

**FARMINGTON CITY PLANNING COMMISSION MEETING**  
Thursday, April 30, 2009

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**PLANNING COMMISSION STUDY/WORK SESSION**

**Present:** Chairman John Bilton, Commission members Geoff Butler, Rick Draper, Randy Hillier, Craig Kartchner, Michael Wagstaff and Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commission member Steve Andersen was not in attendance.

**Chairman Bilton** opened the study session at 6:14 p.m. **Clark Skeen** from Quantronix was also in attendance at the meeting.

**(Agenda Item #3): Jerry Preston – (Public Hearing) – Applicant is requesting approval of the preliminary plat for Phase 5 of the Rice Farms subdivision. Phase 5 consists of 18 lots including amendments to lots 401 and 408 of Phase 4 and is located at approximately 50 West Hollie Avenue (S-10-08)**

**Glenn Symes** said this proposal is consistent with the master plan. He said **Mr. Preston** worked with the US Army Corps of Engineers concerning the wetlands on the property, and more of the details will be reviewed when the final plat is submitted.

**(Agenda Item #4): Farmington City – (Public Hearing) – Applicant is requesting a recommendation for changes to a Scenic Byways Overlay Ordinance proposed to be Chapter 41 of the Zoning Ordinance. The proposed overlay zone addresses design standards for property adjacent to and visible from Legacy Parkway in Farmington (ZT-7-08).**

**David Petersen** distributed a handout outlining some of the details of House Bill 272, including segmentation. The items on the handout were discussed thoroughly by **Mr. Petersen** and the members of the Commission. There was also discussion regarding **Mr. Philpot's** remarks from the April 16, 2009 meeting.

[**Jim Young** arrived at the meeting at 6:35 p.m.]

**(Agenda Item #6): Miscellaneous, correspondence, etc...**

**1. First Reading of Proposed Chapter 42 Urban Forestry Ordinance**

**David Petersen** told the Commission that Staff is ready to move forward on Chapter 42 and asked for a volunteer to serve on a committee to review this item. **Randy Hillier** and **Michael Wagstaff** offered to assist, and there was a brief discussion of possible issues.

## **PLANNING COMMISSION REGULAR SESSION**

**Present:** Chairman John Bilton, Commission members Geoff Butler, Rick Draper, Randy Hillier, Craig Kartchner, Michael Wagstaff and Jim Young, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey. Commission member Steve Andersen was not in attendance.

**Chairman Bilton** opened the meeting at 7:05 p.m. **Rick Draper** offered the invocation.

### **Approval of Minutes - (Agenda Item #1)**

**Chairman Bilton** asked if there were any changes to the minutes of the Planning Commission meeting on April 16, 2009. There were no changes.

### **Motion**

**Rick Draper** made a motion to approve the minutes of the April 16, 2009 Planning Commission meeting. **Jim Young** seconded the motion, and it was approved by **Chairman Bilton, Geoff Butler, Rick Draper** and **Jim Young**. **Michael Wagstaff, Randy Hillier** and **Craig Kartchner** abstained because they were not in attendance at the meeting.

### **City Council Report - (Agenda Item #2)**

**Glenn Symes** informed the Commission that the City Council passed the amended regulations to the sign ordinance. They gave final approval for the Nicholl's Nook subdivision and approved a 32-foot wide street rather than the 30-foot width the Planning Commission had recommended. He said all of the other requirements were the same. **Mr. Symes** said he spoke with **Rodney Griffin** earlier in the day, and he wanted the Commission to be aware that **Mr. Griffin** may request the addition of three more units to this PUD.

**Jerry Preston – (Pubic Hearing) – Applicant is requesting approval of the preliminary plat for Phase 5 of the Rice Farms subdivision. Phase 5 consists of 18 lots including amendments to lots 401 and 408 of Phase 4 and is located at approximately 50 West Hollie Avenue (S-10-08). (Agenda Item #3)**

### **Background Information**

**Glenn Symes** gave a brief description of this proposal.

### **Public Hearing**

**Chairman Bilton** opened the public hearing at 7:10 p.m.

**Cam Preston**, representing **Jerry Preston**, said they have worked with the US Army Corps of Engineers with regard to the wetlands. He said the dark shaded area on the map was the remaining piece of wetlands, and the lighter shaded area was approved for mitigation. He explained that if or when the wetlands dry up, the previously subdivided area would become part of each property owner's lot. **Mr. Preston** said the Corps requirements were: (a) a standard fence around the area, (b) no structures, and (c) no planting.

### **Public Hearing Closed**

The public hearing was closed at 7:15 p.m.

### **Motion**

**Craig Kartchner** made a motion that the Planning Commission approve the Preliminary Plat for Phase 5 of the Rice Farms Estates PUD, subject to all applicable development standards and the following:

1. Improvement drawings, including a grading and drainage plan and a SWPPP, prepared by the applicant, must be reviewed and approved by the City Engineer, Public Works Department, Fire Department, Planning Department, Benchland Water District, and Central Davis Sewer District.
2. The applicant must comply with conditions set forth in the development agreement between the developer and the City established for the project and any amendments related thereto.
3. The applicant must work with and receive approval from the US Army Corps of Engineers to mitigate and manage all wetlands on the development property.

**Michael Wagstaff** seconded the motion, and it was unanimously approved.

### **Findings for Approval**

1. The Preliminary Plat approval is consistent with the Final (PUD) Master Plan for the entire site.
2. The Preliminary Plat approval is consistent with the development agreement for the overall project.
3. The approval of the Preliminary Plat is consistent with the Farmington City General Plan.

**Farmington City – (Public Hearing) – Applicant is requesting a recommendation for changes to a Scenic Byways Overlay Ordinance proposed to be Chapter 41 of the Zoning Ordinance. The proposed overlay zone addresses design standards for property adjacent to and visible from Legacy Parkway in Farmington (ZT-7-08). (Agenda Item #4)**

### **Background Information**

**Chairman Bilton** reminded those in attendance that Agenda Item #4 and Agenda Item #5 are closely related, with #4 being the text of the ordinance and #5 being the overlay or map creating the scenic

byway. He said they would be addressed congruently, but each required a separate motion. **David Petersen** referred to the bullet points in the staff report which outlined the discussion of both agenda items at the previous Planning Commission Meeting. The detailed responses to each of these points were also included in the staff report. **Mr. Petersen** also gave each member a copy of a letter from **Gary Uresk**, chairman of the Great Salt Lake Legacy Parkway Scenic Byway Committee which provided more information regarding these items.

### **Public Hearing Opened**

**Chairman Bilton** opened the public hearing at 7:20 p.m.

**Michael White**, 335 West State Street, spoke in behalf of several people in his neighborhood, including his own family. He said there is a large billboard located near to the 2 ½ acres his family owns. They would like to develop the land in the future, and the sign is a concern to them. He asked if there was any way the sign could be removed. He said they are in favor of and support the overlay proposal, but they wanted to state their concerns. **Chairman Bilton** explained to **Mr. White** that this ordinance would not require the billboard to be removed. He said it would put an overlay in that area which may affect current billboards, but it would not require existing signs to be removed. The Commission advised **Mr. White** to discuss his specific issues with the City Planner, **David Petersen**.

**Dick Andrew**, representative from Lagoon, reminded the Commission that Lagoon owns a billboard in south Farmington, and he said it is very important to their business. He explained that it is in its current location because Farmington City asked them to move the sign further south, and the agreement states that Farmington will protect Lagoon's interest.

**Mr. Petersen** stated that he and the Mayor and the City Attorney met with representatives from Lagoon, and the overriding factor is that state law has no effect on the agreement Farmington has with Lagoon. **Chairman Bilton** commented that Lagoon provides a very valuable service to Farmington City, and it will continue to be important in the future.

**Clark Skeen**, representing Quantronics, said he was speaking for businesses and property owners on the east side of I-15 in Farmington. He wanted to confirm his understanding that the regulations of the scenic byway view shed corridor on the east side of I-15 pertain only to signage and not to design standards. **Mr. Petersen** replied that was correct. **Mr. Skeen** said they were appreciative of the consideration that has been given to his company regarding this issue.

**Rick Draper** referred to Mr. Andrew's comments and said it was important to have some of these standards in place as we move into the next phase of Legacy Parkway. **Mr. Petersen** said Farmington City is part of a collaborative effort, and signage is one of the key elements in the corridor master plan. He said the preference of the current City Council and Planning Commission was the westerly alignment.

### **Public Hearing Closed**

**Chairman Bilton** closed the public hearing at 7:35 p.m. and asked for comments and/or questions from the Commission. **Craig Kartchner** commended the staff on the work they had done regarding this issue and said it was extremely beneficial. There were several questions discussed in detail, and **Mr.**

**Petersen** responded to each of them. **Jim Young** commented that Lagoon is a unique part of Farmington's heritage, history, and future, and he wanted to make sure **Mr. Andrew** left the meeting feeling comfortable with this issue. He asked that the following be entered into the record: "Farmington City's agreement with Lagoon supersedes and will prevail over this ordinance or any future ordinance or any state law to the best of their knowledge." All of the Commission agreed that Staff did a great job researching these issues and providing them with beneficial information.

### **Motion**

**Jim Young** made a motion that the Planning Commission recommend that the City Council approve the proposed Scenic Byway Overlay Zone, proposed to be Chapter 41 of the Zoning Ordinance. **Rick Draper** seconded the motion, and it was unanimously approved.

**Farmington City - (Public Hearing) – Applicant is requesting a recommendation for changes to the Official Zoning Map creating a Scenic Byways Overlay Zone. The general vicinity for the proposed overlay zone is Legacy Highway/I-15 south of State Street to the Centerville City limits between 200 West and along 600 West. The proposed overlay zone is associated with a proposed zone text amendment to Chapter 41 Scenic Byway Overlay which addresses design standards for property adjacent to and visible from Legacy Parkway in Farmington (ZT-07-08). (Agenda Item #5)**

### **Public Hearing**

**Chairman Bilton** opened the public hearing at 7:50 p.m. There were no comments, and the public hearing was closed at 7:50 p.m. **Chairman Bilton** commended the staff for their efforts regarding this issue and for the timely information that was provided throughout the process.

### **Motion**

**Randy Hillier** made a motion that the Planning Commission recommend approval of the proposed amendment to the official Zoning Map for the creation of the Scenic Byway Overlay Zone to the City Council. **Geoff Butler** seconded the motion, and it was unanimously approved.

### **Miscellaneous, correspondence, etc. (Agenda Item #6)**

#### **1. First Reading of Proposed Chapter 42 Urban Forestry Ordinance**

**David Petersen** said the staff's intent was to make the Planning Commission aware of this proposal, and he asked for volunteers to serve on the committee. **Randy Hillier** and **Michael Wagstaff** both agreed to serve.

#### **2. Other items**

**Mr. Petersen** reminded the Commission of the Utah League of Cities and Towns' and Utah Local Governments Trusts' land use training workshops. The places and dates were listed in the handout. He also mentioned that the master transportation plan would be the next big issue to come before the Planning Commission.

## **ADJOURNMENT**

### **Motion**

**Craig Kartchner** made a motion to adjourn the meeting. **Geoff Butler** seconded the motion, and it was unanimously approved. The meeting was adjourned at 8:00 p.m.

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**John Bilton, Chairman**  
**Farmington City Planning Commission**