

**FARMINGTON CITY  
PLANNING COMMISSION MEETING  
August 6, 2015**

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**STUDY SESSION**

***Present: Present:** Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Alex Leeman, and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Chair Rebecca Wayment and Commissioner Kent Hinckley were excused.*

**Item #3. Micah Peters/Clearwater Homes – Requesting Recommendation for Final Plat Approval for Meadow View Phase II Conservation Subdivision**

**And:**

**Item #4. Jason Harris/Fieldstone Homes – Requesting Recommendation for Final Plat Approval for the proposed Farminton Park Conservation Subdivision Phase II**

Eric Anderson presented information related to these two agenda items. This information was contained in the staff reports and very similar to what were provided in the regular session.

**Item #5. Jerry Preston/Elite Craft Homes – Requesting Conditional Use Approval for an Accessory Dwelling in a Detached Garage**

Eric Anderson said this is a request for a conditional use permit. He explained after reviewing the site plan with David Petersen, it looks like the detached garage encroaches on the front yard by a few feet. He said in order for the applicant to meet the front setbacks, the garage must move back a few feet or the house must move forward a few feet. David Petersen said to remember with conditional uses that it is presumed to be like a permitted use with reasonable conditions if it fits into the neighborhood. Bret Gallacher asked that in the event the neighbors do not want the accessory building to be built, the only valid argument is that the accessory building does not fit the neighborhood. Alex Leeman said his understanding is yes, the City cannot outright deny a conditional use, unless there is a very good reason, but can only apply reasonable conditions.

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**REGULAR SESSION**

***Present:** Commissioners Brett Anderson, Heather Barnum, Bret Gallacher, Alex Leeman, and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Chair Rebecca Wayment and Commissioner Kent Hinckley were excused.*

**Item #1. Minutes**

**Heather Barnum** made a motion to approve the Minutes from the July 16, 2015 Planning Commission meeting. **Bret Gallacher** seconded the motion which was unanimously approved.

**Item #2. City Council Report**

**David Petersen** gave a report from the August 4, 2015 City Council meeting. He said the Davis County School District presented to the City Council and requested support in the upcoming bond elections. The upcoming bond elections will impact the future high school in Farmington as well as upgrading schools all over the County. The East Park Lane Subdivision schematic plan was also presented; this is the site east of the Mercedes-Benz dealership. There were some previous concerns as to whether or not the intent of the City Council was to rezone the length of the property to CMU for the dealership. The recording of a previous meeting was reviewed, and it was determined that it was not the intent to rezone the entire length of the property, and not just the property for the dealership. The East Park Lane Subdivision was approved with its current zone of LS, but a CMU designation will become effective upon approval of the first site plan. The Zoning Ordinance Amendment for Chapter 28 regarding the inclusion of pool houses was also approved.

**SUBDIVISION APPLICATIONS**

**Item #3. Micah Peters/Clearwater Homes – Applicant is requesting a recommendation for final plat approval for the Meadow View Phase II Conservation Subdivision consisting of 19 lots on 8.89 acres located at approximately 1725 West Spring Meadow Lane in an AE (Agriculture Estates) zone. (S-10-14)**

**Eric Anderson** showed the proposed subdivision on the vicinity map. He said Clearwater Homes submitted the preliminary plat for 24 lots; however, the Planning Commission and City Council approved 19 larger lots for Phase II of the subdivision. There is some open space provided through a trail easement on the west side of the subdivision and the other required open space was realized through an open space waiver. **Eric Anderson** said the applicant is in negotiations with the City Manager to determine the appropriate amount for the waiver; he suggested keeping Condition #1 as it applies to the open space waiver. He also said there were initial issues with the length of the proposed subdivision as the Ordinance does not allow for a cul-de-sac longer than 1,000'. The applicant has worked with the fire marshal to determine the best solution. The subdivision will include a 20' emergency access easement that will be paved and will include crash gates on it, but will be accessible in the event of an emergency. Another big issue has been the storm water. **Eric Anderson** said the applicant is working closely with the City Engineer to finalize solutions, and staff is confident all concerns will be addressed prior to recordation.

**Micah Peters**, 336 W. Broadway, Salt Lake City, CEO of Clearwater homes, expressed appreciation for staff's assistance with this subdivision. He said during Preliminary Plat, the Commission asked for a very detailed look at the following three issues and each have been addressed.

1. All storm water that flows through the property comes from the 75 acres northeast of the subdivision. He said that he and the City Engineer, Chad Boshnell, have conducted extensive studies and analysis to determine the flow of the water. He said he and Chad have determined the best way to discharge the water appropriately.
2. The length of the cul-de-sac caused major concern. He said he will be creating an emergency access fire lane that will be paved. He said he has worked closely with the fire marshal on it. He wants the fire lane to also allow for connectivity for pedestrians to access the DRG&W trail. The trail will also include 5 collapsible ballast in lieu of a crash gate to allow for easy access for

pedestrians. Additional, he said they will also include sidewalk improvements to increase safety for the community.

3. A 30' trail easement on the west of the property that will curve to the north side of the property and tie into the stub street to the Flanders' property will also be included.

**Micah Peters** said that although the process took longer than anticipated and that the approved lots were larger than the City's last 200 approved lots in that area, they are excited to move forward on Phase II of the subdivision.

**Dan Rogers** asked if a tree plan is required for this subdivision application. He asked because it was mentioned in the last Planning Commission meeting that City Code requires subdivisions to now have one. He wondered if the applicant was grandfathered in prior to that requirement or if it still applies and the applicant needs to complete one. **Eric Anderson** clarified that the requirement is found in the Urban Forestry code and has its own standards, but may not require a street tree plan. **David Petersen** recommended a training for the Commission regarding this would be beneficial.

The Commissioners feel all outstanding concerns and issues have been appropriately addressed by the applicant.

***Motion:***

**Bret Gallacher** made a motion that the Planning Commission recommend that the City Council approve final plat for Meadow View Phase II subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant shall receive City Council approval of the open space waiver amount, which shall be determined through negotiations with the City Manager concurrent with Final Plat approval;
2. Any outstanding issues raised by the DRC at final plat shall be resolved prior to recordation;
3. The 20' access road shall also serve as an easement for a trail connecting the subdivision to 1525 West street;
4. The applicant shall receive a vacation of a portion of the 1525 West right-of-way from the City prior to recordation;
5. All improvement drawings, and the grading and drainage plan, must receive final approval from the City Engineer, and other members of the DRC;
6. The location of the trail shall be staked by the developer for review and inspection by city staff and the trails committee prior to recordation of the final plat.

**Dan Rogers** seconded the motion which was unanimously approved.

**Findings:**

1. The final plat meets all of the requirements of a conservation subdivision in the AE zone including lot size and width;
2. The densities requested by the applicant reflect those in other surrounding developments or are less;
3. The open space that would be provided by the applicant, while significant (2.7 acres) could be better used elsewhere in the City where it could be consolidated as either a trail or a park.

**Item #4. Jason Harris/Fieldstone Homes – Applicant is requesting a recommendation for final plat approval for the proposed Farmington Park Conservation Subdivision Phase II consisting of 18 lots on 6.95 acres located at approximately 1100 West and Glover Lane in an AE zone. (S-20-15)**

**Eric Anderson** said this is the final plat for Phase II of Farmington Park Conservation Subdivision. He showed the vicinity map; he pointed out the location of Phase I as well as where the proposed elementary school and park will be located. **Eric Anderson** said the applicant received approval for all 3 phases during Preliminary Master Plan; the applicant is now required to come back for final plat for each phase. He said the issues have been or will be resolved. He explained the suggested motion covers some of those concerns, like the applicant must receive CLOMR and LOMR from FEMA to remove the property out of the flood plain, as well as a notarized no-rise certificate and a storm drain easement dedication to Farmington City.

**Jason Harris**, 12896 S. Pony Express Rd., Draper, said he is available to answer any questions.

**Brett Anderson** said he feels this subdivision has been thoroughly vetted through, and he is comfortable moving forward with its approval as there are not any outstanding issues to address. The Commissioners agreed.

***Motion:***

**Heather Barnum** made a motion that the Planning Commission recommend that the City Council approve the final plat for the Farmington Park Conservation Subdivision Phase II subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant will obtain both a CLOMR and LOMR from FEMA prior to building permit issuance;
2. The applicant will obtain a no-rise certificate for the proposed subdivision;
3. Prior to recordation, the applicant shall dedicate a storm drain easement in favor of Farmington City and that dedication shall be approved by the City Engineer;
4. All improvement drawings, and other grading and drainage plan, must receive final approval from the City Engineer, and other members of the DRC.

**Alex Leeman** seconded the motion which was unanimously approved.

Findings:

1. The proposed development meets all of the old standards and requirements of a conservation subdivision (option 2) in an AE zone such as minimum lot sizes, lot widths and setbacks; the applicant received preliminary plat approval for a conservation subdivision prior to the zone text change to Chapter 12 and is therefore grandfathered in under the old rules.
2. The proposed development is at a density of 1.99 units per acre, which is consistent with the adjacent neighborhoods and the RRD General Plan designation.
3. The development is not seeking a waiver of the open space provision and is providing the City with much needed recreation space.
4. The overall layout follows the low density residential objectives of the General Plan.

**CONDITIONAL USE APPLICATIONS**

**Item #5. Jerry Preston/Elite Craft Homes (Public Hearing) – Applicant is requesting a conditional use approval for an accessory dwelling in a detached garage on property located at approximately 347 East and 100 North in a LR-F (Large Residential – Foothill) zone. (C-7-15)**

**Eric Anderson** said the applicant is proposing a detached garage with a mother-in-law (MIL) apartment on the 2<sup>nd</sup> floor. **Eric Anderson** reviewed the definition of an accessory building as found in the Zoning Ordinance as well as the conditional use standards and requirements of an accessory building. As per the Zoning Ordinance, an accessory building cannot “encroach into the front yard.” **Eric Anderson** showed the site plan for the accessory dwelling. The home is 35’ from the front property line; however, the accessory building is only approximately 32’ front the front property line. To meet the Zoning Ordinance requirements, the applicant must move the home 3’ closer to the property line or move the garage back 3’ so it no longer encroaches the front yard. Besides the concern with the front yard, the accessory dwelling meets all other standards including the height being subordinate to the home, is less than 15’ in height and seems to fit the character of the neighborhood.

**Jerry Preston**, 347 E. 100 N., said he currently owns the lot. His plans are to build-out the lot and sell it. The individual purchasing the home and accessory building do not have plans to rent out the “Mother-in-law” apartment, but to allow a disabled brother to live in it. **Jerry Preston** said currently his name will be approved for the conditional use permit for the accessory dwelling; however, it is his understanding that the permit is non-transferrable. He recommended putting the future property owner’s name as the approved individual for the conditional use. If the property does not sell, the conditional use would be invalid; **Jerry Preston** said he is okay with the conditional use becoming invalid. He also said he will do whatever he needs to bring the accessory dwelling in compliance with the Zoning Ordinance.

**Bret Gallacher** asked for further clarification on whether the conditional use is for the property owner or for the property location. **Eric Anderson** said the conditional use does apply to the property owner and cannot be transferred to a different property owner. He said **Jerry Preston’s** request is reasonable and can be added as a condition. **David Petersen** added that **Jerry Preston** can be considered the agent for this future property owner so an additional condition may not be necessary.

**Brett Anderson** opened the Public Hearing at 7:34 p.m.

**Norman Brown**, 248 E. 100 N., expressed the following concerns:

- The applicant being approved for additional dwellings when his proposed lots were barely accepted;
- If the accessory dwelling will affect the future property owners of the proposed Farmington Hills Subdivision;
- Amount of traffic pressure placed on this local road if Farmington Hills Subdivision is built;
- Possible increase in street width to accommodate future growth.

**David Petersen** explained that the lots were previously platted in the early 2000’s. The conditional use for the accessory dwelling does not increase the number of rooftops for the area; he reviewed the accessory dwelling definition. With regards to the Farmington Hills Subdivision, **David Petersen** explained the old road that goes out to the bench, is the proposed road for the future development. Although a traffic study has not been conducted, **David Petersen** said staff is confident 100 North is able to handle the increased traffic based on similar projections for other subdivisions without the need to be widened. Also, the accessory building should not impact the future subdivision in any way.

**Bret Gallacher** asked for further clarification on **Norman Brown’s** concern; is it because he previously requested something similar but was turned down. **Norman Brown** said he received a lot of

pushback regarding the total number of lots on 100 North that will likely be allowed in the event he chose to develop his property on the same street. **Brett Anderson** asked if his concern resides with the platting of the lots that already exist. **Norman Brown** said yes.

**Brett Anderson closed the Public Hearing at 7:45 p.m.**

**Brett Anderson** reviewed the standards and purpose of intent for conditional uses. He feels the majority of the debate comes down to the compatibility of the accessory building with the character of the site, development and neighborhood. He does not feel the proposed accessory building is incompatible.

**Bret Gallacher** asked if there are concerns with either moving the accessory dwelling back, the dwelling forward or making the accessory building shorter. **Jerry Preston** said he is comfortable making any necessary changes to ensure it meets all requirements.

**Dan Rogers** asked if or how Mr. Brown's comments can be addressed. He wondered if there was a time when less lots were allowed, but are now allowed more. **Brett Anderson** said if there is an issue that pre-dates what is being presented, it is out of the Commission's purview to address it. The Commission and staff reviewed the date when the lots were platted; although the exact date was unclear, it was in the early 2000's.

The Commission and staff discussed if an additional condition needs to be added to ensure the future property owner is the name on the conditional use permit. It was decided that **Jerry Preston** will be considered the agent of the property owner; no additional condition needs to be included.

**Bret Gallacher** asked if an additional condition needs to be included to ensure all setbacks are appropriately met for the accessory dwelling. **Brett Anderson** said he feels an additional condition does not need to be included as the motion already states that all applicable codes, standards and ordinances must be met.

***Motion:***

**Heather Barnum** made a motion that the Planning Commission approve the conditional use for accessory dwelling unit subject to all applicable codes, development standards and ordinances and with the following conditions:

1. The accessory dwelling must comply with all applicable side and rear setbacks for the LR-F zone;
2. The accessory dwelling must meet any other requirements as set-forth in Chapter 11.

**Alex Leeman** seconded the motion which was unanimously approved.

Findings for Approval:

1. The height of the proposed accessory dwelling is subordinate to the main building.
2. The proposed accessory dwelling is at least 15' away from any dwelling on an adjacent lot.
3. The proposed accessory dwelling footprint occupies less than 25% of the rear yard area.
4. The building lot where this propose accessory dwelling and detached garage would sit is large.
5. The accessory dwelling and detached garage fits in with and would enhance the surrounding neighborhood

6. The potential impact from this detached garage would be minimal, as long as it meets all applicable and required building setback standards and regulations.

**Item #6. Farmington City (Public Hearing) – Applicant is requesting a conditional use approval to expand an existing water pump-house on property located at approximately 140 South Main in the OTR (Original Townsite Residential) zone. (C-8-15)**

**Eric Anderson** said this item is to expand the current water system to include an ozone system in the pump house located behind the City Community Center. This ozone system will improve the overall water quality. **David Petersen** explained that when the City drilled the well behind the Community Center, the well sufficiently produced; however, the water had an odor from the iron and sulfur and was discolored. The well was taken off-line. The City has grown significantly faster than the City's water plan. In the event the City will need more water, a release valve to Weber Basin water can be used. The Weber Basin water would be released into the City's system and cleaned for culinary use; however, the City has to pay for the water used. The City has determined it is more cost effective to do an expansion to our current water system than pay for water from Weber Basin. The City has worked for over a year treating and testing the water to filter out the undesirable attributes of the off-line well. A solution has been reached and City Council is ready to move forward; however, an expansion to the pump house is needed to accommodate the new water system. **Brett Anderson** asked if there are any concerns with setback or building height requirements. **David Petersen** said no, it meets all City requirements.

**Brett Anderson opened the Public Hearing at 8:09 p.m.**

**Brad Bornemeir**, 54 S. Main St., said he lives two homes away from the property where the pump house is located. He expressed concern that the pump house already contains fluoride and chlorine that is being added to the water; he feels the addition of O<sub>2</sub> to the mix could potentially be dangerous. He is concerned that the pump house is near the park, bowery, community center and school. He does not know how much the new system will dissipate, but he does not want it going into the venting system of the community center. He also asked what emergency protection is in place in the event of a leak. He feels the City should ensure the expansion to the pump house will include "Farmington Rock" on it as the City removed a historic home to build the pump house.

**Scott Bass**, 74 S. Main St., said he lives in the home right next to the property where the pump house is located. He explained his family owned the property where the City Hall now stands and the land surrounding it. He said his grandfather had wells on the property and knew the quality of water it produced. He said he understands the need for water; however, he expressed concern that the City is already storing and adding two toxic chemicals to the water. He is uncomfortable adding another chemical to the water. He is especially concern as the facility is right next to his home, a park and a community center.

**Brett Anderson closed the Public Hearing at 8:15 p.m.**

**David Petersen** conference called the City's Water Sewer Advisor **Larry Famular** to better answer the residents' concerns and any questions of the Commission.

The Commission and staff asked **Larry Famular** many questions. He explained the ozone is generated on site and is mixed directly into the water to detract the brown particles from the water as well as the iron and sulfate. It is a system that has been used for many years around the world to create safe, clean water. The treat tank only generates ozone when the well is running. There are not any

chemicals delivered; it is all created in the tank. He likened the system to a water heater, it is always lit and ready to run, but is turned off when the water is not running.

The Commissioners expressed concern if the ozone being created is combustible and wondered what emergency precautions will be taken in an emergency. **Larry Famuliner** explained ozone is not any more combustible than fluoride. In the event the water in the system gets too high, the system will shut down and cannot be restarted until someone looks at it. In the event there is a leak, everything is contained in the chemical room. He added that this system is much cheaper than purchasing water from Weber Basin. He feels this new ozone system will make the water smell and taste better.

**Brett Anderson** said that the Commission cannot go back on the City's determination to use fluoride or chlorine in the water; what is to be discussed is the expansion for the ozone system. **David Petersen** added that fluoride and chlorine are used in most well houses in Davis County.

With regards to the Commission and residents' concerns about safety measures of the pump house and the new ozone system, **Alex Leeman** feels leaving the technical requirements on how it should run should be left to the experts. **Dan Rogers** agreed; he was uncomfortable learning that the ozone is combustible, but likes that the system only operates when the well is operating.

**Bret Gallacher** asked if a condition to put "Farmington Rock" on the expansion should be included. The Commissioners and staff discussed. **Scott Bass** stated the rock used on the pump house was the original rock saved from the historic home that was removed. Mr. Bass said the City agreed to put Farmington Rock on the entire north side of the building. **David Petersen** said he is not sure if there was an agreement the City, and he said a large portion of the historic home the well house replaced did contain Farmington Rock, but that the main portion of the historic home that was removed was cinder block. The Commissioners asked staff to review any agreement the City may have had regarding the use of rock on the pump house. If there is an agreement, the Commissioners feel it is important to extend the agreement's rock requirements to the expansion.

***Motion:***

**Alex Leeman** made a motion that the Planning Commission approve the conditional use subject to all applicable codes, development standards and ordinances and the following condition:

The City will comply with any prior agreement, if any, regarding the amount of Farmington Rock that must be used on the north side of the building.

**Dan Rogers** seconded the motion which was unanimously approved.

Finding for Approval:

This is an existing public use, and the improvements to this pump-station will benefit the City, and the subsequent overall quality of the municipal water system.

**ZONE TEXT AMENDMENT APPLICATION**

**Item #7. Farmington City (Public Hearing) – Applicant is requesting a recommendation for zone text amendment approval of Chapters 27 and 28 of the Zoning Ordinance as it relates to allowing the use**

**of transfer of development rights (TDR) and other related open space matters for planned unit developments (PUD). (ZT-10-15)**

[Note: due to the nature of this agenda item, **Brett Anderson** removed himself as a voting member of the Planning Commission, and **Alex Leeman** acted as Vice-Chair for this item.]

**David Petersen** showed an aerial view of the Farmington Creek Estates Phase III PUD. He said this subdivision came in as a PUD with Phase II and Phase IV. The City felt it was prudent to have a trail connection from 500 S. to Glover Lane. To fulfill part of the open space requirement for the PUD, a 20' easement next to the then DRG&W railroad right-of-way (ROW) was included with a small portion of property left for a possible pocket park in the future. The subdivision was approved; UTA then purchased the railroad ROW and announced plans for a rails to trails project. Since that time, the City's 40 acre regional park and the elementary school with the 10 acre adjacent park have been approved. The need for the pocket park is no longer there. The developer held the land for a while, then deeded it into an HOA. Since that time, the property owners have asked that the property be conveyed back to them. The City Manager, Mayor and City Council have entered into a memorandum that if 75% of property owners on the east side of Country Lane and 50% on the west side agree upon it, the City will convey the 20' strip of land back to the owners, the HOA will deed a portion of the neighborhood park property to an adjacent owner and remaining portions of this parcel to the City for purposes of establishing a building lot. In reviewing Chapter 27 of the Ordinance, however, a PUD is required to have 10% open space. This subdivision was right at the 10% limit. If each piece of open space is conveyed back to the property owners, the subdivision would no longer be in line with the City's ordinance. **David Petersen** proposed a waiver provision that can be used only for PUDs and is strictly a legislative act. This would ensure full discretion as to the waiver's use.

**David Petersen** also explained another scenario where the PUD text amendment may be used. Jared May recently presented a 3 lot PUD as a way to split his property. The only way to get 3 uniform lots is to propose a PUD to deviate from the standard, but the 10% open space requirement still applies. He proposed saving the "historic shed" as an exchange for the 10% open space; however, it was determined that the shed was not historic. The Planning Commission denied his request and City Council approved the schematic plan in hopes that the applicant could work with staff to determine a solution. The 10% open space just doesn't make sense for his property. So, **David Petersen** said staff is also proposing a discretionary waiver provision as a text amendment that would allow the City to waive the 10% open space requirement.

**Alex Leeman** asked if the Commission is addressing the Farmington Creek and May subdivision transactions or just the text amendments. **David Petersen** said the Commission is just reviewing the text amendments, but he wanted to share examples on how the changes will be applied.

**Alex Leeman opened the Public Hearing at 9:00 p.m.**

**Ben Barris**, 872 Country Lane, said he feels this amendment is a good idea. The 20' easement that is near the Farmington Creek PUD is a weed patch that is full of vermin. The creek located near it is also a hazard for nearby families. He feels conveying it back is a good idea as the property owners will take better care of it and the TDR and waiver money may be applied to the park.

**David Petersen** also pointed out that the waiver of the 10% open space requirement for PUDs will only apply to infill parcels, like Jared May, and on property that is equal to or less than 1 acre in size. To ensure the waiver be used appropriately, **David Petersen** recommended that on page 11 of Chapter 27 of the Zoning Ordinance under Section 11-27-155 Waiver, "single-family residential" be added as

follows: “Subject to the provisions set forth herein, for single-family residential PUDs, or boundary adjustments related to a PUD...”

**Alex Leeman closed the Public Hearing at 9:06 p.m.**

**Alex Leeman** said he feels this amendment is well written; he likes that it is a legislative act which will require the super majority of the City Council.

**Heather Barnum** expressed concern over the use of subjective terms in the proposed text amendment, like “good cause,” “special circumstance,” etc. **David Petersen** said the use of these terms allows the Planning Commission and City Council greater discretion as they determine their meaning. By leaving the waiver as a discretionary act, it gives the Commission and Council the ability to say no.

With regards to how often this text amendment may be applied, **David Petersen** said there are very few 1 acre infill parcels within the City. Amending the text to what is being proposed will allow property owners to have options as to how to subdivide their property.

**Heather Barnum** asked if each Farmington Creek property owner must apply separately for their 20’ easement to be conveyed back to them. **David Petersen** said yes, the City will work with each individual property owner; however, there is no application, but just a letter of request

***Motion:***

**Dan Rogers** made a motion that the Planning Commission recommend that the City Council approve the enclosed text changes to Chapter 27 and 28 of the Zoning Ordinances as drafted and with the addition to Chapter 27 under Section 11-27-155 Wavier as follows: “Subject to the provisions set forth herein, for single-family residential PUDs, or boundary adjustments related to a PUD...” **Bret Gallacher** seconded the motion which was unanimously approved.

Findings:

1. One of the premises of a single-family residential PUD is that sometimes conventional lot size dimensions do not always make sense; hence, for this and other reasons, the ordinance allows deviations from the standards of the underlying zone, but even for small adjustments the same open space thresholds are required for all PUDs large or small. The proposed text change allows for more flexibility for small developments.
2. Deviations from the standards of the underlying zone may be appropriate for small infill parcels; however, the resulting open space required for such is often too small without much utility. Nor does it make sense to establish an HOA for these situations. The proposed waiver offers greater flexibility to the owner of a small property.
3. The waiver is limited to single family detached dwellings on properties one acre or less in size, and only as the sole discretion of the city as a legislative act.
4. From time to time a TDR may make sense for conventional subdivisions. The same is true for PUDs. This additional tool, at the sole discretion of the city as part of the legislative process, provides greater flexibility to the property owner and the City.
5. Boundary adjustments regarding lots within the PUDs and open space outside the PUD are not uncommon. The waiver helps facilitate these situations when they arise.

**OTHER BUSINESS**

**Item #8. Farmington City (Public Hearing) – Applicant is requesting a recommendation regarding an ordinance to designate the Farmington City Conservation, Recreation, Wildlife, and Waterfowl Refuge and Park, and to provide for the continued management thereof, and a management plat related thereto. The park encompasses 400+ acres along the City west corporate limit line between 950 North and Glover’s Lane. (M-3-15)**

David Petersen said this item missed one of its required public notices so it will need to be continued. Also, he proposed having a joint public hearing with the Planning Commission and the City Council to discuss this item. The Commissioners and staff decided to hold the joint meeting on Thursday, September 3, 2015.

**Brett Anderson opened the Public Hearing at 9:18 p.m.**

No comments were received.

**Brett Anderson closed the Public Hearing at 9:18 p.m. for this meeting, but continued it until September 3, 2015.**

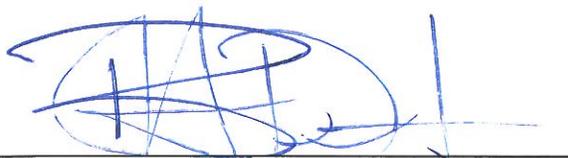
***Motion:***

Alex Leeman made a motion that the Planning Commission continue this item and the public hearing to September 3, 2015. Heather Barnum seconded the motion which was unanimously approved.

**ADJOURNMENT**

***Motion:***

At 9:22 p.m., Heather Barnum made a motion to adjourn the meeting which was unanimously approved.



**Brett Anderson**  
**Acting Chair, Farmington City Planning Commission**