

1. Planning Commission Meeting Materials

Documents:

[14 SEPTEMBER 2017 PACKET.PDF](#)

[14 SEPTEMBER 2017 AGENDA.PDF](#)

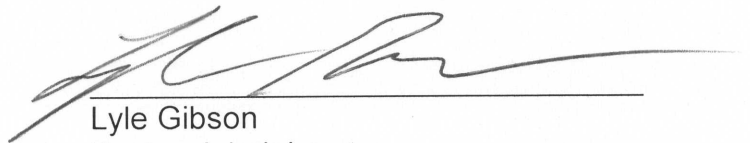
**KAYSVILLE CITY PLANNING COMMISSION
NOTICE AND AGENDA**

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, September 14, 2017 at 7:00 p.m. in the Municipal Center.

The agenda shall be as follows:

1. Opening and approval of minutes from the meetings of August 10, 2017 and August 24, 2017.
2. Conditional use permit for a major home occupation "B", contractor at 288 West 350 South – Bill Day.
3. Public hearing and preliminary plat approval for Hilton Homes Subdivision located at 289 North 700 East – Todd Hilton.
4. Public hearing and amendment of the Kaysville City Annexation Policy Plan.
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, September 8, 2017.



Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Conditional Use Permit for a Major Home Occupation 'B', Contractor. September 14, 2017

Applicant/Owner: Bill Day
Location: 288 West 350 South
Zone: R-1-8 (Single Family Residential)

Description:

Mr. Day is requesting a conditional use permit for Major Home Occupation B at the above listed address. The request is for use of his home for his caulking and waterproofing contractor business.

The home will be used as a home office for paperwork and appointment setting. The tools and material used for jobs is capable of being stored in vehicles and the garage on site without pushing out into the yard.

Recommendation:

Staff has visited with Mr. Day and reviewed his request and is therefore recommending approval of the proposed conditional use permits for a Major Home Occupation B, contractor, at the above listed address without additional conditions.

Reasoning:

With the restrictions already imposed by Chapter 17-26, the use as proposed appears to be able to operate without need for additional conditions to mitigate reasonably anticipated detrimental impacts.

Attachment 1: Area Map

288 West 350 South





Planning Commission Staff Report

Hilton Homes Subdivision Preliminary Plat September 14, 2017

Applicant/Owner:	Todd Hilton
Location:	289 North 700 East
Zoning	R-1-8

Description:

The proposed subdivision plat consists of 3 total lots including the existing home near the corner and 2 additional lots. The property is already improved with curb, gutter, and sidewalk along all sides and uses existing streets.

The R-1-8 zoning district requires that all lots be at least 8,000 square feet in size. The smallest proposed lot is 8,964 sq. ft. and therefore each meets and exceeds the minimum requirements.

A standard lot is also required to have a minimum of 60 feet in width along the property frontage. The smallest frontage in the proposed plat is 64.5 ft. in width which meets and exceeds the minimum requirements.

Recommendation:

Staff has reviewed the preliminary plat and recommends that the Planning Commission forward a favorable recommendation to the City Council for approval of the preliminary plat.

Reasoning:

As proposed the plat complies with the minimum standards and requirements of the underlying zoning district.

Attachment 1: Area Map
Attachment 2: Preliminary Plat

Hilton Homes Subdivision - 289 North 700 East



PRELIMINARY PLAT
HILTON HOMES SUBDIVISION

OWNER/DEVELOPER:
289 N 700 EAST
KANSVILLE UT. 84037

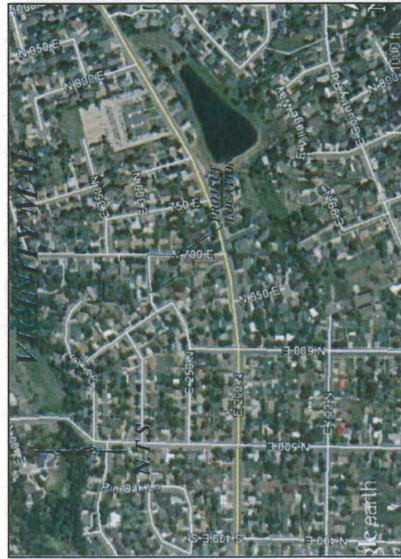
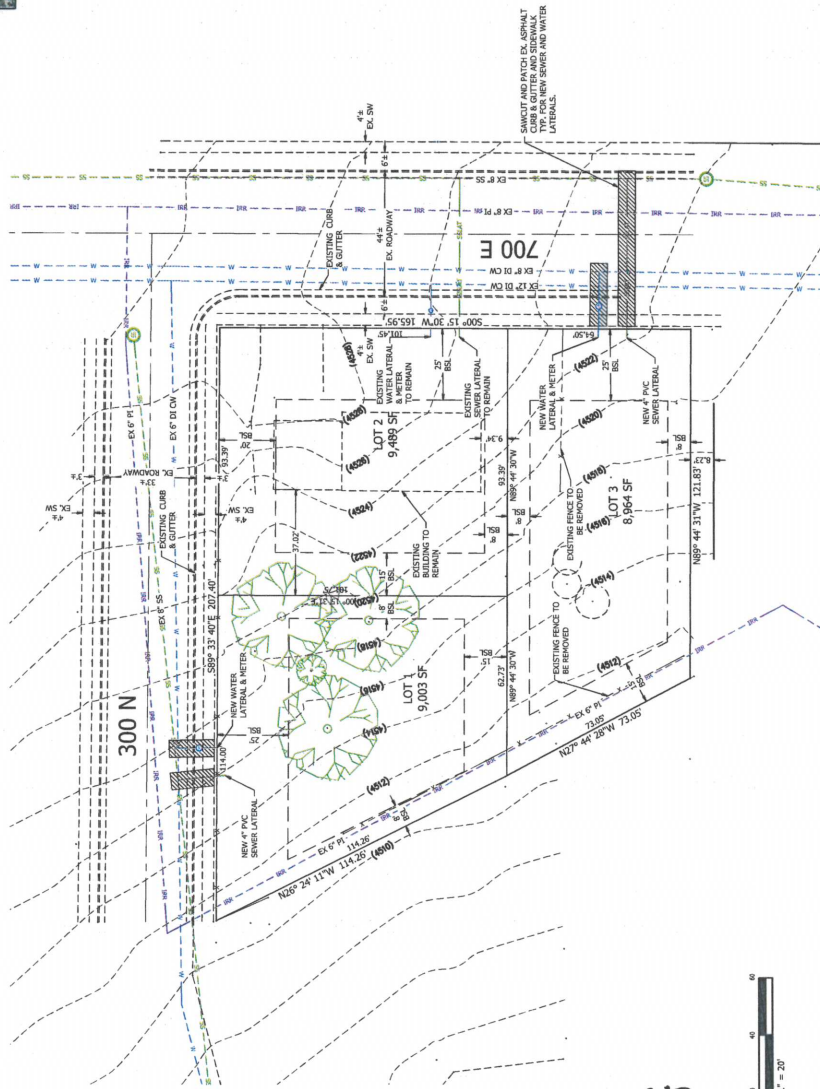
FEMA FLOOD ZONE:
ZONE X

CURRENT KANSVILLE CITY ZONE:
R-1.8

LOT 1 - 3 WILL REMAIN R-1.8

TOTAL ACREAGE OF SUBDIVISION:
8.6 AC

THERE ARE CURRENTLY NO STORM DRAIN LINES IN THE AREA.
SOUTH TOWARD INTERSECTION OF SHEPARD LANE AND GUTTER
EAST STREET AND WATER FLOWS WEST IN EXISTING CURB AND
GUTTER. THERE IS A LOW POINT ON THE EXISTING STREET.



DESCRIPTION

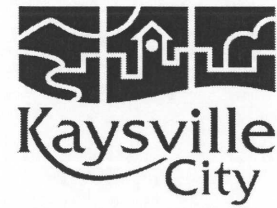
WARRANTY DEED ENTRY # 96433
BEGINNING AT THE NORTHEAST CORNER OF LOT 8, BLOCK 1, PLAT D, KANSVILLE TOWNSHIP SURVEY AND
RUNNING THENCE NORTH 8 FEET, THENCE WEST 73.03 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF
LOT 8, BLOCK 1, PLAT D, KANSVILLE TOWNSHIP SURVEY, THENCE NORTH 117.52 FEET TO THE WEST LINE OF A STREET, THENCE NORTH ALONG THE WEST LINE OF SAID STREET 165.5
FEET TO THE POINT OF BEGINNING.

WARRANTY DEED ENTRY # 1076986
BEGINNING AT THE NORTHEAST CORNER OF LOT 8, BLOCK 1, PLAT D, KANSVILLE TOWNSHIP SURVEY, CITY OF
KANSVILLE, KANSAS, THENCE NORTH 117.52 FEET TO THE WEST LINE OF A STREET, THENCE NORTH ALONG THE WEST LINE OF SAID STREET 165.5
FEET TO THE POINT OF BEGINNING.

CONTAINS 3.03 ACRES

LEGEND

PROPERTY LINE	---
ADJACENT PROPERTY	---
ROAD CENTERLINE	---
SECTION LINE	---
TIE TO MONUMENT	---
EASEMENT LINE	---
EDGE OF PAVEMENT	---
CURB, GUTTER, SIDEWALK	---
CHAIN LINE FENCE LINE	---
WALL	---
RECORD CALLS ()	()
SET UP BEARS WITH HMA ENTELLUS	●
CP, (DASHES CHANGES NOTED)	○
FOUND PROPERTY MARKER	○
(66 NOTED)	(66 NOTED)



Planning Commission Staff Report

Amendment to Kaysville City Annexation Policy Plan September 14, 2017

Description:

Kaysville City recently received a petition requesting that nearly 60 acres east of Highway 89 be considered for annexation into Kaysville City for the purpose of future development.

Per Utah Code 10-2-401.5 (1), no municipality may annex an unincorporated area located within a county unless that area is part of an adopted annexation policy plan.

Currently Kaysville City includes property that is adjacent to the area under consideration within the Wilderness Park. The remaining area along the southern edge of the area under consideration is already included within the Kaysville City Annexation Policy Plan as an area the city would consider annexing.

The petitioners are interested in the property coming into Kaysville City rather than Layton City for future development based primarily on the potential for providing culinary water to the site that would permit development at a higher elevation. While there will be many technical issues to work through should annexation be desirable, the Planning Commission should consider whether or not this meets the Statement of Specific Criteria listed below.

The first step in consideration of amending the Annexation Policy Plan is to hold a public meeting allowing affected entities (DEFINED BELOW) to examine the proposed annexation policy plan and to provide input on it. Notice has been provided via a mailer to affected entities as required per State Statute. After this public meeting an additional 10 days will be given to these entities to provide comment regarding the proposal. Once all comment from public entities has been received the planning commission will be required to hold a public hearing where a recommendation will be provided to the City Council after consideration of input received to that point.

Affected Entity: "Affected entity" means:

- (i) a county of the first or second class in whose unincorporated area the area proposed for annexation is located;
- (iii) a local district under Title 17B, Limited Purpose Local Government Entities - Local Districts, or special service district under Title 17D, Chapter 1, Special Service District Act, whose boundary includes any part of an area proposed for annexation;
- (iv) a school district whose boundary includes any part of an area proposed for annexation, if the boundary is proposed to be adjusted as a result of the annexation; and
- (v) a municipality whose boundaries are within 1/2 mile of an area proposed for annexation.

Annexation Policy Plan
(Most Recent Update)

Statement of Specific Criteria

The specific criteria that will guide the decision whether or not to grant future annexation petitions are:

1. The area to be annexed is compatible with the character of Kaysville City.
2. Municipal services are needed in the area to be annexed.
3. The plan for extension of municipal services into the area to be annexed is acceptable.
4. How the services in the area to be annexed will be financed is acceptable.
5. The estimated tax consequences to residents both currently within Kaysville City's boundaries and in the area to be annexed are acceptable.
6. The interests of all affected entities have been considered.

Justification for Excluding Urban Development Within ½ Mile

The areas containing urban development within ½ mile of Kaysville City's boundaries that have been excluded from the Kaysville City Expansion Area are within another city or can be better served by another city.

Statement Addressing any Comments

Farmington City correspondence strongly opposed the inclusion of 23 acres of property on the north side of 1800 North Street. The benefits to Kaysville of annexing the property would not offset the costs, so the property was deleted from the Area Kaysville City Anticipates Annexing.

The Mutton Hollow Improvement District (District) requested that all of Mutton Hollow Road or none of it be included in the Area Kaysville City Anticipates Annexing. District correspondence highly recommended that the 2005 plan be retained in order to preserve the integrity of the District water system and to comply with the long term wishes of most residents in the area to align with Kaysville City rather than Layton City. The 2005 plans show that Layton City and Kaysville City each anticipate annexing about half of the District and half of the water system. The discrepancy was discussed with District representative who states that the Area shown on the 2005 Plan was preferred over all other configurations, so it was shown on the Map.

Recommendation:

As of the date of this report Kaysville City staff has not received any comment from the affected entities which were mailed notice of this meeting.

The Planning Commission should direct staff to implement any changes it sees appropriate based on its understanding of the proposal and the comments received from the affected entities to be ready for review at a public hearing at the next possible meeting.

Attachment 1: Map of Kaysville City Expansion Area

Map of Kaysville City Expansion Area

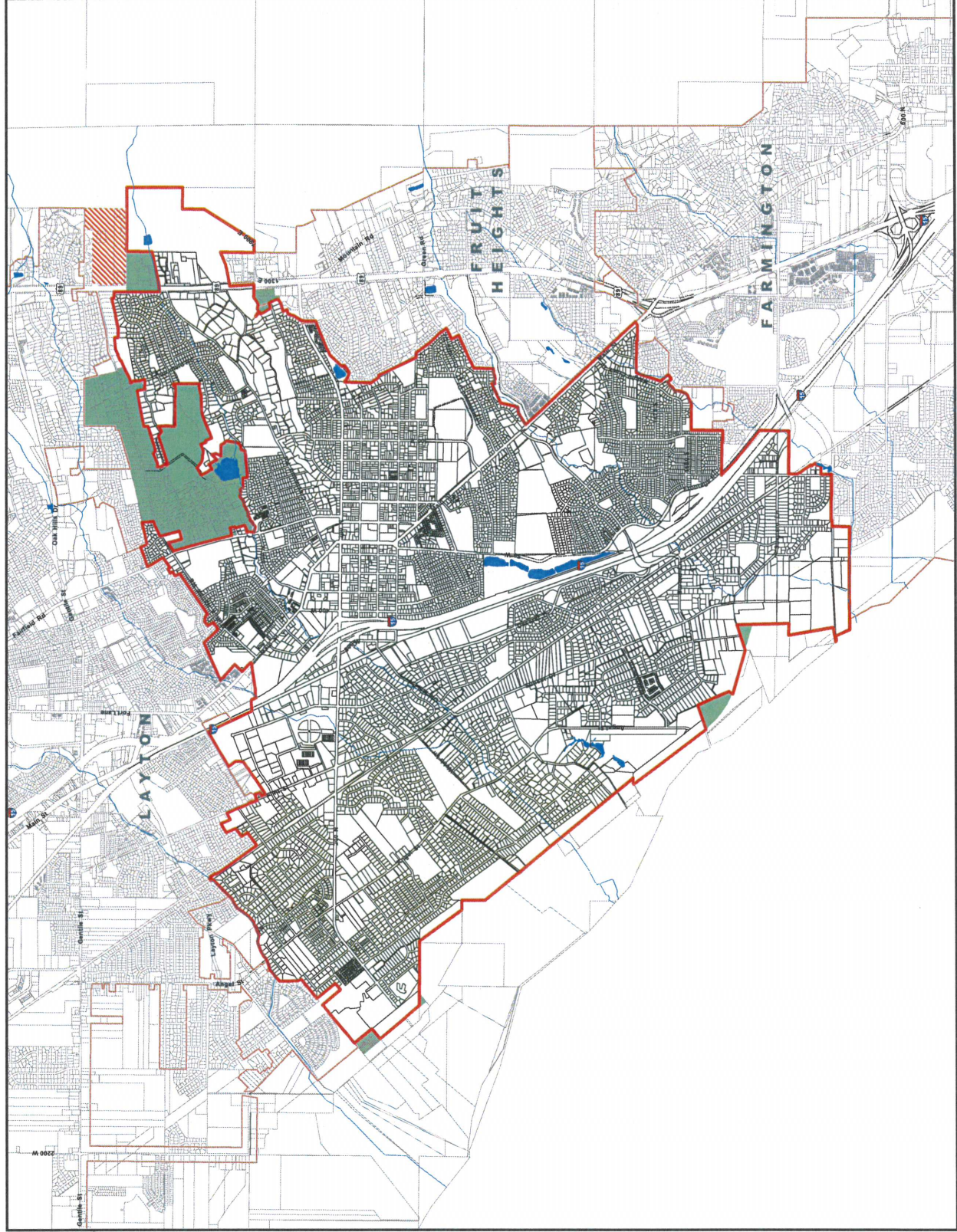
- City Boundary
- Area Kaysville City Anticipates Annexing
- Area being considered for Kaysville City Expansion



Miles
0 0.25 0.5



December 2014



KAYSVILLE CITY PLANNING COMMISSION

August 10, 2017

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

Excused: Gary Bullock, Thomas Wood

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

Others Present: Council Member Larry Page, Ron Houskeeper, Brian Wall, Dino Pasqua, Vicki Pasqua, Carla Whitaker, Dave Whitaker, Lisa Purdie, Dwight Bird

OPENING

The Planning Commission meeting was held on Thursday, August 10, 2017 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present. The minutes of the July 27, 2017 meeting was presented for approval.

Stroh DeCaire made a motion to approve the minutes of the July 27, 2017 meeting. Lorene Kamalu seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, ELECTRICAL CONTRACTOR AT 375 WEST PADDOCK LANE – RONALD HOUSKEEPER

Lyle Gibson explained that Ronald Houskeeper is an electrical contractor and is requesting to use a room in his home as an office to do bookkeeping, schedule appointments and process paperwork. He has arrangements to keep materials and equipment offsite. He does have a work vehicle that will be parked at his home, and employees would never come to his home.

Ron Houskeeper said that his wife does the paperwork for his business and wanted the ability to work from home. The business main office is located in Layton where he has employees, meets with clients, and their equipment is stored.

Matthew Anderson made a motion to grant a conditional use permit for a major home occupation “B”, electrical contractor at 375 West Paddock Lane for Ronald Houskeeper. Stroh DeCaire seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 711 EAST CRESTWOOD ROAD – RUSTIN JESSEN

Lyle Gibson explained that Mr. Jessen recently purchased the property at 711 East Crestwood Road and is requesting a conditional use permit in order to keep chickens on his property. The property is 2.04 acres, which would allow him to keep nearly two-hundred chickens, however he currently only has six hens and does not have any plan to keep any more than that. Staff had not received any complaints at Mr. Jessen's previous location where he had kept the animals before. Mr. Jessen has a coop and enclosed area on the subject property that will appropriately contain the animals on site.

Lorene Kamalu made a motion to grant a conditional use permit for farm animals at 711 East Crestwood Road for Rustin Jessen. Matthew Anderson seconded the motion and it passed unanimously.

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

Lyle Gibson explained that the Planning Commission recently held a Public Hearing for this item, and a motion was made to recommend approval of the requested rezone to the HC zoning district subject to an acceptable development agreement. A development agreement has since been drafted, which is now being presented to the Planning Commission for consideration. In previous discussion, there was a general support for the HC zone and an assisted living center, however concerns were brought up relating to the use of this property and the street network connectivity in the area, specifically 550 East Street. Because the road configuration of 550 East Street is not part of this portion of the development, it will not be reviewed until the rest of the subdivision is developed. The Commission needs to review the development agreement and consider if it is adequate. Items to consider might include if there is adequate landscaping shown, as well as sufficient parking for the seventy-five bed facility being proposed. The city ordinance does not specifically outline how many parking stalls should be required, but rather leaves it up to the discretion of the Planning Commission to decide. There are currently thirty-four stalls being shown on the draft layout of the property. The developer will also need to demonstrate that their design demonstrates compliance with the International Fire Code, and that fire apparatus be able to access all points of the facility so that a fire truck would be able to park within one hundred and fifty feet from all points of the building.

Betty Parker said that she would like to see something in the development agreement restricting the type of use on this property so it cannot be changed should the property be sold.

Lorene Kamalu commented that when the Commission reviewed this development previously the concept layout showed a small parking lot on the northeast side of the property taking access off 550 East Street. Neighbors expressed concern about that parking lot, and Ms. Kamalu commented that she is glad to see that it has been removed from the layout.

Lyle Gibson said that the developer plans to plant trees along the northern property line to help mitigate the impact on neighboring properties.

Dave Whitaker said that he had shown the current plat to some of the neighbors and was given positive feedbacks about the revisions. He has also been working with UDOT regarding access onto Main Street, and was given verbal approval to have access as long as the driveway lines up directly across from Burton Lane. Because of this approval, public access onto 550 East Street is no longer needed. Mr. Whitaker indicated that he has an interested buyer that did not want to purchase the property until it was rezoned to the HC zone. That interested buyer develops and manages these types of assisted living facilities, and therefore while he is applying for the rezone he will not be the one to build the facility.

Stroh DeCaire asked about the property directly south of Mr. Whitaker's.

Dave Whitaker responded that the property owner no longer wants to live on busy Main Street and therefore is selling the property. As part of the purchase, Mr. Whitaker has made a deal to help relocate her to another location. Once the property is purchased there will be sufficient room to build the access road for the assisted living facility. The home will need to also take access off of that new driveway. The facility will look similar to what has been built by the purchaser previously because they know the layout will work well and will be aesthetically pleasing.

Lisa Purdie said that she lives directly behind the Whitaker's and feels that the sixty beds this was originally presented with was already too many for this facility. Ms. Purdie said that she has visited similar sized facilities and there is always a lot of traffic. Allowing more beds will bring more traffic and noise. Ms. Purdie said that while she appreciates seeing how much landscaping is already planned, she feels there still needs to be more.

Dave Whitaker responded that while they are willing to put in what landscaping is needed, they don't want to put in too many trees so it looks overcrowded or cluttered.

Josh Sundloff asked about future development for the rest of the property.

Andy Thompson responded that Mr. Whitaker is consolidating three separate parcels to create one lot for the assisted living facility. Sometime in the future he has also indicated plans to subdivide the rest of his land and create a few single family lots. He will have to come back through a separate approval process for that development and at that point the extension of 550 East Street will be considered.

Josh Sundloff commented that the configuration of the proposed driveway might be difficult for cars to maneuver if there are more than a couple cars waiting to turn onto Main Street. Mr. Sundloff pointed out that the northern and southern elevation drawings had been mislabeled in the development agreement and will need to be fixed before it is approved. The design of the building is aesthetically pleasing and will fit well into the area. Mr. Sundloff also added that if this property were to be developed into residential homes, more traffic would be generated by those homes than by this type of use.

Dave Whitaker said that UDOT has said that if this property were to be developed as residential then they would not allow access onto Main Street. It is likely that this facility will not impact traffic along 550 East Street because no traffic will take access off of it. If it were to be developed for residential use then all of those homes would be using interior streets, including 550 East Street. Mr. Whitaker added that they hope to have the assisted living facility opened before the end of 2018.

Andy Thompson added that when the Whisper Creek Subdivision was first proposed there was a lot of discussion about having 550 East Street connect to Whisper Creek Drive and there were many residents who expressed the desire to have another road connection to Main Street. The City feels that a public street should be created connecting these two roads. When 550 East Street and Whisper Creek Drive were approved it was under the stipulation that they would be connected in the future. Currently, if either road were to be finished as a cul-de-sac the city would be creating an illegal cul-de-sac and provisions might need to be made to change the ordinance or create a variance. Those options will be reviewed when the rest of the property is developed.

Matthew Anderson asked about the fire code requirements.

Dave Whitaker said that the plans will be reviewed by the Fire Department and Building Department to ensure it meets the requirements of the fire code.

Josh Sundloff asked about landscaping requirements.

Lyle Gibson said that they are required to have a minimum of ten percent of landscaping on the site, and trees must be planted every thirty feet along Main Street.

Josh Sundloff asked that evergreen trees not be planted along Main Street.

Dwight Bird said that he lives just north of the property and would also like to see some kind of assurance that the use will remain the same on the property.

Dino Pasqua said that he would prefer to see an assisted living facility built rather than more residential rooftops because if it does remain residential then it is very likely that a connecting street will be built.

Josh Sundloff said that he feels that not much additional traffic would be created by creating a road connection here because it's not a direct through street to Main Street. It seems more likely that most traffic would continue to use Laurelwood Drive because it is more direct.

Vicki Pasqua said that the connecting road shouldn't be built if it's not wanted by those who live here. The city needs to consider the safety of the residents.

Lorene Kamalu commented that she had recently been contacted by the Dark Sky Association who works to protect the night sky from light pollution. Ms. Kamalu asked what kind of exterior

lighting is planned.

Dave Whitaker said that they have lighting engineers who will assure they meet federal, state and city ordinances to protect from light pollution. They want the residents of the facility to be able to live comfortably, as well as not impact the surrounding neighborhood. They want to keep it as much of a residential feel as possible.

Lorene Kamalu said that when Smith's Marketplace was built specific requirements were outlined in their development agreement about what type of lighting can be used and asked that this development have similar requirements.

Stroh DeCaire made a motion to recommend approval of the development agreement and request to rezone 2.84 acres of property at 701 South Main Street from R-1-8 (Single Family Residential) to the HC (Health Care) zoning district for Dave Whitaker with the condition that exterior lighting and appropriate fire service access be included in the development agreement. Matthew Anderson seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lyle Gibson said that the Utah League of Cities and Towns is holding their Annual Convention on September 13-15, 2017 in Salt Lake City. Thursday is considered "Planners Day" and it would be beneficial for the Planning Commission to attend.

Lorene Kamalu commented that she had a neighbor of Mr. Whitaker contact her with concerns about noticing for his proposed development.

Lyle Gibson responded that mailed notice was sent to property owners within five-hundred feet of Mr. Whitaker's property for the Public Hearing for Mr. Whitaker's rezone request. Mailed notice was not sent for tonight's meeting because no Public Hearing was scheduled.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, August 24, 2017 at 7:00 p.m.

ADJOURNMENT

Lorene Kamalu made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:00 p.m.

14 September 2017 Agenda

KAYSVILLE CITY NOTICE OF PUBLIC MEETING

Notice is hereby given that the Kaysville City Planning Commission will hold a public meeting on Thursday, September 14, 2017, at 7:00 p.m., in the Council Room of the Kaysville City Municipal Center, 23 East Center, Kaysville, to consider:

Consideration of an amendment to the Kaysville City Annexation Policy Plan Expansion Area Map by adding an additional 61 acres of property to the map located east of Highway 89 between Kaysville City and Layton City.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by August 25, 2017.

Lyle Gibson, Zoning Administrator

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