

1. Planning Commission Meeting Materials

Documents:

[9 NOVEMBER 2017 PACKET.PDF](#)
[9 NOVEMBER 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, November 9, 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 October 12, 2017.
2. Public hearing and request to rezone 0.64 acres of property at 845 West 200 North Street from R-1-20 (Single Family Residential) to the HC (Health Care) zoning district – Wellness Properties.
3. Public hearing and preliminary and final plat approval for Apple Blossom Subdivision at 64 South Angel Street – Ivory Homes.
4. Interpretation of Kaysville City Ordinances 17-32-2 “Off-Street Parking” and 17-31-35 “Telecommunications Towers”.
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, November 3, 2017.


Lyle Gibson
Zoning Administrator



Planning Commission Staff Report

Rezone of 0.64 acres of property at 845 West 200 North Street from R-1-20 (Single Family Residential) to the HC (Health Care) zoning district. November 9, 2017

Applicant/Owner: Wellness Properties

Description:

Wellness Properties already owns and operates a residential treatment facility at the subject address. This use in short creates a supportive group living environment for persons working to overcome substance abuse. The current residents have already gone through multiple steps in their recovery before being put into the group living environment.

The applicant is requesting the HC zoning district for the property in order to expand upon the current purpose of the facility and allow for additional treatment of its patients including medical detox. The change would allow individuals to progress through different stages of recovery under one roof.

Recommendation:

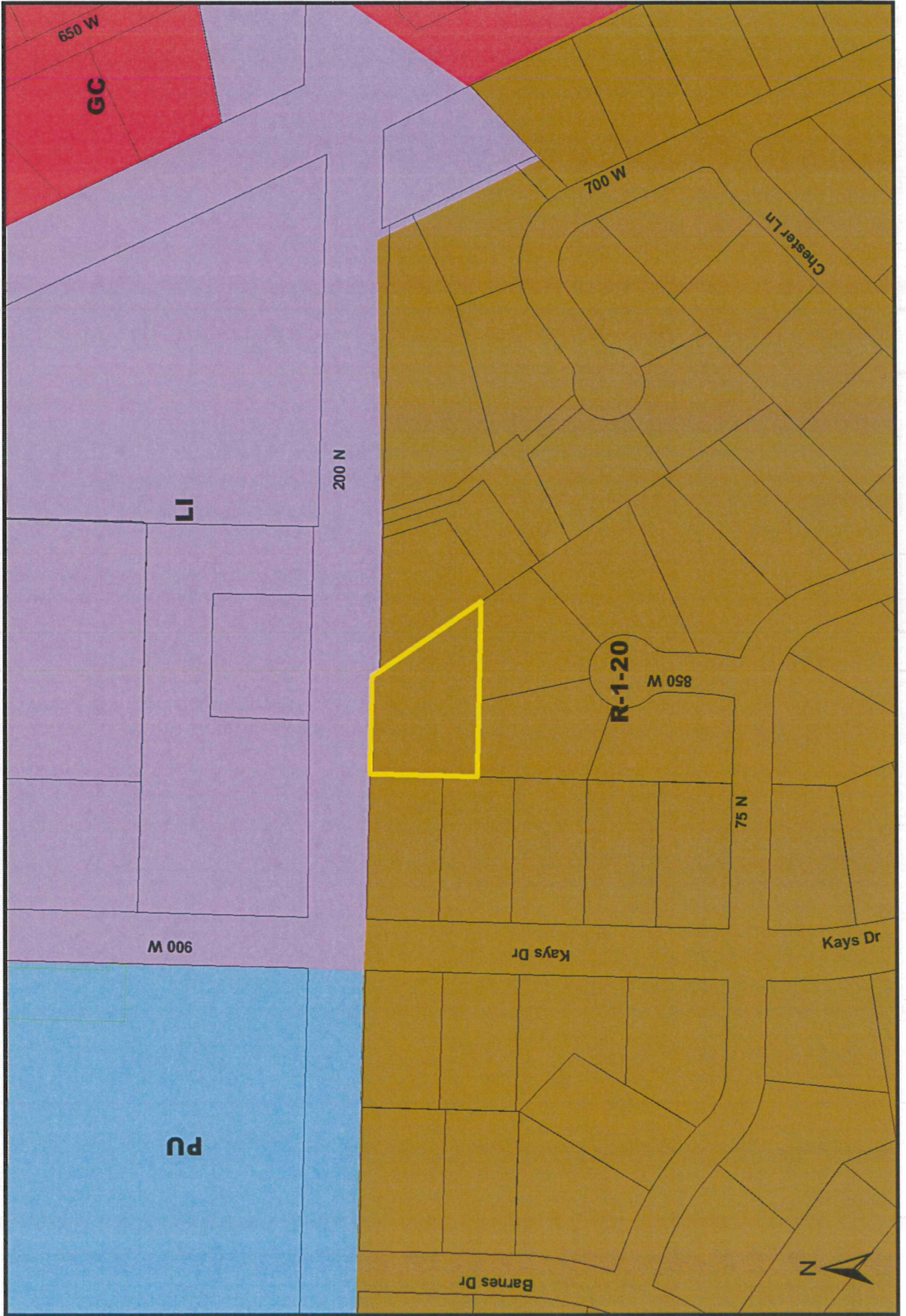
The Planning Commission should review the uses allowed in the requested zone and the current proposal. Considering the proposal, the location, and the general plan the Planning Commission should make a recommendation to the City Council as to whether or not the rezone request is appropriate and whether or not a development agreement is necessary.

Attachment	1:	Location Map
Attachment	2:	Area Zoning Map
Attachment	3:	General Plan Excerpts
Attachment	4:	Health Care Zoning Ordinance

Rezone of 845 West 200 North Street from the R-1-20 to the HC zoning district.



Rezone of 845 West 200 North Street from the R-1-20 to the HC zoning district.



General Plan Excerpts

COMMUNITY

Goals and Policies

I. Identity and Character

- A. Kaysville should be primarily a residential community with a vision to promote business, industry and public use.
- B. The City should preserve and strengthen family orientation, public order, personal safety and security.
 - 1. Strengthen each public safety agency, upgrade equipment and add personnel as needed.
 - 2. Provide public safety education and harm prevention programs.
 - 3. Involve the public in community safety, personal security and emergency preparedness activities.
- C. The sense of cohesive community should be preserved and enhanced.
 - 1. Provide meeting places, functions, and events.
 - 2. Promote organizations and activities that meet community standards.
- D. The cultural heritage of the City should be promoted by using genuine architecture to continue the Kaysville story.

II. Defining Features

- A. The City Center should be developed as a traditional main street.
 - 1. Create a large and varied grouping of uses to sustain civic and economic activity.
 - 2. Interconnect all sites for pedestrian and vehicular access.

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 long-term 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.

LAND USE

Background Land use in Kaysville is mostly low density residential with agriculture and open space, businesses and industries. Housing will be the greatest use of land with business, industry, recreation, education, and other uses to support that housing.

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.

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.



Planning Commission Staff Report

Preliminary and Final Plat for the Apple Blossom Subdivision Consisting of 7 Lots on 2.98 acres. November 9, 2017

Applicant/Owner: Ivory Homes
Location: 64 South Angel Street
Zone: R-1-14

Description:

Recently this same property was rezoned to the R-1-14 zoning district. As part of that rezone approval a concept plan was submitted which included 7 lots consistent with the attached final plat.

Among other comments received during the rezone process, were concerns regarding storm water runoff. This property slopes away from the road and toward the existing homes to the west, making it very difficult to get to water off of the property and into the street and existing storm drain system. The proposed plans provide for the storm water from the new cul-de-sac and the front of the each lot to be collected in the storm drain in Angel Street, however the back part of each lot will drain to the rear yard and be held on the lot with a berm.

While this proposed storm water plan exceeds the minimum designed criteria of the City Code, it will create temporary ponding in the back of each lot after a rain storm.

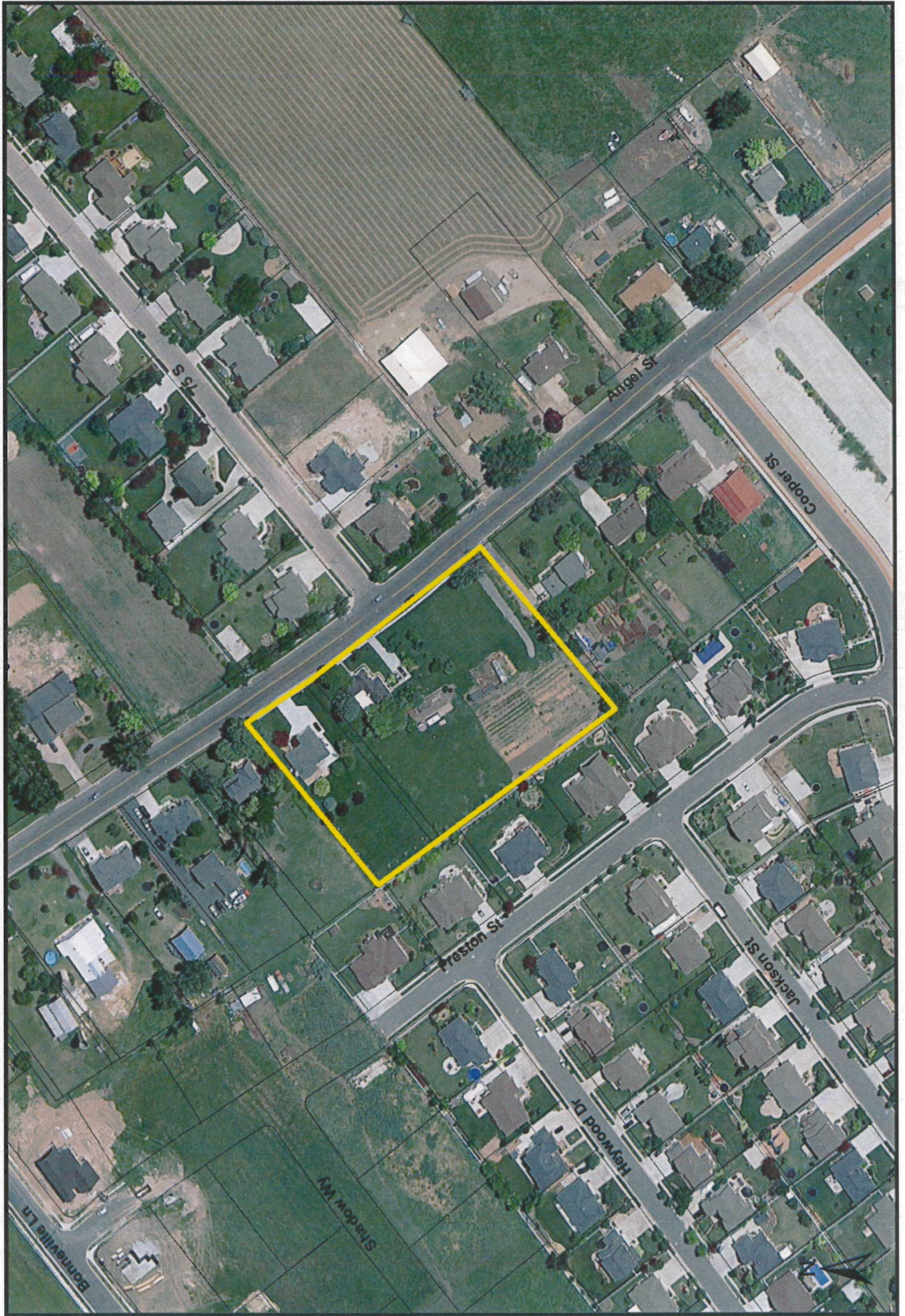
Recommendation:

Staff recommends that if the Planning Commission is comfortable with the proposed plan that they forward a positive recommendation to the City Council for the approval of the preliminary and final plat for the Apple Blossom Subdivision.

If the Commission is not comfortable with the proposed storm water plan, it is suggested that only the preliminary plat be approved at this time and the final plat come back at a later meeting.

Attachment	1:	Area Map
Attachment	2:	Final Plat
Attachment	3:	Drainage Plan

64 South Angel Street



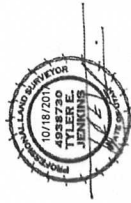
AMENDING THE CHARLES BARBER SUBDIVISION
PARCEL NUMBER 11-379-0001, 11-094-0085 AND 11-094-0090

LYING WITHIN THE SOUTHEAST QUARTER (SE 1/4) OF
SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
KAYSVILLE CITY, DAVIS COUNTY, UTAH

I, TYLER E. JENKINS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4938730 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREFTER TO BE KNOWN AS:

APPLE BLOSSOM SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

[illegible]

SOUTH 89° 53' 20" WEST, BEING THE BEARING OF THE SECTION LINE BETWEEN TWO FOUND WITNESS MONUMENTS MONUMENTING THE BEARING OF THE SOUTH SECTION LINE OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS:

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND AND RIGHTS-OF-WAY AS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE AND DO HEREBY GRANT TO EACH PRIVATE UTILITY COMPANY AND PUBLIC UTILITY AGENCY PROVIDING UTILITY SERVICES TO THIS PROJECT, A PERPETUAL NON-EXCLUSIVE EASEMENT IN ALL AREAS SHOWN HEREIN TO INSTALL, MAINTAIN, REPAIR AND REPLACE AS REQUIRED, UNDERGROUND UTILITY LINES, PIPES AND CONDUITS OF ALL TYPES AND APPURTENANCES THEREOF SERVING THIS PROJECT.

NAME: CHRISTOPHER P. GAMVROULAS
TITLE: PRESIDENT OF IVORY DEVELOPMENT

ON THE _____ DAY OF _____ A.D., 2017, CHRISTOPHER GAUVRIOLLAS PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SALT LAKE IN THE STATE OF UTAH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE PRESIDENT OF IVORY DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNERS DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID LIMITED LIABILITY COMPANY FOR THE PURPOSES THEREIN.

NOTARY PUBLIC _____ COMMISSION NUMBER _____ SIGNATURE _____

A NOTARY PUBLIC COMMISSIONED IN THE STATE OF UTAH. COMMISSION EXPIRES _____

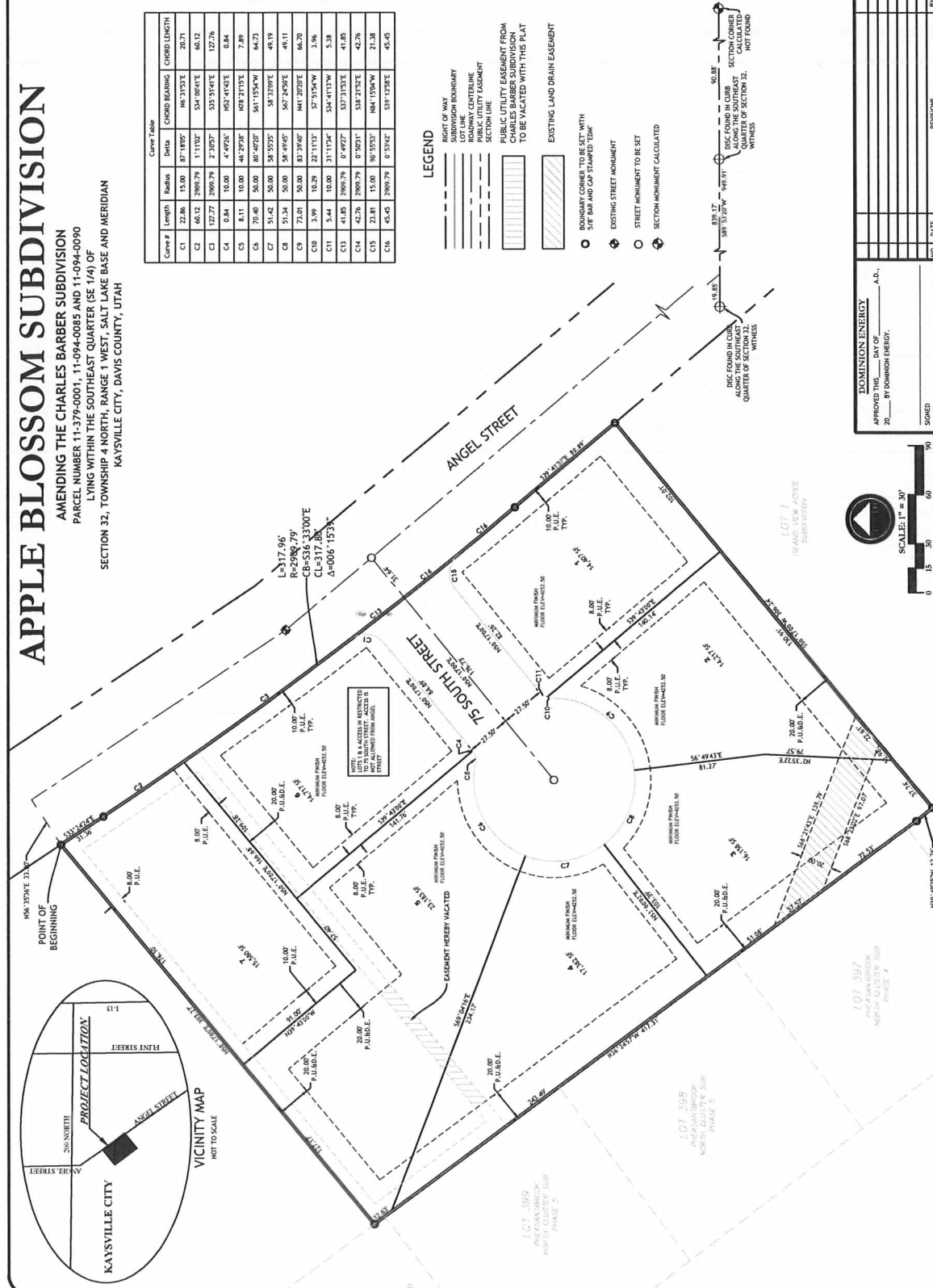
STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST
OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE _____
COUNTY RECORDER

Core Table			CHORD BEARING		CHORD LENGTH
Core #	Length	Radius	Delta	NS-13°35'E	20.71
C1	22.86	15.00	87°1859"	NS-13°35'E	66.12
C2	22.86	15.00	87°1859"	S44°06'11"E	127.76
C3	127.77	2869.79	1°1130"	S33°51'41"E	0.84
C4	0.84	10.00	4°3952"	N82°41'03"E	7.89
C5	8.11	10.00	48°2958"	N82°21'55"E	64.73
C6	70.40	50.00	80°4207"	N41°15'58"W	49.19
C7	31.42	50.00	58°5553"	S42°13'09"E	49.19
C8	31.54	50.00	58°4645"	S67°24'05"E	49.11
C9	73.01	50.00	43°3940"	S41°20'01"E	66.70
C10	3.99	10.29	22°1131"	S71°59'31"E	3.96
C11	5.44	10.00	31°1734"	S54°41'53"W	5.38
C13	41.85	2869.79	0°4927"	S37°13'32"E	41.85
C14	42.76	2869.79	0°5051"	NS-23°32'E	42.76
C15	23.81	15.00	90°5355"	N84°15'06"W	21.38
C16	15.00	45.45	2869.79	0°3342"	45.45
C17	45.45	2869.79	0°3342"	S37°13'09"E	45.45

RIGHT OF WAY
ADJUNCTION BOUNDARY
LOCAL
ROADWAY CENTERLINE
PUBLIC UTILITY EASEMENT
SECTION LINE

PUBLIC UTILITY EASEMENT FROM
CHARLES BARBER SUBDIVISION
TO BE VACATED WITH THIS PLAT

EXISTING LAND DRAIN EASEMENT



APPROVED THIS _____ DAY OF _____ A.D.,
20____ BY DOMINION ENERGY

20. _____ BY DOMINION ENERGY.

SIGNED _____

PRESENTED TO KAYSVILLE CITY THIS ____ DAY
OF ____ A.D., 20____ AT WHICH TIME THIS
SUBDIVISION WAS APPROVED AND ACCEPTED.

Figure 1

ATTEST: MAYOR

APPROVED THIS _____ DAY OF _____ A.D.,
20____ BY THE KAYSVILLE CITY PLANNING
COMMISSION.

CHAIR, KAYSVILLE CITY PLANNING COMMISSION

APPROVED AS TO FORM THIS _____ DAY
OF _____ A.D., 20_____.

KAYSVILLE CITY ATTORNEY

HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED
THIS PLAT AND IT IS CORRECT IN ACCORDANCE
WITH INFORMATION ON FILE IN THIS OFFICE

DEVELOPMENT AND GROWTH OF FISH IN THIS SYSTEM

SPRINGFIELD CITY ENGINEER

APPROVED THIS _____ DAY OF _____ A.D.,
BY DAVID AND MEMBER COUNTIES CANAL CO.
CANAL COMPANY
DAVID AND MEMBER COUNTIES

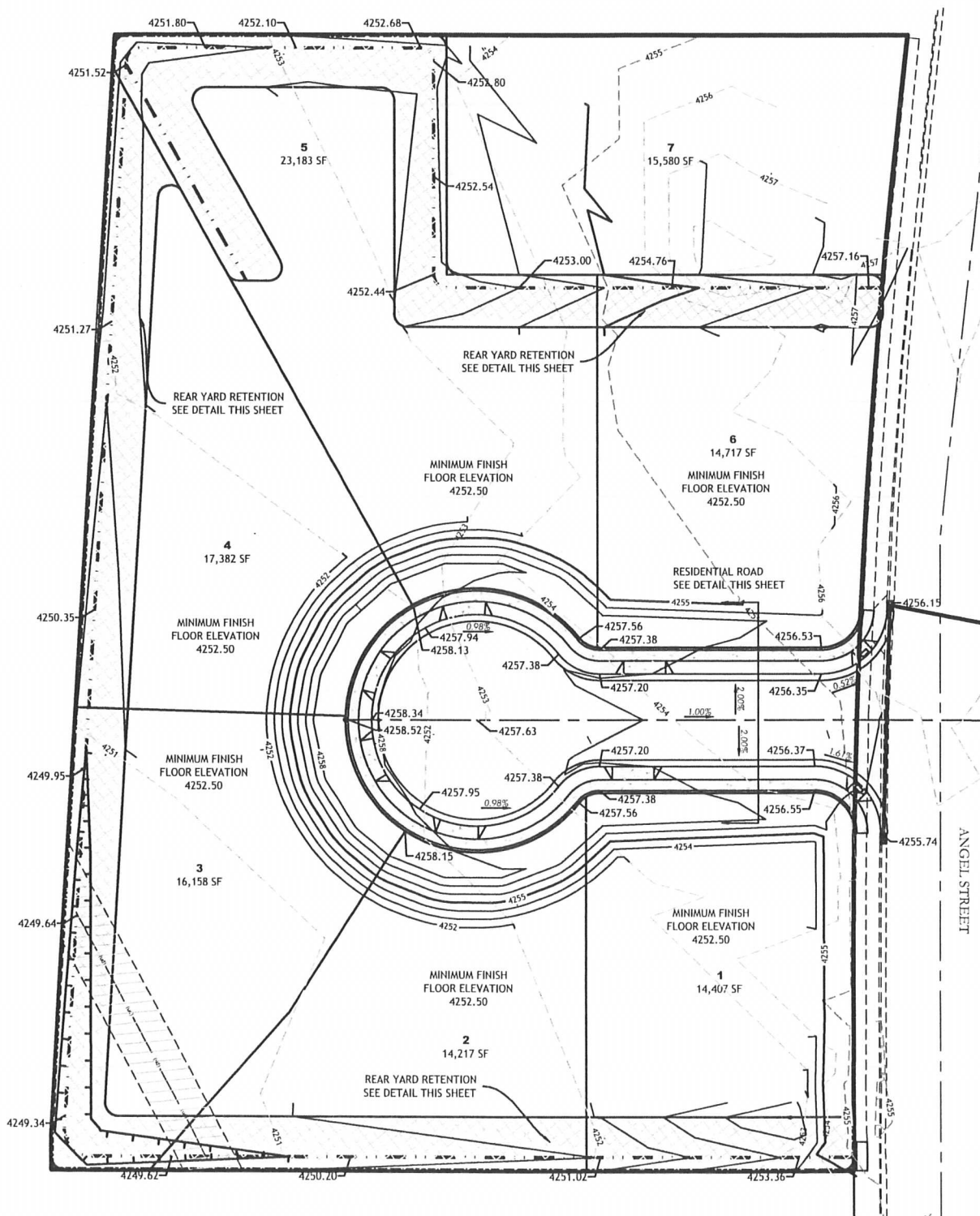
—BY DAVID AND HELEN COUNTILL CORRE CO.

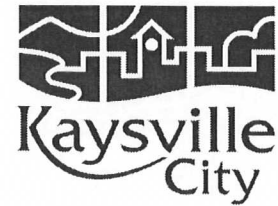
GNEB

PROVED THIS _____ DAY OF _____ A.D.,
_____ BY KATSVILLE POWER.

10

SIGNED _____





Planning Commission Staff Report

Interpretation of Kaysville City Ordinance – 17-32-2 Off-Street Parking and 17-31-35 Telecommunications Towers November 9, 2017

Location: 2097 West 200 North
Zone: GC (General Commercial)

Description:

In May of this year the Planning Commission approved a conditional use permit for a new cell tower at the subject property. Since that time the applicant has been proceeding to have all the appropriate approvals in place prior to construction.

In review of the building permit Kaysville City staff has requested that a paved access be provided to the site to ensure that the tower owners and other agencies have adequate access to service the site. Without adequate access, there are concerns that large service vehicles may get stuck in adverse conditions and that mud and dirt will be tracked into the streets from vehicles driving to the property.

An access road or drive was not a requirement of the conditional use process, however staff has requested a road or drive based on its interpretation of Chapter 17-32, Off-Street Parking and Loading. Particularly 17-32-1 (1) and (6)e. An agreement verifying the right to access the property as proposed has been provided to staff. The applicant feels that existing conditions are adequate for accessing the site but has agreed construct a gravel/road base surface as access to the site in efforts to satisfy the request of City Staff

Action:

Staff is looking for an interpretation from the Planning Commission regarding the intent of the Ordinance regarding required access and surface treatment to a telecommunication facility. Does the proposed gravel/road base surface meet the requirements of Title 17?

- Attachment 1: Area Map
- Attachment 2: Site Plan
- Attachment 3: Minutes from CUP approval
- Attachment 4: Kaysville City Code – 17-32
- Attachment 5: Kaysville City Code – 17-32-25

2097 West 200 North - Proposed Cell Tower Location



PLANS PREPARED FOR

SMITH HYATT ARCHITECTS
445 SOUTH MAIN, SUITE 200, KAYSVILLE, UT 84037
801-286-3777 FAX 801-286-1677

RAGE DEVELOPMENT LLC
MLA PARTNER

ENGINEERING LICENSE
10-23-17

DRAWING NOTICE
THESE DOCUMENTS ARE CONFIDENTIAL AND ARE THE SOLE PROPERTY OF SPRINT AND MAY NOT BE REPRODUCED, DISTRIBUTED OR REUSED WITHOUT THE WRITTEN CONSENT OF SPRINT.

REVISIONS	DESCRIPTION	DATE	BY	REV
ISSUED FOR REVIEW		5/25/17	ASH	A
FINAL (VOX 01)		7/27/17	ASH	B
FINAL (VOX 02)		8/25/17	ASH	C
FINAL (VOX 03)		9/28/17	ASH	D
FINAL (VOX 04)		10/25/17	ASH	E

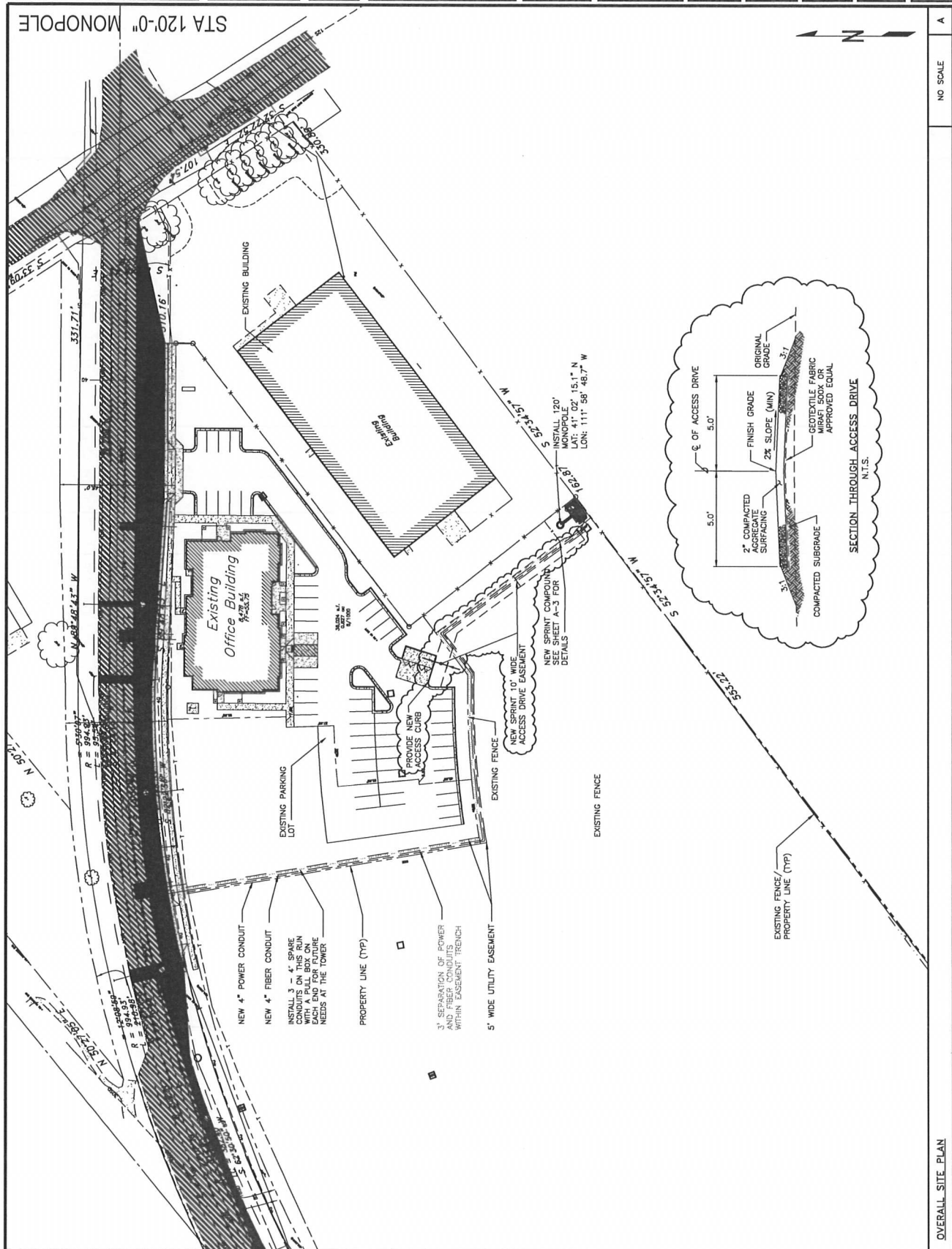
SITE NAME
KAYSVILLE

SITE CASCADE
SL80XC346

SITE ADDRESS
2033 WEST 200 NORTH
KAYSVILLE, UTAH
84037

SHEET DESCRIPTION
OVERALL SITE PLAN

SHEET NUMBER
A-2



Minutes from CUP approval

CONDITIONAL USE PERMIT FOR A TELECOMMUNICATION TOWER AT 2097 WEST 200 NORTH – SPRINT COMMUNICATIONS

Lyle Gibson explained that Sprint Communications is requesting a conditional use permit in order to construct a new cellular tower at 2097 West 200 North. The proposed tower is 120 feet tall and would be built with Sprint as the user in the top location, but would allow for co-location of additional equipment for two more users. There are not many telecommunication towers on the west side of the city and this will be very beneficial to help improve service to the area. Staff is recommending approval of the proposed tower with the following conditions:

1. Plans submitted for a building permit show the tower with potential equipment for additional users and also be designed to meet a 150 mile per hour wind speed, rather than the 100 mile per hour listed under City ordinance 17-31-25(5).
2. The number of co-locations be limited to two additional users, for a total of three users on the tower.
3. The fencing surrounding the tower site be opaque, with no visible barbed wire above the fencing.

Matthew Anderson asked if other cell towers in the area were already full of users.

Lyle Gibson said that most towers are either full, or only have space for one other user.

Rock Schutjer, representing Sprint Communications, said that the closest tower that they could co-locate to is in east Layton, but the amount of coverage gained by co-locating there would not be sufficient to meet demand.

Matthew Anderson asked if there were any practical way to make the tower look as unobtrusive as possible.

Rock Schutjer said that because the tower is so tall it is hard to do anything to help hide it. This tower won't look much different than the nearby high-voltage power lines. There will be three azimuths, with two antennas on each azimuth. As technology has improved, less antennas are required, they have better coverage. The industry has tried to address the aesthetics of these sites before but haven't come up with a good solution.

Lorene Kamalu asked what kind of noticing was given to adjacent property owners. When something as large as this is proposed it would be a good idea to notify the neighbors because it could be intrusive to the neighborhood.

Lyle Gibson commented that because the request is for a conditional use permit the city is not required to send mailed notification to adjacent property owners. There has been a public notice sign posted on the property as well as information posted on the city's website.

Dean Wall asked how the cellular tower will be powered and if there will be generators used.

Rock Schutjer responded that because the property is already under development it will be easy to install power and telephone lines underground as part of the construction. It will be self-contained, and the site will be completely enclosed with a fence.

Stroh DeCaire made a motion to grant a conditional use permit for a telecommunications tower at 2097 West 200 North for Sprint Communications with the following conditions:

1. Plans submitted for a building permit show the tower with potential equipment for additional users and be designed to meet a 150 mile per hour wind speed.
2. The number of co-locations be limited to two additional users, for a total of three users on the tower.
3. The fencing surrounding the site be opaque and the barbed wire not be visible above the fencing.

Josh Sundloff seconded the motion.

Voting was as follows:

Matthew Anderson	nay
Josh Sundloff	yea
Thomas Wood	yea
Lorene Kamalu	yea
Stroh DeCaire	yea

The motion passed with a vote of four to one.

Matthew Anderson commented that he voted against the motion because he would like to see that the site look more aesthetically pleasing.

Chapter 32 Off-Street Parking And Loading

17-32-1 Purpose

To reduce street congestion and traffic hazards in Kaysville City by incorporating adequate, attractively designed facilities for off-street parking and loading as an integral part of every use of land in the City.

17-32-2 Off-Street Parking

1. **General.** There shall be provided at the time of erection of any main building or at the time any main building is enlarged or increased in capacity, minimum off-street parking space with adequate provision for ingress and egress by standard-size automobiles in accordance with the requirements herein. Parking for each use shall be provided within the same zone district as the use. Only parking for permitted or conditional uses in the residential zone districts is allowed in residential zone districts.
2. **Size.** For the purpose of this section, one parking space shall be assumed to be two hundred (200) square feet, exclusive of adequate interior driveways.
3. **Access.** Adequate ingress and egress to all users shall be provided as follows:
 - a. Access for all uses except residential shall be by a maximum of one (1) driveway for each one hundred feet (100') of frontage on a public street, such driveways to be not over thirty-eight feet (38') in width. The City Engineer may allow wider driveways or more driveways based upon a traffic study, anticipated large truck traffic or high traffic volumes or other applicable factors.
 - b. Access for residential uses shall be by a maximum of two (2) driveways for each seventy feet (70') of frontage on a public street, such driveways to be not over thirty feet (30') in width, or less than ten feet (10') in width.
 - c. Access driveways shall not be closer to each other than twelve feet (12').
 - d. No residential driveway shall be closer than twenty feet (20') measured along the property lines to the point of intersection of two property lines at any corner.
 - e. In a commercial zone, no driveway shall be closer to an intersection of two streets than forty feet (40'). Combined driveway widths shall not cover more than fifty percent (50%) of the lot frontage.
 - f. Height, location, structural specifications, maximum and minimum curb radii permitted, and minimum roadway approach angles to the center line of the street are subject to City standards.
4. **Floor Area Defined.** Floor area in the case of offices, merchandising or service types of uses shall mean the gross floor area.
5. **Alternatives to On-Site Parking.** For any new use, structures, or building other than a dwelling, required off-street parking which due to the size or location cannot be provided on the premises may be provided on other property not more than five hundred feet (500') distant from the nearest point of the parcel, or for a use in a CC Commercial District, not more than six hundred feet (600') distant.
6. **Parking Areas, Development and Maintenance.** Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an automobile, farm equipment, or other open-air sales lot, shall be developed and maintained in accordance with the following requirements:
 - a. Public parking areas in all zones except Professional Business (PB), General Commercial (GC), Central Commercial (CC), and Light Industrial (LI) shall be separated from the property lines abutting streets by landscaped buffers of not less than four feet (4'). Public parking areas within ten feet (10') of residential uses shall be separated from property lines abutting residential uses by a

screening fence.

Public parking areas in the Professional Business (PB), General Commercial (GC), Central Commercial (CC) and Light Industrial (LI) Zones shall be separated from the property lines abutting streets by landscaped buffers of not less than ten feet (10').

Public parking areas in the General Commercial (GC) and Light Industrial (LI) Zones shall be separated from property lines abutting residential districts by landscaped buffers of not less than ten feet (10'). Such landscape buffers shall include at least one (1) two inch (2") caliper tree for every thirty linear feet (30') of landscaping. Public parking areas abutting residential districts shall also be adequately screened for noise and air pollution. Such screening may include a solid wall as determined by the City.

At least ten (10) square feet of landscaping for each parking space shall be provided within off-street parking areas. Such landscaping shall be in addition to the required landscaped setback areas and consist of at least fifty percent (50%) live plant materials. The remaining fifty percent (50%) may include mineral or nonliving organic permeable material such as rock or bark mulch.

The landscaping requirements of this subsection shall apply to the development of a new parking area, the expansion of an existing parking area, or an existing parking area where the building which uses the parking area is being expanded by fifty percent (50%) or more.

- b. Parking areas shall be graded for proper drainage.
- c. Every parcel of land hereafter used as a public parking area shall be paved with an asphalt cement concrete or portland cement concrete surface; shall have appropriate bumper guards where needed; and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles.
- d. Lighting used to illuminate a parking area shall enhance the safe circulation of pedestrians and vehicles and reflect light away from any adjoining properties or uses. Lighting of pedestrian ways is recommended.

17-32-3 Off-Street Loading

- 1. For every building or part thereof having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by a commercial or industrial use, to or from which delivery of materials or merchandise are regularly made by motor vehicle, there shall be provided and maintained, on the same lot, with such building, at least one (1) off-street loading space plus one (1) for each additional twenty thousand (20,000) square feet or major fraction thereof.
- 2. Each loading space shall be not less than fourteen feet (14') in width, twenty-five feet (25') in length, and fifteen feet (15') in height.
- 3. Such space may occupy any required yard or court except that if it shall be located closer than fifty feet (50') to any lot in any R-District, it shall be enclosed by a brick or stone wall or landscaping not less than six feet (6') in height.

17-31-25 Telecommunications Towers

1. Each person or company desiring to locate a telecommunication tower within the City shall submit a Site Location Master Plan. This plan shall be submitted and accepted by the Planning Commission prior to the processing of any permits for telecommunication towers. The plan shall identify existing locations of facilities, and approximate proposed locations of new facilities to provide service within City boundaries and the surrounding area for the ten (10) years following the date the plan is submitted. These estimates shall be based on projected population growth and anticipated development. The applicant shall provide the City with the owner's current name, address, and an emergency telephone number for each facility.
2. The owner of any telecommunication tower shall consent to two co-locations (in addition to the owner's) on the tower and construct the tower in such a manner as to be able to accommodate the owner's equipment and two others on the same tower.
3. Applicants for telecommunication tower permits shall co-locate their facilities on existing towers, unless it can be shown by a preponderance of the evidence that all existing towers are inadequate to serve the applicant's reasonable needs due to the location, height or other reason; and shall pay reasonable compensation to the tower owner to fairly share past and future costs.
4. Telecommunication towers shall be located, designed, and constructed to be as unobtrusive and as few in number as possible. They shall be subject to requirements that minimize the impact on surrounding properties and the City. No telecommunications tower shall exceed one hundred twenty feet (120') in height from the finished grade of the ground to the highest point on the structure.
5. Each application for a permit to construct a telecommunication tower shall be certified by a licensed professional engineer that the design of the facility meets all applicable standards for the facility including, but not limited to, electrical safety, material and design integrity, wind and seismic safety. The professional engineer shall certify that the tower meets acceptable design criteria or standards to withstand 100 mph winds.
6.
 - a. The tower owner shall maintain the tower, site, and improvements in a state of good repair. If a telecommunication tower is abandoned or not maintained, the Zoning Administrator may notify the owner of the tower that it must be repaired and used within thirty days after the notice was sent, or the facility must be removed. If the communication facility is not repaired, used, or removed within thirty days after notice was sent, the Zoning Administrator may order the removal of the facility and the restoration of the property at the owner's expense. Any conditional use permit issued for the facility will be automatically revoked.
 - b. If a telecommunication tower is not used for more than six months, it shall be deemed to be abandoned for purposes of Subsection (6)(a).

KAYSVILLE CITY PLANNING COMMISSION

October 12, 2017

Members Attending: Chairperson Betty Parker, Stroh DeCaire, Lorene Kamalu, Joshua Sundloff, Thomas Wood

Excused: Gary Bullock, Matthew Anderson

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

Others Present: Stacy Magnuson, Brad Magnuson, Alyson Chatelain, Haley Peacock, Ezra R. Harris, Wayne Neeley, R. Neil Van Leeuwen, Ed Miles, Norma Miles, Marcie Hayes, Paul Pitcher, Russell Wilson, Jeff Webster, Lynda Webster, Val Webster, Diane Webster, Denese Eggett, Nephi Harvey, Dean Wall, Kurt Robb, Greg Brown, Casey Kelly, Robb Kelly, Andrew Wolferts, Shauna Wolferts, Jason Knighton, Janae Knighton, Tanner Knighton, Jason Leavitt, Carolyn Leavitt, Brian Johnson, Elissa Wyne, Tamara Anderson, Korey Lowder

OPENING

The Planning Commission meeting was held on Thursday, October 12, 2017 at 7:00 p.m. in the Municipal Center.

Chairperson Betty Parker opened the meeting by welcoming those present.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, FOOT ZONING AT 172 SOUTH 200 EAST – ELISSA WYNE

Lyle Gibson explained that Elissa Wyne lives at 172 South 200 East and is requesting a conditional use permit for a Major Home Occupation “B” to conduct foot zoning services. Foot zoning is a practice similar to reflexology specific to working with feet. Customers will come by appointment only and appointments would be less than a couple of hours at a time. Ms. Wyne plans to schedule appointments every two hours between 10:00 a.m. and 5:00 p.m. There is space in the driveway for clients to park, or if she needs more parking, Ms. Wyne will acquire an additional parking pass for on-street parking near the high school.

Betty Parker asked how long Ms. Wyne had been doing foot zoning.

Elissa Wyne responded that she just recently received her certification for foot zoning.

Stroh DeCaire made a motion to grant a conditional use permit for a Major Home Occupation “B”, foot zoning at 172 South 200 East for Elissa Wyne. Lorene Kamalu seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”,
COSMETIC INJECTIONS AT 322 NORTH AUTUMN CHERRY WAY – ALYSON
CHATELAIN**

Lyle Gibson explained that Alyson Chatelain is requesting a conditional use permit to provide cosmetic injections, or more specifically Bella Injections, from her home at 322 North Autumn Cherry Way. As a licensed APRN she is qualified to offer the treatment which is similar to a Botox treatment. She is just starting to build clientele and works at another full-time occupation so she only anticipates having clients at her home one day a week. Clients would come by appointment only and appointments only take about fifteen minutes, so she would have multiple appointments a day. Clients would come between 9:00 a.m. and 5:00 p.m. and would be spaced so as to allow for time for paperwork and preparation between clients, and to help mitigate traffic arriving and leaving at the same time.

Stroh DeCaire asked if an inspection will be done by the Health Department.

Alyson Chatelain responded that she had spoken with the Health Department on two separate occasions and was told they do not have any specific regulations at this point and is not required to get an inspection. However, she wants to push legislation for regulations for this type of business because there needs to be more safety precautions in place. Ms. Chatelain said that only qualified medical professions can do the procedure, and she will properly dispose of the medical waste. She has done these types of procedures before at a medical spa she works at and has experienced in it.

Lorene Kamalu made a motion to grant a conditional use permit for a Major Home Occupation “B”, cosmetic injections at 322 North Autumn Cherry Way for Alyson Chatelain. Thomas Wood seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”, CARPET
CLEANING AT 766 SOUTH 1350 WEST – ROBERT KELLY**

Lyle Gibson explained that Robert Kelly provides carpet cleaning services and would like to have an office out of his home at 766 South 1350 West. Carpet cleaning is considered as a Major Home Occupation and therefore requires a conditional use permit. The home will only be used as a place for Mr. Kelly to do paperwork and set up appointments. The carpet cleaning equipment is stored inside his vehicle, which is kept in his garage when not in use. All services are provided off-site.

Betty Parker asked how chemicals will be disposed of.

Robert Kelly responded that he uses a truck-mounted cleaning machine which will collect the waste water used, which will then be disposed of at an RV dump.

Thomas Wood made a motion to grant a conditional use permit for a Major Home Occupation “B”, carpet cleaning at 766 South 1350 West for Robert Kelly. Stroh DeCaire seconded the motion and it passed unanimously.

**CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION “B”,
ESTHETICIAN AT 485 EAST 100 NORTH #1 – JEWEL FRAZIER**

Lyle Gibson explained that Jewel Frazier lives at 485 East 100 North #1 and is requesting a conditional use permit to provide esthetician services from her home. Her clients would come by appointment only and she expects to do a few appointments each week in the evenings as she is also employed elsewhere full-time. Each appointment will last between one to two hours depending on the services done. Staff has visited with Ms. Frazier and reviewed the requirements of the city ordinances.

Stroh DeCaire made a motion to grant a conditional use permit for a Major Home Occupation “B”, esthetician at 485 East 100 North #1 for Jewel Frazier. Thomas Wood seconded the motion and it passed unanimously.

**PUBLIC HEARING AND REQUEST TO REZONE 41.22 ACRES OF PROPERTY AT
101 SOUTH ANGEL STREET FROM R-A (RESIDENTIAL AGRICULTURE) AND R-1-
20 (SINGLE FAMILY RESIDENTIAL) TO THE R-1-LD (SINGLE FAMILY
RESIDENTIAL LOW DENSITY) ZONING DISTRICT – SYMPHONY HOMES**

Andy Thompson explained that Symphony Home is requesting a rezone of property near 101 South Angel Street from R-A (Residential Agriculture) and R-1-20 (Single Family Residential) to the R-1-LD (Single Family Residential Low Density) zoning district. The majority of the property is currently zoned R-1-20. Under the existing zones, if this property were developed as a PRUD (Planned Residential Unit Development), ordinances would allow the applicant to have up to eighty-nine dwellings. Under the R-1-LD zone, only eighty-two dwellings would be allowed. Symphony Homes is requesting the R-1-LD zone as it would allow some flexibility in the layout of the lots without the need for common open space. The R-1-LD zone still limits the number of homes in a subdivision to two dwellings per acre, while allowing lots to be as small as 12,000 square feet in size. Lots are required to have a minimum lot width of ninety feet, which is the same width requirement as the R-1-20 zone. The zones surrounding this area are the R-A and R-1-20 zone, with some remaining agricultural properties. Angel Street is classified as a collector street in Kaysville City’s Major Street Plan.

Chairperson Betty Parker opened the Public Hearing.

Tamara Anderson said she lives in the Mountain Vistas Subdivision and their neighborhood has had a lot of discussion about this request because the new subdivision’s streets will connect to their neighborhood. There is really only one access point from their subdivision out to 200 North Street and many surrounding neighborhoods already use that street as a thoroughfare. Building more homes will increase traffic on their streets and impact their neighborhood. There is also some concern that if smaller lots are developed it will affect property value.

Stacy Manderson said she lives on Morning Mist Lane and they currently live at a dead end street. There is already a lot of traffic that drives through their neighborhood, especially as new commercial has been developed nearby. However, the current infrastructure has not been able to

keep up with demand. Many times traffic is backed up on 200 North Street and needs to be improved before we add more homes to the area.

Brad Manderson said that these neighborhood streets are narrow and wider access roads need to be built to accommodate traffic volume. Also, there is no planned open space for this new subdivision. It seems that developer is trying to pack in as many homes as they can and are not worried how this might affect the surrounding neighbors. At some point 200 North Street will be widened, but until then we shouldn't add more rooftops.

Neil Van Leeuwen said that he also lives in the Mountain Vistas area and sees many residents of neighboring subdivisions using their streets as a thoroughfare. While he understands stub roads were put in place in anticipation of connector streets being built eventually, the number of proposed homes in this development is cause for concern. Mr. Leeuwen said that while he's not opposed to land development, the neighborhood wants to see that it's done the best way possible. Mr. Leeuwen asked about the PRUD overlay zone.

Lyle Gibson responded that if a PRUD overlay zone were approved under the R-1-20 zoning, the developer would be allowed to have smaller lots than the 20,000 square foot minimum requirement, but they would also be required to provide open space. Under a PRUD overlay zone there is not a minimum lot size requirement as long as they meet the open space requirements.

Dean Wall said that he doesn't live near this subdivision but has some concerns about if town homes might be allowed.

Stroh DeCaire responded that town homes are not being proposed and would not be allowed in the proposed zone or the current zone.

Ed Miles said that he lives in Mountain Vistas and is concerned about this development not having any open space planned because those new residents will use neighboring open spaces. Mr. Miles said that he would like to see that the developer be required to put in similar open space to what is in the area and walking paths. Also, traffic congestion is a problem in this area and is getting worse. Traffic bottlenecks trying to get over the 200 North bridge. Adding a significant amount of traffic from these proposed homes will make the congestion even worse. Once the West Davis Corridor is built it will help, but that won't be built for a while.

Andy Thompson responded that the 200 North Street bridge is planned to be restriped in the spring to add more lanes, which should help alleviate traffic congestion.

Lyle Gibson distributed a copy of a letter Staff received from neighbors in the Mountain Vistas Subdivision.

Wayne Neeley said that he lives on 75 South Street just north of this subject property and any proposed changes in zoning causes anxiety in some of the neighboring land owners and some of them ask when the changes will stop. A zoning change could potentially affect the look and feel of the area. Only time will tell if this proposed zone change will economically affect the existing

land owners. Building and land costs have gone up, and it would appear that if the developer develops this property properly that land value should be able to be maintained. However, the there is some concern that if a rezone is approved, the developer will create a less appealing subdivision plat than what had been proposed previously. Any rezone approval should wait until a plat showing the details of the subdivision, such as roads and open space, could be shown. Also, any subdivision amenities should be located within the interior of the subdivision.

Korey Lowder said he lives in the Pheasantbrook North Subdivision and is concerned about rezoning this property before seeing a more detailed plat of how the subdivision will be laid out. Also, the surrounding area's infrastructure is struggling. Not only in regards to traffic congestion, but also with water pressure and irrigation, as well as power spikes and brown outs. Will sewage systems be able to handle this many more homes? Just across the street from this property is the Angel Street Park which has many soccer teams that utilize it. People park up and down Angel Street and there are many kids here. The safety of our kids needs to be a high priority as we add more traffic.

Jason Knighton said that he lives next to the church in the Mountain Vistas Subdivision, and always knew that this property would be developed. However, we need to see more details from the developer as to what kind of layout they want to do, and then have some assurance that it won't change after a rezone is approved. Mr. Knighton said that he had tried to split his lot in half but was denied because the second lot would not meet the minimum size requirements of the R-1-20 zoning. Since he wasn't allowed to have a smaller lot, he doesn't want to see one built next to him.

There were no further comments or questions from the public. Chairperson Betty Parker closed the Public Hearing.

Russell Wilson, representing Symphony Homes, said that they have requested the R-1-LD zoning district because it allows them more flexibility in the variety and size of the lots, allowing them to create a better layout of the lots, while still meeting the two lots per acre density requirement. The lots proposed are on average about 15,000 square feet in size, with many half acre lots. They are similar in size to what is in the Mountain Vistas Subdivision. They plan to have an open space area with a pool and park area similar to what is in the Sunset Equestrian Subdivision, which will be located in a central location of the subdivision. The subdivision will take access from Angel Street and Whispering Meadow Lane, with a stub road planned at the east end of the subdivision in anticipation of eventually connecting to 200 North Street.

Betty Parker asked about the number of planned cul-de-sacs and if they are a safety concern.

Andy Thompson responded that cul-de-sac streets are regulated by length. After a plat is submitted, Staff will assure that they meet city regulations and the fire department will approve the plans.

Lorene Kamalu asked why the preliminary plat hadn't been submitted with this rezone tonight.

Russell Wilson commented that because this is such a large development, they wanted to know

the zoning for sure before spending the money to have the development plans drawn up. Their typical building plans need at least 13,000 square foot lots to fit, and therefore there won't be any lots smaller in size.

Thomas Wood asked about plans to help traffic congestion in the area.

Andy Thompson responded that a traffic light will be installed at 200 North Street and Angel Street within the next six months. There are also plans to widen 200 North Street from the rail trail to Angel Street to allow for additional traffic. The street will be fully improved at that time. The area of 200 North Street west of Angel Street will be widened and improved as properties along 200 North are developed.

Josh Sundloff commented that if the zone remained the same, Symphony Homes would be allowed to develop about seventy lots. They'd be allowed more lots with a PRUD overlay zone.

Russell Wilson said that the smaller lots will be located more on the interior of this development, while the larger ones will abut the existing residential homes.

Josh Sundloff added that the width of the lots and the setback requirements are the same in both the R-1-20 and R-1-LD zones. The idea that this subdivision will be much more visually dense than what exists is inaccurate. Mr. Sundloff asked about the smallest lot sizes in the Pheasantbrook North Subdivision

Andy Thompson responded that the smallest lots in the Pheasantbrook North Subdivision are about 10,000 square feet in size.

Thomas Wood said that he had received e-mails and heard comments about this development that had more to do with infrastructure problems than the proposed rezone. Those problems will exist regardless of what is decided tonight. There will still be traffic congestion problems. Stub streets are built in anticipation of connector roads being built when the neighboring property is developed. The Commission is reviewing this proposed rezone request tonight to determine if it is appropriate for the property and the area. Infrastructure problems will need to be addressed at another time. Many have commented in the past that we need to try to keep the small-town feel of Kaysville, but Kaysville isn't small anymore. Kaysville is the twenty-sixth largest city in Utah right now. We are now dealing with the problems that large towns face. Rezoning this property won't change that. Mr. Wood said that he appreciates the resident's input and people getting invested in the cause. The neighbors need to be proactive in addressing the existing infrastructure problems and getting them solved outside of this meeting. Existing infrastructure problems should not be the burden of a developer. Mr. Wood encouraged the neighbors to continue to be involved and have a voice.

Stroh DeCaire added that the Planning Commission is bound by land use ordinances, as well as state and city codes. What is being proposed meets the parameters of the code and the General Plan. It conforms with the surrounding area and could potentially enhance the area.

Diane Webster said that she is the owner of this subject property and feels bad about the

animosity that the neighbors have expressed. Mrs. Webster said she didn't want to sell her property and would have kept it until she passed on, but as neighboring subdivisions were developed their irrigation water has been compromised she hasn't been able to farm her property as she has in the past. She can't afford to be part of the green belt and can't afford to live here without farming her property, and therefore didn't have any other option than to sell her property. The roads in Mountain Vistas are public streets and can be used by anyone. Mrs. Webster added that she didn't want to make her neighbors mad at her but she had no choice to sell and have the property developed since she can't farm to make the money she needs anymore.

Ezra Harris said that he lives on Cooper Street and thanked the Planning Commission for being fair and having a hearing so all issues could be heard and dealt with. This development should be approved and moved ahead to the City Council.

Dean Wall commented that adding ninety homes to the area will create a significant amount of traffic and there aren't enough access points planned for this development.

Thomas Wood said that the layout of the development is not being considered tonight.

Lorene Kamalu commented that she understands traffic is a problem in the Mountain Vistas Subdivision, and the roads were designed to be curvy to help slow down and deter traffic from using it as a thoroughfare. It will become more of a problem as more homes are built. The city has a traffic calming policy that could be used to help address traffic problems. Mrs. Kamalu asked if a traffic light is planned for 200 North Street and Mountain Vistas Road.

Andy Thompson responded that it's not currently in the city's plans to install a traffic light at that intersection. A traffic study could be done, but it would need to meet the requirements of the Federal Highway Association it even be considered. It's unlikely that it would currently meet those requirements, but that could potentially change in the future.

Lorene Kamalu said that she doesn't feel this development would cause neighboring property values to decrease. Mrs. Kamalu added that she'd spoken with Haight's Creek Irrigation, which does not service this area, but learned a lot about how much water pressure is affected as more development occurs. It's expensive to upgrade the water systems. However, the residents have valid concerns that should be addressed. It's important to consider infrastructure with development and make changes and upgrades as necessary.

Josh Sundloff commented that smaller lot sizes doesn't necessarily mean less expensive homes or lesser property values. Mr. Sundloff asked Mr. Wilson about the request for the R-1-LD zone.

Russell Wilson said that when looking at the layout of the property and the location of the stub streets, it is easier to draw a better subdivision layout when the lot sizes can be varied, while still keeping the same density of the area.

Thomas Wood asked about the agricultural property to the north of this.

Nephi Harvey said that he is the owner of that property and has no plans to sell or develop his

property, but will keep farming it for as long as they can. They have also lost access to irrigation water as properties have been developed, but they are finally getting their water back.

Lorene Kamalu commented that she had heard suggestions about creating this development as just a cul-de-sac, only taking access off of Angel Street but that would be very dangerous to only have one access point for the number of homes proposed.

Stroh DeCaire made a motion to recommend approval of the request to rezone 41.22 acres of property at 101 South Angel Street from R-A (Residential Agriculture) and R-1-20 (Single Family Residential) to the R-1-LD (Single Family Residential Low Density) zoning district for Symphony Homes, contingent on final plat approval of the subdivision. Josh Sundloff seconded the motion and it passed unanimously.

CALL TO THE PUBLIC

Dean Wall said that allowing a developer to come into an area and only allowing one main access point to 200 North Street is not good planning. There are other ways to create more access points to 200 North and not overburden surrounding neighborhoods.

REPORTS

Lorene Kamalu asked about the traffic signal at 200 North and Kays Drive. She has heard a lot of concerns from nearby residents who have said that they have sometimes had to wait a long time for the light to change.

Andy Thompson said that they had a contractor come look at that about a year ago and could have them come look at them again. It's possible a sensor isn't working correctly.

CALENDAR

Andy Thompson informed the Planning Commission that the City Council had cancelled their meeting for Thursday, October 19, 2017.

The next regularly scheduled Planning Commission meeting will be held on Thursday, October 26, 2017 at 7:00 p.m.

ADJOURNMENT

Stroh DeCaire made a motion to adjourn. The motion passed unanimously and the meeting adjourned at 8:40 p.m.

9 November 2017 Agenda

KAYSVILLE CITY PUBLIC HEARING NOTICE

Notice is hereby given that the Kaysville City Planning Commission will hold a public hearing on Thursday, November 9, 2017, at 7:00 p.m., in the Council Room of the Kaysville City Municipal Center, 23 East Center, Kaysville, to consider:

Rezone of 0.64 acres of property at 845 West 200 North Street from the R-1-20 (Single Family Residential) to the HC (Health Care) zoning district.

I hereby certify that I posted a copy of the foregoing Public Hearing notice on the municipality's official website by October 27, 2017.

Lyle Gibson, Zoning Administrator

KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, November 9, 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 October 12, 2017.
2. Public hearing and request to rezone 0.64 acres of property at 845 West 200 North Street from R-1-20 (Single Family Residential) to the HC (Health Care) zoning district – Wellness Properties.
3. Public hearing and preliminary and final plat approval for Apple Blossom Subdivision at 64 South Angel Street – Ivory Homes.
4. Interpretation of Kaysville City Ordinances 17-32-2 “Off-Street Parking” and 17-31-35 “Telecommunications Towers”.
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, November 3, 2017.

Lyle Gibson, Zoning Administrator