

14 September 2017 Minutes

KAYSVILLE CITY PLANNING COMMISSION

September 14, 2017

Members Attending: Vice-Chairperson Stroh DeCaire, Matthew Anderson, Gary Bullock, Lorene Kamalu, Joshua Sundloff

Excused: Betty Parker, Thomas Wood

Staff Present: City Engineer Andy Thompson, Secretary Annemarie Plaizier

Others Present: Alan Hilton, Todd Hilton, Porter Heusser, Frank Ferrante, Bill Day, Chris Trujillo, Chaleh Trujillo

OPENING

The Planning Commission meeting was held on Thursday, September 14, 2017 at 7:00 p.m. in the Municipal Center.

Vice-Chairperson Stroh DeCaire opened the meeting by welcoming those present. The minutes of the August 10, 2017 and August 24, 2017 meetings were presented for approval.

Lorene Kamalu made a motion to approve the minutes of the August 10, 2017 and August 24, 2017 meetings. Matthew Anderson seconded the motion and it passed unanimously.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, CONTRACTOR AT 288 WEST 350 SOUTH – BILL DAY

Andy Thompson explained that Bill Day is a contractor and would like to have an office from his home at 288 West 350 South. Mr. Day does waterproofing and caulking and would use his home to do paperwork and set appointments. The tools and materials used for jobs will be stored in his vehicle or garage. There should be no outside storage of equipment or supplies.

Matthew Anderson made a motion to grant a conditional use permit for a major home occupation “B”, contractor at 288 West 350 South for Bill Day. Gary Bullock seconded the motion and it passed unanimously.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR HILTON HOMES SUBDIVISION LOCATED AT 289 NORTH 700 EAST – TODD HILTON

Andy Thompson explained that the Hilton's own the property at 289 North 700 East and are proposing a subdivision plat consisting of three total lots, including the existing home on the property. The property is already improved with curb, gutter, and sidewalk along all sides. The lots all meet the requirements of the R-1-8 zone, as well as the frontage width of sixty feet.

Vice-Chairperson Stroh DeCaire opened the Public Hearing.

There were no comments or questions from the public. Vice-Chairperson Stroh DeCaire closed the Public Hearing.

Josh Sundloff commented that this is a good example of an infill development and is an appropriate use of the property.

Lorene Kamalu commented that she was glad to see that each lot will have their own access and won't have to share a driveway.

Matthew Anderson made a motion to recommend preliminary plat approval for Hilton Homes Subdivision located at 289 North 700 East for Todd Hilton. Lorene Kamalu seconded the motion and it passed unanimously.

PUBLIC HEARING AND AMENDMENT OF THE KAYSVILLE CITY ANNEXATION POLICY PLAN

Andy Thompson explained that Kaysville City recently received a petition to potentially annex sixty acres east of Highway 89 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 East Mountain Wilderness Park. The remaining area along the southern edge of the area under consideration is already included within the Kaysville City Annexation Plan as an area the city would consider annexing. The petitioners are interested in the property being annexed into Kaysville City rather than Layton City 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 in the Annexation Policy Plan. The first step in considering amending the Plan is to hold a public meeting tonight, allowing affected entities to examine the proposed amendment to the Annexation Policy Plan and to provide input to it. Notice has been provided via a mailer to affected entities as required per State Statute. After the public meeting, an additional ten days will be given to these entities to provide comment regarding the proposal. Once all comment has been received, the Planning Commission will be required to hold a separate Public Hearing where a recommendation will be provided to the City Council after consideration of input received to that point. Since sending the mailers, Staff has received some comments from affected entities who had neutral comments and some questions about how services would be provided. No formal vote needs to be taken tonight, but rather the Planning Commission should direct Staff if they feel changes need to be implemented.

Stroh DeCaire asked about the current annexation plan map and how much it has changed in this subject area since the map was outlined.

Andy Thompson responded that many of the properties to the north have been annexed into Layton City.

Matthew Anderson asked how Layton City felt about this annexation.

Andy Thompson responded that Layton City would prefer to not have the property in their city because of the complexity of providing services to that property. Kaysville has similar concerns and are unsure if it's even feasible to be able to provide services, however there is no consequences to listing the property on the annexation policy plan map.

Vice-Chairperson Stroh DeCaire opened the Public Hearing.

Frank Ferrante said that he represents the Mutton Hollow Improvement District and they are concerned about how this property being annexed might affect their ability to access their water tank that sits on this property.

Stroh DeCaire commented that unfortunately that is not an answer that the city can provide at this point.

Chris Trujillo, representing the developers of this property stated that the Mutton Hollow District should still be able to continue to get water access via the tank even after this property is developed.

Lorene Kamalu asked about access for this property.

Chris Trujillo responded that currently there is only private access to the property, but it's likely a new development would take access from Highway 89.

Andy Thompson said that this is the first step for this property to be able to be considered for annexation. If this gets approved the next step would be holding a public hearing and considering the application for annexation.

Gary Bullock asked if the other property owners want to be annexed to Kaysville as well.

Chris Trujillo said that they are still working with a couple of property owners to sign the annexation petition.

Gary Bullock asked if the developers had formally petitioned to annex the property into Layton City.

Chris Trujillo said that they had only had casual discussions with Layton City. No formal submissions were made.

There were no further comments or questions from the public. Vice-Chairperson Stroh DeCaire closed the Public Hearing.

Gary Bullock asked if water and sewer services would have to be brought across Highway 89.

Andy Thompson responded that the City is already servicing residents just south of this property in Kaysville City boundaries. There is a water tank near here that would probably be able to serve much of the property.

CALL TO THE PUBLIC

Nothing was brought under this item.

REPORTS

Lorene Kamalu said that she recently had a resident ask her about how to obtain a kennel license to breed dogs.

Andy Thompson responded that there are some lot size and zone requirements in order to obtain a kennel license, which requires that a conditional use permit be approved as well.

Lorene Kamalu stated that during the week she had had the opportunity to attend the Utah League of Cities and Towns Annual Conference in Salt Lake and there was much discussion about land use code. It was discussed that many cities need to update their city codes. We need to be continuously updating our ordinances or we might become vulnerable. The Planning Commission should take time to go through new statutes and laws, and amend city ordinances if necessary. The language of city ordinances should also be very clear so that it can't be misinterpreted.

CALENDAR

The next regularly scheduled meeting will be held on Thursday, September 28, 2017 at 7:00 p.m.

ADJOURNMENT

Matthew Anderson made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 7:35 p.m.