



**Kaysville City Planning Commission Meeting Minutes  
January 12, 2023**

The Planning Commission meeting was held on January 12, 2023 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

**Planning Commission Members in Attendance:** Chair Barrus, Commissioners Lyon, Branch, Sundloff, and Sommerkorn

**Staff Present:** Mindi Edstrom and Melinda Greenwood

**Public Attendees:** Brian Carling and City Councilmember Abbigail Hunt

**1-OPENING**

Chair Barrus opened the meeting by welcoming all in attendance to the January 12, 2023 Planning Commission meeting.

**2- APPROVAL OF THE MINUTES FROM THE DECEMBER 8, 2022 PLANNING COMMISSION MEETING**

Commissioner Lyon made a motion to approve the minutes from the December 8, 2022 meeting and Commissioner Branch seconded the motion. All voted in favor of approving the minutes (5-0).

**3- PRELIMINARY PLAT SUBDIVISION APPROVAL FOR THE CARLING SUBDIVISION LOCATED AT 97 EAST CRESTWOOD ROAD**

**Introduced by: Melinda Greenwood**

Ms. Greenwood introduced the subdivision by sharing information about the property at 97 East Crestwood Road. She said the property had been rezoned from R-1-8 to R-1-6 in December 2022. She showed images of the property from an aerial view and the preliminary plat that was submitted. She stated that engineering has reviewed the plat and it meets code requirements. She informed them that staff recommends the Planning Commission forward and approval recommendation to the City Council with the following condition: The detached garage be modified to meet setback requirement before the final plat is recorded.

Commissioner Sommerkorn asked how much the detached garage needs to be modified.

Applicant Brian Carling approached the Commissioners and said it will either need to be modified by removing two or four feet of the structure.

Commissioner Lyons made a motion to approve the preliminary plat with the conditions that the detached garage be modified to meet setback requirements before final plat is recorded and the motion was seconded by Commissioner Sommerkorn. The motion was approved unanimously (5-0).

#### 4- PUBLIC HEARING FOR A TEXT AMENDMENT FOR A TEXT AMENDMENT TO TITLE 17 CHAPTER 33 SIGN REGULATIONS

##### **Introduced by: Melinda Greenwood**

Ms. Greenwood began by sharing that the city is working with a project that will be adjacent to the West Davis Corridor and 200 North where there is three acres of General Commercial zoned property. The project on the property will be 28-30 feet above the grade of 200 North. By amending Title 17 Chapter 33 it would increase the sign height allowance up to 45 feet which is similar to allowances along I-15. She shared other changes to be amended, including:

- Changing of the name Zoning Administrator to Community Development Department.
- No Planning Commission Public Hearing for lighted sign violations.
- Sign permit Conditional Use Permits won't come to Planning Commission.
- Changing conditional uses to permitted.

Staff is recommending that sign height allowances match what is allowed near the I-15.

Commissioner Lyon asked if there anyone in the county working on scenic byway designation or extending the scenic byway out off of Legacy Highway on the West Davis Corridor, because you can't have that kind of signage off a scenic byway.

Ms. Greenwood replied that she did not know about a scenic byway designation.

Commissioner Sommerkorn stated that Legacy Highway was put in as a scenic corridor to help with environmental preservation.

Commissioner Lyon said that Legacy was made a scenic corridor because of the lighting for birds and lighting on signs are not conducive to bird migration. Commissioner Lyon asked if there should be a scenic byway designated.

Commissioner Sommerkorn said that there was talk about putting that area into the scenic byway.

Ms. Greenwood said she would reach out to the City Engineer as well as the Public Works Director to see if they know since they have been involved from the beginning.

Ms. Greenwood mentioned the signage could be in the eastern most boundary of the property, which is about 450 feet east of the West Davis Corridor, so changing it to a scenic byway could change their signage plans on the project. She asked the Commissioners if they want to put a hold on the Public Hearing until there is an answer to their question or do a conditional recommendation.

Commissioner Branch said he would prefer to table the item and Commissioner Barrus said he would entertain a motion and made a motion to table this item until there is more information regarding the question posed by Commissioner Lyon. The motion was seconded by Commissioner Sundloff.

Ms. Greenwood suggested keeping the hearing open until the 26<sup>th</sup> of January or hold the Public Hearing at the next meeting.

Commissioner Sommerkorn suggested that staff advertise the Public Hearing again for the January 26<sup>th</sup> meeting.

Chair Barrus said that the Public Hearing would be postponed to the January 26<sup>th</sup> Planning Commission meeting and started the voting for the motion. The vote was unanimous in favor of the applicant. (5-0)

## 5- PUBLIC HEARING FOR A REZONE APPLICATION FOR A TEXT AMENDMENT FOR TITLE 17 CHAPTER 27 MIXED USE ZONING DISTRICT OVERLAY

### Introduced by: Melinda Greenwood

Ms. Greenwood shared with the Commissioners that mixed use is tricky to get right and site specific. She said that there is a caveat in the ordinance saying if the City Council sees fit and finds other standards preferable, they could essential adopt anything with a project.

She began by saying that what she wanted to do in the second section in the document is to delineate everything that a developer needs to bring forward to have a complete application, which would include:

- A site plan
- A landscape plan
- Conceptual building elevation and design schemes
- Streetscape and building setback diagrams
- A traffic study as required by the Public Works Department
- A circulation plan and parking study as required by the Public Works Department justifying the amount of off-street parking being provided if shared parking is proposed
- The number and type of units and the general land use categories to be established within the mixed-use project shall be specified and enumerated in the design provided with the Development Agreement

Ms. Greenwood shared that in keeping with the State and APA the city is trying to push away from conditional uses altogether, so all the conditional uses now listed as permitted uses. One of the uses not listed in the original text was motels and hotels so that was added. The mixed use zone gives a lot of flexibility between staff and the developer so they can mitigate any impacts through the process.

Commissioner Lyons asked about the 12 foot ceiling requirement, stating concerns about venting and HVAC. He asked if we could allow for extra height.

Ms. Greenwood stated that our minimum height requirement is 13 feet for commercial space. There is not anything in place that would prohibit them from doing a taller commercial space. Commissioner Lyon asks about signage, wondering if there is a bright sign could we regulate the time the sign is lit.

Ms. Greenwood said signage is not really covered in this chapter but would be by the regular sign code chapter. There is a provision in the sign code that allows any project that is over five acres we can do a conditional use permit for signage for the entire project.

Ms. Greenwood continued speaking to the provision about phasing of a project, which would be in place to make sure that the city is getting what it wants out of the project as well as being sensitive to unforeseeable circumstances in market conditions and supplies. A development agreement would allow the city and developer to be market specific with the development phasing.

Ms. Greenwood moved to the next section in the ordinance regarding height regulations on mixed use projects. She asked the Commissioners on their thoughts for the best way to calculate square footage for mixed use projects.

Commissioner Lyon said you need to rely on the individual properties since the properties are not the same.

Commissioner Sommerkorn stated that it is good to allow flexibility which will allow for a good project, however there needs to be something stating how much commercial square footage is required.

Commissioner Sundloff spoke to the ambiguity of ii with the phrase “subject to” and suggested using “shall apply” to all commercial square footage so it is clear all three requirements be included.

Commissioner Branch suggested using “a satisfactory proportion of the two requirements as determined by the City Council.”

Commissioner Sommerkorn suggested using language saying something like “we prefer or recommend a minimum of 30% be commercial but that is subject to review and negotiation” or something similar.

Staff and Commissioners shared examples of mixed use projects from Murray up to Ogden.

Commissioner Branch suggested taking out item ii and rely on what the ordinance states. He feels that this would be valuable for the City Council to determine what guidelines would be given and built into the process and set 30% as the minimum with some exception to whatever the City Council feels like is the right proportion.

Ms. Greenwood continued to the height requirements of commercial main floor buildings on the arterial or collector streets. By amending section height requirements in 17-27-5 it would allow for the opportunity of a hotel to come in that would need to have four stories but not allow for four stories of apartments. Commissioner Sundloff mentioned height to abutting dwelling and said he prefers the term district or zone in 17-27-5 where it says dwelling or district.

Ms. Greenwood suggested removing “50 feet of residential dwelling” and Commissioner Sundloff liked the suggestion.

Ms. Greenwood stated that she increased some of the minimum height requirements and also made clarifications in the area, lot coverage, and yard requirements making it so those requirements would be handled through the development agreement.

Commissioner Sundloff suggested that on the height of buildings it should say “shall not exceed four stories or a maximum of 50 feet in height” making it clear that it is not an either or situation.

Ms. Greenwood noted that the Commissioners intentions were to limit no more than 50 feet but also no more than 4 stories.

Ms. Greenwood asked the Commissioner what they think the “community’s vision” is in 17-27-7 2a. Commissioner Sundloff suggested replacing the word community’s to General Plan since community’s vision was so subjective.

The Commissioners agreed on leaving the fenestration percentage at a minimum of 50%.

Ms. Greenwood also amended the open space requirements and amenities so that there is 10% of land area under consideration in the Central Commercial zone. Ms. Greenwood asked the Commissioners if

they wanted to amend the ordinance to have the percentage of land be based on the development agreement and not put a percentage in for a baseline. She also suggested using functionally usable open space that doesn't include park strips. The Commissioners liked that suggestion.

Ms. Greenwood continued to the next section of the document which discusses the amount of parking required for each project. She suggested that there be a parking study done for each project so that there will be unbiased valid data used in determining the amount of parking required.

Ms. Greenwood asked the Commissioners if they would like to add a percentage of the total required or base the requirements on a parking analysis. The Commissioners agreed with using the parking analysis as the guide to determining the amount of required parking.

Ms. Greenwood amended the parking reduction percentage for a project if they came within 1/4 or 1/8 of a mile of a transit stop. There would be an additional reduction up to 2 stalls for including bike racks, board, scooter, drone pats, or motorcycle stalls on site for use of residents and public.

The Commissioners were comfortable with the numbers suggested for parking reduction if projects fall within a quarter mile of a transit stop.

Ms. Greenwood said she added in a curb management section to the ordinance requiring project to accommodate delivery vehicles, and trucks, ride share access, moving trucks, and postal services.

Commissioner Sommerkorn suggested staff make the changes discussed by the Commissioners and then bring it back to the next meeting on January 26<sup>th</sup>.

Chair Barrus feels that we save the public hearing for this item for the next meeting with the finalized text.

Commissioner Sommerkorn made a motion to table consideration of Chapter 27 until Planning Commission sees the changes as discussed. Seconded by Commissioner Lyon. The motion passed unanimously. (5-0)

#### **6- CALL TO THE PUBLIC**

No public comments were made.

#### **7-OTHER MATTERS THAT PROPERLY COME BEFORE PLANNING COMMISSION**

Ms. Greenwood thanked the Commissioner for their work on the Flint Street Mixed Use project that went to city council and informed them it was approved with a 5-0 vote.

She also told the Commissioners that Kaysville City Manager, Shayne Scott took a job as Summit County Manager and expressed our sadness in seeing him move on.

#### **8-ADJOURNMENT**

Commissioner Lyon motioned to adjourn the meeting at 8:49 pm.