

## FARMINGTON CITY PLANNING COMMISSION MEETING

Thursday, September 16, 2010

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### **PLANNING COMMISSION STUDY/WORK SESSION**

*Present: Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Randy Hillier, and Nelsen Michaelson, Alternate Commission Member Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey.*

Chairman Young began the work session at 6:00 p.m. Barry Barton and Kevin Blalock were in attendance to discuss conceptual Davis County administration office elevations and site plans. Two members of the Farmington Historic Preservation Commission, Pat Achter and Alysa Revell, were also in attendance.

#### **Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a minor subdivision plat for a proposed flag lot subdivision on property located at 661 West 1400 North. (S-6-10) (Agenda Item #3)**

Glenn Symes explained the differences between Mr. Law's original request and this recent proposal and said the layout meets all of the requirements listed in the Subdivision ordinance for lot dimensions, size, stem length and stem width. Staff recommended approval of a metes and bounds subdivision plan for a flag lot.

#### **Gardner Company – (Public Hearing) – Applicant is requesting a recommendation of approval for a plat amendment to the Village at Old Farm PUD subdivision plat for the dedication of a road connecting Phase 2 to the northern phase. (S-11-09) (Agenda Item #4)**

Mr. Symes said the development agreement for this subdivision includes both residential and commercial/office uses. There is a provision in the agreement which requires the dedication of a road from the southern residential portion to the northern portion if it is residential, and the Gardner Company would like to record the dedication and move forward with the last few units.

#### **Farmington City – (Public Hearing) – City staff is proposing an amendment to the Regulating Plan adopted with Chapter 18 (Mixed Use Districts) realigning a neighborhood road adjacent to the Central Davis Sewer District pump station. (ZT-4-10) (Agenda Item #5)**

Mr. Symes referred to information from the August 26, 2010 staff report and said that as development in this area occurs, the City will be better able to determine where exactly the roads will connect and how much distance is needed.

#### **Farmington City – (Public Hearing) – City staff is proposing an amendment to the Agricultural zones establishing greenhouse/garden centers as a conditional use in the AA, AE and A zones. (ZT-5-10) (Agenda Item #6)**

Mr. Symes explained that Rich Haws may want to locate a greenhouse and garden center on his property north of Burke Lane. He said this type of business is permitted in nearly all of the City's zones, and staff is recommending approval of the amendment with a limit of five acres.

**Farmington City – (Public Hearing) – City staff is proposing an amendment to Chapter 7 of the zoning ordinance establishing a mailing radius for notices of five hundred (500) feet for site plan reviews that require Planning Commission approval. (ZT-3-10) (Agenda Item #7)**

Mr. Symes referred to the site plan matrix and proposal which was prepared for the previous Commission meeting. The City Attorney said the proposal was too arbitrary, and he suggested tying the noticing to the application type. The current proposal will require a noticing radius of 500 feet for site plan reviews by the Planning Commission and will leave the conditional use noticing at 300 feet. Also, staff proposed changing the 14-day noticing requirement to a 10-day requirement.

**Review of the conceptual Davis County administration office elevations and site plans**

Barry Burton, Davis County Planning Department, gave a brief overview of plans for the proposed Davis County administration offices. He said the current Children's Justice Center, the Environmental Health building, and the library will be demolished. He explained that because the cost of the new County building in Clearfield was less expensive than anticipated, the County was able to take advantage of low bids and low bond rates and move forward with the Farmington complex.

Kevin Blalock, Blalock & Partners, gave a presentation of the overall site development and said Farmington has the most diverse, changing demographic in the state of Utah. His company plans to tie the existing courthouse to the new buildings and include green space, mature trees on State Street, parking islands, and lighting. He provided details regarding Phase 1—construction of the Children's Justice Center, and Phase 2—construction of the Library and Administration Building. He displayed some of the building materials/colors which will be used.

Brett Anderson arrived at the work session at 7:05 p.m.

**PLANNING COMMISSION REGULAR SESSION**

*Present: Chairman Jim Young, Commission Members Steven Andersen, Rick Draper, Randy Hillier and Nelsen Michaelson, Alternate Commission Members Brett Anderson and Michael Nilson, City Planner David Petersen, Assistant City Planner Glenn Symes, and Recording Secretary Cynthia DeCoursey.*

Chairman Young opened the regular session at 7:25 p.m., and Brett Anderson offered the opening prayer.

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

**Motion**

**Nelsen Michaelson** made a motion to approve the minutes of the August 26, 2010 Planning Commission meeting. The motion was seconded by **Michael Nilson**, and it was approved by Commission Members **Hillier, Michaelson** and **Nilson**. Commissioners **Steven Andersen, Brett Anderson, Rick Draper** abstained because they did not attend the meeting.

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

**Glenn Symes** reported that the City Council approved the Ordinance adding the Haight-Hinman home--21 West 600 North--to the City's Historic Landmark Register. The Council requested the adjustment of lot lines on the front parcel of the **Law** property to more than 20,000 square feet which would solve the waiver issue. The Council also agreed with the change to the regulating plan and Chapter 18 concerning the Richards Way intersection.

### **Merrill Law – (Public Hearing) – Applicant is requesting a recommendation of approval for a minor subdivision plat for a proposed flag lot subdivision on property located at 661 West 1400 North. (S-6-10) (Agenda Item #3)**

**Glenn Symes** explained that there has been much discussion regarding a sufficient waiver for approval of this flag lot. However, at the previous City Council meeting, it was proposed that **Mr. Law** design a front lot larger than 20,000 square feet with the flag lot being approximately 50,000 square feet which would meet the requirements of the underlying zone ordinance and the flag lot standards and would not require a waiver. He said the layout **Mr. Law** submitted meets all of the requirements for lot dimensions, size, stem length, and stem width.

**Merrill Law** expressed appreciation for the efforts of City staff and the Planning Commission.

### **Public Hearing**

**Chairman Young** opened the public hearing at 7:30 p.m.

**Greg Wall**, 407 South 1450 West, inquired about the City's standards for a flag lot and said he understood that flag lots were not allowed in Farmington. The public hearing was closed at 7:30 p.m.

### **Motion**

**Steven Andersen** made a motion to approve a metes and bounds subdivision plan for a flag lot on property located at 661 West 1400 North with the following condition:

- The applicant continues to work with staff to address any comments or changes to the plans necessary for compliance with the provisions set forth for flag lots.

The motion was seconded by **Rick Draper** and was approved by all Commission Members.

### **Findings**

1. The proposed flag lot meets all of the standards listed in Section 12-7-030 (10) for the consideration of a flag lot in a residential zone. Specifically:
  - a. The proposed flag lot is located in a residential zone;
  - b. The parcel dimensions are not typical as the property was created from the Bamberger right-of-way and is approximately 570 feet deep and 130 feet wide at the street frontage;
  - c. The configuration of the parcel makes the further subdividing of the property nearly impossible unless a flag lot is approved; and
  - d. Topographic conditions on and around the subject property prevent reasonable access from any other location except 1400 North.
  
2. The proposed flag lot meets all of the standards listed in Section 12-7-030 (10) for the consideration of a flag lot in a residential zone. Specifically:
  - a. The stem of the proposed flag lot is wider than the 20 feet required and will accommodate necessary emergency apparatus as needed. The stem of the flag lot is not longer than 150 feet as required in said section;
  - b. The stem of the proposed flag lot serves only one flag lot;
  - c. The **Law's** have been in discussion with the City's fire officials and will install the necessary fire hydrants as required;
  - d. The body of the flag lot meets the dimensional standards of the underlying LR zone as set forth in said section;
  - e. There is only one flag lot proposed with the subdivision.
  
3. The proposed flag lot as submitted does not require comparable compensation as set forth in the Conservation Subdivision standards as no waiver of the standards is necessary.
4. The minimum lot size in the underlying LR zone is 20,000 square feet. The subject property is approximately 70,000 square feet. The request for two lots on 70,000 square feet meets the standards for and the intent of the Large Residential zone in which it is located.
5. There will be no unreasonable impact created with the recordation of one additional building lot at this location.

**Gardner Company – (Public Hearing) – Applicant is requesting a recommendation of approval for a plat amendment to the Village at Old Farm PUD subdivision plat for the dedication of a road connecting Phase 2 to the northern phase. (S-11-09) (Agenda Item #4)**

**Background Information**

**David Petersen** explained that the Village at Old Farm development was master planned for both residential and commercial/office uses. The southern portion was intended as residential, and the northern portion was intended to be commercial/office. However, there was a provision to require the dedication of a roadway connecting the southern portion to the northern portion if it was changed to residential. The Gardner Company would like to dedicate the property which will allow them to sell the final two lots and build a two-unit building instead of the three-unit building which was previously approved. He said it makes sense, from a planning perspective, to have an access road in this location.

**Mark Murdock**, Gardner Company, said they sold all of the townhome lots and some of the single home lots to DR Horton. They would like to finish this development which requires a dedication of this road.

### **Public Hearing**

**Chairman Young** opened the public hearing at 7:45 p.m.

**Dan & Lauren Hirst**, 1516 N. Old Shepard Road, said when they bought a home in this cul de sac, they were told that this would be a building lot. They were never told that it could possibly be a road. They expressed frustration and said the area already has a great deal of traffic, and residents ignore the stop sign and exceed the speed limit.

**Chairman Young** reminded those in attendance that the action tonight would be documenting a right-of-way, and there may never be a road in that location.

**Adam Hansen**, 1523 N. Old Shepard Road, said if he and his wife had known there was going to be a road in this location, they would have built in a different location.

**Mark Chandler**, 1532 N. Old Shepard Road, said he is against having a road in this location. He asked why three access roads were necessary, and **Mr. Petersen** said the City needs to limit dead-end streets, and it is poor planning to isolate neighborhoods and force everyone to use one access.

**Mr. Symes** specified that although the builder may not have told these residents about the road, the information was included in the title report. He said Staff recently became aware of an issue involving a main sewer line which bisects this development. The sewer district does not know the capacity of the line, and that may limit the type of development that could be approved. A commercial development would need less sewer capacity; a residential development would need more.

**Chairman Young** closed the public hearing at 8:05 p.m.

### **Motion**

**Nelsen Michaelson** made a motion to recommend to the City Council approval of an amended plat for the Village at Old Farm PUD Residential Phase 2 subdivision with the following conditions:

1. All conditions of approval from any previous approval shall be placed as conditions of approval on this application.
2. The applicant continues to work with staff to finalize and record the Village at Old Farm PUD Phase 2 Amended subdivision plat.
3. The applicant must receive approval from the Farmington City Council for the plat amendment and any amendments to the development agreement that may be associated with the plat amendment.

The motion was seconded by **Randy Hillier**, and it was unanimously approved.

**Findings**

- 1. The amendment is in accordance with the requirements of the development agreement.
- 2. The dedication of the roadway will allow a future developer of the northern portion to have additional access and circulation if it is developed as residential.

Nelsen Michaelson left the meeting at 8:05 p.m.

**Farmington City – (Public Hearing) – City staff is proposing an amendment to the Regulating Plan adopted with Chapter 18 (Mixed Use Districts) realigning a neighborhood road adjacent to the Central Davis Sewer District pump station. (ZT-4-10) (Agenda Item #5)**

**Background Information**

Glenn Symes referred to the information in the staff report and said this item was discussed by the Commission at their previous meeting. An addition specifying that the intersections be no less than 150 to 200 feet apart was recommended by the City Engineer.

**Public Hearing**

Chairman Young opened the public hearing at 8:12 p.m. There was no one from the public to speak concerning this item, and the public hearing was closed.

**Motion**

Steven Andersen made a motion to recommend approval of an amendment to the Chapter 18 Regulating Plan realigning Richard’s Way neighborhood road from a four-way intersection to two “T” intersections where it intersects with Station Parkway. Rick Draper seconded the motion, and it was unanimously approved.

**Findings**

- 1. The amendment to the Regulating Plan will still maintain circulation in the area as intended with the Mixed Use Districts.
- 2. The Regulating Plan can be adjusted slightly with a PMP once development is proposed which will allow City staff to ensure proper design and site distance for the intersections.

**Farmington City – (Public Hearing) – City staff is proposing an amendment to the Agricultural zones establishing greenhouse/garden centers as a conditional use in the AA, AE and A zones. (ZT-5-10) (Agenda Item #6)**

**Background Information**

Mr. Symes said greenhouses are either a permitted or conditional use in several of the City’s zones, and staff is proposing a limit of five acres to avoid any large-scale operations. This amendment to Chapter 10 would add retail greenhouse/garden centers as a conditional use.

## **Public Hearing**

**Chairman Young** opened the public hearing at 8:15 p.m. There was no one from the public to speak concerning this item, and the public hearing was closed.

## **Motion**

**Rick Draper** made a motion to recommend approval of an amendment to Chapter 10 of the Farmington City Zoning Ordinance adding Greenhouse/Garden Centers less than 5 acres as a conditional use. **Michael Nilson** seconded the motion, and it was unanimously approved.

## **Findings**

1. Greenhouses and garden centers are customary to agricultural uses and zones, so the addition of such a use in Farmington's agricultural zones would be appropriate.
2. The proposed use has already been established in other zones of the City and is not a use that is inconsistent with the character of the City.
3. The limitation to five acres or smaller ensures that any proposed greenhouse or garden center operation would be small scale and would not negatively impact surrounding properties or overburden existing infrastructure.

## **Farmington City – (Public Hearing) – City staff is proposing an amendment to Chapter 7 of the zoning ordinance establishing a mailing radius for notices of five hundred (500) feet for site plan reviews that require Planning Commission approval. (ZT-3-10) (Agenda Item #7)**

**Glenn Symes** said various ways to provide information to the public include newspapers, property signs, and mailings. He said there was discussion about expanding the 300-foot radius, and one proposal was to give the Planning Commission Chairman and the Mayor the ability to increase the radius if there was a project they felt needed further notice. However, the City Attorney said that was too arbitrary, and the decision was made to leave conditional use noticing at 300 feet, increase site plan noticing to 500 feet, and to change the 14-day requirement to a 10-day requirement.

## **Public Hearing**

**Chairman Young** opened the public hearing at 8:20 p.m. There was no one from the public to speak concerning this item, and the public hearing was closed.

## **Motion**

**Randy Hillier** made a motion to recommend approval of an amendment to Chapter 7 of the Farmington City Zoning Ordinance establishing a five hundred (500) foot noticing radius for mailed notices associated with site plans requiring Planning Commission review and an amendment to Chapter 6 amending the 14-day noticing requirement to a 10-day noticing requirement for zone text and zoning map amendments. The motion was seconded by **Steven Andersen**, and it was unanimously approved.

## Findings

1. The noticing radius of 500 feet goes beyond what has typically been done in Farmington and most other communities.
2. The increased noticing radius will allow a great number of residents to be aware of potentially impactful development.
3. The amendment to the site plan review requirement allows less impactful conditional use permits to have a traditional mailing radius.

## Miscellaneous (Agenda Item #8)

### **City Planner David Petersen**

1. Friday, September 17, 2010 is the last day to offer comments on the West Davis Corridor EIS. Staff believes all three alternatives in Farmington will pass the first level of study.
2. He referred to an information page received from the District Manager of the Benchland Water District regarding a new reservoir being constructed above North Compton Road on U.S. Forest Service property. It will produce secondary water which will serve northern Farmington and southern Kaysville and Fruit Heights.
3. The Utah League of Cities and Towns and the Utah Local Governments Trust have scheduled training workshops in the following locations:
  - September 29, 2010 Oakley
  - October 6, 2010 Santa Clara
  - October 7, 2010 Richfield
  - October 13, 2010 Ephraim
4. Davis County did not invite the City to be included with their plans to build a new library, children's justice center and administration building. The same presentation will be given to the City Council on Tuesday, September 21, 2010.

### **Chairman Young**

- He attended the groundbreaking ceremony for the new Harmons store which will be an asset to Farmington City and the surrounding areas.
- **Vice Chairman Craig Kartchner** has moved from Farmington, and **Chairman Young** suggested that the Commission select another Vice Chairman to serve until January. **Rick Draper** nominated **Steven Andersen**. **Chairman Young** nominated **Randy Hillier**.

## Motion

**Michael Nilson** made a motion to appoint **Randy Hillier** as the Planning Commission Vice Chairman. The motion was seconded by **Steven Andersen**, and it was unanimously approved.

## **ADJOURNMENT**

### **Motion**

**Michael Nilson** made a motion to adjourn the meeting. The motion was seconded by **Rick Draper** and was approved by all Commission Members. The meeting was adjourned at 8:35 p.m.

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**Jim Young, Chairman**  
**Farmington City Planning Commission**