

24 August 2017 Minutes

KAYSVILLE CITY PLANNING COMMISSION

August 24, 2017

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

Staff Present: City Engineer Andy Thompson, Zoning Administrator Lyle Gibson, Secretary Annemarie Plaizier

Others Present: Council Member Larry Page, Dean Wall, Jeff Taylor, Armando Luyo

OPENING

The Planning Commission meeting was held on Thursday, August 24, 2017 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 729 SOUTH COUNTRY MILL DRIVE – TROY AND ANGIE SAMPSON

Lyle Gibson explained that the Sampson's live at 729 South Country Mill Drive and would like to keep chickens on their property. Their property is 0.24 acres which would allow them to keep up to six chickens at one time. The Sampson's have waited until receiving approval to put a coop on the site. They have discussed the placement of their coop with Staff, and assure it will be in compliance with Chapter 17-24.

Stroh DeCaire made a motion to grant a conditional use permit for farm animals at 729 South Country Mill Drive for Troy and Angie Sampson with the condition that the coop be in place before chickens are brought on site. Thomas Wood seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR AN ELECTRIC MESSAGE CENTER SIGN AT 353 NORTH MARKET STREET – M GRAPHICS AND SIGNS, INC.

Lyle Gibson explained that M Graphics and Signs have requested a conditional use permit for an electric message center at 353 North Market Street. The center will be installed on what is considered as a ground sign per city code. This sign will be located on a property which abuts I-

15 along the western edge of the property. The proposed height, size, and percentage of the EMC all appear to meet the requirements of the ordinance. Currently, 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 after Blue Stakes has been on site. The sign ordinance requires that the leading edge of all signs be set back at least eighteen feet from any property line.

Matthew Anderson asked if the lighting will be a nuisance to any neighboring residential homes.

Lyle Gibson commented that this sign will be in the Marketboro Commercial Subdivision and is not close to any residential homes so it should not be a problem. If there are any complaints or problems that arise then the city can work with the owner to make sure it is fixed.

Armando Luyo, representing M Graphics and Signs Inc., said that the sign will have a light sensor that will dim the sign with the sunlight. The sign is also programmable so if there are any problems the owner can be contacted to make adjustments to the sign very quickly and easily.

Gary Bullock arrived.

Josh Sundloff asked how large Mountain America Credit Union's electronic center sign was.

Lyle Gibson responded that their sign is about twice the size of this proposed sign. While there were concerns expressed about the size and location of that sign in relation to nearby residential homes, there have been no complaints about it. The Mountain America sign, as well as the sign proposed tonight are placed at an angle so as to project light towards the freeway.

Thomas Wood said that this sign sits further from residential properties and will be less impacting.

Josh Sundloff asked about the height of the proposed sign.

Lyle Gibson responded that the pole will sit thirty-five feet above ground, with a ten foot sign on top of that. The sign meets the height requirements of this zone.

Matthew Anderson made a motion to grant a conditional use permit for an electronic message center sign at 353 North Market Street for M Graphics and Signs Inc. Stroh DeCaire seconded the motion and it passed unanimously.

REVIEW OF CONDITIONAL USE PERMIT FOR MODEL HOME AND LOW PROFILE SIGN AT 1901 WEST BONNEVILLE LANE – PERRY HOMES

Lyle Gibson explained that a model home was originally approved for the Shadow Crossing Subdivision located at 1901 West Bonneville Lane in August 2013. The Planning Commission reviewed the conditional use permit for the model home in August 2015 after the initial two year approval had expired. Another two 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 the sales of these homes will be completed within the next two years.

Stroh DeCaire asked if Staff had received any complaints or concerns about the model home.

Lyle Gibson responded that he was unaware of any issues or complaints about the model home.

Jeff Taylor, representing Perry Homes, said that they would prefer to have an extension time of two more years because there is another piece of property nearby that they plan to develop soon and would like to continue to use this model home for that development as well.

Betty Parker asked about the sign on the property.

Jeff Taylor responded that it is a temporary subdivision sign that will be removed when the model home is no longer in use.

Stroh DeCaire made a motion to grant a time extension of the model home and low profile sign at 1901 West Bonneville Lane for Perry Homes for a period of two years or until all lots are sold, whichever is less. Gary Bullock seconded the motion and it passed unanimously.

REVIEW OF DRAFT LAND USE PROCESS CONSIDERATIONS

Lyle Gibson explained that recently 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 of the city's processes. Since the previous meeting, Staff has used the Commission's feedback to create a draft report before giving a more formal recommendation to the City Council. Mr. Gibson said that based on comments made, they are recommending that the ordinance be revised to have chickens, fowl or other similar animals as a permitted use, while any other farm animals would remain a conditional use to be approved by the Planning Commission. Those owning chickens would still have to abide by the farm animal ordinances, but would not have to obtain a conditional use permit to have the animals.

Thomas Wood commented that in the proposed amendment it mentions that chickens would need to be in an enclosed area and asked what would define as an enclosed area. It could be interpreted differently by some. Would we require that they have a coop?

Lorene Kamalu said that they have heard complaints by neighbors before where the chickens will fly over the fence.

Thomas Wood said that it seems that having a coop would help to detract rodents and keep things better contained and clean.

Lyle Gibson said that the Commission also needs to consider what noticing would be best for these types of requests. Staff feels that public notice should continue to be placed on the subject property at least forty-eight hours in advance and conditional use permits; home occupations,

should also have mailed notice sent to property owners within two-hundred feet. The State doesn't have any noticing requirements for conditional use permit requests and therefore it can be whatever the city feels is most appropriate.

Josh Sundloff asked when mailed notice would be sent.

Lyle Gibson responded that for other items, mailers have typically been sent out about five days in advance which exceeds the time frame required.

Josh Sundloff said that the public notice signs should be posted the same day as notices are mailed.

Thomas Wood said that if there is concern from neighbors that an item didn't have long enough notice then the item could be put onto a following agenda.

Josh Sundloff stated that although conditional use permits are not required to have a public hearing, taking public comment from neighbors helps to inform the Commission on items and if there are concerns or conditions that need to be put in place to help mitigate potential impact.

Matthew Anderson asked if mailed notice is still an effective means of noticing residents. Is there a better way to notice adjacent property owners?

Lyle Gibson responded that currently state code requires that mailed notice be sent. As it is there is no perfect situation, but the city is working towards a better solution that would notice people electronically if they opt into receiving those notices.

Stroh DeCaire added that some have mentioned that mailers are not as efficient because people don't always check their mail, however the same problem would occur if notices were sent via e-mail.

Gary Bullock said that the city can only do so much to notice people of requests.

Lyle Gibson said that recently it was suggested by the Mayor and City Council, in regards to rezone requests, to send mailed notice to property owners within five-hundred feet of the subject property. This has been carried out over the last few months and seems to be working well.

Lyle Gibson continued by saying that previously the Planning Commission expressed that they felt that lot line adjustments and lot consolidations could be approved by Staff. If easements are affected by those lot line adjustments or lot consolidations then those subdivision plats will still need to be approved by the Commission. There has also been some discussion in regards to making the Commission the legislative body when subdivision plats are approved.

Gary Bullock said that the Commission should be able to still have the option to send subdivisions to the City Council for approval should they feel it needed.

Josh Sundloff commented that there are oftentimes that rezone applications are presented with a preliminary plat. Rezones are approved by the City Council and so there seems to be a conflict if the Commission gives final approval to subdivision plats but not to rezone requests. The Commission should be able to hear the Council's feelings on these subdivision plats.

Andy Thompson said that one way to do that would be to still send preliminary subdivision plat requests to the City Council for approval, but have the Planning Commission give approval on the final subdivision plat requests.

Lorene Kamalu commented that she would like to see the Active Transportation Plan implemented more with new developments. Currently the Active Transportation Plan is not a requirement listed in our city ordinances for developers to follow.

Lyle Gibson responded that Staff would look in to where it might be best to include that plan within the city ordinances.

CALL TO THE PUBLIC

Nothing was brought under this item.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, September 14, 2017 at 7:00 p.m.

ADJOURNMENT

Thomas Wood made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:07 p.m.