

**FARMINGTON CITY
PLANNING COMMISSION MEETING
January 23, 2014**

WORK SESSION

***Present:** Chairman Brett Anderson, Commissioners Heather Barnum, Kent Hinckley, Kris Kaufman, Mack McDonald and Rebecca Wayment, Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Cynthia DeCoursey. Commissioner Brad Dutson and Alternate Commissioner Michael Nilson were excused.*

Harv Jeppsen – Applicant is requesting a recommendation for approval of the Jeppsen Minor Subdivision consisting of 4 lots located at 1530 N Main Street in an R Zone (S-9-13)

Eric Anderson said this Subdivision will include 4 lots rather than 5 as listed in the staff report, and the minimum lot size in the R zone is 16,000 square feet. There was discussion regarding the waivers that will be required and other related issues.

Miscellaneous – 1100 W Cross Section

David Petersen explained that Park Lane will be realigned in the next few months, and Davis County plans to install a sidewalk on the east side of 1100 W. The City will have 40 feet of right of way which will allow for a center turn lane and a bike lane. The Traffic Engineer has recommended that the Planning Commission approve the cross section, and the City Council will give final approval. Henry Walker Homes has Schematic Plan approval for a large mixed-use project in the area. Rebecca Wayment asked if Henry Walker Homes has seen the cross section, and David Petersen said they have and their plans were drawn to match it.

REGULAR SESSION

***Present:** Chairman Brett Anderson, Commissioners Heather Barnum, Kent Hinckley, Kris Kaufman, Mack McDonald and Rebecca Wayment, Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Cynthia DeCoursey. Commissioner Brad Dutson and Alternate Commissioner Michael Nilson were excused.*

#1 – Minutes of the January 9, 2014 Planning Commission Meeting

Motion:

Mack McDonald made a motion to approve the Minutes. Rebecca Wayment seconded the motion which was unanimously approved.

#2 – City Council Report

- The Elliot Metes and Bounds Subdivision was approved;
- Spring Creek Village was denied by a 3-2 vote;
- The Brentwood Estates Schematic Plan was tabled;
- The Final plat and Final PUD Master Plan for Phase 3 of Chestnut Farms was approved.

SUBDIVISION/ZONE CHANGE APPLICATION

#3 – Harv Jeppsen – Applicant is requesting a recommendation for approval of the Jeppsen Minor Subdivision consisting of 4 lots located at 1530 N Main Street in an R Zone (S-9-13)

Eric Anderson explained that this is a Minor Subdivision because there are less than 10 lots and no dedicated roads. Two of the four lots are new, and the applicant will be required to obtain several waivers, including an 80-foot buffer from Main Street, 10% open space, and the homes will face Main Street. Staff is recommending approval of the Subdivision. There was some discussion regarding flag lots, and **David Petersen** mentioned that **Eric Anderson** is working on a flag lot study which will be shared with the Commission at their next meeting.

Harv Jeppsen, 727 Leonard Lane, said his family will own all of the homes in this Subdivision and he thanked the Commissioners for their service.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend that the City Council approve the enclosed Plat for the Jeppsen Minor Subdivision subject to all applicable Farmington City development standards and the following conditions:

1. The applicant must obtain a waiver from the City Council for the open space requirement concurrent with final plat approval;
2. The applicant shall enter into an extension agreement prior to recordation of the plat for property abutting Leonard Lane in the event this right of way ever becomes public;
3. There must be a fire hydrant located within at least 150' from the nearest corner of the proposed building on the flag lot and proof of this location must be approved to City Staff's satisfaction prior to issuance of a building permit.

Kris Kaufman seconded the motion which was unanimously approved.

Findings for Approval:

1. Lot dimensions comply with the standards set forth in the Zoning and Subdivision ordinances.
2. All lots front an existing fully improved public right of way (Main Street).
3. The proposed flag lot meets all applicable City standards according to Section 12-7-030-(10) of the Zoning Ordinance.

4. The City will receive comparable compensation for lost open space which enables the creation of the smaller lot size.

ZONING TEXT CHANGE APPLICATION

#4 – Farmington City (Public Hearing) Applicant is requesting amendments to the Zoning and Subdivision Ordinances (ZT-9-13 and ZT-8-93) by:

- a. **Clarifying direct access (driveway) standards of building lots in Section 11-32-106(1)(e):** The standards specify that a “building lot” must have frontage on a public street. However, “lot” is not subject to the same standard and will be replaced with “building lot”.
- b. **Modifying correctional/detention facilities, drug or alcohol rehabilitation facilities, etc. as a “not permitted” use in Section 11-18-105:** The uses stated in the “Civic Uses” chart will be eliminated to allow time for the City to update its ordinances accordingly.
- c. **Removing all residential uses in the Office Mixed Use District (OMU) in Section 11-18-105:** “Artist Studio” will be identified as “Not Permitted” in the OMU zone and the phrase “Residential facilities for the elderly and handicapped” will be changed to “Residential facilities for people with disabilities.”
- d. **Changing the City’s local street cross-section standard in Section 12-7-040:** The City will amend its local street cross-section as outlined in the chart included in the staff report.
- e. **Reconsidering PUDs as a conditional use in Section 11-27-030 and appropriate zone districts where PUDs may be allowed and other chapter references related thereto:** PUDs are erroneously listed as a conditional use in many chapters and will be deleted in Chapter 10 (Agricultural Zones), Chapter 11 (Single-Family Residential Zones), Chapter 13 (Multiple-Family Residential Zones), Chapter 14 (BP Zones), Chapter 15 (BR Zones), Chapter 16 (C Zone), Chapter 17 (OTR Zone), Chapter 19 (CMU Zone), Chapter 20 (NMU Zone), Chapter 22 (B Zone), and Chapter 27 (PUD).
- f. **Adding an historic preservation standard in lieu of the 10% common open space requirement for PUDs in 11-27-120(g):** The City is recommending that property owners be given more flexibility by considering historic preservation as an option in lieu of open space.
- g. **Amending Sections 11-30-105(7)(e) and 11-32-106(1)(d) regarding driveway slope:** This will allow property owners to exceed the 14% slope standard; the slope will be the average slope of the two outside edges of the driveway. **Kris Kaufman** said if the slope is measured from the point of entrance to the garage it will average 14%, but if the flat section is ignored, it may exceed 14%. It was determined that this issue needs further study.

- h. **Deleting the word “minimum” in 11-28-070:** The entire rear yard area should be considered with regards to any detached building a property owner may wish to construct.
- i. **Providing a “rear of dwelling” standard for accessory buildings in 11-11-060(a):** It will state that “Accessory buildings shall be located to the rear of the dwelling.”
- j. **Amending Section 11-28-230 of the Zoning Ordinance to require performance bonds for demolitions (ZT-9-13):** A building permit must be obtained prior to the demolition of an old building, if there will be a replacement building, a cash performance bond will be required.
- k. **Striking Section 11-35-103(15) which makes the sale of firearms a prohibited use under Home Occupations:** Staff recommended tabling this item pending further clarification from the City Attorney.

Karolyn Lehn asked if there was a time element with the bond, and **Heather Barnum** asked if the bond would apply to state agencies and about the definition of historical preservation. **Mr. Petersen** replied that there would not be a defined time—only a cash deposit—and the City would try to hold itself, the State, and the County to the same standard. There are four well-defined classes for any historical building and this action would apply to either the first or second.

Public Hearing:

The Public Hearing was opened at 8:16 p.m. There were no comments and it was closed.

Motion:

Rebecca Wayment made a motion to recommend approval of the proposed amendments to the Zoning and Subdivision Ordinances as set forth in the January 23, 2014 staff report: a, b, c, d, e, f, i, and j and to table g, h, and k pending further clarification from the City Attorney and the following amendments: b – strike the correctional detention facilities uses as shown; c – remove the artist studio to a use allowed in Commercial as opposed to Residential and change the wording to “residential facilities for people with disabilities” and include it as a permitted use in the OMU zone; and to include Findings 1-5 and 10 and to strike Findings 6-9.

Findings for Approval:

1. The existing Section 11-32-106(1)(e) implies that the lots referenced therein are limited to building lots because buildings lots are the only lot type which require frontage. The amendment makes clear this distinction.
2. Eliminating correction facilities, etc. and deferring to federal requirements to guide these land uses will ensure immediate compliance with the law, and provide time to appropriately and deliberately update City ordinances accordingly.
3. The office/business park area will be maintained as a non-residential zone.

4. Consideration of a PUD overlay is a legislative act and may be applied with discretion. As a conditional use one may misconstrue consideration of a PUD as an administrative act which must be approved so long as such requests meet reasonable standards. The proposed amendment resolves this inconsistency within the ordinance.
5. An historic preservation standard in lieu of the open space requirement provides more available options to the property owner while allowing the City to achieve goals set forth in the General Plan.
10. The new ordinance provides greater flexibility to the property owner regarding accessory building size (but in residential zones only); and placement thereof for lots with “L” shaped main buildings.

Mack McDonald seconded the motion which was unanimously approved.

OTHER BUSINESS:

Miscellaneous, correspondence, etc.

- **1100 W Cross Section** – This Cross Section prepared by City Traffic Engineer **Tim Taylor** was discussed during the work session.

Motion:

Kent Hinckley made a motion to recommend that the City Council approve the proposed 1100 W Cross Section as set forth on the exhibit prepared by WCEC Engineers, Inc. The motion was seconded by **Karolyn Lehn** and unanimously approved.

- **David Church article, “The Planning Commission – One Attorney’s View”** – **David Petersen** said this was an excellent article and encouraged the Commissioners to read it.

ADJOURNMENT

Motion:

At 8:30 p.m. **Mack McDonald** made a motion to adjourn the meeting which was unanimously approved.



Brett Anderson, Chairman
Farmington City Planning Commission