

FARMINGTON CITY PLANNING COMMISSION

Thursday, May 25, 2006

PLANNING COMMISSION STUDY SESSION

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

The Planning Commissioners attended a Legacy Parkway Open House at the Community Center at 5:00 P.M.

Chairman Talbot called the study session to order at 6:30 P.M. The following items were reviewed:

Agenda Item #3: Danville Land Investments, LLC, Woodside Homes (Public Hearing) - Applicant is requesting a recommendation for Preliminary PUD Master Plan approval for a development known as the Cottages at Station Park consisting of 418 dwelling units on 106.5 acres located west of I-15 and 1525 West Street, south of Shepard Lane, east of the UTA railroad tracks, and north of Burke Lane in the R-4 and AE zone. The applicant is also requesting preliminary plat approval for phase 1 related thereto (S-7-06 and S-11-06)

David Petersen explained that there are many unresolved issues such as legal descriptions and wetland definitions. He suggested that the issues be resolved prior to granting approval since the development is so large. He visited a Woodside Homes development with **John Bilton, Kevin Poff** and Woodside Homes representatives. The Commissioners present suggested that the developer provide additional landscaping in the front yards. He felt the proposed parking spaces were inadequate since the streets are wide enough to accommodate street-parking.

Mr. Petersen said the development has a flag lot which is located in the southern phase but he does not feel it will pose a problem. He was more concerned about whether the cul-de-sacs located in the southern portion of the development should co-mingle with the office/business park use. He recommended that City staff meet with the developer to address specific issues prior to the Planning Commission making a recommendation.

Thane Smith said 95% of the issues have been resolved. Woodside Homes has a 404 Permit which will allow them to disturb up to ½ acre of wetlands which is well beneath the limit set by the Army Corp of Engineers.

Agenda Item #4 - Farmington City (Public Hearing) - Applicant is requesting a recommendation regarding proposal to amend the General (or Future) Land Use Plan Map regarding property in the general vicinity of north Main Street, south Mountain Road, Northridge Road, and U.S. 89 from “Public/Private Recreation Open Space and/or Parks Very Low Density” and “Low Density Residential” to “Office/Business Park” and a recommendation for a zone change from LR, LR-F, and A-F to “Professional Office” on property owned by UDOT and the Pilcher family related thereto (Z-6-06)

David Petersen recommended that the Planning Commission consider the “Professional Office” text prior to considering the General Land Use Map.

Chairman Talbot informed the Commissioners that the City Council members were extremely concerned that the Commission considered changing the acreage requirement to less than five acres. He said a member of the City Council was also concerned about the “Professional Office” zone being referred to as the “PO” zone.

David Petersen said if the UDOT property is rezoned, it may justify the land swap which will allow for more property to be located between the Pilcher property and the residential area.

Agenda Item #6 - Farmington City (Public Hearing) - Applicant is requesting a recommendation to amend Chapter 34 of the Zoning Ordinance regarding S.O.B. uses (ZT-3-06)

David Petersen said the City Attorney recommended that the City amend Chapter 34.

Cory Ritz said he felt the guidelines being proposed allowed the use to be located too close to residential areas. He suggested that the text include strict parameters.

David Petersen said the only appropriate location for the zone is south of Glover’s Lane. The Planning Commission could recommend that the properties be zoned A. According to the City Attorney, the City may be held liable if they set the parameters too strictly.

The meeting adjourned at 6:55 P.M.

PLANNING COMMISSION REGULAR SESSION

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

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

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes of the May 11, 2006, Planning Commission Meeting with changes as noted. **Paul Barker** seconded the motion. The Commission voted unanimously in favor. **Rick Wyss** abstained due to his absence at the previous meeting.

CITY COUNCIL REPORT

David Petersen said the City Council did not consider items that pertain to the Planning Commission.

PUBLIC HEARING: DANVILLE LAND INVESTMENTS, LLC, WOODSIDE HOMES - APPLICANT IS REQUESTING A RECOMMENDATION FOR PRELIMINARY PUD MASTER PLAN APPROVAL FOR A DEVELOPMENT KNOWN AS THE COTTAGES AT STATION PARK CONSISTING OF 418 DWELLING UNITS ON 106.5 ACRES LOCATED WEST OF 1-15 AND 1525 WEST STREET, SOUTH OF SHEPARD LANE, EAST OF THE UTA RAILROAD TRACKS, AND NORTH OF BURKE LANE IN THE R-4 AND AE ZONE. THE APPLICANT IS ALSO REQUESTING PRELIMINARY PLAT APPROVAL FOR PHASE 1 RELATED THERETO (S-7-06 AND S-11-06) (Agenda Item #3)

Background Information

The property comprising the project area was rezoned by the City Council on November 16, 2005. A schematic plan for the project was approved that same evening. This was the preferred plan because the major collector traversing the project traveled to the southeast in a straight line. In order to avoid wetlands, the developer modified the schematic plan by bending the major collector around the wetlands. The Planning Commission reviewed the avoidance plan as a part of a discussion item on May 9, 2006, and provided the following guidance to staff and the developer.

1. The proposed UDOT parcel should not be used in consideration of open space and density requirements.
2. Yes, landscaping the UDOT parcel and providing a park/playing fields until Legacy North is constructed should be a goal of UDOT, the City, and the developer.

3. Density calculations for single family developments are much different than for multiple-family development in the R-4 zone. In a PUD, the Planning Commission may forego the requirements in the underlying zone, and therefore, treat the density calculations for single family similar to multiple-family. The Planning Commission chose to withhold judgement on this until after the field trip by John Bilton, Kevin Poff, and David Petersen.

[Note: the field trip did occur. At the request of Kevin and John, the developer was asked to provide a park strip and sidewalk on both sides of the street within the R-4 zone, and to increase guest parking where necessary. The developer did not include a park strip or sidewalk on the latest plan. The plans do show some guest parking, but is this enough?]

4. The developer showed different master plans based on alternative street alignments to avoid wetlands. The Planning Commission was O.K. with all options so long as proper approvals were received by the Army Corp.

END OF PACKET MATERIAL.

David Petersen displayed an overhead of the Vicinity Map. He explained that the property was recently rezoned to entice the developer to work with UDOT in preserving land for the Legacy corridor. He displayed a Schematic Plan. He reviewed the “Background Information” which includes the guidance that was given to City staff at the May 9, 2006, Planning Commission meeting.

Mr. Petersen also displayed an overhead of the Yield Plan. He asked the Commission to consider whether the proposed lot sizes are appropriate. He said the major collector should be included on the Yield Plan.

Mr. Petersen displayed the proposed Preliminary (P.U.D.) Master Plan. He said the average lot size is 9,000 square feet in the LR zone. He passed out a Lot Summary for these family sections. He recommended that the Planning Commission review the Yield Plan further. He presented a slide show presentation which focused on compact housing design and also included photos from the Planning Commission’s field trip to the Woodside Homes development. Critical design elements are to control parking visibility, to have windows and doors face the street, and to handle the garage.

Mr. Petersen said the developer’s plan is to have all of the units face the street which will be more aesthetically pleasing. One of their challenges will be to screen the rear of the homes from the major collector. He said the developer agreed to provide additional room for a park strip and trees. He said the developer could resolve their parking issues by providing greater street inter-connectivity. He suggested that the Commission recommend that a

committee be created to work with the developer to address the Fannie May design consideration check list.

Mr. Petersen reviewed the “Suggested Motions” and recommended that items such as the density, wetlands, Yield Plan, and legal description be resolved prior to a recommendation being given by the Planning Commission.

Public Hearing

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

Thane Smith (39 East Eagleridge Drive, North Salt Lake) presented a slide presentation. He said many of the issues referred to by **Mr. Petersen** have been resolved. He reviewed the history of the project and the recommendations given by the Planning Commission on May 11, 2006. He said the Cottages at Station Park will provide 16.6% open space and will affect less than 0.13 acres of wetlands. As per the request of City staff and the Planning Commission, the developer will provide park strips, trees and sidewalks.

Mr. Smith reviewed the parking plan for the development and pointed out where the parking pods will be located. The following parking areas will be provided:

<i>Parking provided with unit:</i>	482	<i>Guest parking:</i>	133
<i>Parking per unit:</i>	2.55	<i>Total parking:</i>	615

Bruce Richards (1184 North 1500 West) said he has the following concerns:

1. The zone change that was made was conditional on a 6-month time frame for the development plan to be approved. The 6 months has expired so he questions whether the zone has reverted back.
2. The transportation impact to Shepard Lane is an important issue. The road to Station Park should be in place prior to the development beginning. Phase 1 does not have traffic basis except to use Shepard Lane so it should not be approved without the road to Park Lane.
3. The UDOT park is government property. It is the money of all citizens so Farmington City should be responsible for the park, not the HOA.

Bob McKean (1351 North 1670 West) said he is concerned about the Legacy corridor connection. He questions whether UDOT will allow two roads to be connected since it would likely fail in the event of an accident. He recommended that the Planning Commission verify that the D&RG Railroad line has been abandoned.

Paul Hayward (1663 West 1410 North) said if the cluster housing is located more than 150' away from public roads, the homes will require fire sprinkling. In his opinion, the cluster housing will look like a “stack of dominoes”. He does not think the slides accurately reflect the proposed plan.

Public Hearing Closed

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

David Petersen provided the Commissioners with a copy of Ordinance: 2005-55, AN ORDINANCE AMENDING THE FARMINGTON CITY COMPREHENSIVE GENERAL PLAN BY DESIGNATING THAT CERTAIN AREA (106.6431 ACRES) IMMEDIATELY WEST OF I-15 AND 1525 WEST STREET, NORTH OF BURKE LANE, EAST OF THE OLD DR&GW RAILROAD RIGHT OF WAY, AND SOUTH OF SHEPARD LANE FROM “RURAL RESIDENTIAL DENSITY” AND “CLASS A BUSINESS PARK” TO “MEDIUM DENSITY RESIDENTIAL” AND “LOW DENSITY RESIDENTIAL” AND TO REZONE THE SAME FROM “A” AND “AE” TO “LR” AND “R-4”.

Jim Talbot read the following section of the Ordinance:

Section 3: The General Plan Amendment and the Farmington City Zoning Map Amendment adopted herein are subject to the condition that the property owner receive approval for an acceptable schematic plan within 6 months of the date of this ordinance or the property will revert back to the previous General Plan and Zone designations.

David Petersen said Schematic Plan approval was received within the 6 month time frame. He said the City Council wanted the “road to the south” developed prior to the development. He reviewed the following “Unresolved Issue”:

#15: *The Developer must provide a railroad crossing at 950 North and a major collector street connecting to 1875 West Street. The developer has also indicated that he will provide a major collector in the alignment of 950 North Street westerly to the Kaysville City limit line by the mink farm.*

Mr. Petersen suggested that the following line be added to Item #15:

....and a major collector southeasterly to Burke Lane. How far should the developer provide a collector to Park Lane?

The majority of the commission members indicated that the major collector should

possibly go all the way to Park Lane before the development can move forward.

Kevin Poff said the Morrison property would have to be acquired before the road could be connected to Burke Lane.

Paul Hirst said there are huge safety issues related to crossing the tracks. The City's past precedent has been to join the interested parties to solve the road issues. He thinks it is the only solution. The traffic needs a viable route other than Shepard Lane. He recommended that the adjoining property owners resolve the traffic issues prior to the Planning Commission recommending approval.

Thane Smith said Woodside Homes can control the wetlands and the road on their property. They are advocates for solving the transportation issues on the west side but they can not be responsible for the entire west side. They can contribute to certain roads such as the road which will connect to Kaysville City. They are willing to hire traffic engineers to study the rail road crossings. He believes providing signage will increase the traffic safety.

In response to a question, **Mr. Smith** said the working relationship between Woodside Homes and the adjacent property owners is dependent upon the wetland situations. As the wetland issues are solved, they will be able to contribute with the construction of the road. A portion of the funds will be reimbursed through Impact Fees. He said the guest parking will have full size stalls.

Cory Ritz said there are 16 issues that may or may not have been addressed. He does not want the citizens to feel like the Planning Commission is giving "blank check" approvals. He has never thought Shepard Lane or 1525 West can handle the traffic from the project. Although the development appears to be a quality project, he feels the density is too intense. Until the issues have been resolved, he is not ready to proceed.

Rick Wyss asked how the developer would handle the traffic if approval was granted.

Thayne Smith said it may be possible to extend one of the roads to 1525 West. Through traffic engineering, they can make the traffic flow from the area in the interim by rerouting the traffic to Clark Lane. The development will likely develop concurrently with the Spring Creek development.

John Bilton asked if the developer received approval from the Army Corp of Engineers to cross Haight Creek. He said if certain wetlands are a result of irrigation patterns, the developer may want to consider re-delineating which may create an opportunity for both the City and the developer.

Thane Smith said if irrigation management or storm water management changes, they

can reapply with the Army Corp of Engineers. He said most of the issues have been resolved. He thinks there has been a lack of communication between City staff and the developer. He will prepare a report outlining which issues have been resolved.

Paul Barker asked what property the developer will use to provide the parking strip and sidewalk.

Thane Smith said the lots have been realigned to provide the landscaped areas. Some of the yards will be reduced while others will be increased.

Paul Barker asked if the D&RG Railroad line has been vacated.

Thayne Stuart said UTA is aware of their intentions regarding the railroad track. He was uncertain as to whether the tracks were vacated by Union Pacific Railroad but knows that the tracks have been acquired by UTA. He believes the corridor will be preserved for UTA tracks.

Motion

(Preliminary (PUD) Master Plan)

Cory Ritz moved that the Planning Commission table the application for Preliminary (PUD) Master Plan in order to allow time for the developer to address the unresolved issues in the staff report, and to allow time for the Commission to establish a small working committee to ensure that the project meets the standards in the “Design Consideration Checklist” and to further address unresolved issues. At such time as they reconsider the request, another public hearing will be held to receive public comment. **John Bilton** seconded the motion, which passed by unanimous vote.

Motion

(Preliminary Plat Approval for North Phase)

Cory Ritz moved that the Planning Commission table preliminary plat approval for the north phase until written verification is received from the Army Corp as to whether or not a road can be developed across the creek, and until the Preliminary (PUD) Master Plan for the project is ready for consideration. The Commission is willing to consider two Preliminary (PUD) Master Plans for the project (a northerly plan and a southerly plan) so long as both plans meet the requirements for the Zoning Ordinance. **Paul Barker** seconded the motion, which passed by unanimous vote.

Motion

Cory Ritz moved that the Planning Commission consider agenda item #5 (regarding the enactment of the Professional Office Zone), prior to agenda item #4. **Kevin Poff** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO ENACT A NEW CHAPTER IN THE ZONING ORDINANCES TITLED “PROFESSIONAL OFFICE” (ZT-2-06) (Agenda Item #5)

David Petersen said the Planning Commission has the option to change the name of the zone. The following change was made to the Professional Office (PO) text:

11-XX-020 Minimum District Size.

The minimum district size of a PO zone district shall be five (5) acres. The minimum district size requirement may be reduced to three (3) acres if a PO zone abuts BP (business park), C (commercial), C-H (commercial highway), C-R (commercial recreation), LM&B (light manufacturing and business), CMU (commercial mixed use) and/or NMU (neighborhood mixed use) zone district(s).

Mr. Petersen reviewed the “Height Standards”. In Farmington, building height is measured half way up the eave to the finished grade (technically five feet away from the side of the building). Different rules apply if the building is located in a steep slope area. He displayed photos of single story buildings in the City and stated their building heights. The “PO” zone is very narrowly defined and is limited to five uses and three conditional uses. At the previous meeting, the Planning Commission stated that the building height shall not exceed thirty feet in height. He said the building height in the BP zone was changed eight years ago from 60' to 40'.

As requested by **Paul Barker**, **David Petersen** explained the history of the Pilcher and Fishburn request for the Pilcher property which is located near Highway 89 and north Main Street. He explained that the new zone designation will prevent “commercial creep” from occurring to the area south of the property.

Cory Ritz asked if the rezone will prevent UDOT from using the property for a salt shed.

David Petersen explained that UDOT has sovereign immunity so they have the power to determine the use of their property. However, the City will have land use control over the property if it is sold by UDOT.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Dorene Poulsen (1732 North Main) said when the Potter property is developed, north Main Street will need to be widened to handle the traffic. The City should plan for signalization at the north Main and Mountain Road intersection, and any other road connecting to housing developments.

Roy Rencher (931 Wilshire Court) asked that the text include the allowable hours of operation, drive-up restrictions, and text preventing noise and light intrusion.

David Potter (3934 Iris Avenue, Morgan,) said his comments apply to both agenda items 4 and 5. He thinks the zone will benefit both the City and the adjacent neighborhood. The traffic will not have a significant impact due to the egress. If the property is rezoned, the UDOT property will be improved which will make the entrance to the City beautiful.

Patricia Anderson (671 Somerset Street) asked that drive-up service windows not be allowed as a conditional use. She did not feel the amount of rear and side buffering is adequate. She recommended that a berm be created in the front of the property to screen the parking area. In order to make the building less visible, she felt the 30' building height requirement should be lowered and felt there should be a tree requirement.

Sharon Treu (931 West Northridge Road) suggested that the following changes be made to the text:

- The text should include signage restrictions since the buildings will be adjacent to homes.
- When referring to minimum district size, the term “district” should be defined.
- Permitted use: It would be inappropriate to allow certain counseling service organizations next to residential areas
- The conceptual plan description should consider building footprints, etc.
- The text should either refer to “lots” or “zones”, not both.
- A 10' landscaping strip should be provided if the rear and side yard are used for parking.
- The 30' height standard is too high. She favors a one story building with a pitched roof.
- The residents should not be responsible to buffer a architectural concrete wall.

Public Hearing Closed

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

Commission members discussed the issues, including the following points:

Chairman Talbot said the intent of the committee was to restrict the zone as much as possible, yet allow an acceptable commercial building. The City's desire was to create a zone that would provide a buffer between residential and non-residential uses. Some of the suggestions made by the residents may not be legally enforceable. The text was written to accommodate the Pilcher property, as well as other properties in the City.

Kevin Poff asked what the average height is for a 2-story home.

David Petersen said the typical residential height is 27' so the "PO" zone building height restriction is within 3 feet of the residential limit.

The Planning Commission discussed Section 11-XX-080 (7). They agreed the section should be rewritten so it does not appear that a large structure is required in between the residential and office properties.

Chairman Talbot informed the Commissioners that issues such as lighting, signage, office definition, etc. are addressed in other City zoning ordinances so it is not necessary to include the restrictions in this particular document. He said the committee indicated through the zone text that a 2-story structure may be appropriate in the "PO" zone. A 3-story structure would be appropriate in the "BP" zone.

Paul Barker asked if a 2-story building should be considered a conditional use in the "PO" zone.

Ralph Becker of Bear West Consulting said the buildings have to be approved by the City regardless of whether they are one or two stories.

Paul Barker asked if the City could legally deny a 2-story building if it were too intrusive to the adjacent neighborhood.

Chairman Talbot said the height restriction will limit the type of building that can be constructed. There are only 3-5 areas within the City where this text could apply. The permitted use lends itself to smaller buildings.

David Petersen said the Commissioners could consider matching the "PO" height requirement with the residential height requirement.

Kevin Poff said in order for the zone text to be applicable in other areas of the City, there

should not be a five acre limitation. In order to preserve the north Main Street location, the property could be spot zoned. He said there is a 3/4 acre property located in the City that could qualify for the "PO" zone if there were not the 5 acre district requirement. He was concerned the district requirement would force a property owner to use a zone that would be less restrictive than the "PO" zone.

Rick Wyss said the 5 acre requirement is necessary to obtain the land swap with UDOT. The zone text can be amended in the future if the need arises.

Ralph Becker said hours of operation are not typically limited in zoning text but said it may be appropriate since it is located near a residential area.

The Planning Commission discussed whether hours of operation should be created. Since there are other office buildings near residential areas that are not restricted, they chose not to create restrictions.

Chairman Talbot said he is comfortable with the text and feels it provides the appropriate amount of legal restrictions.

Cory Ritz said his main concern was eliminated when it was determined that the maximum residential height is 27'. Out of respect for the work that has been done on the text, he was in favor of recommending the text to the City Council.

Motion

Rick Wyss moved that the Planning Commission make a recommendation to enact Chapter XX - Professional Office (PO) and that the Sign Ordinance be amended to include the signage restrictions of this zone. **Cory Ritz** seconded the motion which passed by a 4 to 1 vote.

Findings

- Time and effort was spent to create an appropriate zone that can be applicable throughout the City.
- The zone provides a less intense buffering for residential areas
- The zone is consistent with the Master Plan.
- The zone provides flexibility that did not previously exist.
- The text was strongly recommended by the City Engineer as the best use.

Motion

Cory Ritz moved that the meeting continue past 10:00 P.M. **Paul Barker** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING; FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION REGARDING A PROPOSAL TO AMEND THE GENERAL (OR FUTURE) LAND USE PLAN MAP REGARDING PROPERTY IN THE GENERAL VICINITY OF NORTH MAIN STREET, SOUTH MOUNTAIN ROAD, NORTHRIDGE ROAD, AND U.S. 89 FROM “PUBLIC/PRIVATE RECREATION OPEN SPACE AND/OR PARKS VERY LOW DENSITY” AND “LOW DENSITY RESIDENTIAL’ TO “OFFICE/BUSINESS PARK”, AND A RECOMMENDATION FOR A ZONE CHANGE FROM LR, LR-F, AND A-F TO “PROFESSIONAL OFFICE” ON PROPERTY OWNED BY UDOT AND THE PILCHER FAMILY RELATED THERETO (Z-6-06) (Agenda Item #4)

David Petersen displayed an overhead of the General Plan Map and pointed out where the area being considered is located. He also displayed the Zoning Map and pointed out where the specific parcels are located.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Sharon Treu (931 West Northridge Road) said until an appropriate zone is finalized, she is opposed to the property being rezoned. If the zoning text allows a certain use, the City does not have the legal right to deny it. She said the City invested a great amount of time creating the NMU text. She did not feel adequate time had been spent on this particular zone.

Patricia Anderson (671 Somerset Street) recommended that the landscaping and canopy requirement be increased. The NMU zone requires that properties along Main Street appear residential in nature and have a 100' buffer zone. She felt the “Professional Office” zone detracts from the work that was done on the NMU zone.

Public Hearing Closed

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

Kevin Poff said it is not appropriate to change the General Plan and adopt the zone since the zone has not been finalized.

Cory Ritz said the proposed zone text is restrictive enough that it does not allow for a use that is not appropriate. He felt the Planning Commission has gone to great lengths to

accommodate both parties involved.

John Bilton said the Planning Commission followed the City Council's recommendation to "move with haste" in the interest of all parties. The General Plan amendment will not occur unless the City Council approves the "PO" text.

Rick Wyss applauded the committee for their work. Conceptually, the "PO" zone text is in the best interest of the City as a whole.

Jim Talbot said the zone text is appropriate text that should be considered by the City Council. Although there is a user, he would reserve his vote until the City Council approves the text.

Rick Wyss said the "Suggested Motion" states that the recommendation is given subject to the City Council first enacting the text for the new Professional Office Zone.

Motion

Rick Wyss moved that the Planning Commission recommend that the City Council amend the General Plan and rezone the area as requested subject to first enacting the text (which shall include the amendments made by the Planning Commission) for the new Professional Office Zone. **John Bilton** seconded the motion which passed by a 4 to 1 vote.

Findings

The motion is consistent with the General Plan for the following reasons:

- a. The text of the 1993 General Plan did not specifically contemplate the interchange that now exists near the subject area. Apparently there wasn't even a design available to discuss the matter as part of the 1993 plan. Nevertheless, paragraph 2 of Chapter 11 of that plan did offer the following: "There is no doubt that provision needs to be made for the diverging highways in the vicinity of the Cherry Hill/North Farmington junction. However, the design solution should provide for adequate access between east and west Farmington by providing a connection between Main Street and 1875 North and should be sensitive to the unique character of the area". The 1993 Future Land Use Plan Map identified the subject area for "Low Density Residential Uses". Land once occupied by the old Utah State Agriculture property were designated "Agriculture Preservation/Very Low Density".

Few people, if any, anticipated the multi-million dollar interchange that exists

today. Chapter 1 of the General Plan states, among other things: “The importance of the General Plan as a policy document to guide future development in the City should be emphasized. The Plan sets the direction which the City should take but should be flexible enough to adapt to changing conditions. It should be understood that, once adopted, the Plan is not static but should evolve as the community evolves. The economy, new administrations, and unforeseen events may affect the Plan. For this reason, it should be reevaluated from time to time to insure its relevancy.” The passage of time, coupled with the construction of the existing interchange, which represents an unforeseen event, should dictate a re-evaluation of the General Plan and a change in the Future Land Use Map portion of said plan.

- b. The Farmington City General Plan is based on the overall goal of creating within the community a healthy, attractive, and pleasant living environment for its residents. The amendment, rezone and zone text change will limit commercial creep down north Main from the Cheery Hill/US 89 Interchange thus helping maintain Farmington as a peaceful, family-oriented, pastoral community through enforcing strict Zoning Ordinances and covenants, architectural standards, and density restrictions.
- c. The action will lead to further the goal to plan growth carefully and to preserve an open, uncongested City.
- d. The action will help improve and broaden the City’s economic base, reducing to some extent the heavy dependency on property taxes while preserving fiscal integrity, avoiding waste, and supporting the non-economic values of the community.
- e. It will help attract quality commercial enterprises to pre-selected sites to maximize the economic benefits possible while minimizing congestion, noise and unsightliness.
- f. The action will advance the following goals and policies contained in Chapter 11 of the General Plan:
 - 1) **COMMUNITY GOAL:** Encourage orderly growth and development, including appropriate commercial development, in a manner that:
 - promotes the Community in a positive, progressive manner;
 - supports other Community-identified goals and objectives;
 - provides a compatible and complementary arrangement and mix of land uses;
 - enhances economic development opportunities and foster the

- creation of family-supporting, higher-than-average paying employment opportunities;
 - promotes a stable and diverse tax base; and
 - promotes the efficient and cost-effective delivery of services and utilities; and
- 2) **COMMUNITY GOAL:** Maintain Community land use plans, policies and regulations that encourage and support commercial development in a manner that balances private property rights and values with the general health, safety and welfare interests of all Farmington residents.
 - 3) **COMMUNITY GOAL:** Maintain Community land use plans, policies and regulations that encourage and support a variety of commercial development opportunities and land uses. Within the context of broader Community goals and objectives, the City supports the development of project/area-specific commercial development and land use plans tailored to the unique characteristics of a site or location.
 - 4) *Community Policy:* Where not in conflict with other Community goals and policies, commercial development will be encouraged at major intersections and along major thoroughfares. However, commercial development will not be allowed to spread indiscriminately along major streets. In addition, primary access to commercial development will not be through residential streets or neighborhoods.
 - 5) *Community Policy:* Expansion of commercial areas will occur in a careful and controlled manner in order to minimize its impact on residential development and maintain the rural residential character of the Community.
 - 6) *Community Policy:* Farmington City will encourage commercial growth and development to occur in visually appealing, well-designed nodes.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO AMEND CHAPTER 34 OF THE ZONING ORDINANCE REGARDING S.O.B. USES (ZT-3-06) (Agenda Item #6)

David Petersen said the City Attorney recommended that the SOB text refer to “LM&B” since an M-1 zone does not exist. As required by law, another title describes the use. He said the City Attorney could attend a future meeting, if necessary, to answer the Commissions questions.

Public Hearing

Chairman Talbot opened the meeting to a public hearing.

Sharon Treu asked that the City Planner clarify why the City is requesting that the zone be amended.

David Petersen explained that if the City does not provide an area for this specific use, it could go anywhere in the city. In order to provide a safe guard, communities designate areas away from homes, schools and churches. The issue is being considered because the old ordinance refers to an M-1 zone which is now being used by Legacy Highway.

Public Hearing Closed

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

Cory Ritz said it is important to consider that in the future, a high school will be adjacent to the LM&B zone. He is concerned the district restrictions are not large enough.

David Petersen said the definitions need to be standards that are reasonable to the legal system. He said a map could be created plotting homes, churches and radiuses along the LM&B zone. The City Attorney reviewed a section that is not part of the zoning ordinance in order for the City Council to consider the text without holding a public hearing. The City Attorney did not comment on the distance requirements.

John Bilton suggested that the City seek the advice of the City Attorney regarding the allowable distance between the different uses..

Motion

Kevin Poff moved that the Planning Commission recommend the proposed changes and that they also recommend that the distance allowed between uses be the maximum allowable by law. **Rick Wyss** seconded the motion, which passed by unanimous vote.

Findings

- The amendment clarifies which zone the SOB use is permitted.

MISCELLANEOUS

Heath Adams Accessory Building Placement Request

David Petersen recommended that the Planning Commission approve the applicant's request to construct a fence and a shed to the 20' distance since it would not encroach on the side corner yard.

Heath Adams said the fence will be 6' high and the structure height will be approximately 12' high. He has horses and would like to get the maximum use of his property.

Motion

Kevin Poff moved that the Planning Commission grant the accessory building placement request as presented. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Anthony Little Boundary Adjustment Recommendation

David Petersen illustrated where the property is located. There is a wedge of property between the six properties and the Leonard's fence that the property owners would like to rectify. The City Attorney and City Staff recommend that the Planning Commission recommend the boundary adjustment which has been agreed to by the six property owners and the Leonards.

Motion

Kevin Poff moved that the Planning Commission recommend the Leonard/Anthony Little et. al. boundary adjustment. **Cory Ritz** seconded the motion, which passed by unanimous vote.

Clark Lane Street Vacation Recommendation

The information was not prepared.

ADJOURNMENT

Jim Talbot moved that the Planning Commission adjourn at 10:35 P.M.

*Jim Talbot, Chairman
Farmington City Planning Commission*