

# FARMINGTON CITY PLANNING COMMISSION

Thursday, March 28, 2002

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## PLANNING COMMISSION REGULAR SESSION

**Present:** Vice-Chairman Larry Jensen and Commissioners Kent Forsgren, Bart Hill, Cory Ritz, Cindy Roybal and Sid Young, City Planner David Petersen, and Deputy Recorder Jeane Chipman. Chairman Linda Hoffman was excused.

**Vice-Chairman Jensen** called the meeting to order at 7:00 P.M. and **Cindy Roybal** offered the invocation.

### APPROVAL OF MINUTES

**Cory Ritz** *MOVED* that the minutes of the joint City Council and Planning Commission held March 14, 2002, be approved with corrections as noted. **Bart Hill** seconded the motion which passed by unanimous vote.

### PUBLIC HEARING: RICHARD J. WHITE REQUEST FOR RECOMMENDATION TO THE CITY COUNCIL TO REZONE APPROXIMATELY .75 ACRES OF PROPERTY LOCATED AT 700 WEST NEAR SHEPARD LANE FROM LS TO A (Z-1-02) (Agenda Item #2)

#### Background Information:

Dr. Richard White appeared before the Planning Commission at their last meeting on March 14, 2002, to discuss the possibility of relocating his veterinary hospital to the corner of Shepard Lane and 700 West Street. The Utah Department of Transportation (UDOT) is reconstructing and improving the U.S. 89/Shepard Lane interchange and is buying Dr. White's property including the existing veterinary hospital located at Highway 89 and Shepard Lane. Most of the subject property is all rezoned A. However, a small triangular portion located in the southwest corner of the property is zoned LS. Veterinary clinics and boarding kennels are conditional uses in the A zone. Dr. White's rezone request appears to be consistent with the General Plan and compatible with current development in the area.

END OF PACKET MATERIAL.

**David Petersen** introduced the agenda item. Because of improvements being made by UDOT to U.S. 89, Richard White must relocate his veterinary hospital. The site chosen is a parcel located at 700 West near Shepard Lane, most of which is zoned "A." The hospital is allowed as a conditional use in the "A" zone. A portion of the property, however, is not zoned "A" and Dr. White is requesting the rezone of the rest of the parcel.

**Vice-Chairman Jensen** opened the meeting to a *PUBLIC HEARING* and invited the

**Richard White** (1089 East Fairway View Drive, Fruit Heights) said he would like all of the property in question zoned "A." He stated he had an agreement with the Moon Estate (owners of the property) to purchase the ground.

**J.R. Knight** (351 East 200 South, Centerville) had part ownership in the commercial property to the north of the proposed hospital site. He stated he had received no notice of the hearing. He expressed concern about the smell, noise, and other possible problems with the animals and would like to have more information about the facility. He was concerned about property devaluation.

**Dr. White** presented elevations of buildings that would be similar to his. He said all the animals would be enclosed in the building. There have been no problems with his current location just a few blocks to the west. Dr. White stated there had never been any complaints from the school right next door in the old location. In response to a question, Dr. White stated there would be no large animals on the property. He cared for domestic animals only.

**Richard Love** (1175 North 700 West) stated he was in support of the project. He said Dr. White had a good reputation with the old hospital site and he foresaw no problems with the new site.

**William Rigby** (1234 South Main, Kaysville) said he had part interest in the commercial property to the north. He said he was not concerned with the facility as long as it was owned by Dr. White. He did, however, have concerns if there was ever to be a new owner. A new owner may not take the same care as Dr. White.

**Vice-Chairman Jensen** stated conditional use permits can be revoked if requirements are not met by owners in the future. He then asked for further comments. Seeing none, he *CLOSED* the public hearing and asked the Commission for their response.

**Mr. Forsgren** asked if the new zone was consistent with the General Plan.

**Mr. Petersen** stated the "A" zone may be considered by some to be a "down" zone. Therefore, one may also consider the "A" zone consistent with the General Plan.

**Mr. Ritz** asked if the current owners were in agreement with the rezone request.

**Mr. Petersen** stated the current owners were in attendance and were signers of the application, indicative of their approval of the rezone action.

**Clayne White** stated that UDOT had given official notice of the need for the hospital to relocate. Because the work on the road which will cause the relocation is so imminent, it was necessary to expedient the process. The work will begin in May. UDOT is willing to work around the hospital for as long as possible but it will be necessary to close the business for a least

**Kent Forsgren** *MOVED* that the Planning Commission recommend the City Council approve the Richard J. White rezone application subject to all applicable Farmington City development standards and ordinances. **Sid Young** seconded the motion which passed by unanimous vote.

**PUBLIC HEARING: RICHARD J. WHITE REQUEST FOR CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH A VETERINARY CLINIC AND BOARDING KENNEL ON 2.5945 ACRES LOCATED ON THE SOUTHEAST CORNER OF SHPEARD LANE AND 700 WEST IN AN A ZONE (C-3-02) (Agenda Item #3)**

**Background Information:**

As of the date of this staff report March 22, 2002, no site plan or architectural information has been submitted to the City. However, Dr. White has met with City staff and has submitted an application and paid the appropriate fees. At the last Planning Commission meeting, Dr. White appeared before the Commission and received a favorable response when he asked that his plans to construct a new veterinary clinic be expedited because UDOT has given him a shorter time frame to relocate than originally expected. He may have some information to present to the Planning Commission on Thursday, March 28. If not, the Planning Commission should table his request and continue the public hearing to a future meeting.

END OF PACKET MATERIAL.

**David Petersen** explained reasons for placing the item on the agenda even though portions of the application were incomplete. As mentioned in Agenda Item #2, UDOT road work forced the relocation of the veterinary hospital. Work will begin in May, making it necessary to expedite the process. Mr. Petersen reviewed the background information and showed the engineering drawings that had been submitted. Dr. White had given Mr. Petersen possible building elevations also. There were several issues which needed to be addressed including:

- ⌞ Parking issues, e.g., number of stalls, design, use of lights at night and protection for neighbors with regards to parking lot lights if used, and placement of a rolled berm to provide a buffer between parking and the road;
- ⌞ Issues involving the crematorium such as location, having it in a separate building, screening, having the facility smoke and order free;
- ⌞ Receipt of a landscape plan for the site, including placement of street trees, open space, etc. A table is also necessary showing the percentage of the site devoted to buildings, impervious uses, and open space. The maintenance plan for any open space would have to be stated;

- ↯ The applicant would need to state intentions regarding the existing silo and barn on the property;
- ↯ Plans would need to include screening for the dumpster and materials used for the screening;
- ↯ Grading and drainage plans, including run off calculations, would have to be submitted and approved by the City Engineer.;
- ↯ The City has a one-foot protection strip on 700 West. Dr. White will need to work out details with the City Council regarding his share of costs for improvements along 700 West. (It was noted that access along 700 West is preferable to access on Shepard Lane);
- ↯ The City will need to have measurements of Shepard Lane to make sure it has the standard width necessary;
- ↯ Water needs for the facility will need to be spelled out in detail;
- ↯ The facility will need to be approved by the State Board of Health; and
- ↯ Mr. Petersen suggested the sidewalk be 6 foot wide for the safety of school children using the walkway.

**Clayne White** stated that soils reports had been conducted. Engineering indicated the parking area will need to be raised about 4 feet to meet 700 West. Fill will need to rest for about 6 weeks.

**Vice-Chairman Jensen** opened the meeting to a *PUBLIC HEARING* and invited that applicant to address the Commission.

**Dr. White** stated the crematorium would be smokeless and orderless and would be in a separate building to prevent a fire hazzard.

**Richard Love** stated the area was currently drained by an existing on-site field drain. He did not foresee any problems. He asked if there would be a fence around the property.

**Dr. White** stated he only intended to have a fence in the area where dogs would be walked.

**Clayne White** said the hospital is a long distance away from residences and would probably not need fencing. He also said construction plans called for a sidewalk along 700 West.

With no further comments, **Vice-Chairman Jensen** *CLOSED* the public hearing and asked for the Planning Commission's response. The Vice-Chairman commented on the lack of a

continuous sidewalk along Shepard Lane from the school all the way to Main Street.

**Mr. Petersen** said there was a small parcel of property that would be without sidewalk once the hospital was constructed with it's curb, gutter, and sidewalk improvements. He said that one owner could be contacted.

**Sid Young** *MOVED* that the Planning Commission grant conditional use and site plan approval to establish a veterinary clinic and boarding kennel on the southeast corner of Shepard Lane and 700 West Street subject to all applicable Farmington City development standards and ordinances and the following conditions:

- Access to the site shall be primarily on 700 West as opposed to Shepard Lane.
- Public improvements proposed for Shepard Lane, including but not limited to curb, gutter, asphalt, and park strip, shall match Farmington City cross section standards for a 100 foot right-of-way.
- The proposed crematorium facility shall be shown on the plans as a separate building and shall be a smokeless and orderless facility.
- A landscaping plan shall be submitted for approval by the City and shall include percentages of the site set aside for open space, buildings, and impervious areas.
- Details of the monument sign shall be submitted for approval by the City.
- The landscape plan shall include plans for a berm including street trees between the parking area and Shepard Lane and 700 West.
- A maintenance plan acceptable to the City shall be prepared for the undeveloped open space remaining on the site.
- Approval shall be subject to an agreement between the applicant and Farmington City regarding cost, among other things, sharing for street improvements.
- A screening plan shall be submitted for approval by the City regarding the dumpster.
- A plan shall be submitted for approval by the City regarding parking lot lights if used. The site plan approved by the City shall illustrate the location of any lighting proposed for the project. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light into neighboring properties.
- A grading and drainage plan shall be submitted for approval by the City, which shall include, among other things, run off calculations.

- A water and sewer system plan shall be submitted for approval by the City.
- The plans shall be subject to approval by the Utah State Department of Health.
- Animals in the facility shall be restricted to domestic animals only.

**Cindy Roybol** seconded the motion.

In discussion of the motion, **Mr. Ritz** suggested an amendment to allow grading to begin immediately for site preparation subject to review by the City Staff and recognizing that the applicant will do so at his own risk. Both Mr. Young and Ms. Roybal agreed to the amendment.

**Mr. Forsgren** suggested an amendment that the applicant shall also indicate his intentions with regards to the existing silo and barn and that an element of Farmington stone be a part of the new building. Both Mr. Young and Mrs. Roybal agreed to the amendment.

**Mr. Petersen** also said that dedication of property needed to be a part of the conditions set forth if it became necessary to make Shepard Lane consistent with City standards for the 100 foot right-of-way. Also that the approval should be made subject to review by the Central Davis Sewer District, FAPID, UDOT, Farmington Public Works, the City Engineer, and the Farmington Fire Department. The approval would also have to be subject to the City Council approval of the rezone. It should also be stated that Dr. White would have to proceed with site preparations at his own risk. Both Mr. Young and Ms. Roybal agreed with the amendments suggested by Mr. Petersen.

The vote on the motion was unanimous in the affirmative. Reasons for the motion included the following:

1. As Richard White complies with the conditions set forth, he will be complying with normal requirements of City standards and ordinances.
2. The unusual expediency of the process have been justified because of UDOT change in plans and schedules.
3. The veterinary hospital will be an asset to the vicinity.
4. The sidewalk installed by the applicant will be a benefit to the school children on their way to and from school.
5. The property under consideration is not necessarily conducive to single family dwellings whereas a veterinary hospital would be compatible with the street and nearby land uses.

**PUBLIC HEARING: ALLYSA REVELL AND CHADWICK GREENHALGH REQUEST**

**FOR CONDITIONAL USE APPROVAL TO EXCEED THE 15 FOOT HEIGHT LIMIT SET FOR ACCESSORY BUILDINGS BY CONSTRUCTING A “CARRIAGE BARN” 16.5 FEET IN HEIGHT LOCATED AT 208 WEST STATE STREET IN A LR ZONE (C-4-02) (Agenda Item #4)**

**Background Information:**

The applicants are proposing to construct an extremely compatible and tasteful accessory building in the rear yard of their property. It will be constructed of Farmington rock and have the appearance of an historic barn. They have purposely pushed the garage to the western portion of their rear yard so as not to block the view of the dwelling north of their property and to not detract from the existing appearance of the street.

The proposed “carriage barn” is 16 ½ feet high which exceeds the height limit outlined in the ordinance for accessory buildings by 1 ½ feet. Section 11-11-070(b) of the Zoning Ordinance states:

“Accessory buildings or structures shall not exceed fifteen (15) feet in height unless an increased height is approved by the Planning Commission after review of a conditional use application filed by the property owner (no fee shall be assessed for such application). However, accessory buildings shall, without exception, be subordinate in height and area to the main building.”

The Revell-Greenhalgh proposal is subordinate in height and area to the main building.

END OF PACKET MATERIAL.

**David Petersen** reviewed the background information for the Planning Commission.

**Vice-Chairman Jensen** opened the meeting to a *PUBLIC HEARING* and invited the applicants to address the Commission if they wished.

**Chadwich Greenhalgh** (208 West State Street) stated the reason for adding the garage was the difficulty of access to the street due to increase in traffic. They had designed the building to be historically consistent with the area.

**David Petersen** distributed a letter from the Lagoon Corporation stating they had no objections.

With no further comments, the **Vice-Chairman** *CLOSED* the public hearing. Mr. Jensen stated he did not think that the height of the building looked out of place because of the care the applicant had taken in making it historically compatible with the area.

**Mr. Forsgren** asked if the building met all other ordinance requirements to which Mr. Petersen responded that it did. Mr. Forsgren asked about the intended use of the area above the

**Mr. Chadwich** stated the area would likely be used for storage.

**Mr. Petersen** said the home did not have a basement and was short of storage space.

**Bart Hill** *MOVED* that the application for conditional use approval to exceed the 15 foot height limit set for accessory building by constructing a “carriage barn” 16.5 feet in height located at 208 West State Street in an LR zone be approved as requested. **Cory Ritz** seconded the motion.

In discussion of the motion, **Mr Forsgren** suggested an amendment that the approval be subject to all applicable Farmington City development standards and ordinances. Mr. Hill and Mr. Ritz agreed with the amendment.

The vote on the motion was unanimous in the affirmative. Reasons for approving the application included:

1. The design of the “carriage barn” was beautifully done and was consistent with the historical nature of the area.
2. The “carriage barn” fit with the surrounding buildings.
3. The approval did not jeopardize the intent of the ordinance.

**PUBLIC HEARING: MIKE PEERY REQUEST FOR CONDITIONAL USE AND SITE PLA APPROVAL TO ESTABLISH A TEMPORARY SALES OFFICE IN A MODEL HOME LOCATED AT 1727 WEST CLARK LANE (TU-3-02) (Agenda Item #5)**

**Background Information:**

The Farmington Ranches Phase I Subdivision contains 108 lots. The applicant currently owns or is building homes on 28 of these lots. Section 11-28-102(h)(1)(iii) states in part: “A temporary office for the sale or lease of property in a major subdivision or a planned unit development (PUD) may be used until the last lot or unit in the development is sold.” Notwithstanding this provision, it seems reasonable to set the termination date based upon the sale of the last lot owned by the applicant. It appears that this provision did not envision large subdivisions where more than one builder or company has purchased large groups of lots for resale.

END OF PACKET MATERIAL.

**Mr. Petersen** reviewed the agenda item and stated that prior model home requests had been identical to the one under consideration.

**Vice-Chairman Jensen** opened the meeting to a *PUBLIC HEARING*.

**Chadwich Greenhalgh** stated his support of the development in the west part of Farmington. However, he and his neighbors objected to the placement of advertizing signs on State Street. He asked that some action be taken to prevent the practice.

**David Petersen** stated that the City's enforcement officer had just returned from an extended stay out of State and would be canvassing the City for violations of the sign ordinance.

With no further comments, the **Vice-Chairman** *CLOSED* the public hearing. Mr. Jensen informed the applicant that the conditional use, if granted, would be temporary and that it would be for the purpose of selling homes in the location indicated. The model home could not be used to sell homes anywhere else in Farmington. Once all homes built by the applicant in the prescribed area had been sold, the model home would have to be closed as such.

**Mr. Peery** stated the model home would be sold after its use.

**Mr. Petersen** stated that if the developer wanted to use a model home for the third phase of the subdivision, they would have to return to the Planning Commission to modify the conditional use permit.

**Cory Ritz** *MOVED* that the application for conditional use and site plan approval to establish a temporary sales office in a model home located at 1727 West Clark Lane be approved subject to compliance with all applicable ordinance requirements and development standards and the following conditions:

1. Permanent signs are prohibited. The size and location of signs shall be in compliance with applicable provisions of the sign ordinance for the zone in which the use will be conducted. All signs shall be removed when the activity ends.
2. No loud speakers or other amplifying sound devices shall be used in conjunction with the temporary use.
3. Outdoor lighting, if used, shall be subdued. All lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light into neighboring properties. Search lights shall not be permitted.
4. The conduct of temporary uses in residential zones shall be limited to the hours between 8:00 a.m. and 8:00 p.m.
5. The temporary office in the model home may exist up and until the last lot of Lots 68, 69, 71, 72, 76 through 92, and 94 through 99 of the Farmington Ranches Phase I Subdivision are sold.
6. If the office is located in the area of the home intended for a garage, any

alterations made to accommodate the office shall be removed and the space shall be converted to function as a garage upon termination of the temporary office.

7. If the applicant chooses to use the model home for sales in Phase III of Farmington Ranches Subdivision, a modification of the conditional use application shall be required.

**Kent Forsgren** seconded the motion which was passed by unanimous vote.

### **JAMES STEWART LETTER (Agenda Item #6)**

This agenda item was not considered because it did not meet City ordinances.

### **GENERAL PLAN UPDATE/WORK SESSION (Agenda Item #7)**

**Mr. Petersen** reviewed work done in the previous sessions which identified 5 areas in the City. He said there would be public meetings held in each of the 5 areas to which Planning Commissioners would be invited. He suggested that common issues relative to each area should be identified. Such common issues for the Oakridge area could include:

- ▮ Haight Creek is a great asset for the area. The possibility of creating a trail corridor should be investigated. Such a project would have to be a joint effort between Farmington and Kaysville.
- ▮ Transportation is vital to the Oakridge area and to all of Farmington.
- ▮ Land use around Cherry Hill should be re-evaluated

A discussion ensued regarding UDOT plans and land use especially in regards to maintaining tax revenue for the City's needs. **The Vice-Chairman** suggested that strategic planning now being done by the City Council could have an impact on the revision of the General Plan and that perhaps General Plan amendments should be delayed until the City Council finishes their deliberations.

**Mr. Petersen** said he could give the Planning Commission a thorough report regarding the City Council's actions for the next Planning Commission meeting.

### **CONSERVATION HOUSING ORDINANCE (Agenda Item #8)**

**Mr. Petersen** explained City officials had been interested in creating an "infill" ordinance especially for the downtown area. The City had received a grant to fund the project which resulted in the drafted Chapter 23 entitled "Neighborhood Conservation Overlay (NC) Zone" and the "Conservation Housing Ordinance" which provided additional requirements for the area involved, somewhat like a PUD or a hillside overlay. The neighborhood conservation

overlay zone would rely heavily on a great deal of local citizen input. Mr. Petersen reviewed criteria needed for approval of an overlay zone. The ordinance would be used to preserve what exists in Farmington. It would not necessarily be a "historical preservation" ordinance. It would take into consideration architectural features and neighborhood interests. Such an ordinance could give citizens and staff a tool to help preserve the unique character of Farmington.

Both Mr. Petersen and Mr. Jensen discussed the need for an enforcement body. A discussion of terms and names ensued. Mr. Greenhalgh and Ms. Revell had submitted a response to the proposals in which they suggested different names.

### **COUNTY JAIL EXPANSION UPDATE /CITY COUNCIL REPORT (Agenda Item #9)**

**Mr. Petersen** said that the City Council is currently reviewing a draft Inter-local Agreement regarding the County Jail expansion. He also stated that the City Council was working with Kaysville regarding common boundaries.

### **ADJOURNMENT**

**Kent Forsgren** *MOVED* to adjourn at 9:45 P.M.

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*Vice-Chairman Larry Jensen*  
*Farmington City Planning Commission*