



Planning and Development Services

860 Levoy Drive, Suite 300 • Taylorsville, UT 84123

Phone: (385) 910-5600

Kearns Planning Commission

Public Meeting Agenda

Monday, August 4, 2025, 6:00 P.M.

Location

Microsoft Teams

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzYwZDY1NjUtYjIwZi00NjJkLTk1NDItM2E1ZmUyNzI2YWRm%40thread.v2/0?context=%7b%22Tid%22%3a%22fac3e0b8-c4a6-4120-b366-ee6cb2fb76a8%22%2c%22Oid%22%3a%22f8a001a5-21cc-482a-9f5a-682bacd87641%22%7d

Meeting ID: 232 669 529 060 6

Passcode: ip77SU96

Dial in by phone

[+1 213-357-4434,937868310#](tel:+12133574434937868310) United States, Los Angeles

[Find a local number](#)

Phone conference ID: 937 868 310#

**Anchor Location KEARNS ATHLETIC TRAINING AND EVENT CENTER
5658 SOUTH COUGAR LANE
MEETING ROOM**

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Welcome and approval of the agenda. (Motion/Voting)
- 2) **Commissioner Discussion and Staff Assignments:** this standing agenda item allows Planning Commissioners the opportunity to raise and discuss important issues related to current and long range planning in Kearns. The Commission may direct assignments to planning staff related to discussion items. (Discussion and Staff Direction: Planning Staff)

- 3) Approval of May 5, and July 7, 2025, Planning Commission Meeting Minutes. (Motion/Voting)
- 4) Other Business Items. (As Needed)

PUBLIC HEARING(S)

OAM2025-001456 - Consideration of an ordinance amending Title 19 of the Kearns Municipal Code to allow for farmers markets, flea markets, and swap meets as permitted uses in the commercial and public facility and institution zones. **Planner:** Bianca Paulino (Discussion/Recommendation)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

****Notice of this meeting was mailed to affected entities, posted at the anchor location, and noticed to the Utah Public Notice Website April 24, 2025 to <https://www.utah.gov/pmn/sitemap/notice/989951.html>****

MEETING MINUTE SUMMARY KEARNS PLANNING COMMISSION MEETING Monday, May 5, 2025, 6:00 p.m.

Approximate meeting length: 1 hour 30 minutes

Number of public in attendance: 1

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Taylor

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
David Taylor (Chair)	x	x	
Joy Nelson	x	x	
Laura Koester	x	x	
Gray Thomas (Vice Chair)	x	x	
Michael Reynolds	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Curtis Woodward	x	x
Chad Anderson	x	x
Nathan Bracken	x	x

BUSINESS MEETING

Meeting began at – 6:01 p.m.

- 1) Welcome and Approval of the Agenda. (Motion/Voting)

Commissioner Taylor read the Chairs Opening Statement.

Commissioner Nelson motioned to approve the agenda, Commissioner Reynolds seconded that motion.

- 2) **Commissioner Discussion and Staff Assignments:** this standing agenda item allows Planning Commissioners the opportunity to raise and discuss important issues related to current and long range planning in Kearns Metro Township. The Commission may direct assignments to planning staff related to discussion items. (Discussion and Staff Direction: Planning Staff)

Commissioners and staff had a brief discussion regarding the new Reagan sign on 6200. Quite a few outdoor advertising signs. If a road project creates non-compliance, they must find a new location for the sign. They received permission from the owner of the property to install the sign, and it had to be accepted.

The laundromat didn't anticipate the extent of changing from auto repair to a laundromat. Signage

is temporary.

Confirmed Atlantis Burger for dinner at the next meeting.

- 3) Approval of the March 3, 2025, Planning Commission Meeting Minutes. (Motion/Voting)

Motion: To approve March 3, 2025, Planning Commission Meeting Minutes with amendments.

Motion by: Commissioner Nelson

2nd by: Commissioner Thomas

Vote: Commissioners voted unanimously in favor

- 4) Other Business Items. (As Needed)

Michael confirmed he has taken the 1-hour OPMA training. Reminder of the 3-hour training on May 28th. Ms. Gurr will send out links for additional training options.

PUBLIC HEARING(S)

Hearing began at – 6:19 p.m.

OAM2025-001372 – Consideration of an ordinance adopting Kearns Engineering Standard Drawings and Specifications. The proposed ordinance includes the adoption by reference of the latest revision of AASHTO “A Policy on Geometric Design of Highways and Streets” (Green Book), the Utah Manual on Uniform Traffic Control Devices (MUTCD), and APWA Manual of Standard Plans and Manual of Standard Specifications, with some exceptions noted in the document. **Presenter:** MSD Engineering (Discussion/Recommendation)

Greater Salt Lake Municipal Services District Engineering Manager Chad Anderson provided an analysis of Kearns Engineering Standard Drawings and Specifications amendments.

Commissioners, staff, and counsel had a brief discussion regarding Kearns Improvement District and specification section 255. This year making five- and ten-year plans and engineering will know what they are doing clearer. Standard requirements for park strips. Variances and Exceptions, and land use code provisions. Bike lane separator and rumble strips.

Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.

PUBLIC PORTION OF HEARING OPENED

No one from the public was present to speak.

Commissioner Thomas motioned to close the public hearing, Commissioner Nelson seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file #OAM2025-001372 Consideration of an ordinance adopting Kearns Engineering Standard Drawings and Specifications. The proposed ordinance includes the adoption by reference of the latest revision of AASHTO “A Policy on Geometric Design of Highways and Streets” (Green Book), the Utah Manual on Uniform Traffic Control Devices (MUTCD), and APWA Manual of Standard Plans and Manual of Standard Specifications, with some exceptions noted in the document to the Kearns City Council for approval with Kearns Improvement District suggested changes to specification section 255 concerning the T-patch.

Motion by: Commissioner Thomas
2nd by: Commissioner Reynolds
Vote: Commissioners voted unanimously in favor

OAM2025-001375 – Consideration of a resolution amending Kearns’s land use fee schedule. **Presenter:** Brian Hartsell (Discussion/Recommendation)

Greater Salt Lake Municipal Services District Kearns Counsel Nathan Bracken provided an analysis of land use fee schedule amendments.

Commissioners, staff, and counsel had a brief discussion regarding striking FCOZ, boundary line adjustment, and short-term rentals.

Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.

PUBLIC PORTION OF HEARING OPENED

No one from the public was present to speak.

Commissioner Thomas motioned to close the public hearing, Commissioner Nelson seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file # OAM2025-00137 Consideration of a resolution amending Kearns’s land use fee schedule to the Kearns City Council for approval with staff recommendations with the removal of FCOZ on page 12 of the fee schedule.

Motion by: Commissioner Nelson
2nd by: Commissioner Thomas
Vote: Commissioners voted unanimously in favor

OAM2025-001376 – Consideration of an ordinance amending Title 19 of the Kearns Municipal Code to clarify when infrastructure and public improvements must be installed by a developer subject to the limitations on exactions in Utah Code. **Planner:** Brian Tucker (Discussion/Recommendation)

Greater Salt Lake Municipal Services District Senior Planner Curtis Woodward provided an analysis of the amendments to Title 19.

Commissioners, staff, and counsel had a brief discussion regarding exceptions in the industrial area and curb and gutter.

Commissioner Reynolds motioned to open the public hearing, Commissioner Nelson seconded that motion.

PUBLIC PORTION OF HEARING OPENED

No one from the public was present to speak.

Commissioner Reynolds motioned to close the public hearing, Commissioner Thomas seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend file #OAM2025-001376 Consideration of an ordinance amending Title 19 of the Kearns Municipal Code to clarify when infrastructure and public improvements must be installed by a developer subject to the limitations on exactions in Utah Code to the Kearns City Council for approval as presented.

Motion by: Commissioner Thomas

2nd by: Commissioner Koester

Vote: Commissioners voted unanimously in favor

Commissioner Thomas adjourned.

MEETING ADJOURNED

Time Adjourned – 7:31 p.m.

DRAFT



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****Notice of this meeting was mailed to affected entities and affected citizens, posted at the anchor location, and noticed on the Utah Public Notice Website June 27, 2025 to <https://www.utah.gov/pmn/sitemap/notice/1006249.html>****

MEETING MINUTE SUMMARY KEARNS PLANNING COMMISSION MEETING Monday, July 7, 2025, 6:00 p.m.

Approximate meeting length: 1 hour 23 minutes

Number of public in attendance: 5

Summary Prepared by: Wendy Gurr

Meeting Conducted by: Commissioner Taylor

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Planning & Development Services.

ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
David Taylor (Chair)	x	x	
Joy Nelson	x	x	
Laura Koester	x	x	
Gray Thomas (Vice Chair)	x	x	
Michael Reynolds	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Curtis Woodward	x	x
Justin Smith	x	x
Ethan Smith	x	x

BUSINESS MEETING

Meeting began at – 6:01 p.m.

- 1) Welcome and Approval of the Agenda. (Motion/Voting)

Commissioner Taylor read the Chairs Opening Statement.

Commissioner Nelson motioned to approve the agenda, Commissioner Reynolds seconded that motion.

- 2) **Commissioner Discussion and Staff Assignments:** this standing agenda item allows Planning Commissioners the opportunity to raise and discuss important issues related to current and long range planning in Kearns Metro Township. The Commission may direct assignments to planning staff related to discussion items. (Discussion and Staff Direction: Planning Staff)

Mr. Woodward said ordinance amendments long range is working on, including provisions for flea markets and swap meets. Mentioned in the code but not a set of standards to come before the planning commission.

Commissioner Taylor said a lot of zones that aren't zoned the same and can the MSD go through

some properties and label them properly. Mr. Woodward advised we will be focusing on water elements this year.

Commissioner Reynolds said on Zillow there is a property and zoning is flexible at the old boy's home. Mr. Woodward said there have been discussions with the owners about theoretical options.

3) Other Business Items. (As Needed)

Commissioner Taylor advised he doesn't mind doing a roll call, but with minutes or agenda does not need a roll call and the commission agreed.

PUBLIC HEARING(S)

Hearing began at – 6:17 p.m.

REZ2025-001400 - Craig Wilde is requesting a rezone from M-1 and M-2 zones to entirely an M-2 zone. **Acres:** 2.95. **Location:** 5183 West Liberator Drive. **Planner:** Justin Smith (Discussion/Recommendation)

Greater Salt Lake Municipal Services District Planner Justin Smith provided an analysis of the staff report.

Commissioners, staff, and counsel had a brief discussion regarding the general plan and future uses, zoning and potential zones,

PUBLIC PORTION OF HEARING OPENED

Speaker # 1: Applicant

Name: Craig Wilde

Address: 5183 West Liberator Drive

Comments: Mr. Wilde said the asphalt company is seeking a business license. Jobs are showing up and operating on the site. Doesn't have direct jobs and benefits. Split zoning is considered to be an inconsistency on a property. It has been used as a storage yard prior to this ownership group. Coming forth with a site plan application and carrying through to make sure all requirements are met. M-2 predominantly on the site and just moving and storage, no production or manufacturing, just parking equipment.

Commissioners and staff had a brief discussion regarding jobs and revenue, character area transformation, M-1 assembly and M-2 manufacturing differences, properties success and potential developments, jump start retail area, and rezone factors.

Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.

Speaker # 2: Citizen

Name: Roger Snow

Address: 5977 South Parkwood Drive

Comments: Mr. Snow said with the zone being M-1 to M-2, it obviously needs more property. If moved to M-2, does that mean asphalt will start being produced and begin producing smells and noise.

Commissioner Reynolds motioned to close the public hearing, Commissioner Thomas seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Motion: To recommend application #REZ2025-001400 Craig Wilde is requesting a rezone from M-1 and M-2 zones to entirely an M-2 zone to the Kearns Council with staff recommendations.

Motion by: Commissioner Nelson

2nd by: Commissioner Koester

Vote: Commissioner Thomas voted nay, all other commissioners voted in favor. Motion passed.

LAND USE APPLICATION(S)

CUP2025-001399 – Jake Williams is requesting Conditional Use Approval for the 50 Unit Kearns Brinshore/Housing Connect Apartments. **Location:** 4996 and 4998 West 5035 South. **Zone:** R-M (High-Density Residential) Zone. **Planner:** Jeff Miller (Motion/Voting)

Greater Salt Lake Municipal Services District Senior Planner Curtis Woodward provided an analysis of the staff report.

Commissioners and staff had a brief discussion regarding the walkway and public accessibility and connections, proposed roads on the south end, pedestrian use on the road whether there is a walkway, daycare has a jungle gym, pickle ball and fenced in dog run.

PUBLIC PORTION OF HEARING OPENED

Speaker # 1: Represents the 22-design firm

Name: Jake Williams

Address: Not provided

Comments: Mr. Williams said the idea is a looping, landscape walkway, combining the neighborhood above. Stairs will be redone and there is public access and accommodate what needs to be done. Three connections, one to the main road, and two that come out to the south. There is a sidewalk without having to cross the road. Will do a raised crosswalk if kept and open to the planning commission's recommendation. Apartments and daycare must have separate playgrounds. Fitness center and lounge area inside the apartments. Create a community building between the duplexes and apartments. Play area outside of the shed. Love the story of the train station, center part as train landing with a covered park and central community area and walk out onto the plaza. Federal tax credits they will apply for in August. Daycare is staying.

Commissioner Thomas motioned to open the public hearing, Commissioner Nelson seconded that motion.

Speaker # 2: Citizen

Name: Roger Snow

Address: 5977 South Parkwood Drive

Comments: Mr. Snow said he pushes commercial, but in this case that would be left in Kearns to give an apartment complex the go ahead, fits in with the duplexes and won't affect the main roads for traffic. This will help with the medium income housing. The habitat for daycare in that area will be convenient for residents there.

Speaker # 3: Real estate developer, owner's representative

Name: Kirk Moorhead

Address: Not provided

Comments: Mr. Moorhead said he didn't have any input and is open to questions.

Commissioners and applicants had a brief discussion regarding phasing the daycare. Phase one will be to build the daycare first without lapses and keep the daycare operational without interruption. They will offer tenants discounted daycare at the center. Zoning concessions like reduced minimum parking and allowing the daycare and apartments share the parking.

Commissioner Thomas motioned to close the public hearing, Commissioner Koester seconded that motion.

PUBLIC PORTION OF HEARING CLOSED

Commissioners and applicants had a brief discussion regarding displacing daycare and the goal is not to have a lapse of daycare, providers or residents, and make the move as seamless as possible. Plan in place with two different plans. One request was a separate daycare building to maintain their services.

Motion: To approve application #CUP2025-001399 Jake Williams is requesting Conditional Use Approval for the 50 Unit Kearns Brinshore/Housing Connect Apartments with staff recommendations concerning adequate working with traffic engineers and adequate reviewing agencies approval before building permit issued.

Motion by: Commissioner Thomas

2nd by: Commissioner Koester

Vote: Commissioners voted unanimously in favor

Commissioner Thomas motioned to adjourn, Commissioner Nelson seconded that motion.

MEETING ADJOURNED

Time Adjourned – 7:24 p.m.



Planning Commission Staff Report

Meeting Body: Kearns Planning Commission

Meeting Date: August 4th, 2025

File Number & Project Type: OAM2025-001456 – a proposed amendment adding flea markets, farmers markets, and swap meets as permitted uses in the C-1, C-2, PF, and PI zones.

Applicability: Citywide

Planner: Bianca Paulino

Applicant: Kearns Staff

Key Findings:

- There is community interest in allowing local markets.
- The proposed amendment specifies where local markets are allowed.
- Local markets can help support small businesses and bring in sales tax revenue.

Staff Recommendation: The MSD Planning Staff recommend that the Kearns Planning Commission recommend that the Council approve the attached ordinance.

Exhibits:

A. Proposed Ordinance

PROPOSED ORDINANCE

The proposed ordinance amendment would allow farmers markets, flea markets, and swap meets as permitted uses in the Commercial C-1 and C-2 zones, as well as the Public Facilities (PF) and Public Institution (PI) zones. This ordinance amendment is in response to community interest in creating more opportunities within Kearns for local markets that support small businesses and vendors.

BACKGROUND/ ISSUES TO CONSIDER

Kearns is a landlocked community with limited commercial space, which restricts opportunities for economic growth and local business activity. Local farmers markets, flea markets, swap meets and other similar activities, if properly organized, can provide opportunities for local entrepreneurs and customers to interact and provide sales tax revenue for the City. The current zoning code does not clearly specify whether uses such as farmers markets, flea markets, and swap meets are permitted, limiting the potential for these community-oriented markets to operate.

ANALYSIS

General Plan Considerations.

This amendment supports the Kearns General Plan (adopted October 22, 2020). It aligns with the following goals from the Economic Development chapter:

- Goal: Promote a diverse business mix in Kearns
- Goal: Strengthen Kearns' commercial areas which includes the objective to draw customers to Kearns' commercial areas
- Goal: Create an equitable and supportive business environment

(Kearns General Plan, 2020, Economic Development section, p. 159-160).

To address the limited commercial space in Kearns and to provide clearer guidance in the zoning code, staff recommend amending the land use ordinance to explicitly allow farmers markets, flea markets, and swap meets as permitted uses in the Commercial (C-

1 and C-2), Public Facilities (PF), and Public Institution (PI) zones. These markets offer flexible opportunities for small and local businesses to operate and can help generate additional sales tax revenue. In addition, these uses can help attract customers to Kearns' commercial areas, supporting both existing and new local businesses.

Clarifying these uses in the zoning code will allow for better coordination between local businesses and vendors, the community, and the city. Staff will also work closely with the Business Licensing and Building departments to establish a clear process for these types of markets to ensure compliance with sales tax reporting, health and safety standards, and other applicable regulations. This process will define operational parameters and requirements for farmers markets, flea markets, and swap meets.

PLANNING COMMISSION OPTIONS:

As a recommending body to the Council for zoning map amendments and text changes, the planning commission has the following options:

1. **Approval:** The planning commission recommends approval of application OAM2025-001456 to amend Title 19 of the City of Kearns municipal Code.
2. **Approval with changes:** The planning commission recommends approval of application OAM2025-001456 to amend Title 19 of the City of Kearns municipal code with the following changes:
3. **Denial:** Having considered the Guidelines for Zoning Text Amendments contained in Chapter 19.16 of the City of Kearns zoning ordinance, the planning commission recommends denial of application OAM2025-001456 to amend Title 19 of the City of Kearns municipal code.

STAFF RECOMMENDATION

Staff finds that:

1. Due to its late incorporation relative to surrounding communities, Kearns was left with relatively little commercial development from which to draw sale tax revenue.
2. In order to provide services to its citizens, Kearns has a strong interest in drawing customers to its commercial areas and promoting a diverse business mix that includes local markets.
3. These local markets support small businesses, bring customers to Kearns, and provide opportunities for local sales that include sales taxes.
4. The existing ordinances do not clearly address community-oriented markets and are in need of clarification.

5. The amendment specifies where local markets are allowed within Kearns.

Given the above findings, staff recommends the following action:

The MSD Planning Staff recommend that the Kearns Planning Commission recommend that the Council approve the attached ordinance.

ORDINANCE 2025-O-14

Ordinance No. 2025-O-14

Date: August 11, 2025

AN ORDINANCE OF THE KEARNS CITY COUNCIL TO CONSIDER AN ORDINANCE AMENDING TITLE 19 OF THE KEARNS MUNICIPAL CODE TO ALLOW FOR FARMERS MARKETS, FLEA MARKETS AND SWAP MEETS AS PERMITTED USES IN THE COMMERCIAL, PUBLIC FACILITY AND INSTITUTION ZONES

RECITALS

WHEREAS, City of Kearns is a municipality and has authority to adopt a land use regulation pursuant to Utah Code [§ 10-9a-501 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Section 9a, Utah Code; and

WHEREAS, the Council deems it necessary to amend Title 19, Subsection 19.04.070.A.181, Table 19.32.030 – Uses Allowed in Commercial Zones, and Table 19.38.030 – Uses Allowed in the PF and PI Zones to allow for farmers markets, flea markets, and swap meets in order to support local small businesses and vendors, encourage community gathering, and promote economic activity that contributes to local sales tax revenue, and for the protection and preservation of the public health, safety, and general welfare;

WHEREAS, the City of Kearns Planning Commission held a public hearing on August 4th, 2025 to consider an ordinance amending Title 19 as set forth in Exhibit A (the “Proposed Action”) accordance with Utah Code §§ 10-9a-205 and 10-9a-502; and

WHEREAS, the Planning Commission has recommended that the Council adopt the proposed amendments.

BE IT ORDAINED BY THE CITY OF KEARNS CITY COUNCIL as follows:

1. Amendments: Title 19, Subsection 19.04.070.A.181, Table 19.32.030 – Uses Allowed in Commercial Zones, and Table 19.38.030 – Uses Allowed in the PF and PI Zones are hereby revised as set forth in Exhibit A.
2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

3. Direction to Staff. Staff are authorized and directed to take such steps as may be needed: (a) for this ordinance to become effective under Utah law, including but not limited to compliance with the requirements of Utah Code § 10-3-711; and (b) to finalize and post the ordinance to Municode, including but not limited to making non-substantive edits to correct any scrivener's, formatting, and numbering errors.

4. Effective Date. This Ordinance will take effect immediately pursuant to Utah Code § 10-3-712.

PASSED AND ADOPTED this 11th day of August 2025.

KEARNS CITY COUNCIL

By: Kelly Bush, Mayor

ATTEST

Diana Baun, Recorder

Voting:

Council Member Bush	voting ____
Council Member Butterfield	voting ____
Council Member Peterson	voting ____
Council Member Schaeffer	voting ____
Council Member Snow	voting ____

(Complete as Applicable)

Date ordinance summary was posted to the City of Kearns website, the Utah Public Notice website, and in a public place within The City of Kearns per Utah Code §10-3-

711: _____

Effective date of ordinance: _____

EXHIBIT A

CHAPTER 19.04 DEFINITIONS

19.04.070 Use Definitions

181. "Swap Meets and Flea Markets" means a market operating for the sale or exchange of merchandise **to the general public** at retail by many sellers [~~within a drive-in theater or enclosed building~~]. This does not include garage sales.

CHAPTER 19.32 COMMERCIAL ZONES

Table 19.32.030 – Uses Allowed in Commercial Zones.			
Use Categories			
RETAIL AND SERVICE:	C-1	C-2	C-3
Car and Light Truck Wash	P	P	X
Child Care Center	P	P	X
Check Cashing	P	P	X
Commercial Plant Nursery	P	P	X
<u>Swap Meets and Flea Markets</u>	<u>P</u>	<u>P</u>	<u>X</u>
<u>Farmers Market</u>	<u>P</u>	<u>P</u>	<u>X</u>
Financial Institution	P	P	X
Kennel, Commercial	P	P	X
Laundry Cleaning, Automatic Self-Help and/or Drop Off	P	P	X
Liquor and/or Wine Store and Package Agency	P	P	X
Mobile Store	P	P	X
Pawn Shop	P	P	X
Personal Care Services	P	P	X
Personal Instruction Services	P	P	X
Reception Hall, Reception Center	P	P	X
Reiki	P	X	X
Retail and Service Commercial	P	P	X

Retail Shops or Galleries where Primary Product is Produced On-Site	P	P	X
Retail Tobacco Specialty Business	P	X	X
Self-Service Fuel Station	P	P	X
Sexually Oriented Business or Activity	X	X	P
Shopping Center	C	C	X
Vehicle and Equipment Repair, Minor	P	P	X
Vehicle Rental	P	P	X
Vehicle Sales and Service	P	P	X
Vehicle Sales, Small Dealership	P	P	X
FOOD AND DRINK:			
Bars and Clubs	P	P	X
Breweries and Distilleries in association with a Restaurant	P	P	X
Food truck / mobile restaurant / food cart	P	P	X
Restaurant, Fast Food	P	P	X
Restaurant, Sit-Down with or Without Alcohol	P	P	X
LODGING:			
Bed and Breakfast Inn	P	P	X
Hotel/Motel	X	P	X
OFFICE:			
Office, General	P	P	X
Office, Intensive	P	P	X
Office, Medical	P	P	X
RECREATIONAL:			
Athletic Clubs	P	P	X
Commercial Recreation	P	P	X
Recreation Facility, Commercial	P	P	X
Recreation Facility, Public	P	P	P
Theatres and Concert Halls (Indoor)	P	P	X
INSTITUTIONAL USES:			
Animal Control or Rescue Facility	P	P	X
Animal Hospital or Clinic	P	P	X
Animal Hospital or Clinic with Outdoor Holding Facilities	P	P	X
Cemetery	X	X	P
Church, Synagogue, Mosque, Temple, Cathedral, or other religious buildings	P	P	P
Hospital	P	P	X
Libraries	P	P	P

Parks/Open Space	P	P	P
Public Uses	P	P	P
Public Utilities, Major	C	C	P
Public Utilities, Minor	P	P	P
Schools, Public	P	P	P
Schools, Private/Charter	C	C	X
PLANNED UNIT DEVELOPMENTS, SUBJECT TO CHAPTER 19.18:			
Condominium Conversion Planned Unit Developments	P	P	P
Infill Development Planned Unit Developments	X	X	X
Residential Neighborhood Planned Unit Developments	X	X	X
Residential Community Planned Unit Developments	X	X	X
Mixed Use Planned Unit Development	C	C	C
Commercial Planned Unit Developments	C	C	C
SPECIALTY:			
Crematorium	P	P	X
Laboratory, Medical or Dental	P	P	X
Laboratory, Research and Development	P	P	X
Mortuary or Funeral Home	P	P	X
Nursing Home, Convalescent Care Center	P	P	X
Rehabilitation/Treatment Facilities	P	P	X
Self-Service Storage Facilities, Enclosed	P	P	X
ACCESSORY USES:			
Accessory Outside Storage	C	X	X
Home Occupations, subject to Chapter 19.42	P	P	X
Household Pets, not including kennels	P	P	X
Drive-Thru and Drive-Up Facilities appurtenant to a permitted use	P	P	X
Outdoor dining appurtenant to a permitted restaurant use	P	P	X
Sidewalk Displays and Sidewalk Cafes appurtenant to a permitted use	P	P	X
Temporary buildings, subject to 19.44	P	P	X
NONCONFORMING USES:			
Pre-Existing Lot	P	P	P
Pre-Existing Structure	P	P	P
Pre-Existing Use	P	P	P

CHAPTER 19.38 PUBLIC FACILITIES AND INSTITUTIONS ZONES

Table 19.38.030 – Uses Allowed in the PF and PI Zones.		
Use Categories	PF	PI
AGRICULTURAL:		
No Agricultural Uses are permitted in the PF or PI Zones.		
RESIDENTIAL USES:		
No Residential Uses are permitted in the PF or PI Zones.		
RETAIL AND SERVICES:		
Child Care	P	P
FOOD AND DRINK:		
See “Accessory Uses”		
<u>MARKETS AND EVENTS</u>		
<u>Swap Meets and Flea Markets</u>	<u>P</u>	<u>P</u>
<u>Farmers Markets</u>	<u>P</u>	<u>P</u>
RECREATIONAL:		
Commercial Recreation	P	P
Private, Non-Profit Recreational Grounds and Facilities	P	P
Reception Center	P	P
Recreation Facility - Private, Public, or Commercial	P	P
Theaters and Concert Halls, Indoor	X	C
LODGING:		
No Lodging Uses are permitted in the PF or PI Zones.		
INDUSTRIAL:		
No Industrial Uses are permitted in the PF or PI Zones.		
INSTITUTIONAL USES:		
Church, Synagogue, Mosque, Temple, Cathedral, or Other Religious Buildings	P	P
Cemetery	C	X
Community Garden	P	P
Hospital	P	P
Micromobility Support Infrastructure	P	P
Private or Charter School	C	C
Public Parks	P	P
Public School	P	P
Public Use	P	P
Solar Energy System, Accessory	P	P

Wind Energy System, Accessory	P	P
Wireless Telecommunication Facility	P	P
PLANNED UNIT DEVELOPMENTS:		
No Planned Unit Development Uses are permitted in the PF or PI Zones.		
SPECIALTY:		
Park and Ride	P	X
ACCESSORY USES:		
Sidewalk Displays and Cafes	P	P
Food Truck / Mobile Restaurant / Food Cart	P	P
Mobile Store	P	P
Recreational Areas and Facilities	P	P
Solar Energy Systems	P	P
Swimming Pools and Hot Tubs	P	P
Office - General, related to primary use	P	P
Temporary Uses, subject to 19.44.	P	P

SUMMARY OF
CITY of KEARNS
ORDINANCE NO.

On August 11, 2025, the City of Kearns Council enacted Ordinance No. 2025-O-14, amending Title 19 of the Kearns municipal code to allow for Farmers Markets, Flea Markets and Swap Meets as Permitted Uses in the Commercial, Public Facility and Institution Zones.

By: Kelly Bush, Mayor

ATTEST

Diana Baun, Recorder

Voting:

Council Member Bush	voting ____
Council Member Butterfield	voting ____
Council Member Peterson	voting ____
Council Member Schaeffer	voting ____
Council Member Snow	voting ____

A complete copy of Ordinance No. 2025-O-14 is available in the office of the City of Kearns Recorder, 860 Levoy Drive, Suite 300, Taylorville, Utah.