

FARMINGTON CITY PLANNING COMMISSION

Thursday, March 23, 2006

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 6:30 P.M. **David Petersen** reviewed the following items:

Agenda Item #2: City Council Report:

- The City Council tabled consideration of the 1100 West Street dedication plat.
- The City Council agreed to meet with property owners regarding Original Townsite Residential (OTR) zone issues on April 19, 2006.
- The City Council authorized City staff to request UDOT to restrict parking on the north side of Shepard Lane at Shepard Pointe Office Condominium frontage as requested by David Fjeldsted and J.R. Knight.

Agenda Item #3: Public Hearing - Steven and Lisa Anderson - Applicants are requesting a recommendation to amend the Oak Lane #2 Subdivision plat by vacating all of lots 10 and

11 (346 East Oak Lane) and a recommendation for minor plat approval for a two lot subdivision consisting of said vacated lots and an unplatted parcel fronting on 500 South Street at 327 East. This action involves reconfiguring two lots and a parcel into two lots. No new lots will be created. A single family home now occupies the existing lot fronting Oak Lane and a single family home now occupies the existing parcel fronting 500 South Street (S-6-06)

David Petersen reviewed the applicant's request which would allow them to create a large lot for their personal use. If the Planning Commission approves the request, it would not alter the existing neighborhood. He said City staff recommends approving the lot vacation and minor plat approval.

Agenda Item #4: Ken and Jackie Hardy (Public Hearing) - Applicants are requesting approval of a metes and bounds subdivision (lot split) consisting of 2.34 acres located at 325 West Glovers Lane in an LM&B zone (S-4-06):

David Petersen reviewed the applicant's request. He passed out an Agreement that was entered into on October 27, 2005, between Farmington City and Jeff W. Smith. He read the following paragraphs from the Agreement:

3. *The City and Developer hereby agree and acknowledge that, in the event the*

future owners of either UDOT parcel to the west or east or the remnant Hardy parcel determine to improve their respective properties prior to the time Developer develops the balance of the Property, such party or parties will be required to design and improve their respective frontages to the Right-of-way to a full road at a width determined by the City. Whoever develops their property first shall also be required to construct and install curb and gutter, and sidewalks on both sides of the street, and if required by the City, acceptable sanitary sewer, storm drainage and irrigation water lines if the same is determined to be available in the area as well as service laterals for water, sewer and irrigation to their property.

4. *In the event Developer develops the property prior to development of any of the aforesaid adjoining properties, Developer agrees at Developer's expense to cause to be designed and installed an 8" diameter culinary water line or larger, to City Construction Standards, as determined by the City, extending from Glover Lane south to the southerly edge of the Property. In addition, Developer agrees to construct a minimum 20 foot wide strip of public street with asphalt paving with appropriate base and sub-base to satisfy City Standards from Glover Lane south to a point satisfactory to the City, but not beyond the south edge of the Property.*

David Petersen suggested that the Planning Commission recommend the subdivision contingent upon the City Council approving the rezone request. At that time, the City Council could contemplate the rezone request, the subdivision, and the Agreement with Jeff Smith. He also recommended that the applicant meet with the Mayor and a member of the City Council prior to the public meeting so they could determine the definition of “development”.

Cory Ritz said the applicants were not a part of the agreement so they should not be bound to it.

David Petersen said the Agreement memorialized a City ordinance states that if development occurs adjacent to an unimproved right-of-way, the developer is responsible to improve it.

[**Kevin Poff** arrived at 6:45 P.M.]

Ken Hardy told the Planning Commission that his shed would be 40' x 80' but would not have water connected to the shed at this time. He said his shed was planned prior to Jeff Smith's agreement with the City. He said the Agreement is illegal if it requires certain things of him that he did not agree to.

The Planning Commission discussed the issue and agreed that it should be considered by

the City Council since they were not aware of the history of the Agreement.

Agenda Item #5: Ken and Jackie Hardy (Public Hearing) - Applicants are requesting a recommendation to rezone a portion of their property (approximately 1.24 acres) located at 325 West Glovers Lane from LM&B to AE (Z-4-06):

David Petersen explained that **Mr. Hardy's** property is located in between an LM&B zone and an AE zone so the applicant's request is consistent with the existing area. He recommended that the Planning Commission approve the applicant's request.

Ken Hardy said his building should not be considered a development.

Jim Talbot suggested that the Planning Commission recommend that the City Council approve the applicant's request. He suggested that **Mr. Hardy** meet with the Mayor, a City Council Member and City staff prior to the City Council meeting.

Ken Hardy said he plans to put one of his trucks in the road to prevent development in the area until his request has been approved.

Jim Talbot informed **Mr. Hardy** that if he works with the City in a rational manner, his request will likely be approved.

Agenda Item #6: Jerry Preston (Public Hearing) - Applicant is requesting conditional use and site plan approval to construct a garage even with the front of a proposed single family home to be located at 138 East 100 North in an OTR zone (C-3-06):

David Petersen said the applicant's request is similar to a request that was approved by the Planning Commission two years ago. He said **Jerry Preston** suggested that City Staff handle similar issues in the future. He said he had not received a recommendation from the Historic Preservation Commission regarding the applicant's request.

The Planning Commission discussed the request and agreed that it would be consistent with the other homes in the area, including the condos which are adjacent to the property.

Agenda Item #7: Farmington City (Public Hearing) - Applicant is requesting a recommendation to amend the Zoning, Subdivision and Sign Ordinances regarding a variety of topics, clarifications and typographical errors in the ordinances (ZT-1-06)

David Petersen informed the Planning Commission that the amendments being proposed were discussed at the previous Planning Commission meeting. He recommended that the amendments regarding the OTR zone be addressed after the public hearing regarding the OTR zone has been held. The *Ordinance Changes Necessary for New Plan Review Procedures* was not discussed at the previous meeting but needs to be memorialized. He explained the

Ordinance makes the planning process more efficient for both the developer and City staff. The Appendix has been used by the City for a number of years so it also needs to be considered for approval.

The Planning Commission discussed the Sign Ordinance. **Mr. Petersen** said it was not necessary to amend it, as was suggested at the previous meeting. The Commissioners suggested that the Sign Ordinance include the phrase: “unless authorized in the specific zone”, so it will not be so restrictive.

The meeting adjourned at 6:55 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members Keith Klundt, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, and Recording Secretary Jill Hedberg.

Chairman Talbot called the meeting to order at 7:00 P.M. **Cory Ritz** offered the invocation.

APPROVAL OF MINUTES

Rick Wyss moved that the Planning Commission approve the minutes of the March 9, 2006, Planning Commission Meeting. **Kevin Poff** seconded the motion. The Commission voted unanimously in favor. **Cory Ritz** abstained due to his absence at the March 9, 2006, meeting.

CITY COUNCIL REPORT

David Petersen said he would answer any questions the Planning Commissioners may have regarding the City Council report that was given during the Planning Commission Study Session.

PUBLIC HEARING: STEVEN AND LISA ANDERSON - APPLICANTS ARE REQUESTING A RECOMMENDATION TO AMEND THE OAK LANE #2 SUBDIVISION PLAT BY VACATING ALL OF LOTS 10 AND 11 (346 EAST OAK LANE) AND A RECOMMENDATION FOR MINOR PLAT APPROVAL FOR A TWO LOT SUBDIVISION CONSISTING OF SAID VACATED LOTS AND AN UNPLATTED PARCEL FRONTING ON 500 SOUTH STREET AT 327 EAST. THIS ACTION INVOLVES RECONFIGURING TWO LOTS AND A PARCEL INTO TWO LOTS. NO NEW LOTS WILL BE CREATED. A SINGLE FAMILY HOME NOW OCCUPIES THE EXISTING LOT FRONTING OAK LANE AND A SINGLE FAMILY HOME NOW OCCUPIES THE EXISTING PARCEL FRONTING 500 SOUTH STREET (S-6-06)

(Agenda Item #3)

David Petersen displayed a map of the existing property. He also displayed a map of the proposed property. He recommended approving the applicant's request since it would not increase the number of lots or housing units.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Steven Anderson (346 East Oak Lane) said he was available to answer any questions the Planning Commission may have.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

The Planning Commission discussed the request. They agreed the proposal was consistent with the surrounding area. They were impressed by the applicant's efforts to obtain signatures from surrounding property owners stating their approval of the vacation of lots 10 and 11 in the Oak Lane #2 subdivision.

Motion

Kevin Poff moved that the Planning Commission recommend that the City Council amend the Oak Lane #2 Subdivision Plat and the minor plat for the proposed two lot Anderson Subdivision as requested. **Paul Barker** seconded the motion, which passed by unanimous vote.

Findings

- It cleans up existing boundary.
- Plats unplatted property
- Consistent with the City's General Plan, other ordinances of the City and State Law.

PUBLIC HEARING: KEN AND JACKIE HARDY - APPLICANTS ARE REQUESTING APPROVAL FOR A METES AND BOUNDS SUBDIVISION (LOT SPLIT) CONSISTING OF 2.34 ACRES LOCATED AT 325 WEST GLOVERS LANE IN AN LM&B ZONE (S-4-06) (Agenda Item #4)

Background Information

The applicants wish to create two parcels of land from a single parcel to allow them to

live in their existing home on one parcel and run their excavation business from the adjacent parcel. Separate parcels have previously been recorded, but they did not go through the appropriate subdivision process. This action will make the parcel split official.

The property was previously zoned AE. It was changed to the current zoning of LM&B to accommodate the excavation business. However, in order to allow the applicants to live on LM&B property they would have to be an accessory use located on the same piece of property as the commercial operation. They intended to merge the two pieces of property back together, but there were issues with an existing mortgage. If they get approval to split the parcel officially, they will try to get a zone change that allows residential uses on the parcel that has the house and the plans to locate the commercial building on the adjacent property can proceed.

END OF PACKET MATERIAL.

David Petersen displayed a Vicinity Map and explained where the LM&B and AE zones were located. He explained how a parcel was created on the Hardy property without the approval of the County or the City. If the applicant's request is approved, it will memorialize the parcel. He recommended that the subdivision be approved subject to the following:

- The City Council's review of the Agreement between Farmington City and Jeff Smith and determination that the proposed commercial building is not considered

a “development”.

- The City Council granting approval for the applicant’s request to rezone a portion of the property from LM&B to AE.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Chairman Talbot** closed the public hearing.

Motion

Cory Ritz moved that the Planning Commission recommend the City Council approve the subdivision into two parcels of the property at 325 West Glover Lane subject to all applicable development standards and ordinances, and subject to the City Council approving the property rezone and subdivision in accordance with the Agreement between Farmington City and Jeff Smith. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Findings

- It makes legal an illegal subdivision that was done years ago.
- The subdivision complies with City Ordinances.
- It provides for a separation of use.

**PUBLIC HEARING: KEN AND JACKIE HARDY - APPLICANTS ARE REQUESTING
A RECOMMENDATION TO REZONE A PORTION OF THEIR PROPERTY
(APPROXIMATELY 1.24 ACRES) LOCATED AT 325 WEST GLOVERS LANE FROM
LM&B TO AE (Z-4-06) (Agenda Item #5)**

Background Information

The applicants wish to change the zoning on a parcel of ground that is being created from a larger parcel from LM&B to AE. This will allow them to live in their existing home on one parcel and run their excavation business from the adjacent parcel. Separate parcels have previously been recorded, but they did not go through the appropriate subdivision process, so action is being taken that will make the parcel split official. The current approved configuration means the change will be on only part of the large parcel.

The property was previously zoned AE. It was changed to the current zoning of LM&B

to accommodate commercial uses. However, in order to allow the applicants to live on LM&B property they would have to be an accessory use located on the same piece of property as the commercial operation. They intended to merge the two pieces of property back together, but there were issues with an existing mortgage. If they get approval to change the zoning of the parcel on which their home is located back to AE, it will allow the residential use and plans to locate the commercial building on the adjacent property to proceed.

END OF PACKET MATERIAL

David Petersen explained the applicant's request to have their house site be consistent with the AE zone which is north and west of their property. The proposal is consistent with the LM&B zone which allows accessory dwelling quarters. He felt it would be beneficial to separate the residential and commercial use. He recommended that the Planning Commission recommend that the City Council approve the request.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Brad Pack (580 East 400 North) said he owns property adjacent to the Hardy property. He asked if the proposed commercial building would be allowed in the AE zone.

David Petersen explained that the commercial building would be located on the southern parcel which is zoned LM&B.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing.

Motion

Cory Ritz moved that the Planning Commission recommend the City Council approve the zone change from LM&B to AE on 1.24 acre portion of a parcel of ground located at 325 West Glover Lane. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Findings

- It is consistent with the General Plan.
- It provides a larger transition area between the future LM&B use to the south and the existing residential uses on Glover Lane.
- This will prevent a residential use mixed with commercial uses in the LM&B zone.

**PUBLIC HEARING: JERRY PRESTON - APPLICANT IS REQUESTING
CONDITIONAL USE AND SITE PLAN APPROVAL TO CONSTRUCT A GARAGE
EVEN WITH THE FRONT OF A PROPOSED SINGLE FAMILY HOME TO BE
LOCATED AT 138 EAST 100 NORTH IN AN OTR ZONE (C-3-06) (Agenda Item #6)**

Background Information

OTR provisions require that attached garages which are flush or even with the front face of the home must receive conditional use approval from the Planning Commission.

Additionally, all structures requiring a building permit must meet construction design guidelines as set forth in section 11-17-070 of the Farmington City Zoning Ordinance. The Planning Department and/or Planning Commission may request a recommendation from the Farmington City Historic Preservation Commission regarding applications for permitted or conditional uses. It appears that the applicant's single-family home meets setback and/or orientation mass and scale building height, building and roof form and color standards contained in the ordinance.

END OF PACKET MATERIAL

David Petersen displayed a Vicinity Map and an elevation of the proposed home. He said there is an older home on the property that will be demolished. It is necessary for the applicant to receive conditional use approval since the garage is not recessed onto the property.

He said another property owner in the area received conditional use approval several years ago for a similar house/garage design.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Jerry Preston (347 East 100 North) said the parcel is located in the area that was part of the RDA project several years ago. The lot is located in a PUD and is considered non-conforming. Due to the size of the lot, it is not possible to position the garage further back on the property.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

The Planning Commission discussed the request and agreed that due to the size of the lot, the applicant did not have a choice but to place the garage flush with the front of the home. They felt the home was consistent with the homes in the area and compatible with the character

of the site.

Motion

Paul Barker moved that the Planning Commission grant conditional use and site plan approval as proposed, subject to all applicable Farmington City Ordinances and development standards. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Findings:

- The new home will be a significant improvement to the area.
- The proposed use shall comply with the regulations and conditions in Zoning Ordinance for such use.
- The proposed use conforms to the goals, policies, and governing principles of the Comprehensive plan for Farmington City.
- It is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing and proposed development.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND THE ZONING, SUBDIVISION AND SIGN ORDINANCES REGARDING A VARIETY OF TOPICS, CLARIFICATIONS AND

TYPOGRAPHICAL ERRORS IN THE ORDINANCES (ZT-1-06) (Agenda Item #7)

David Petersen said the changes were reviewed at the Planning Commission Study Session and at a prior meeting. He briefly reviewed the proposed amendments. He said he would research the section regarding “premise signs”, as requested at the Study Session. He recommended that the Planning Commission recommend the proposed changes.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

The Planning Commission agreed they were comfortable with the changes since they had reviewed them at the Study Session and at a prior meeting.

Paul Barker referred to the *Proposed Changes to the Sign Ordinance - Title 15*. He asked if other communities also restrict signs from being located closer than ten feet (10') to any

property line.

David Petersen said he would research the issue and determine if other cities follow similar standards.

Cory Ritz explained that the City Council and City staff will meet with residents to discuss the OTR zone. The Planning Commission will then discuss the amendments to the OTR Ordinance.

Motion

Rick Wyss moved that the Planning Commission recommend the proposed amendments to the Ordinances as presented, excluding the OTR zone and Sign Ordinance Title 15-1. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Findings

- The amendments will clarify and correct the City Ordinances.

FARMINGTON CITY DEVELOPMENT STANDARDS UPDATE -

RECOMMENDATION REQUESTED (Agenda Item #8)

David Petersen explained the Fire Chief's request to slightly modify Farmington City's Road Standards for Residential Cul-de-sacs. He read the following paragraphs from the letter he received from Chief Hansen:

"At the present time, Farmington Fire is looking at two significant events that will affect the way we do business at structure fires. The first is the Computer Aided Dispatch System with our Dispatch Center. What this means, is that on certain types of fires, specific apparatus will automatically be sent to the fire. Since Farmington has many large residential homes, and we are limited by the ladders we carry on our apparatus, we will be special calling what is called Aerial Apparatus, i.e., the ladder truck, from neighboring agencies. The current request being made is needed for the operation of these units safely and efficiently in our community. The standard for the 100 ft vehicle, I am told, is a 44 ft radius (88 ft diameter)."...

... "I realize the need to work within the City system and am formally requesting that the City Standard for a Residential Cul-de-sac be increased to a 44 ft radius (88 ft minimum diameter). I am currently requesting this on current plan checks. I have spoken to Walt Hokanson, Public Works Director, to see if this would create any issues for public works. He stated it would not, and he has no problem with the change."

Mr. Petersen referred to the Typical Cul-de-sac drawing and stated that the City's

current cul-de-sac standard is a 41 foot radius (82 foot diameter). The Fire Chief's proposal would require an additional 6 feet of property around the cul-de-sac. If a car were parked in the cul-de-sac, the radius would be decreased and the apparatus would not be able to maneuver as planned.

Kevin Poff asked what circumstances would require the Fire Department to use a ladder truck.

David Petersen said a ladder truck would be used for larger homes and for commercial buildings, although a cul-de-sac would not likely be an issue in a commercial development. He said if it would be helpful, the Fire Chief could answer the Commissioner's questions at their next meeting.

Jim Talbot did not feel justified requiring developers to dedicate an additional 6' of property to accommodate the cul-de-sac. The City would also be required to provide additional maintenance if the larger cul-de-sacs were approved.

Paul Barker said the larger cul-de-sacs would require an additional 1-2% of the property surrounding the cul-de-sac.

The Planning Commission agreed that the City's cul-de-sac standard should not be

increased since the fire trucks are capable of maneuvering in cul-de-sacs that meet the City's current standard. They also wanted to allow for larger lot sizes rather than larger cul-de-sacs.

MISCELLANEOUS, CORRESPONDENCE, ETC.

Street Cross Section Discussion

David Petersen reviewed the City's past and current street cross section requirements. In the 1990's, the cross sections were 50 feet. The cross sections have since been increased to 55 feet and the size of the park strips was also increased. He said the Public Works Department has requested that the middle section be increased to 29 feet since it is difficult for plows and motorists to maneuver when vehicles are parked on the street. He informed the Commissioners that pedestrian experts recommend narrower streets to provide traffic calming. Other cities in the area have middle sections that range from 27-31 feet. He recommended increasing the cross section by 2 feet and reducing the park strip to 6.5 feet.

The Planning Commission discussed whether increasing the size of the cross sections would make the streets safer by allowing motorists to safely pass parked cars. They also considered the traffic expert's input stating that narrower streets cause motorists to travel at slower speeds. They agreed that safety should be the primary consideration. They suggested that the Public Works Department submit a formal proposal providing them with additional

information pertaining to safety issues and how the street cross section increase will improve the City's current situation.

Jennings Building

David Petersen displayed the elevation for the Jennings' building which will be used by a plumber for storage and as a showroom. The Historic Preservation Commission approved of the plan. He said the site plan and proposed use has been approved for the site. He asked the Planning Commission if they would like to review the issue or if they want to delegate it to City staff.

The Planning Commission instructed City staff to review the proposal. If there are any issues that need to be resolved, City staff can seek the opinion of the Planning Commission.

Meetings and Open houses

David Petersen informed the Planning Commission of the following dates:

- **OTR Town Meeting** will be held at the Community Center on *April 19, 2006, at 7:00 P.M.*

- **Garbett Homes Openhouse** will be held for City Council and Planning Commission members on *April 27, 2006, at 5:30 P.M.*
- **Ethical Decision Making and Conflicts of Interest Seminar** will be held on *May 4, 2006, at 5:00 P.M.*

ADJOURNMENT

Kevin Poff moved that the Planning Commission adjourn at 8:15 P.M.

Jim Talbot, Chairman

Farmington City Planning Commission