



**Kaysville City Planning Commission Meeting Minutes
September 22, 2022**

The Planning Commission meeting was held on September 22, 2022 at 7:00 pm in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Toby Barrus, Commissioners Steve Lyon, Jared Doxey, Rachel Lott, Cody Branch, Josh Sundloff, and Krista Keetch

Staff Present: Mindi Edstrom and Melinda Greenwood

Public Attendees: Val Starkey, Laurene Starkey, Meagan Jensen, Wen Fei Li, and City Council Member Abbi Hunt.

1-OPENING

Chair Toby Barrus opened the meeting by welcoming all in attendance to the September 22, 2022 Planning Commission meeting.

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

Commissioner Sundloff made a motion for the audio recording and YouTube recording to be part of the minutes for any further clarification.

Commissioner Doxey seconded the motion.

Chair Barrus asked the Commissioners for a discussion before voting.

After discussion, Commissioner Doxey withdrew his second.

Commissioner Keetch made a motion to second Commissioner Sundloff's motion.

Commissioner Sundloff gave further clarification of his motion stating the audio is to be incorporated into the meeting minutes so full statements of whatever was said can be used from the audio and not be bound by the strictures of the written record.

The vote was unanimous (7-0) in favor of the motion.

3- PUBLIC HEARING FOR THE TEXT AMENDMENT FOR KCC-17-13-4 R-D DIVERSE RESIDENTIAL DISTRICT CONDITIONAL USES

Introduced by: Melinda Greenwood

The text amendment is intended for the first paragraph in the 17-13-4, the R-D zone, which specifies conditional uses allowed in the zone. She stated she believes the intent of the ordinance was to not allow for any additional multifamily dwellings. However the language in the code was confusing and ambiguous.

The remedy for the confusion is to remove paragraph one altogether, eliminating any question of intent.

Chair Barrus asked if there were any questions for staff and there were none.

Chair Barrus opened up the Public Hearing to the public.

Laurene Starkey approached the Commissioners and asked for an explanation of what the R-D zone is.

Chair Barrus explained that taking the paragraph out would make it so that multiple dwellings would not be allowed as a conditional use.

Chair Barrus closed the Public Hearing.

Commissioner Sundloff said that the paragraph shouldn't have been put in the ordinance and that when this was put in the ordinance it was to make it so that prior dwellings would not become non-legal non-conforming or non-conforming uses and no others were to be allowed.

Commissioner Branch made a motion to approve the text amendment for KCC-17-13-4, R-D Diverse Residential District Conditional Uses as proposed by staff. Commissioner Lyons seconded the motion and the vote was unanimous (7-0) in favor of the motion.

4- DISCUSSION OF THE 2022 GENERAL PLAN TO INCLUDE MODERATE INCOME HOUSING ELEMENT BASED ON STATE CODE 17-27A-403(2)

Introduced by: Melinda Greenwood

Ms. Greenwood began by sharing what had been decided in the August 25, 2022 Planning Commission meeting where the Commission requested staff to go and look at the elements which were included in the 2019 General Plan.

Ms. Greenwood reminded the Commissioners that we need to have at least three elements to include in the General Plan and if we want priority status on applications then she would recommend that we have five elements added.

Ms. Greenwood shared that we would not be eligible for any state funding that comes through UDOT or Wasatch Front Regional Council if we are not compliant with state code.

Ms. Greenwood shared a slide that showed elements from the 2019 Moderate Income Housing section of the General Plan as well as the elements outlined in state code. She noted items she felt that simply wouldn't work for the City of Kaysville. She explained the city will be required to submit an annual report to the state saying how we are implementing the selected items and the state will be tracking compliance for each individual city.

Ms. Greenwood feels like elements A, E, and F are worth recommending to the City Council and would fill the state's requirements.

Chair Barrus stated he thinks we should do the three items and not five.

Commissioner Doxey asked cities who add five elements will they be at the top of funding lists and have priorities with the state?

Ms. Greenwood responded that the state would basically give a city bonus points on applications if they have five elements and that she is unsure how many communities will add the additional two items.

Commissioner Lyon feels that most cities will only add three and not want to add more than that due to the thin city staff and feels that we need to be aware of that. He feels the state should award the cities instead of penalizing the cities.

Commissioner Doxey asked how the state is going to be checking the progress of the items selected, specifically asking if it will be benchmarking. If so, we should pick those that would be easy to measure the progress.

Ms. Greenwood responded by saying that it has not been clear as to how the state will be doing the reporting and compliance monitoring.

Commissioner Branch suggested that since we already incorporated the three items in our 2019 General Plan we should stick to those but also feels that element F would be good to include. He stated that when we adopted the 2022 General Plan we became a little bit more liberal in what we are stating about the development of higher density and moderate income housing where we didn't specify that we were going to do it in the commercial or mixed-use zones near major transit investment corridors, so it feels that putting F back in would be somewhat more restrictive whereas the idea is to make so that we were expanding that. He asks if he interpreted our General Plan correctly and is if it is more beneficial to what the state is actually asking for.

Ms. Greenwood didn't feel that the current General Plan really meets what the state is requiring. She thinks that the state is wanting the Moderate Income Housing to have its own section and it needs to be specific word for word of the three to five items and how the city is going to make those elements work.

Commissioner Doxey feels that the Accessory Dwelling Units are low hanging fruit and thinks that the Commission should stick to the three items that could have the best impact. He likes the three elements that have been suggested.

Commissioner Sundloff asks the other Commissioners and staff to convince him as to why stick with the three elements as opposed to going with the five which qualifies us for priority consideration from funding sources.

Commissioner Lyon shared that there would be a burden on staff to add more than the required three elements.

Commissioner Sundloff shared that there are goals and objectives in the 2022 General Plan that are going to need funding, so why not go for the five elements so that it sets us up for the funding needed to do those projects. With elements A, E, and F and possibly J, which is to implement zoning incentives for moderate income units and new developments. He also suggested item R, which eliminates impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit and feels that this is a small risk. He also thought that item U could be a possibility. He feels the benefits of selecting five elements outweigh the potential drawbacks of losing funding.

Commissioner Branch said his views are in line with Commissioner Sundloff.

Commissioner Barrus suggested a compromise that we submit A, E, and F to the City Council members, and then if they want to go for the priority funding but say that our recommendation is at least do A, E, and F and then if they do want to go for the priority funding give them some additional recommendations of the other that we think would be good to do.

Commissioner Keetch feels like it would be helpful for the state to give us some clarity as to the kind of funding will be able to receive or not receive.

Ms. Greenwood said that it could be any state funding whether it be for recreation programs or parks or transportation funds.

Commissioner Keetch said she feels we should opt for five elements so that we don't possibly miss out on something that we could qualify for.

Commissioner Branch asked Ms. Greenwood about element N as it is on staff's potential recommendation. He feels that it could be very expensive and how element N is feasible and R less feasible.

Ms. Greenwood spoke to the various programs that would need to have a funding source to make element N feasible.

Commissioner Branch likes N because of the potential impact and return on investment and you are giving to the community for the very reason of being able to assist employees that can't afford to live in the cities where they work.

Commissioner Sundloff articulated the City will need more staff because of all the requirements coming from the state.

Ms. Greenwood commented that we are not alone in staffing needs and that many cities struggle with this same challenge of balancing a work load and the demands of the state. She continued saying it appears that the Commissioners are pretty set with A, E, and F and asked the Commissioners if they were wanting to give some honorable mentions to the City Council.

Chair Barrus liked the idea of giving the City Council a list of the three elements and then giving them a list of those that we like and tell them to choose two that they are comfortable with.

Ms. Greenwood suggested element J and feels that it is reasonable.

Commissioner Keetch said that if we agree on E then R and U make sense to include.

Commissioner Lyon suggested elements B and P.

Commissioner Branch is suggesting settling on five and give a list to the City Council of three elements that the Planning Commission recommends and here is a list of others if they want to have the five elements added.

Ms. Greenwood said that it appears that the Planning Commission prefer A, E, and F for the top three and then J, R, N, and U as others to be recommended to City Council. The Commission confirmed this was their consensus.

5- CALL TO THE PUBLIC

No public to speak.

6- OTHER MATTERS THAT PROPERLY COME BEFORE PLANNING COMMISSION

Ms. Greenwood spoke about ULCT conference registration. Commissioners Lyons, Lott and Barrus indicated they wanted to attend.

Ms. Greenwood informed the Commission that staff received two appeals for the Conditional Use Permit on 164 East 200 North. The first appeal is from the neighbors and the second is from the applicant. She said that Brent Bateman is willing to serve as the Administrative Law Judge for the appeal.

Commissioner Sundloff said that it would be a good idea to get some specific training for legislative and administrative items and to have a standard for conditions imposed.

7- ADJOURNMENT

Commissioner Lyons motioned to adjourn the meeting at 9:35 pm.