



KAYSVILLE CITY PLANNING COMMISSION NOTICE AND AGENDA

Notice is hereby given that the Kaysville City Planning Commission will hold their regular meeting on Thursday, August 27, 2020 starting at 7:00 p.m. in the **Business Resource Center of the Davis Technical College, 450 South Simmons Way, Kaysville, UT.**

In consideration of the COVID-19 pandemic, attendance will be monitored and limited to less than 50 individuals, including Commission, Staff and Applicants. Because of the room occupancy limitation, it is encouraged that those wishing to direct comments to the Planning Commission regarding items on the agenda do so through the Planning Commission Form Center at:

kaysvillecity.com/FormCenter/Planning-Commission-17/Contact-the-Planning-Commission-71

Masks are recommended. No participation using Zoom will be available. The audio from the meeting will be posted on kaysvillecity.com/AgendaCenter/Planning-Commission-4 by the end of the business day on Friday August 28, 2020.

The agenda shall be as follows:

1. Opening and approval of the minutes from the August 13, 2020 meeting.
2. PRUD (Planned Residential Unit Development) Ordinance Discussion - Review of Common Open Space, Private Street, and Flag Lot Provisions and what may be allowed by Development Agreement.
3. Update on the progress of the General Plan Processes.
4. Call to the public.
5. Other matters that properly come before the Planning Commission:
 - a. Reports.
 - b. Correspondence.
 - c. Calendar.
6. Adjournment.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at the Kaysville Municipal Center and mailed copies to the media representatives on Friday August 21, 2020.

Lyle Gibson – Community Development Director

To contact the Community Development Office please call 801-546-1241.



Planning Commission Staff Report

PRUD (Planned Residential Unit Development) Ordinance Discussion - Review of Common Open Space, Private Street, and Flag Lot Provisions and what may be allowed by Development Agreement.

August 27, 2020

Description:

The PRUD section of the Kaysville City ordinance allows for more diversity in development than the standard requirements of the city's residential zoning districts. The ability to have a common open space subdivision, private street subdivision, or flag lot subdivision is done under the PRUD overlay zone allowing for discretion as to when it is allowed, so there is no guarantee that development will be allowed the flexibility granted by this chapter.

The PRUD provisions of the city's ordinance are found in [Chapter 17-34 PRUD](#).

A number of recent developments have brought into question how the overlay zone is being used and what type of flexibility is in fact appropriate as written. There has also been a question raised by a member of the commission as to the desirability of flag lots or if a minimum acreage should be required to consider PRUD type developments.

At the behest of the city council, staff will be noticing a public hearing to consider changes to this chapter to at a minimum clarify some provisions related to what can be done by development agreement. Are there items that a development agreement should not be able to modify? Staff is anticipating the creation of a section under the Common Open Space and Private Street sections of the ordinance of standards that cannot be modified, and leaving other standards in a section that could be considered for modification. Staff is also seeking input from the Planning Commission prior to the public hearing as to other items that may be appropriate to address in Chapter 17-34 that can be reviewed for a recommendation to the council at a future meeting.

Existing Language (primary areas of discussion highlighted in yellow)

[Chapter 34 PRUD Planned Residential Unit Development](#)

17-34-1 Purpose

The purpose of the Planned Residential Unit Development is to encourage a better living environment through greater flexibility of design that is not possible solely through the application of the standard zoning requirements; to encourage diversification in the relationship of residential uses and structures to their sites; to permit a more flexible development of such

sites; to preserve meaningful open space, conservation areas, and sensitive lands such as wetlands, steep slopes, and unique vegetation; to preserve character, and assure greater compatibility of new construction with the existing neighborhood; to encourage good neighborhood and housing design by utilizing a variety of dwelling types and site arrangement plans so as to give imagination and variety in the physical pattern of the development. New construction in already developed areas should, to the greatest extent possible, maintain the established mass, scale, height, width, and form of the surrounding buildings.

17-34-2 Planned Residential Unit Development Defined

Planned Residential Unit Developments are either common open space subdivisions, private street subdivisions, flag lot subdivisions, or a combination.

17-34-3 Planned Residential Unit Development Overlay Zone

The Planned Residential Unit Development overlay zone may be allowed in the agricultural and residential districts after review and approval of the subdivision and development agreement as applicable. Application for a Planned Residential Unit Development does not guarantee the applicant nor the property owner the right to exercise the provisions of this Chapter.

17-34-4 Zone Flexibility

The Planned Residential Unit Development overlay zone shall be used in combination with existing conventional zones. The Planning Commission and City Council may, in the process of approving conceptual, preliminary, or final Planned Residential Unit Development plans, approve variations from applicable development standards in the underlying zone.

17-34-5 Additional Criteria

1. In considering the application for Planned Residential Unit Development overlay zone, the following shall be evaluated:
 1. A comprehensive and harmonious arrangement of buildings, circulation ways, parking and development amenities.
 2. The relationship to existing and proposed land uses and circulation plans of the community, and avoidance of any disrupting element in the neighborhood.
 3. Housing Types.
 4. Impacts of the roads, lanes or driveways on adjacent properties.
 5. Impacts on the privacy of adjacent properties.
2. These may be mitigated by imposing conditions such as:
 1. Fencing.
 2. Landscaping for screening and/or aesthetics.
 3. Building placement, height and mass.
 4. Building design, such as number of stories, exterior building materials and placement of windows on corner lots and second levels.
 5. Reduction in density.
 6. Grading.

17-34-6 Planned Residential Unit Development

1. **Pre-application conference.** A meeting with City staff shall be held in order to provide a preliminary understanding of issues, zone requirements, undevelopable areas, and infrastructure demands. Conceptual designs shall be provided by the applicant

including sufficient information to evaluate housing quality, areas to be preserved, and street and lot layout. Building elevation and landscape plans may be required as part of the review and approval process.

2. **Overlay zone and preliminary subdivision plat.** After the pre-application conference, an amendment to use the Planned Residential Unit Development overlay zone and a preliminary plat may be applied for in compliance with the standards and procedures found in this Title and the Subdivision Ordinance.
3. **Final subdivision plat.** After a preliminary plat is approved, a final plat may be applied for using the standards and procedures found in the Subdivision Ordinance. The final plat, at the discretion of the City Council, may be accompanied by a development agreement that when approved by the City Council shall be recorded to run with the land. After the final plat is approved, the overlay zone may be approved.

17-34-7 Common Open Space Subdivision

1. Development requirements. The following development standards shall apply unless variations are approved in a Development Agreement.

1. The number of dwelling units allowed in a common open space subdivision is determined by dividing the total area of all the land within the common open space subdivision by the minimum land area required for one dwelling unit in the underlying zone:

Underlying Zone	Land Area Per Dwelling Unit (in square feet)
A-5	210,000
A-1	40,000
R-A	21,780
R-T	8,000
R-1-20	20,000
R-1-14	14,000
R-1-LD	21,780
R-1-10	10,000
R-1-8	8,000
R-1-6	6,000
R-D	2,800
R-2	4,000
R-4	3,000
R-M	2,800

2. Buildings shall reflect similar exterior quality to surrounding properties, in terms of exterior materials and design, or be set back and buffered from adjacent uses as approved.
3. The open space and amenities should be located adjacent to all dwelling units or easily accessible therefrom.

4. Block, lot, lot area, lot width, setbacks, building height, and lot coverage regulation shall be determined by approval of the development plan. No building shall be closer than twenty feet (20') to any street improvement. All dwellings shall have a minimum rear yard of fifteen feet (15') and a minimum of ten feet (10') between buildings.
5. Every effort shall be made, by creative site planning, to preserve substantial trees and shrubs on the development site.
6. If any lot in the Common Open Space Subdivision is smaller than the minimum lot size allowed in the underlying zoning district, common open space, usable and accessible by all owners of the lots or units shall be provided and designated on the plat. The minimum common open space required shall be determined by dividing the minimum lot size allowed in the underlying zoning district by the average lot size in the plat and then multiplying the result (quotient) by ten percent (10%), then multiplying the product by the total area of the subdivision. No streets, driveways, or residential parking areas may be included as part of the required common open space. The required common open space may include natural areas. and/or areas totally designed and landscaped. Any open space that is not common open space cannot be used to fulfill the open space requirements.
7. A Neighborhood Open Space Easement on and over the common open space shall be granted to Kaysville City, concurrent with recording of the final plat. The easement will provide that the common open space remains open. The easement shall allow for landscape maintenance and construction of recreational structures as long as not more than thirty percent (30%) of the open space is covered by such structures.
8. An easement on and over the common facilities shall be platted and granted to every owner of property in the subdivision.
9. All common facilities shall be improved as set forth in [KCC 19-2-1](#) of the Subdivision Ordinance.
10. To assure maintenance of the common facilities, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration, and bylaws of said Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things be provided that:
 1. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 2. The common facilities restrictions shall be permanent and not just for a period of years.
 3. The Association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all common facilities.
 4. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 5. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 6. In the event the Homeowners Association does not maintain the common facilities and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means

of a lien against the involved properties of the members of the Homeowners Association.

11. General public open space may be required by the City, where the benefit of the open space to the community at large is such that general public access is desirable. In such open space, the developer will provide any necessary improvements and convey the property to the City. The City will agree to maintain the conveyed open space as well as keep it perpetually open. Conveyed open space shall be exempt from the easement requirements of items (g) (h) and (j) above. The general public open space is part of the development for the purposes of density and open space calculations.

- **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a common open space subdivision shall be those uses which are permitted in the zoning district in which the common open space subdivision is located; provided that for the purpose of this section, single family attached dwellings such as townhouses and row houses or zero lot line homes, shall be considered single family dwellings and may be acceptable in a common open space subdivision approved in a single family zoning district.

- **Conceptual Plans.** The application shall be accompanied by conceptual plans and documents showing:

1. Development density, coverage, and open space characteristics.
2. Vehicular and pedestrian circulation including trail systems, parking, and public uses.
3. A description of architectural elevations and floor plans demonstrating the general design, character, and exterior building materials of the proposed structures.
4. Conceptual landscape plan, fencing and screening.
5. Conceptual grading and drainage.
6. Streets and lots.
7. Identification signs or entrance features.
8. Area lighting.
9. Such other pertinent information as may be required by the Planning Commission.

- **Preliminary Subdivision Plat.** The preliminary subdivision plat shall be accompanied by supplementary information including:

1. Topographic maps of the entire site, including contour intervals no greater than two feet (2').
2. A tabulation of the total acreage of the site and the percentages thereof to be designated for various uses, i.e., parking, residential units, open space, streets, etc.
3. Proposed circulation pattern including private driveways, public and private streets, pedestrian and bicycle paths and trail systems.
4. Parks, common open spaces, playgrounds, school sites, churches, and other public or private recreation facilities and improvements proposed within the common open space subdivision.
5. General location of all dwellings and other structures.
6. Proposed location of parking, ingress and egress.
7. A landscaping plan prepared by a licensed landscape architect may be required to ensure that the quality of open space justifies the Planned Residential Unit Development overlay zoning designation. The landscaping plan shall include, at a minimum, the following information:

1. The locations and dimensions of all existing and proposed structures (when feasible), property lines, easements, right-of-ways and/or driveways.
2. The plant names, locations, qualities and sizes of all existing and proposed plants. Drought tolerant designs are encouraged.
3. Existing and proposed grading of the site indicating contours at two feet (2') intervals.
4. Existing and proposed fencing or screening and identification of the fencing material.
5. Any proposed tot lots, pavilions, picnic areas, benches and other site furniture, club houses or other amenities.
6. An inventory of landscaped areas, turf grass areas and plant species along with the estimated cost of all the improvements.
8. Preliminary elevations or perspectives for building types proposed within the development, except in the case of custom homes.
9. A preliminary utility plan showing the manner in which adequate sewage disposal, storm drainage, and water services are to be provided, including the point from which said services are to be extended or connected.
10. The size, location, design, and nature of signs, if any, and the intensity and direction or area of flood lighting.
11. A copy of the proposed restrictive covenants.
12. Such other pertinent information as may be required by the Planning Commission.

- **Final Subdivision Plat.** The final subdivision plat may be accompanied by a development agreement incorporating the commitments and conditions defined for this development agreement through the review process. The development agreement may incorporate exhibits showing the general site plan and any architectural drawings provided within the review process. Upon approval of the City, the development agreement shall be recorded at the office of the Davis County Recorder and shall run with the land.

HISTORY

Amended by Ord. [20-05-03](#) on 5/7/2020

17-34-8 Private Street Subdivision

1. Development requirements. The following development standards shall apply unless variations are approved in a Development Agreement.

1. All lots within private street subdivisions shall comply with all requirements of the zone district. Yards abutting private streets shall be measured from the nearest private street easement line.
2. Private street improvements shall include curb. Requirements shall be determined by approval of the development plan. Private streets are defined as that area within the private street easement.
3. An easement on and over all private street improvements shall be platted and granted to every owner of property in the subdivision.
4. No building shall be closer than twenty feet (20') to any street improvement.
5. All private streets shall be improved as set forth in [KCC 19-2-1](#) of the Subdivision Ordinance.
6. To assure maintenance of the private streets, a Homeowners Association shall be created concurrent with the recording of the final plat. By proper covenants running with the land and through the declaration and bylaws of said

Association, which declaration and bylaws shall be recorded in the office of the Davis County Recorder, it shall, among other things, be provided that:

1. Membership in the Association shall be mandatory for each lot purchaser, their guarantees, successors and assigns.
 2. The private street restrictions shall be permanent and not just for a period of years.
 3. The association shall be responsible for maintaining liability insurance, paying general property taxes, and maintaining all private streets.
 4. All lot owners shall pay their prorated share of the costs of upkeep, maintenance, and operation.
 5. Any assessment levied by the Association may become a lien on the real property of any lot owner.
 6. In the event the Homeowners Association does not maintain the private streets and improvements as proposed and indicated at the time of subdivision, the City may, at its option after appropriate notice given to the Homeowners Association and property owners, do or contract to have done the required maintenance, maintain liability insurance and pay general property taxes, and recover the costs incident thereto by means of a lien against the involved properties of the members of the Homeowners Association.
2. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a private street subdivision shall be those uses which are permitted in the zoning district in which the private street subdivision is located.

17-34-9 Flag Lot Subdivision

1. **Development requirements:**
 1. The area of each flag lot shall be at least 10,000 square feet or meet the lot area required by the underlying zone district, whichever is greater.
 2. Flag lots shall have access to a street by way of a projection of at least thirty feet (30') in width along its entire length. Two flag lots with projections side-by-side may each have projections eighteen feet (18') or greater in width (for a total of not less than 36 feet) and share a common paved driveway twenty feet (20') or more in width covered by an easement so that the driveway cannot be divided.
 3. Main buildings on a flag lot shall be located not closer than twenty feet (20') to any property line.
 4. Accessory buildings shall comply with [KCC 17-31-2](#).
2. **Acceptable Uses.** Subject to the review and approval of the Planning Commission, uses acceptable in a flag lot subdivision shall be those uses which are permitted in the zoning district in which the flag lot subdivision is located. Two family dwellings on flag lots as conditional uses are prohibited.
3. **Applicability:**
 1. Flag lot subdivisions shall be considered only in R-A, R-1, R-D, R-2, R-4 and R-M zones.

HISTORY

Amended by Ord. [18-8-3 - Flag Lot Subdivision](#) on 8/16/2018

KAYSVILLE CITY PLANNING COMMISSION MEETING MINUTES

August 13, 2020

Planning Commission Members Attended: Chairperson Wilf Sommerkorn, Steve Lyon, Toby Barrus, Quan Nguyen, Jared Doxey, Scott Hess and Larry Page.

Absent: Vice Chairperson Joshua Sundloff

Staff Present: Lyle Gibson, Dan Jessop, Heather Nielsen.

Public Attendees: James Giles, Jerry Larsen, Cameron Garner, Greta Garner, Mary Jo Heath, Jason Larsen, Michael Larsen, Mr. Larsen, Dallin Thatcher, Ken Morley, Greg Peterson, Avery Peterson, Richard Collard, David Law.

OPENING

The Planning Commission meeting was held on Thursday, August 13, 2020 at 7:00 p.m. at the Business Resource Center for the Davis Technical College. Chairperson Wilf Sommerkorn opened the meeting by welcoming those present.

Scott Hess made a motion to approve the minutes from the July 9, 2020 meeting. Steve Lyon seconded the motion and they were unanimously approved.

Chairperson Wilf Sommerkorn invited members of the Planning Commission to nominate members to serve as a new Chair and Vice-Chairperson for the 2020-2021 year.

Scott Hess nominated Joshua Sundloff to serve as Chairperson for the Planning Commission's upcoming year. Steve Lyon seconded the nomination. Joshua Sundloff was unanimously approved as the new Planning Commission chair.

Steve Lyon nominated Scott Hess to serve as Vice-Chairperson for the Planning Commission's upcoming year. Jared Doxey seconded the nomination. Scott Hess was unanimously approved as the new Planning Commission Vice Chair.

Wilf Sommerkorn acted as Chairperson for the remainder of the meeting.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION 'B', FOR A CONSTRUCTION BUSINESS LOCATED AT 382 EAST 200 SOUTH FOR KEN MORLEY

Heather Nielsen explained that applicant is requesting a conditional use permit for a major home occupation "B" for handyman services to be offered from the address listed above.

Mr. Ken Morley would like to run a handyman business from his home. He has a trailer that will be stored off his property but could possibly be parked in front of his house on rare occasions.

Mr. Morley has informed staff that no employees will report to the home address. He will also not display any advertising signs at the home's address. Materials needed to perform his services will be picked up by Mr. Morley on the way to jobs or delivered to the job site.

Staff recommended approval of the proposed conditional use permit with no additional conditions.

Steve Lyon made a motion to approve the conditional use permit for major home occupation 'B' for a construction business located at 382 East 200 South for Ken Morley. Larry Page seconded the motion and it was unanimously approved.

CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION 'B', FOR A LAWN CARE BUSINESS LOCATED AT 114 NORTH 100 WEST FOR BLUE MOON LAWN CARE/JAMES GILES.

Heather Nielsen said that the applicant is requesting a conditional use permit for a major home occupation 'B' for lawn care services at 114 North 100 West for BlueMoon Lawn Care/James Giles.

Mr. Giles has a pickup truck that he will use to transport his lawnmower and other equipment to job sites. When he is not using his equipment it will be stored behind the home.

Staff recommended approval of the proposed conditional use permit for a major home occupation "B", lawn care service with no additional conditions.

Scott Hess made a motion to approve the conditional use permit for major home occupation 'B' for a lawn care business located at 114 North 100 West for Blue Moon Lawn Care/James Giles. Steve Lyon seconded the motion and it was unanimously approved.

(TABLED ITEM) CONDITIONAL USE PERMIT FOR MAJOR HOME OCCUPATION 'B' PRIVATE AND GROUP SWIMMING LESSONS LOCATED AT 2052 WEST PEACH BLOSSOM FOR CAMERON GARNER/PEACH BLOSSOM SWIMMING.

Lyle Gibson informed the Planning Commission that this was an item that had been tabled due to the commission having some questions for the applicant who was absent at the previous meeting.

Lyle Gibson explained that the applicant is requesting a conditional use permit for a major home occupation 'B' to offer group and private swimming lessons from their home. Staff has been informed that classes will have 10 students or less at any particular time (2 groups of 4 plus 2 individual/private lessons). Typical lesson structure includes 30 minute class sessions.

The pool on site is an outdoor swimming pool. Lessons are Monday through Friday starting at 8 am going until 12pm.

The request being an organized class per 17-26-4 (12) requires that a limit be placed on the number of students and/or the number of vehicles transporting students in order to prevent congestion.

Staff recommended approval of the proposed conditional use permit with the following stipulations:

- The number of students be limited to 10 per class.
- A 15 minute gap between class start and end times to allow for traffic control.
- The applicant discourages people to park in front of neighbors' homes.

The applicant, Mr. Garner stood and said that he runs 30 min group classes and two private sessions every half hour making a total of ten students at a time.

Chairperson Wilf Sommerkorn asked Mr. Garner if they could abide by the city's request of a fifteen minute gap in-between sessions for traffic control. Mr. Garner said that fifteen minutes would be hard to follow, but he would if they had to. He would prefer it be just five minutes in-between sessions. Mr. Garner said that he would request parents to drop off their students instead of staying to watch the lessons. He would also encourage more people to walk to the lessons.

Lyle Gibson reminded Chairperson Wilf Sommerkorn that there were several emails received on this issue and that there people in attendance that wished to speak.

David Law stood and said that they support the swimming lesson business but that traffic and parking has become a problem. He has counted about 20 cars coming and going at one time. He often has people playing in his yard and in the flower beds. He has people eating lunch on his lawn while he is trying to cut his grass. The traffic has become a big problem. He supports having a break in-between the classes of fifteen minutes.

Quan Nguyen began to make a motion to again table the item so that Mr. Cameron Garner could work with neighbors on figuring out a parking solution. The motion was seconded by Steve Lyon. Mr. Garner stood and said that he would not like the item tabled but would like a solution reached this evening so that they did not have to return. He said he would talk to his neighbors to figure out a plan that satisfies everyone. As result Quan Nguyen withdrew his motion. Steve Lyon seconded the withdrawn motion.

Additional options to mitigate the impact of traffic were discussed.

Scott Hess made a motion to approve the conditional use permit for major home occupation 'B' private and group swimming lessons located at 2052 West Peach Blossom for Cameron Garner/Peach Blossom Swimming with the following conditions:

- The number of students be limited to 10 per class.

- 5 minute gap between start time and end time to allow for traffic to clear out.
- Discourage parents to stay for the lessons.
- Discourage parents to park in front of neighbors' homes.
- Encourage parents to walk their students to classes.

Quan Nguyen seconded the motion and it was unanimously approved.

PUBLIC HEARING AND CONSIDERATION OF A DEVELOPMENT AGREEMENT FOR THE REZONE OF 0.42 ACRES OF PROPERTY LOCATED AT 263 EAST 100 NORTH FROM THE R-D (SINGLE FAMILY DWELLINGS) TO A RM (RESIDENTIAL MULTI-FAMILY) ZONING DISTRICT WITH A PRUD (PLANNED RESIDENTIAL UNIT DEVELOPMENT) OVERLAY ZONE FOR JERRY LARSEN.

PUBLIC HEARING AND PRELIMINARY PLAT APPROVAL FOR JERRY LARSEN SUBDIVISION LOCATED AT 263 EAST 100 NORTH FOR JERRY LARSEN.

Lyle Gibson said the property is under consideration for a rezone to accommodate a proposed common open space subdivision on a private street which would include six units in a townhome style configuration.

The Planning Commission is tasked with considering the rezone items first to determine if the type of use and development is consistent with the general plan and appropriate at the specific location. The subject property is surrounded on all sides by the R-D district. This zoning district covers a neighborhood with a variety of housing types that developed historically, however the ordinance now requires that new development under the R-D zone be single family dwellings only. While the zoning is consistent all the way around this property, the use of land is reflective of the districts history including a variety of housing types.

The development of new single family homes under the existing ordinance would be limited to lots of 8,000 sq. ft. in size, however with the PRUD overlay a common open space subdivision in the R-D district may have a density equal to that allowed in the R-M district. Because a request for the PRUD overlay was required, city staff felt the consideration of the R-M would be appropriate to clarify the different sections of the city ordinance as to what type of housing may be permitted.

The project as proposed includes 2 story townhomes with a footprint of about 900 sq. ft. each. Based on the size of the units and the number of units the project would require 5,800 sq. ft. of open space. The current proposal includes 6,000 sq. ft. of open space. The units would be accessed by a private street that forms a hammerhead turnaround for the shared driveway that the units front with a zero lot line against the private street, 19 foot yards to the north and south of the units, and an 8 foot yard to the east.

The amount of open space would meet the standard requirement of the common open space provisions, however the following would require approval through an acceptable development agreement:

- Zero lot line, distance between buildings – standard is buildings set back 20’ feet from private street, detached homes standard side yard is 8 feet.

Staff would recommend the commission forward a favorable recommendation of the preliminary plat to the city council if the development agreement and rezone items be acceptable to the Planning Commission. Staff encouraged the Commission to bring the project back for review of the Commission if changes to the development agreement are desired.

Chairperson Wilf Sommerkorn invited the applicant Mike Larson to the stand. Mr. Larsen said that there are several multi-family housing units surrounding the area. They feel that this plan would be a good way to maximize the use of the property.

Chairperson Wilf Sommerkorn asked Lyle Gibson if there was anything in the development agreement that the Planning Commission needs to be made aware of. Lyle Gibson said that the agreement references limiting the units to six total and that they would install a mason fence. It also allows for a decreased setback allowing units to be close to the private drive.

Chairperson Wilf Sommerkorn opened the public hearing.

Chairperson Wilf Sommerkorn reminded the Planning Commission that they had received several emails regarding this property and hope that everyone had read through those.

David Law stood and said he supports the project. He felt that it would be a lot nicer that what is currently there.

Jason Larsen who is the brother of the developer stood and seconded the idea that this townhouse development would be a lot nicer than what is currently there. This would be a great addition to the area.

Greg Peterson stood and said that he lives two houses to the west of the proposed development and he has some concerns about how many units they plan to fit onto such a tiny piece of property. He felt that adding six more units would add too much traffic to the already over used road. He said that many people use the frontage road to get to school and there is a lot of traffic during the mornings and late afternoon. Mr. Peterson also wanted them to burry any power lines they use so that nor more will be added to the pole in his backyard.

Jason Larsen stood and said that with the PRUD they can make sure that the power lines will be placed underground.

Chairperson Wilf Sommerkorn closed the public hearing.

Mr. Mike Larsen said that they would address any concerns that the neighbors have. He said that they want to build a good product with an affordable price point. They would put in nice looking landscaping and trees.

Scott Hess said he understands that we need to provide more affordable housing in Kaysville City but felt that this proposed development was a little too dense. He would like to see four townhomes put there.

Larry Page said he likes the concept but Kaysville City needs to spread these higher density housing units around the city. Not keep them all in one area.

Quan Nguyen made a motion to recommend approval to the Kaysville City Council the rezone of 0.42 acres of property located at 263 East 100 North from the R-D (Single Family Dwellings) to a RM (Residential Multi-Family) zoning district with a PRUD (Planned Residential Unit Development) overlay zone for Jerry Larsen. Jared Doxey seconded the motion and it was unanimously approved.

Scott Hess made a motion to recommend approval to the Kaysville City Council the preliminary plat for a townhouse subdivision located at 263 East 100 North for Jerry Larsen with the stipulation that there needs to be one visitor parking stall added per home development. This would make a total of six visitor parking stalls that need to be added to the plat. Steve Lyon seconded the motion and it was unanimously approved.

**FINAL PLAT APPROVAL FOR THE GALBRAITH KAYSVILLE SUBDIVISION
LOCATED AT 1599 WEST GALBRAITH LANE FOR NATHAN ALVEY.**

Lyle Gibson said that the Kaysville City Council recently approved a rezone to the R-1-20 zone with the PRUD overlay to allow for a single flag lot development at this property together with the preliminary plat. In consideration of the concerns that were expressed through the rezone and preliminary plat process the Council determined that any engineering solution that was proven to meet the city's requirements was acceptable and that no fencing would be required by the city.

The final plat has been provided which indicates the layout as approved in the preliminary plat process with lots that each meet the minimum width and size requirements of the PRUD ordinance and R-1-20 zone. The applicant has coordinated with Kaysville City staff and has proposed a solution for the storm water that pipes the water from this property out to Galbraith Lane using pipe available from Kaysville City Public Works. The City Council did not require this design solution, but the applicant has been willing to pursue it in collaboration with the City

Staff recommended approval of the final plat for the Galbraith Kaysville subdivision.

Jared Doxey made a motion to approve the final plat for the Galbraith Kaysville Subdivision located at 1599 West Galbraith Lane for Nathan Alvey. Toby Barrus seconded the motion and it was unanimously approved.

AN ORDINANCE AMENDING SECTION 17-31-18 TO REFINE CLEAR VIEW REQUIREMENTS FOR CORNER LOTS PROHIBITING THE PLANTING OF TREES.

Lyle Gibson presented an ordinance change for amending Section 17-31-18, Chapter 31 to refine clear view requirements for corner lots prohibiting the planting of trees near intersections.

AN ORDINANCE CREATING SECTION 17-31-3, ACCESSORY DWELLING UNITS, AND AMENDING MULTIPLE CHAPTERS OF TITLE 17, PLANNING AND ZONING, TO DESIGNATE WHERE ACCESSORY DWELLING UNITS MAY BE CONSIDERED.

Lyle Gibson presented another ordinance change creating section 17-31-3, Accessory Dwelling Units, and amending multiple chapters of Title 17, Planning and Zoning, to designate where accessory dwelling units may be considered. This ordinance had previously been discussed. Staff indicated where changes had been made at the request of the Planning Commission to allow more flexibility in where and how an Accessory Dwelling Unit may be considered.

AN ORDINANCE AMENDING SECTION 17-31-2 ACCESSORY BUILDINGS, OF TITLE 17, PLANNING AND ZONING.

Lyle Gibson presented another ordinance change to Accessory Building Amendments amending section 17-31-2 Accessory Structures, of Title 17 Planning and Zoning, of the Kaysville City Ordinances. The presentation indicated changes made based on prior discussion from the Planning Commission that would allow more flexibility for placement of small accessory buildings on properties with multiple street frontages while keeping side yards clear. The proposed changes also allowed for some flexibility in the rear yard in relation to covered patios or in the case of non-square homes. Finally a change to the height allowance for accessory buildings was discussed which would in effect revert back to an old rule.

Chairperson Wilf Sommerkorn opened the public hearing for these suggested ordinance changes.

No one came forward to speak.

Chairperson Wilf Sommerkorn closed the public hearing.

Scott Hess made a motion to recommend approval to the Kaysville City Council the three ordinance changes as described above. Larry Page seconded that motion and it was unanimously approved.

CALL TO THE PUBLIC

Scott Hess presented to the Planning Commission his ideas and concerns regarding 200 North and bike lane traffic. He talked about how he felt it was a huge disservice to the city to have removed the buffered bike lanes in the west side of 200 North in order to add more travel lanes that he indicated were unnecessary based on existing and future traffic projections shared with

the Commission. We need to create more dedicated bike lanes instead of shared bike lanes due to the speed and volume of traffic allowed our roads. Removal of the buffered lanes along 200 North cut off an important route for many neighborhoods to be able to access the rail trail and other amenities. Biking as a form of transportation is increasing and Kaysville City needs to handle safety better for those on the road. This has become a huge issue and something that we need to address.

CALENDAR

The next regularly scheduled Planning Commission meeting is anticipated to be held on Thursday, August 27, 2020 at the Business Resource Center for the Davis Technical College.

ADJOURNMENT

Larry Page made a motion to adjourn the meeting. Scott Hess Seconded the motion and it was approved unanimously and the meeting was adjourned.