

**FARMINGTON CITY
PLANNING COMMISSION MEETING
June 5, 2014**

STUDY SESSION

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

David Petersen said due to a recent state law change regarding business licenses, the City is discovering many businesses that should receive home occupation approval and some of these must seek conditional use approval. The change in the law is one of the reasons that there are so many Home Occupations on the agenda for the evening. Many of the applicants have been in business for a long time so there should not be any concerns with approving them.

Eric Anderson said all items are as outlined in the staff reports. The only major agenda item is the indoor climate controlled storage facility in the old Kmart building. The storage facility is allowed as a conditional use, but if the Commission feels there needs to be additional conditions than those listed in the staff report, they need to add them when making the motion.

Eric Anderson also added the minutes from Planning Commission meetings on April 17, May 8, and May 22, 2014 are ready for Commission approval.

REGULAR SESSION

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

#1. Minutes

Heather Barnum made a motion to approve the Minutes from the April 17, 2014 Planning Commission meeting. **Rebecca Wayment** seconded the motion which was unanimously approved.

Karolyn Lehn made a motion to approve the Minutes from the May 8, 2014 Planning Commission meeting. **Mack McDonald** seconded the motion which was unanimously approved.

Mack McDonald made a motion to approve the Minutes from the May 8, 2014 Planning Commission meeting. **Kris Kaufman** seconded the motion which was unanimously approved.

#2. City Council Report

David Petersen gave a report from the City Council meeting on June 3, 2014. The City Council felt comfortable with the text amendments to the Zoning Ordinance regarding flag lots, assisted living facilities and adaptive reuses in the BR Zone. The Council reviewed the Planning Commission's concerns with adaptive reuses and amending the ordinance to fit one person's needs; however, they reviewed the entire BR zone within the City and found the change may affect other property owners so they were comfortable approving it. The Final Plat for the Farmington Hollow and Cottages at Farmington Hollow Conservation Subdivisions was also approved. **David Petersen** said the big agenda item was The Haws Companies' (THC) application. He provided the Commission with photos of the proposed pylon signs compared to other signs within Farmington. He explained Councilman **Brigham Mellor** did an unofficial poll of approximately 1,000 residents of west Farmington regarding the proposed pylon signs; 80% of the people polled said they did not want the signs, 20% said yes, they did want the signs. The Council also reviewed the Planning Commission's recommendation regarding the signs. The Council approved the signs, amending the total height of the two pylon signs to 55' as measured from the freeway, the 4 acre development plan and two drive-thru windows; Brigham Mellor was the only dissenting vote. **Mack McDonald** asked if the McDonald's sign would still be located in the interior of the development. **David Petersen** said THC's interior sign package will come back at a later time for approval.

SUBDIVISION APPLICATION

#3. Henry Walker Homes – Applicant is requesting a recommendation for Final Plat approval for Phase I of The Station Avenues Subdivision (44 lots) on 4.66 acres located at approximately 100 West and Clark Lane in an RMU Zone. (S-10-13)

Eric Anderson said the applicant is requesting recommendation for Final Plat approval for Phase I, which will consist of 44 lots and will be a mixture of 3 different housing types: condos, townhomes and single-family residential. The only outstanding issue has been the storm-water. Eventually, the applicant will have the storm-water go to a permanent detention basin on the other side of the UTA tracks, but approval from UTA to go under the trail is a long process. For now, the applicant will have a temporary storm-water basin near the development.

Phil Holland, 500 N. Marketplace Dr. Ste 201., Centerville, said they received a temporary approval letter from UTA regarding piping the storm water under the trail to a detention basin so they proceeded forward with Final Plat. He is confident they will receive full approval. Phase I will include all three of their product types, as well as the development's amenities which will include a pool, pavilion, dressing rooms and possibly a community garden. They want the development to feel like a community from the beginning.

Brett Anderson asked if there is curb and gutter along the roads. **David Petersen** said yes, HWH will be responsible for curb and gutter on the east side; however, there is already curb and gutter on the west side of the development.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend approval of the Final Plat for the proposed Phase I of The Station Avenues subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Subject to all public improvement drawings, grading and drainage plans, being reviewed and approved by members of the DRC;
2. The applicant must enter into a development agreement regarding the temporary detention basin and the timing of when she must provide a permanent drainage solution;
3. The applicant must meet all requirements by UTA to convey stormwater through their right-of-way west to a permanent site on City property.

Karolyn Lehn seconded the motion which was unanimously approved.

Findings for Approval:

1. The property identified as mixed-use on the General Plan, and the proposed final plat is consistent with that designation.
2. The DRC has reviewed the plan and the last significant unresolved issues which may impact the overall layout of the plan which was set forth as conditions of approval.
3. The proposed final plat is consistent with the regulating and other street, block size and building form standards in the ordinance.
4. Specific to the final plat only, and the recommended conditions of approval, the plan complies with all Zoning and Subdivision Ordinance requirements and other appropriate regulations.
5. The PMP was approved concurrently to Preliminary Plat on 11-14-2013.
6. The placement of public improvements in relation to gas lines which traverse the property have been approved by the City Engineer, public works, Central Davis Sewer and shall be acceptable to the respective gas companies, which acceptance has been received by the City in writing.

CONDITIONAL USE/SITE PLAN APPLICATIONS

Item #4. Gary Tyler/BP Architects (Public Hearing) – Applicant is requesting conditional use and site plan approval for a parking lot expansion for the Beehive Chapel located at 1395 South 200 East in an LR-F (Large Residential-Foothill)/A-F (Agriculture-Foothill) Zone. (C-4-14)

Eric Anderson explained the applicant is looking to expand the parking lot of the “Beehive Chapel.” The proposed expansion is represented by the grey areas as shown in the attachment to the staff report. The only issue is a small ROW that must be recorded to accommodate a small area for curb and gutter; it has been included as a condition to the motion. **Brett Anderson** asked if the LDS church is acquiring the land for the expansion. **Eric Anderson** said the Church already owns it.

Gary Tyler, representative for BP Architects, 620 24th St., Ogden, stated they have satisfied all comments from the DRC and are now ready to move forward.

Brett Anderson opened the public hearing at 7:29 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:29 p.m.

The Commissioners all feel comfortable moving forward with the approval.

Motion:

Heather Barnum made a motion that the Planning Commission approve the conditional use and site plan subject to all applicable Farmington City ordinances and development standards, and the following condition; the ROW must be recorded prior to the issuance of any permit. **Karolyn Lehn** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection and safe and convenient pedestrian and vehicular circulation.
6. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity.

Item #5. Ross Campbell (Public Hearing) – Applicant is requesting a conditional use approval to store two 2-ton trucks in the yard of a home as part of a Home Occupation on property located at 1058 South 650 West in an AE (Agricultural Estates) Zone. (C-5-14)

Eric Anderson read through Section 11-35-104(1)(c) of the Zoning Ordinance, which regulates Home Occupations. Since the applicant is looking to store two 2-ton trucks and one dump truck, it would be considered “outside storage,” as listed in the ordinance and would need Planning Commission approval. **Brett Anderson** asked if there are three trucks total. **Eric Anderson** said yes. **David Petersen** added that all Home Occupations fall under Chapter 35 of the Zoning Ordinance, which was included in the staff report for the Commissioners review. Under Section 11-35-103, there are specific conditions that regulate Home Occupations that must be abided by prior to obtaining a business license. Under Section 11-35-104, some Home Occupations fall under Conditional Use, but those still have to abide by the Section 103 Conditions. As a result, there are only a few additional conditions included in the motions as the Home Occupations are already closely regulated. **David Petersen** added if the Commission feels there are other concerns, they can add additional conditions to the motions.

Brett Anderson opened the public hearing at 7:37 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:37 p.m.

Mack McDonald asked for further clarification on Section 11-35-103(13) as it states, “The size of vehicles used in conjunction with a home occupation shall not exceed one (1) ton rated capacity,” and the applicant is requesting approval for two 2-ton trucks. He also expressed concern regarding

Section 11-35-103(6) as it states home occupations should not generate substantially more traffic and he feels these trucks may not increase traffic but could cause significant weight on the road. **David Petersen** said the City would like to amend this cap as there are many within the City that currently violate the ordinance. He also added the applicant has been in business for over 40 years and predates the ordinance. **Brett Anderson** asked if a finding should be added that approval was based on the applicant's historical status. **David Petersen** said yes, it would be good to add an additional finding.

Motion:

Mack McDonald made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards. **Heather Barnum** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity.
5. Due to the history, length of time in business and use of the property, the applicant is grandfathered in to allow for a 2 ton truck.

Item #6. JSA Properties/Ken Menlove (Public Hearing) – Applicant is requesting conditional use and site plan approval for an indoor storage unit facility on property located at approximately 1318 North 1075 West in a C (Commercial) Zone. (C-7-14)

Eric Anderson said the applicant is proposing an indoor, climate controlled storage unit facility in the old Kmart building. Plan view and elevations have been provided in the staff report. Storage facilities are allowed as a conditional use in the Zoning Ordinance. The DRC has given approval, except the fire department. **Heather Barnum** asked what the concerns of the fire department are with the facility. **Eric Anderson** stated there are specific questions regarding what will be stored there, the building's sprinkler system, firewalls, etc.; however, most of those questions will be resolved as part of the building permit process.

Ken Menlove, 4243 W. Nike Dr., West Jordan, explained the storage will be a low profile, climate controlled indoor storage unit facility. Each unit will be approximately 9' tall. The building will have a key-entry system which will log customers in and out of the building. Customers will have to sign a contract regarding what items may be stored in the facility. He said they have built over 200 storage facilities across the U.S.; the indoor climate controlled units are the most secure and are also widely popular.

Brett Anderson asked Mr. Menlove if he is buying the building. **Ken Menlove** said the current owners of the building are the ones bringing in the storage facility.

Brett Anderson asked if parking will be adequate as there are food stands that have recently been approved to be located in the building's parking lot. **Ken Menlove** said the traffic impact for indoor storage facilities is very low. Each rental unit generates approximately .15 trips per day. 400 storage units would generate approximately 50 trips per day which is equivalent to 6 residential homes.

Karolyn Lehn asked the applicant if he is comfortable with the proposed hours of 7 a.m. to 11 p.m., as presented in the staff report, and if that would work with the building's key system. **Ken Menlove** explained the owner may want to change the hours, but depending on the set times, the computer system will shut down which will not allow any customers to enter the facility. Some facilities have a higher security area that is open 24 hours, but again, the owner will decide what hours he wants.

Heather Barnum asked the applicant what type of clientele the indoor storage unit facilities attract. **Ken Menlove** said there is a wide range from businesses (law firms, engineering firms, etc., as they are required to store documents for seven years) to residential users. He explained the units do not have lights or power outlets as to discourage customers from operating a business from the unit.

Heather Barnum asked what improvements will be made to the exterior of the building or to the parking lot. **Ken Menlove** said it is the owner's decision, but plans will include re-stripping the parking lot.

Chris Roybal, 1267 W. 1875 N., president of Northwest Research which owns JSA Properties, stated, with regards to building and parking lot improvements, they will ensure the building has the look and feel of what Farmington is used to seeing. He added that he has talked with many real estate groups on the best use of the property, which has included reviewing everything from retail to back-office facilities. He feels the climate controlled indoor storage facility will be very successful as it will be higher end and most users will live in a 1-4 mile radius of the building.

Brett Anderson opened the public hearing at 7:54 p.m.

Brett Thomas, 2007 Ranch Rd., said that he feels this would be a good fit, but wanted to know what precautions are taken to ensure something like a meth lab will not be operated from one of the units. He also added that he has worked on the advertising side for other indoor climate controlled storage unit facilities. Studies have shown that the facilities improve the neighborhoods they are located in.

Ken Menlove said the indoor climate controlled facilities are the safest and most secure of storage facilities. Each hallway has a camera in it with high definition video. There will also be an employee on site 12 hours a day. **Heather Barnum** asked if crime increases with the facilities. **Ken Menlove** said no, police departments like the indoor storage unit facilities because security is high and the facilities have key-in access to the buildings so all customers are logged in and out.

Brett Anderson closed the public hearing at 7:59 p.m.

Heather Barnum asked for clarification on the condition of the motion that states the applicant must refurbish the outside of the building where necessary. She felt this condition leaves too much up to interpretation. **Rebecca Wayment** wanted to know if that meant improvements to the parking lot as well. **Chris Roybal** stated they have not talked about the specific plans for improving the parking lot, but it will include sealing cracks, re-stripping and additional maintenance as

needed. As for the building, they want it to attract customers so it will look nice. The building has recently had new AC units and a roof installed. They will be replacing the old Kmart front doors and updating any discolorations left from previous signs. **Ken Menlove** added that the new sign is subject to staff approval so they will be reviewing some of these changes. **Brett Anderson** said he likes the idea that the building improvements be reviewed and approved by staff.

Karolyn Lehn asked if the applicant is comfortable with the hours of operation of 7 a.m. to 11 p.m., or if they are wanting a portion of the facility open 24 hours. **Ken Menlove** said the owner, **Chris Roybal**, is comfortable with the hours of operation and does not want it open 24 hours a day.

Motion:

Rebecca Wayment made a motion that the Planning Commission approve the conditional use and site plan subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant must refurbish the outside of the building where necessary and provide an updated plan to staff for approval;
2. The upkeep of the parking lot be addressed to staff's satisfaction;
3. The hours of operation of the business be 7 a.m. to 11 p.m. Sunday to Sunday.

Heather Barnum seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
3. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
4. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection and safe and convenient pedestrian and vehicular circulation.
5. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity.

Item #7. Frank Wilkinson – Applicant is requesting site plan approval for a detached garage and workshop in a side yard on property located at 1184 Sunrise Lane in an R (Residential) Zone. (C-9-14)

Eric Anderson said the applicant is only requesting site plan approval, not a conditional use. He reviewed Section 11-11-060 of the Zoning Ordinance which regulates accessory buildings and structures. The main reason the applicant is requesting the building in the side yard is the applicant's lot is shallow which does not leave enough room for the accessory building in the back; however, Planning Commission approval is required for the structure to be built in the side yard if the side yard setbacks are met. **David Petersen** added the accessory building cannot be within 10' of the property line and must be subordinate to the height of the home. After the applicant requests a building permit, the building inspector will ensure site plans are followed to scale.

Rebecca Wayment asked if there is a distance between the home and the detached structure that must also be met in addition to the side yard setbacks. **David Petersen** said yes, that distance is determined by the building code. **Brett Anderson** asked if making a condition that the applicant meets all applicable building codes and ordinance setback would adequately address the Commission's concerns regarding the issues. **David Petersen** said yes. He also added, in the future, it may be best to amend the ordinance so accessory buildings fall under a no-fee conditional use permit so neighbors will be notified when an accessory building is proposed in a side yard. Currently there are no adjacent neighbors so there is no concern.

Heather Barnum wanted confirmation that it will be a garage workshop for individual purposes and not a commercial repair workshop.

Frank Wilkinson, 784 Sunrise Lane., said, in response to **Heather Barnum's** comment, the main reason for building the accessory building to get his motorhome and other toys out of his driveway.

Motion:

Heather Barnum made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards with the following condition: the accessory building will comply with side yard setbacks and will meet building code requirements for distances from the home to the building. **Rebecca Wayment** seconded the motion which was unanimously approved.

Findings for Approval:

1. The lot in question is of an irregular shape and has a very shallow rear yard.

Item #8. Chuck Olcott/X-Treme Case (Public Hearing) – Applicant is requesting conditional use approval for a Home Occupation, part of which will be in a detached accessory building, located at 694 South Shire Lane in an AE (Agricultural Estates) Zone. (C-12-14)

Eric Anderson explained the applicant is another Home Occupation item and falls under the same Section 11-35-104(1)(c) as previously discussed as he runs his business out of an accessory building to his home.

Chuck Olcott, 694 Shire Lane, said he builds small shipping cases for audio, video, medical or other higher-end equipment. He explained he does this as a hobby, but works with large companies that require him to have a business license. The "shop" or accessory building has been on the property long before his home was built and is approximately 1500 sq. ft.

Brett Anderson opened the public hearing at 8:26 p.m.

No comments were received.

Brett Anderson closed the public hearing at 8:26 p.m.

Heather Barnum asked if there were any neighbor concerns. **David Petersen** said no, the applicant is on a large lot, 1.25 acres. **Chuck Olcott** added that he only has 6 neighbors in his cul-de-sac with 4 acres of horse property directly adjacent to his property.

Motion:

Karolyn Lehn made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards. **Mack McDonald** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity.

Item #9. Kathleen Thomas/Mrs. T's Preschool (Public Hearing) – Applicant is requesting conditional use approval for a Home Occupation located at 2073 North Kingston Road in an R (Residential) Zone. (C-13-14)

Eric Anderson stated the item is another Home Occupation. The applicant is requesting a conditional use for a preschool, but needs Planning Commission approval as the ordinance reads approval must be obtained if there are 8-16 individuals, including members of the household, in the home at one time for a preschool or daycare home occupation.

Kathleen Thomas, 2073 Kingston Rd., said this upcoming school year will be her 29th year running the preschool. She explained the number of children that plan on attending her preschool, the area in her home set aside for the school, the separate bathroom facilities and the pick up and drop off traffic patterns. She stated her school is not a day care, complies with all fire inspection regulations, business license requirements, state requirements and more. Due to health reasons, she closed the school for a time, but is now looking forward to obtain her business license again and reopening her school.

Mack McDonald asked Mrs. Thomas if she has any signs advertising her preschool. **Kathleen Thomas** said she did have some small signs, but the City took them down as they were not in compliance with the Home Occupation ordinance which allows for only one 12"x12" sign in the home's window. The Commissioners, the staff and the applicant discussed the differences between Home Occupations and this applicant's need for temporary signage to advertise for enrollment purposes. **David Petersen** suggested the applicant visit with staff as they consult the attorney on this specific situation.

Kathleen Thomas also explained how low-risk her Home Occupation is compared to daycare facilities. She feels the application process only had two words that best fit her Home Occupation: service and community. She feels the application process needs to be revised to include educational institutions as a separate use and not to associate it with daycare facilities. **David Petersen** said the state may link the daycare and preschool facilities just to ensure there are strict guidelines as protection for its children.

Brett Anderson opened the public hearing at 8:48 p.m.

Brett Thomas, 2007 Ranch Rd., explained Kathleen Thomas' preschool curriculum has been sold nationwide and is now used in many schools across the U.S. He said he feels this type of Home Occupation should be allowed temporary signs. He also added he feels coming before the Planning Commission is an unnecessary step in obtaining approval for the preschool.

Brett Anderson closed the public hearing at 8:50 p.m.

Brett Anderson stated he feels that it's not within the Commission to change how daycares and preschools are associated with each other, but to approve this conditional use as a result from changes within the law. **Rebecca Wayment** asked when the law officially changed which is requiring so many Home Occupations to come in for conditional use approval. **David Petersen** said there were changes with the state law in the last legislative session that requires conditional use approval for some business licenses. **Rebecca Wayment** asked once the approval is obtained, how long will it run. **David Petersen** said the approval runs with the property and unless specified as a condition from the Planning Commission, the applicants do not have to return each year. **Eric Anderson** said the state DOC ran a report by Farmington's zip code and all those that did not have a business license would now have to request one.

In response to Mr. Thomas' comment about not understanding the need to come before the Planning Commission, **Kris Kaufman** clarified Section 11-35-104(1)(a) states preschools may be allowed, but only upon approval of a conditional use application by the Planning Commission. Sometimes a use like this may generate a large increase in traffic and be a possible nuisance to neighbors; however, this does not seem the case with the applicant.

The Commission also agreed the applicant would benefit from temporary signs advertising enrollment. **David Petersen** again encouraged the applicant to visit with staff regarding the signs.

Motion:

Kris Kaufman made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards. **Mack McDonald** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies and principles of the Comprehensive General Plan.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety and general welfare of persons residing or working in the vicinity.

ZONE TEXT CHANGES

Item #10. Farmington City (Public Hearing) – Applicant is requesting a recommendation to amend the Zoning Ordinance by enacting Chapter 43, or another land use ordinance, regarding a shorelands preservation zone related to conservation, recreation, a wildlife and waterfowl refuge, and parks. (ZT-6-14)

David Petersen reviewed the different conservation easements the City has on the west side. UDOT's West Davis Corridor (WDC) team would like to put the corridor through these easements. The City attorneys said the City is bound to fight against any encroachments. The attorney has argued these properties are 4F as they are similar in character and function and have been locked by the easements to protect that character and function. WDC has argued that they are not called parks, so the City would like to create an ordinance called "An Ordinance to Designate the Farmington City Conservation, Recreation, Wildlife and Waterfowl Refuge and Park and to Provide for the Continued Management Thereof" as a way to protect this land. **David Petersen** explained the attorneys have gone back and forth as the best way to craft the ordinance and have settled on calling it a "land use ordinance." He then reviewed all 10 sections of the proposed ordinance.

Heather Barnum asked if there are additional costs to the City as the ordinance reads, "...for the continued management thereof." The City does currently regulate the easements, but may provide more management of the conservation land which could cost staff money over time.

Mack McDonald said the ordinance states there is a management plan in place; he wanted to confirm that was correct. **David Petersen** said yes, each easement has its own management plan which typically has listed requirements the underlying property owner must do.

Brett Anderson would like to move forward with the ordinance as proposed.

Mack McDonald asked the staff if this is a zone text change. **David Petersen** said it is not a zone text change, but a land use ordinance. It is an enabling ordinance that stands alone from the Zoning Ordinance. Since it is regarding land use, staff feels the Planning Commission should recommend approval prior to it going to City Council.

Brett Anderson opened the public hearing at 9:12 p.m.

No comments were received.

Brett Anderson closed the public hearing at 9:12 p.m.

Kris Kaufman said he is comfortable approving the ordinance.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend approval of the proposed ordinance as presented by staff. **Rebecca Wayment** seconded which was unanimously approved.

ADJOURNMENT

Motion:

At 9:14 p.m., **Rebecca Wayment** made a motion to adjourn the meeting which was unanimously approved.



Brett Anderson, Chairman
Farmington City Planning Commission