot consolidation process together with a survey stamped by a surveyor licensed by the State of Utah together with existing and proposed legal descriptions.
3. Upon receipt of applicable fees and required submittal items Kaysville City staff shall review the request and complete a review within 10 business days.
4. Upon approval by the City Engineer, Kaysville City will issue a Notice of Approval.
  - a. Such Notice of Approval shall be recorded in the office of the county recorder which:
    - i. Is executed by each owner included in the exchange and by the land use authority;
    - ii. Contains an acknowledgment for each party executing the notice in accordance with Title 57, Chapter 2a of Utah State Code; and
    - iii. Recites the description of both the original parcels and the parcels created by the exchange of title; and
  - b. Such Notice of Approval does not act as a conveyance of title to real property and is not required in order to record a document conveying title to real property.
    - i. A separate document of conveyance shall be recorded in the office of the county recorder.

## 19-3-5 Preliminary Plat Approvals

- ~~1.~~ The preliminary plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision preliminary plat design ~~and forward its recommendation to the City Council.~~ If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.
- ~~2.1.~~ ~~The preliminary plat shall be reviewed by the City Council. The Council shall either approve or reject the subdivision preliminary plat design. If approved, the City Council shall express its approval with whatever conditions are attached. If the preliminary plat is disapproved, the City Council shall indicate its disapproval and reasons therefor. Upon the City Council's Planning Commission's approval, the Subdivider is authorized to proceed with the preparation of the final plat and detailed construction drawings and specifications for the improvements required in this Title.~~
- ~~3.2.~~ Approval of the preliminary plat by the ~~City Council~~ Planning Commission shall be effective for a maximum period of one (1) year after approval unless, upon application of the Subdivider, the ~~City Council~~ Planning Commission grants an extension. If the final plat has not been submitted within one (1) year, or the approved extension period, the preliminary plat must again be submitted to the Planning Commission ~~and City Council~~ for consideration. However, preliminary approval of a large tract shall not be voided, provided that the final plat of the first phase is submitted for final approval within a one (1) year period.

~~4.3.~~ All approvals shall be in writing and oral statements or approvals by City staff are not authorized and shall not be binding on the City.

#### 19-4-5 Final Plat Approvals

1. The final plat and associated documents shall be reviewed by the staff. The City Engineer shall check the engineering requirements of the drawing, check the construction drawings, and determine the amount of the improvement assurance to assure construction of the improvements where necessary. After approval and signature by the City Engineer, the plat and improvement assurance shall be submitted to the City Attorney for approval.
- ~~2.~~ The final plat shall be reviewed by the Planning Commission. The Commission shall either approve or reject the subdivision final plat ~~and forward its recommendation to the City Council~~. If approved, the Commission shall express its approval with whatever conditions are attached. If disapproved, the Commission shall indicate the reasons therefor.
- ~~3.2.~~ ~~The final plat shall be reviewed by the City Council. The Council shall then either approve or reject the subdivision final plat.~~ If approved, the final plat shall be held by the City Recorder until the Subdivider pays the required fees, provides proof of compliance with all the requirements of the pressure irrigation provider, and provides the improvement assurance. Upon compliance with these requirements, the Mayor shall sign and the Recorder attest the plat. The final plat shall then be submitted to the office of the County Recorder by the City Engineer.
- ~~4.3.~~ No final plats shall be recorded in the office of the County Recorder, and no lots included in such final plat shall be sold or exchanged, unless and until the plat is so approved, signed, and accepted.
- ~~5.4.~~ Approval of the final plat shall be effective until the later of:
  - a. One (1) year after the date of approval by the ~~City Council~~ Planning Commission; or
  - b. Thirty (30) days after the last date on which construction of improvements was done; or
  - c. The last day of the extension period approved by the ~~City Council~~ Planning Commission.

If the final plat has not been offered for recording, with all approval steps completed, within the applicable period, the plat shall not be recorded or received for recording and shall have no validity whatsoever.

- ~~6.5.~~ It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this paragraph is void. The City may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file a notice, or the City may itself file a notice that the recordation of the plat is void. The City Engineer is responsible for recording all subdivision plats. The Subdivider shall be responsible for all recording and associated fees.

### Rezoning:

Hearing remains at PC then public meeting at CC as currently done \_ Noticing sent for public hearing to properties within 500 ft. (property owner)

- if mailers used to meet statute requirement must be sent to owner of property within parameters specified by municipal ordinance.

Fees: Current: \$50 ... proposed \$200  
(additional prints, postage, staff time)

### **17-1-9 Amendments**

1. The City Council may amend the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provisions of this title. Such amendments, including rezonings, are discretionary legislative actions, even if an application for amendment otherwise conforms to ordinance requirements.
2. Amendments may be initiated by the City Council, the Planning Commission or by one or more owners of property affected by the proposed amendment. Unless initiated by the City Council or Planning Commission, no amendment shall be considered without evidence of the acquiescence therein of the owners of the property involved.
3. An application for amendment, when submitted by property owners, shall be accompanied by a fee, the amount to be determined by the Zoning Administrator as adequate to cover costs of hearings, publication, and any necessary reviews. No fee assessed, or any part thereof, shall be returnable in the event that the proposed amendment is denied.
4. An application for an amendment shall be filed at the office of the Zoning Administrator and shall be accompanied by an accurate map of the land.
- 4-5. Notice shall be mailed to all property owners within 500 ft. of the property under consideration for an amendment to the zoning map.
- 5-6. Upon receipt of the application, the Planning Commission, in a public hearing, shall hear and receive information from the applicant and other interested parties, which may affect the request for amendment. The Planning Commission, after consideration of this information, shall make a recommendation on the proposed amendment.
- 6-7. A copy of any proposed amendment shall be submitted to the City Council and shall be accompanied by the recommendations of the Planning Commission.
- 7-8. After holding a public meeting, the City Council may adopt or reject the amendment either as proposed by the Planning Commission or after making any revision the City Council considers appropriate.
- 8-9. In case an application for a change of zone district is denied, a new application for the same zoning change affecting the same property shall not be eligible for reconsideration for one (1) year subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the Planning Commission, to be eligible for consideration within one (1) year of the denial of the original application.

**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 24, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening.
2. Conditional use permit for farm animals at 729 South Country Mill Drive – Troy and Angie Sampson.
3. Conditional use permit for electronic message center sign at 353 Market Street – M Graphics and Signs Inc.
4. Review of conditional use permit for model home and low profile sign at 1901 West Bonneville Lane – Perry Homes.
5. Review of draft land use process considerations.
6. Call to the public.
7. Other matters that properly come before the Planning Commission:
  - a. Reports.
  - b. Correspondence.
  - c. Calendar.
8. 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 18, 2017.

---

Lyle Gibson  
Zoning Administrator