



**Kaysville City Planning Commission Meeting Minutes  
August 11, 2022**

The Planning Commission meeting was held on August 25, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

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

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

**Public Attendees:** Tom Pritt, Ann Pritt, Anna Crabb, Dennis De Decker, Jason Larsen, Sarah Robinette, Neeka Round, Marilyn Mitchell, and City Council Member Abbi Hunt.

**1-OPENING**

Chair Barrus opened the meeting by welcoming all in attendance to the August 25, 2022 Planning Commission meeting.

**2- APPROVAL OF THE MINUTES FROM THE AUGUST 11, 2022 PLANNING COMMISSION MEETING**

Commissioner Sundloff made a motion to approve the minutes from the August 11, 2022 meeting and Commissioner Lyons seconded the motion. All voted in favor of approving the minutes (6-0).

**3- CONDITIONAL USE PERMIT FOR FARM ANIMALS AT 690 EAST CENTER STREET FOR ANNA AND TOM PRITT**

**Introduced by: Melinda Greenwood**

Before making an introduction of the agenda item, Ms. Greenwood took a few moment to explain to the new Planning Commissioners and audience the purpose and uses of a Conditional Use Permit.

Ms. Greenwood shared the lot dimensions at 690 East. The applicant applied for a Conditional Use Permit to be able to allow horses on their property. This lot had a previous Conditional Use Permit for horses, however, once the horses are removed for more than a year, the owners would need to reapply for a CUP.

Tom Pritt approached the Commissioners. 1978 was when he purchased that land and is selling home and wanted to include this option to have horses for the new buyers.

Commissioner Sundloff asked if there are any animals on the property.

Mr. Pritt said that there are not any animals at the time.

Mrs. Pritt approached the Commissioners. She said that there have been horses, goats, sheep, ducks, chickens, rabbits, and homing pigeons on this land and have never had a problem with concerned neighbors.

Commissioner Barrus inquired as to the condition on the fence and Mrs. Pritt stated that the fence is in good condition.

Commissioner Sundloff inquired about how to enforce odors, dust, noise, etc. and if there needs to be a coop. Ms. Greenwood read from the code that it is required to have shelter for the animals and once a complaint is brought to staff, then staff would require the home owner to get animals into compliance.

Commissioner Doxey made the motion to approve the Conditional Use Permit with no additional conditions. Commissioner Branch seconded the motion and the vote was unanimous (6-0) in favor of the motion.

#### **4- CONDITIONAL USE PERMIT FOR A MAJOR HOME OCCUPATION B STONEYBROOK PRESCHOOL, LOCATED AT 930 NORTH STONEYBROOK FOR ANN CRABB**

##### **Introduced by: Mindi Edstrom**

Anna Crabb is the applicant for the Stoneybrook Preschool Conditional Use Permit. Applicant lives on a corner lot and has plenty of space for drop off.

Commissioner Barrus asks Ms. Crabb to approach the Commissioners for any further information or questions.

Commissioner Lott asked the applicant if she has spoken to her neighbors in regards to having a preschool at her home.

Ms. Crabb said that she has spoken to the neighbors and many of them will be sending their children to her preschool.

Commissioner Branch asked Ms. Crabb about the class size as well as the preschool hours.

Ms. Crabb will have up to 8 children in the preschool on days Monday- Thursday from 9:00 am-12:00pm.

Commissioner Sundloff said that because she is on a corner lot, parking seems to be a minor concern and doesn't feel that we need to impose conditions to the application.

Commissioner Sundloff made the motion to approve the Conditional Use Permit with no additional conditions. Commissioner Lyons seconded the motion and the vote was unanimous (7-0) in favor of the motion.

#### **5- DISCUSSION ON STATE CODE 17-27A-403(2) MODERATE INCOME HOUSING ELEMENT AND INCORPORATING STRATEGIES INTO THE 2022 GENERAL PLAN**

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

Ms. Greenwood gave the Commissioners and the audience an explanation as to why we are having the discussion about Moderate Income Housing. She shared that even after adopting our 2022 General Plan, we are already out of compliance with our moderate income housing plan and we are needing to be into compliance and the state is getting more and more forceful with what they are asking cities to do. In the last session of the State Legislature they increased the menu items that are available to cities as well as some of the language with the expectation of having a General Plan that would adopt at least five items from the list by October 1, 2022. The hope of the discussion is to pick the items that we feel can be supported and that elected officials will follow through on.

Commissioner Barrus asked about number 9 on the list of and if we have the data to get to where we need to be with the State. Ms. Greenwood asked if part of the question what quantifies this density to assure the production of MIH. Commissioner Barrus said yes and mentioned the push back that comes from the west side of Kaysville to rezone anything to be zoned R-1-8 and thinking that we would need to be a lot more dense to even get close to be moderately affordable.

Commissioner Sundloff thought that many of the suggested items on the list were already in our new General Plan and Ms. Greenwood said that they are not part of the goal and objectives word for word. She went on to share how the state over time has progressively gotten more forceful in telling cities what to do. For example with Internal Accessory Dwelling Units. The state told the cities that they *will* allow them.

The State will begin to impose penalties on cities if they do not begin to get in compliance. One penalty is that the state will take away road funding. So when the city gets BNC Class Road Fund it is one of the ways that the city is able to add and repair roads. The state has also said that if we are not in compliance we will not be able to apply for funding sources mostly for road projects and other funding.

Commissioner Lyon speaks to attainable housing and that it is for your teachers and firemen in the community who now have to live outside the community because they are not able to afford housing in the cities where they are working. The medium price for a home in Kaysville is \$800-900K and that is not affordable for someone making \$35-\$45,000 a year.

Commissioner Doxey said that the City of Kaysville has not done a good job at allowing attainable housing and that the politics don't allow it. Repeated times Planning Commission has recommended more attainable housing situations and the City Council turns it down time and time again. He feels that there needs to be some concrete step that makes it easy for City Council to adopt affordable housing solutions and not let politics go the other way.

Commissioner Lott asked if number 9 would align with the current general plan with the multi use overlay. Ms. Greenwood said that we would need to outline in the General Plan which ones we are electing to implement and get our city in compliance. Most cities are feeling the same sentiment that the residents do not want moderate income housing and that they have done more than their fair share of having moderate income housing. So if we are not in compliance we might not be able to apply for some funding and that may or may not matter to Council members. Ms. Greenwood does care to make Kaysville City in compliance with state code and it is our responsibility as staff and Planning Commissioners to recommend which items will feel will work and then it is up to the City Council as to what they will do with that.

Commissioner Sundloff referred to state code 10-98 that says that the city has to include the following three elements in the General Plan. Number one it has to be a land use element that does these goals, number two would be a traffic and circulation element and three would be the moderate income housing element.

Ms. Greenwood said that the general plan needs to have a specific moderate housing element and that we can choose three from the list of A-X. Each year the legislature add more to the list and adds more detail in the elements.

Commissioner Sommerkorn agrees with staff in the fact that we are nowhere close to where the state code require our general plan. Our 2019 Moderate Income Housing Plan is pretty close, but that is not what is in our General Plan. So we need to move what is in our modern income housing plan into the General plan with some tweaks.

Ms. Greenwood said that what we adopted in 2019 is a good place to start on this process.

Commissioner Doxey gave some numbers for what is possible to go on the one acres lots if they were to be rezoned to R-M. You could put up to 20 units of affordable townhomes.

Sundloff shared which elements that he would like to see added into the MIH plan. From section 10-984032 of the moderate income housing report criteria in Utah he would select ADFJL and RWE are honorable mentions.

Commissioner Doxey feels that you have to have some teeth in the game to go after the zoning to make it happen or the politics won't let it happen and then we will be mandated by the state. He feels that we need to be looking into all the fees that go into building in the city and make it easier for developers to want to come to Kaysville.

Commissioner Sommerkorn says that if we don't start to accommodate more moderate income housing then the state will mandate no more single family zoning and enforcing cities to allow for more accessory dwelling units. It is possible if communities do not begin to make any progress then the next step may be that all accessory dwelling units are now permitted in all residential zone.

Commissioner Sundloff said that the 2022 General Plan is now out the window since the state code now requires the moderate income plan to be in the General Plan. He mentioned Utah State Code 10-9a 408 5-8. 5 says that a municipality will get consideration if you implement three and even better five. When we comply we will have priority for things like transportation funds.

Commissioner Lott asked how many of the A-X elements are already part of the 2019 Moderate Income Plan.

Commissioner Sommerkorn stated that the 2019 Moderate Income Plan already has nine items in it. However, Ms. Greenwood points to number eight as an example and letter K they have the same element but letter K is just more specific.

Ms. Greenwood shared that in order to enforce adding a landlord program to the moderate housing income plan would require additional which would increase fees or property taxes.

Ms. Greenwood asked the Commissioners if their preference would be to bring the matches from the nine items from the 2019 plan to what's in the state code requirements.

The Commissioners agreed that staff should look at the nine elements from the 2019 plan and then see

how to incorporate elements A-X in the plan realizing that those that appear to be the low hanging fruit still end up having more requirements and not as easy to pass with City Council members.

Commissioner Barrus suggested doing a better job in communication with the public on the effects of these choices since the choices made for the elements could affect fees or taxes for residents.

Ms. Greenwood shared that the consequences of not being in compliance would be losing UDOT Funds, Department of Water Resources Funds and other funds if the city will not comply with state requirements.

Commissioner Branch and Sommerkorn are good with staff selecting the elements and then coming back to Planning Commission to discuss how we want to move forward for the new Moderate Income Housing Plan for Kaysville City.

Commissioner Doxey like elements E, F, and J.  
Commissioner Barrus likes element E as well.

Ms. Greenwood reiterated her job as staff is to do a contrast and compare between the nine items that we have in 2019 and what lines up to in the A-X elements and how we can apply and implement them in Kaysville City at the September 8, 2022 Planning Commission meeting.

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

Jason Larsen has been involved with commercial and residential land development in nine western states. He doesn't know how to get the City Council on board when you have a Planning Commission approve development 7-0 and then City Council votes it down.

Neeka Roundy approached the Planning Commission and staff to ask questions regarding consequences if the city were not to be in compliance and thanked the Planning Commission for having the conversation about moderate housing income as she was about to start having the discussion with her friends and neighbors.

Marilyn Mitchell believes that there is disconnect between City Council and the Planning Commission. Density is all on the east side and the concerns her. She wants affordable housing and wants it to be equally distributed throughout the city. She would also like to know what it will cost on both sides to implement verses what we are going to lose.

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

Registration coming up in October

#### **8-ADJOURNMENT**

Commissioner Lyons motioned to adjourn the meeting at 8:47 pm.