

FARMINGTON CITY PLANNING COMMISSION

Thursday, July 13, 2006

PLANNING COMMISSION STUDY SESSION

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

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

Agenda Item #1: Minutes

The Planning Commission reviewed the minutes and made the necessary corrections.

Agenda Item #2: City Council Report

David Petersen reported the proceedings of the City Council meeting which was held on July 11, 2006. He covered the following items:

- The City Council adopted an Ordinance rezoning property at 633 North Compton Road including abutting City storm water detention basin and nearby and adjacent public right-of-ways from OTR/LR, and B to BP, as requested by Bob Amodt, subject to the property reverting back to its previous zone if the property is sold for a different use.
- The City Council considered Doug Welling's request for a waiver of sidewalk development standards in the Hidden Meadows, Phase II Subdivision. The Council followed the Planning Commission's recommendation by allowing Mr. Welling to lower the sidewalk width to 4 feet.
- The City Council approved a Resolution of intent to adjust the common boundary line between Farmington City and Kaysville City near Cherry Hill Interchange north of 1875 North Street so long as the property is developed with a single-family residential use.

Agenda Item #3: Public Hearing Davis Community Housing Authority - Applicant is requesting conditional use and site plan approval to construct two accessory buildings in conjunction with an existing office building located at 352 South 200 West in a BP zone

David Petersen suggested that the Commission consider text changes to the Zoning Ordinance regarding setbacks for accessory buildings in the BP zone (Agenda Item #4) prior to considering Agenda Item #3.

Mr. Petersen explained that the applicant is requesting approval to construct accessory buildings in the side yard of the property. He reviewed Section 11-14-055 of the Zoning Ordinance which states the following:

- (1) *Accessory buildings shall be located to the rear of the main building, shall not encroach on any recorded easement, shall not cause the maximum lot coverage ratio to exceed the standards set forth herein, without exception, be subordinate in height and area to the main building, and shall be reviewed as a conditional use.*

Mr. Petersen suggested that the Zone Ordinance text be amended by modifying paragraph 1 or by adding the following paragraph to the text:

- (e) *Architecturally compatible accessory buildings as approved by the Planning Commission, may be located in the side yard of a lot if all front, side, and rear setbacks are provided as specified in Section 11-11-050.*

David Petersen recommended that the Planning Commission require the applicant to provide additional landscaping.

Agenda Item #5: Public Hearing: Reagan Outdoor Advertising and I-Transact Building LLC - Applicants are requesting approval for a special exception to establish a billboard adjacent to the east side of the Frontage Road/Lagoon Drive at approximately 300 South in a BP zone

David Petersen said according to State law, if a billboard is displaced by UDOT, the billboard can be relocated within certain parameters. The applicant is requesting approval to relocate their billboard to the BP zone which does not allow for billboard signs. The sign type, dimensions, and lighting for the proposed sign will be different from that of the existing sign. He passed out a copy of the fax he received from a representative at Reagan Outdoor Advertising stating that the initial building permit allowed for a different type of sign than was constructed.

Mr. Petersen said that it is his understanding, a building permit does not give a vested right. **Mike Mazuran** recommended that the Planning Commission table consideration of the request to allow time to review the State code.

Jim Talbot suggested that City staff meet with the Reagan Outdoor Advertising representatives in an effort to reach an agreement.

A representative from Reagan Outdoor Advertising agreed that there should be further communication between his company and City staff and agreed that the item be tabled.

Rick Wyss referred to Section 72-7-504 of the Utah Outdoor Advertising Act which states that billboard signage should be located in an industrial/commercial area or in another area where outdoor advertising is permitted.

The Planning Commission discussed whether the BP zone should be considered a commercial/industrial zone since the City has a General Commercial zone.

Paul Barker referred to the second paragraph of a letter that was submitted to Farmington City by Gary Grant from UDOT. The paragraph states:

“This letter should not be used to dictate the City’s interpretation of State and Federal Law nor should it be used to override the City’s rules and regulations.”

Mr. Barker questioned whether in this circumstance, the State Law would take precedent over the City’s rules and regulations.

Rick Wyss asked what the distance is between the existing sign location and the proposed location.

David Petersen said the proposed sign may be located approximately 900 feet from the existing sign.

PLANNING COMMISSION REGULAR SESSION

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

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

APPROVAL OF MINUTES

Kevin Poff moved that the Planning Commission approve the minutes of the June 22, 2006, Planning Commission Meeting. **Andrew Hiller** seconded the motion with changes as noted. The Commission voted unanimously in favor. **Jim Talbot** abstained since he was not present at the June 22, 2006, meeting.

CITY COUNCIL REPORT

David Petersen briefly reviewed the report he gave at the Study Session. He said the Resolution of Intent to adjust the common boundary line between Farmington City and Kaysville

City is of key importance to the City.

Chairman Talbot announced that the Agenda was amended. The Nixon & Nixon storage unit proposal and the Garbett Homes item will be considered at a later date.

Motion

Andrew Hiller moved that the Planning Commission consider Agenda Item #4 concurrent with Agenda Item #3. **Paul Barker** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: DAVIS COMMUNITY HOUSING AUTHORITY - APPLICANT IS REQUESTING CONDITIONAL USE AND SITE PLAN APPROVAL TO CONSTRUCT TWO ACCESSORY BUILDINGS IN CONJUNCTION WITH AN EXISTING OFFICE BUILDING LOCATED AT 352 SOUTH 200 WEST IN A BP ZONE (C-8-06) (Agenda Item #3)

Background Information

The current Davis Community Housing Authority owns the property, building and site once occupied by the former Division of Motor Vehicle (DMV), known by many as “the Old Drivers License Building”. A driving course was located on the concrete pad in the northwest corner of the site which is now the area proposed for accessory buildings. Currently, the building has three (3) other tenants namely, Wasatch Chiropractic, Farmers Insurance Group and Credit Union Data Processing who are leasing the building space.

It is proposed that the accessory buildings will consist of an eight stall carport and one storage shed. Several exterior elevation drawings were submitted, however, these drawings do not show the height of the buildings. The proposed buildings will not displace any designated parking for the current building. The 11,250 square foot building consists of 22 stalls in the rear and 36 stalls in the front.

Proposed materials for the storage shed are split face gray concrete blocks, tan eave material, dark gray asphalt shingles. Proposed materials for the carport are tan posts and tan corrugated metal roofing.

A landscaping plan was not submitted with the application because nothing was being altered to the current landscape. However, the view of the new buildings have an impact to the neighboring north, east and west properties. Visually the landscaping needs to be considered both on and off the site. Specifically, I-Transact did not submit a detailed landscape plan and where the new buildings are abutting their property their landscape plan should be considered.

The Davis Community Housing Authority mentioned they were going to include an additional light in the parking area. They must identify the type of light on their plans and where the light will be placed.

Currently the site plan does not contain information regarding any screening of the new storage facility. On the provided site plan there is no table indicating the total area of the site and the percentage of the total that is occupied by structures, parking service areas and landscaping.

END OF PACKET MATERIAL.

David Petersen displayed an overhead of the site plan. He explained where the property is located and reviewed the applicant's request. He also reviewed the following four conditions which were included as part of the "Possible Motion":

1. The applicant must submit a landscape plan for review and approval by city staff. The submittal shall also include the landscape plan from I-Transact for property north and west of the site.
2. The location and type of light must be shown on the plans.
3. Provide a table on the plan identifying the total area of the site and the percentage of this area devoted to structures, parking, service areas and landscaping.
4. City Council must approve a zone text change allowing accessory buildings in the side yard of a BP zone.

Mr. Petersen suggested that the applicant submit a landscaping plan to be reviewed by the City's intern.

Clark McCullough said the proposed buildings will not have exterior lighting.

Public Hearing - (Note the Public Hearing was for the conditional use/site plan request and the zone text change).

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

Clark McCullough (127 South Flint Street, Kaysville) said they are required by HUD to store documents for a minimum of seven years so a storage structure is needed. The other structure will be used as a carport for State vehicles. He agreed to provide the City with an acceptable landscaping plan.

Public Hearing Closed

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

Andrew Hiller suggested that the storage facility be placed towards the rear of the property so it is more visually appealing.

The Planning Commission agreed with **Mr. Hiller's** suggestion.

Clark McCullough said he was not opposed to readjusting the buildings so the parking structure is near the front of the property.

Paul Barker asked what material will be used to construct the roof of the parking structure.

Mr. McCullough said the roof will be made of a corrugated steel with pre-colored panels. The structures will be painted to match the existing building.

Motion

Kevin Poff moved that the Planning Commission grant conditional use and site plan approval subject to the following:

1. The applicant must submit a landscape plan for review and approval by City staff. The submittal shall also include the landscape plan from I-Transact for property north and west of the site.
2. Provide a table on the plan identifying the total area of the site and the percentage of this area devoted to structures, parking, service areas and landscaping.
3. City Council must approve a zone change text change allowing accessory buildings in the side yard of a BP zone.
4. The storage facility will be located at the rear of the property. Both structures will be located behind the setback of the existing building.

Andrew Hiller seconded the motion, which passed by unanimous vote.

Findings

- The exterior of the structures will be compatible with the office building to the

- north and with the “drivers license building”. The use of split block will also be aesthetically appealing.
- The location of the structures is in compliance with the amended Zoning Ordinance regarding setbacks for accessory buildings in the BP zone.

PUBLIC HEARING: FARMINGTON CITY - APPLICANT IS REQUESTING A RECOMMENDATION TO CONSIDER TEXT CHANGES TO THE ZONING ORDINANCE REGARDING SETBACKS FOR ACCESSORY BUILDINGS IN THE BP ZONE (ZT-3-06) (Agenda Item #4)

David Petersen displayed an aerial photo and pointed out where the property is located. Although accessory buildings are permitted in the BP zone, the zoning text does not include specific setback regulations. City staff recommends that the following changes and additions be made to the Ordinance:

- (a) *Setback from rear and side property lines. No setback is required except as specified below;*
- (e) *Architecturally compatible accessory buildings as approved by the Planning Commission, may be located in the side yard of a lot if all front, side and rear setbacks are provided as specified herein.*

Public Hearing

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

Public Hearing Closed

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

Motion

Kevin Poff moved that the Planning Commission recommend text changes to the Zoning Ordinance regarding setbacks for accessory buildings in the BP zone as presented by staff. **Paul Barker** seconded the motion, which passed by unanimous vote.

Findings

- The Ordinance will be in compliance with the Planning Commission’s previous recommendation to allow Davis Community Housing Authority to construct

accessory buildings in the BP zone.

PUBLIC HEARING: REAGAN OUTDOOR ADVERTISING AND I-TRANSACTION BUILDING, LLC - APPLICANTS ARE REQUESTING APPROVAL FOR A SPECIAL EXCEPTION TO ESTABLISH A BILLBOARD ADJACENT TO THE EAST SIDE OF THE FRONTAGE ROAD/LAGOON DRIVE AT APPROXIMATELY 300 SOUTH IN A BP ZONE (M-2-06) (Agenda Item #5)

Background Information

Presently, Reagan Outdoor Advertising operates a billboard located near 250 South Street adjacent to the west side of the Union Pacific RR tracks and I-15 in a LM&B zone. UDOT purchased this property to make way for the Legacy Highway project. Now the applicant is proposing to relocate the sign on the east side of the freeway on property owned by I-Transact Building LLC, which is zoned BP. Billboards are not normally allowed in the BP zone.

Nevertheless, in a letter by UDOT addressed to Farmington City dated June 20, 2006 it states, "Because UDOT is constructing the Legacy Parkway where the current sign is located and per 72-7-510 of the Utah Outdoor Advertising Act, Reagan shall be permitted to relocate the existing sign to the new location". Section 72-7-510 (6)© and (d) of the Act state:

© The county or municipality in which the use or structure is located shall, if necessary, provide for the relocation and remodeling by ordinance for a special exception to its zoning ordinance.

(d) The relocated and remodeled use or structure may be:

(I) erected to a height and angle to make it clearly visible to traffic on the main-traveled way of the highway to which it is relocated or remodeled;

(ii) the same size and at least the same height as the previous use or structure, but the relocated use of structure may not exceed the size and height permitted under this part;

(iii) relocated to a comparable vehicular traffic count.

Special exception standards for Farmington City are set forth in Section 11-3-045 of the Zoning Ordinance.

The applicant is proposing to raise the height of the sign from approximately 45 feet to 65 feet and to increase the area of the sign face from 492 square feet to 627 square feet (existing

height and area measurements are estimates prepared by city staff). Reagan is also proposing to replace the existing double face, back to back sign with a double face V-type sign. The existing billboard has not been lit at night. The applicant is proposing to light the new billboard.

END OF PACKET MATERIAL.

David Petersen summarized the “Background Information” and reviewed the applicant’s request. He displayed an overhead, and slides, and pointed out the location of the proposed billboard and the existing billboard. The distance between the two sites is between 750 and 900 square feet. The proposed site is in the BP zone which does not allow for billboards as a permitted use. He displayed photos of the existing billboard and discussed the differences between the two billboards. The applicant and City staff agreed that the item be tabled to allow time to review the Outdoor Advertising Act and to discuss certain issues together before a decision is made.

Public Hearing

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

Craig Toone, a representative for Reagan Outdoor Advertising, agreed it would be beneficial for his company to have further discussions with City staff and the City Attorney.

Chairman Talbot asked if it was the applicant’s intent to table consideration of the item.

Mr. Toone agreed that the item should be tabled.

Public Hearing Closed

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

Motion

Andrew Hiller moved that the Planning Commission table consideration of the request to allow Reagan Outdoor Advertising and City staff to resolve certain issues. **Kevin Poff** seconded the motion, which passed by unanimous vote.

315 WEST (HARDY ROAD) STREET DEDICATION RECOMMENDATION (Agenda Item #6)

David Petersen explained that the property being considered was purchased by Jeff

Smith. He is now dedicating a portion of the property to the City which will allow him access to his storage unit facility. City staff recommends that the Planning Commission dedicate Hardy Road. The dedication of the road is per the Agreement between Jeff Smith (land owner) and Farmington City. The street will be 47.5' wide until the adjacent property is developed, at which time an additional right-of-way will be dedicated.

Motion

Kevin Poff moved that the Planning Commission recommend the dedication of 315 West (Hardy Road). **Paul Barker** seconded the motion, which passed by unanimous vote.

MISCELLANEOUS

Residential Driveway Discussion

David Petersen displayed the plat for the Forest Glen Subdivision. He explained the applicant's request to construct a circular driveway. **Mr. Petersen** asked if it would be appropriate to allow the circular driveway that does not connect to the garage. He read the following paragraph from the Ordinance:

- (a) *Residential driveways shall not be more than twenty (20) feet in width when serving as access to two (2) properly designated spaces or thirty (30) feet in width when servicing as access to three (3) properly designated parking spaces. "Properly designated parking spaces" shall include spaces in a garage, carport, or on a parking pad located to the side of a dwelling and not located with the minimum front yard setback.*

Mr. Petersen said the applicant's request does not justify a variance since there is not hardship, but there is some room at the top of the circular driveway that could be considered a properly designated parking space, (and it is located to the "side" of the building).

The Planning Commission agreed to support City staff in this interpretation.

Jim Talbot recommended that City staff verify that the width of the driveway is adequate.

Letter signed by Nate Pugsley, Gary Woodbury, Howard Kent, Gary Harmer, & Dick Moffat

David Petersen said the City received a letter from Nate Pugsley (Woodside Homes Corporation), Gary Woodbury (Richmond American Homes), Howard Kent (SLI Commercial

Real Estate), Gary Harmer (Symphony Homes), and Dick Moffat (Boyer Company) requesting that subdivisions with five (5) or more lots be allowed to install up to twenty (20) corporate flags surrounding the new subdivision.

Kevin Poff said the previous Planning Commission intended to eliminate the large flags.

Jim Talbot said he is opposed to the large flags since they remain for extended periods of time and become weathered. He is not opposed to “grand opening” flags or to large patriotic flags.

Andrew Hiller said the large flags make neighborhoods look like car dealerships. He is not opposed to allowing the large flags for a limited time period.

Rick Wyss said he is not in favor of the flags. He said it would be capricious to only allow the flags to be flown in subdivisions with five or more lots. He recommended that the issue be included as an agenda item for a future meeting to allow the signors of the letter to give their input.

David Petersen said he would inform the signors of the letter that the Planning Commission is not in favor of the large flags. They can then determine whether or not to proceed with their application.

City Pool Party - Wednesday, August 9th

David Petersen informed the Commissioners that the pool party for City employees and volunteers will be held on Wednesday, August 9, 2006.

Center-Cal Report

Jim Talbot said representatives from the City went to Oregon to tour Center-Cal developments. He was impressed with their quality developments, as well as with their plans for Station Park.

David Petersen said he was impressed that Center-Cal does not want to participate in land exchanges prior to the site plan being approved.

Paul Barker said Station Park will be one of the finest retail facilities in Utah. Center-Cal is known for their high quality tenants and high quality architecture.

ADJOURNMENT

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

Jim Talbot, Chairman
Farmington City Planning Commission