

## CHAPTER 18

### TRANSPORTATION ORIENTED DEVELOPMENT (TOD) ZONE

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#### 11-18-101 Purpose

The purposes of the Transportation Oriented Development (“TOD”) Zone are to:

(a) Provide standards for development of areas in proximity to Farmington’s major transportation hub created by the convergence of Interstate 15, Highway 89, the Legacy Highway, the proposed commuter rail stop and related facilities, that will encourage the creation of an architecturally unique, vibrant commercial and mixed use district reflective of Farmington’s historic character;

(b) Provide for development of a Core District as identified in the General Plan within close proximity to Farmington’s major transportation hub with compatible mixed uses in close proximity to one another to provide a blend of retail, service, office, dining and residential uses; to facilitate safe, attractive, and convenient pedestrian circulation and minimize conflicts between pedestrians and vehicles; and to encourage travel by transit, walking, bicycling, car pooling and van pooling;

(c) Provide for development of a Secondary District as identified in the General Plan adjacent to the Core District with mixed uses that draws people to the area and supports the uses of the Core District by providing a transition from the Core District to adjacent lower density residential development;

(d) Provide open spaces, connections, and integrated landscaping, furnishings and lighting to encourage and promote the creation of a destination center as well as to encourage and promote an integrated traffic- and pedestrian-friendly development design;

(e) Provide design flexibility and efficiency in land use and the siting of buildings, services and infrastructure, including the opportunity to increase building height and/or density and reduce pavement areas where appropriate;

(f) Facilitate high-volume vehicle traffic in and out of the TOD Zone from major roadways while preserving the pedestrian-friendly character of the TOD Zone by establishing convenient and logical vehicular circulation paths with properly spaced and signalized intersections; limiting access off of major roadways while maintaining thoroughfare separation from the pedestrian zones; and controlling vehicular usage at pedestrian zones with traffic calming techniques including curvilinear roadways, surface material changes, roundabouts and articulation; and

(g) Prior to construction, require the adoption of Master Development Guidelines (“MDG”), Common Area Management Plan (“CAMP”) to provide for the maintenance of common areas and open spaces within the TOD Zone, and Site Architectural Review Committees (“SARC”) to encourage and facilitate the equitable allocation of costs for construction of common areas, infrastructure and the maintenance of these improvements among the property owners in the zone district.

(h) Pursuant to the authority of *Utah Code Ann.* § 10-9a-102(2), provide an alternative approval and regulatory method for projects that are at least 25 acres in size within the TOD Zone allowing such projects to be approved and regulated by the terms of a development agreement including an approved project master plan and specific development standards, which development agreement shall be approved by the City Council pursuant to the authority of *Utah Code Ann.* § 10-9a-502 after recommendation by the Planning Commission and after a public hearing; and

(i) Enable the City to identify certain Development Standards that must be applied to all projects within the TOD zone, including those covered by a development agreement, while providing flexibility for projects covered by a development agreement to vary certain Development Standards that otherwise would be applicable to projects not covered by a development agreement where sufficient justification or consideration is given to alter generally applicable standards and where the overall purposes of the TOD zone are achieved.

#### **11-18-102 Conflicts**

This Chapter provides additional provisions to those set forth in the other Chapters of the City’s Zoning Ordinance. In the event of conflict between other provisions of the Zoning Ordinance and this Chapter, the provisions of this Chapter shall apply. Other than approval of a zone change which is governed by City Ordinance, no other actions are required to effectuate a zone change to a TOD zone.

#### **11-18-103 Definitions**

The following definitions shall have the meaning set forth below:

(a) Core District – An area of higher-density development as identified in the General Plan adjacent to and within close proximity of major interchanges, transit stops, transit stations and transit centers as shown on the General Land Use Plan of the City, containing community, neighborhood, and retail uses coupled with high density

residential uses, hotels, multi-story office, technology and employment centers, and other employee/consumer-intensive uses. The Core District provides for a vibrant, mixed use environment where uses are related to the nearby transit facilities.

(b) Secondary District – The area identified in the General Plan that is contiguous to the Core District in proximity to major interchanges, transit stops, transit stations and transit centers, generally composed of office buildings, more intense and regional scale retail, and medium to high-density residential development and as more specifically identified on the General Land Use Plan of the City. The Secondary District provides for a transition between the urban-scale development of the Core District and adjacent development. Uses within the Secondary District may accommodate regional needs, but will be designed to support the viability of the Core District.

(c) Tertiary District – The area identified in the General Plan that is contiguous to the Secondary District in proximity and is generally composed of office buildings, business parks and related services to the overall district. Uses within the Tertiary District are to support the overall theme and design of the TMU area and compliment the other uses within the Core and Secondary Districts as more specifically identified on the General Land Use Plan of the City.

(d) Except for retail and wholesale sales uses, the square footage limitation of this Chapter applies to the main floor footprint of structures that house the applicable uses.

(e) Development Standard – any standard, requirement, rule, regulation, supplementary regulation, code provision, covenant, design or architectural guideline, engineering standard or specification, setback, buffer, building height or volume limitation, yard requirement, lot width or depth specification, parking, loading, access or parking lot design requirement, road or right-of-way specification, standard for lighting, signage, fencing, or walls, landscaping requirement or specification, sidewalk or trail requirement or specification or other standard, requirement or specification that affects the design, form, location, placement or configuration of any improvement to real property, including private development land and public property or rights-of-ways.

#### **11-18-104 Permitted and Conditional Uses**

- (a) Permitted Uses in the Core, Secondary, and Tertiary Districts include:
- (1) Business services (banks, financial institutions, and related uses) [Core, Secondary, Tertiary].
  - (2) Convenience retail without gasoline sales [Core, Secondary].
  - (3) Day care, pre-school [Core, Secondary].
  - (4) Fitness, recreation & entertainment facilities up to 65,000 square feet in size [Core]; up to 75,000 square feet in size [Secondary].

- (5) Financial Institutions without drive-up [Core].
- (6) Financial institutions with drive-up [Secondary, Tertiary].
- (7) Fast food establishments without drive-up [Core].
- (8) Fast food establishments with drive-up [Secondary].
- (9) Neighborhood service establishments – personal services (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair styling, pharmacy, art supply/gallery, craft store, photocopy center, etc.) [Core, Secondary].
- (10) Professional and business offices [Core, Secondary, Tertiary].
- (11) Government offices and related services, except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer [Core, Secondary, Tertiary].
- (12) Hotel, motel, or bed and breakfast inn up to 65,000 square feet in size [Core]; up to 75,000 square feet [Secondary, Tertiary].
- (13) Retail and wholesale sales up to 50,000 square feet per individual tenant use, with all merchandise displayed and stored inside a building [Core, Secondary].
- (14) Restaurant (traditional sit-down) [Core, Secondary].
- (15) Transportation hubs and transit/commuter and related facilities [Core, Secondary].
- (16) Medical/dental offices and clinics up to 65,000 square feet in size [Core]; up to 75,000 square feet in size [Secondary].
- (17) Mixed-use development incorporating any uses listed herein as permitted uses up to 65,000 square feet in size [Core]; up to 75,000 square feet in size [Secondary, Tertiary].
- (18) Multi-family high density residential, including residential facilities for the elderly and handicapped, condominiums, and generally all classes of affordable or higher end types of housing, whether for rental or sale [Core, Secondary].

- (19) Schools and colleges up to 65,000 square feet in size [Core]; up to 75,000 square feet in size [Secondary, Tertiary].
  - (20) Structures and facilities required for operation of commuter rail and other mass transit facilities, but not including outside storage, train yards, warehousing, storage, switching, maintenance shops, including parking and related structures [Core, Secondary].
  - (21) Theaters up to 65,000 square feet in size [Core]; up to 75,000 square feet in size [Secondary].
  - (22) Video arcades and amusement centers [Core, Secondary].
  - (23) Convenience retail with gasoline sales [Secondary].
  - (24) Laboratories [Secondary, Tertiary].
  - (25) Motor vehicle repairs and/or services [Secondary].
  - (26) Nursing/convalescent facilities [Secondary].
  - (27) Automotive & recreational retail sales [Secondary].
  - (28) Quasi-public uses [Core, Secondary].
  - (29) Off-site parking [Core, Secondary, Tertiary].
  - (30) Private clubs [Core, Secondary].
- (b) Conditional Uses in the Core, Secondary and Tertiary Districts include:
- (1) Hospitals, inpatient and/or outpatient medical facilities [Secondary, Tertiary].
  - (2) Hotel, motel, or bed and breakfast inn over 75,000 square feet in size [Core, Secondary, Tertiary].
  - (3) Medical/dental offices and clinics over 75,000 square feet in size [Secondary, Tertiary].
  - (4) Mixed-use development incorporating any uses listed herein as permitted uses over 65,000 square feet in size [Core]; 75,000 square feet in size [Core, Secondary, Tertiary].
  - (5) Multi-family and single-family high density residential, including residential facilities for the elderly and handicapped,

condominiums, and generally all classes of affordable or higher end types of housing, whether for rental or sale [Core, Secondary].

- (6) Retail and wholesale sales over 75,000 square feet per individual tenant use, with all merchandise displayed and stored inside a building [Core, Secondary].
- (7) Schools and colleges over 75,000 square feet in size [Secondary, Tertiary].
- (8) Theaters over 75,000 square feet in size [Secondary].
- (9) Commercial fee parking lots [Secondary].
- (10) Churches, synagogues, temples and other places of worship [Core, Secondary].
- (11) Fitness, recreation & entertainment facilities over 75,000 square feet in size [Secondary].
- (12) Financial and other businesses with drive-thru facilities [Core, Secondary, Tertiary].

#### **11-18-105 Dimensional Standards**

(a) Core District. In order to enhance the pedestrian environment in the Core District, front and side yard building setbacks shall provide adequate pedestrian access while minimizing the distance between adjacent streets and building frontages as follows:

- (1) Front Yard (measured from property line or abutting public street or private street edge): Minimum of fifteen (15) feet, except where a pedestrian plaza is provided. The Zoning Administrator may decrease the required setback as an administrative variance as set forth in Section 11-5-105 of the Zoning Ordinance, so long as all properties within the area identified “TMU” as set forth on the General Land Use Plan are notified, and where at least 15 feet of public walkway is provided within the public right of way adjacent to the front facade of a building with retail, commercial or institutional uses on the ground floor.
- (2) Side Yards (measured from face of building perpendicular to abutting property line) are not required except to provide access to parking and deliveries behind a building and as deemed necessary by the Fire Department for emergency access.

- (3) Rear Yard: No specified requirements, except that a minimum fifty (50) feet shall be provided when adjacent to lower density residential development.
- (4) Side Yard Corner: same as front yard.
- (5) Lot size: no requirement.
- (6) Lot width: minimum lot width shall be thirty (30) feet.
- (7) Building Height: Maximum building height shall vary depending on the distance from the freeway right of way and the freeway interchange right of way as follows: Buildings within 1,340 feet of the freeway interchange right of way shall not exceed the lesser of seven stories or one hundred and five (105) feet.

Buildings between one thousand three hundred forty (1,340) feet and one thousand seven hundred fifty (1,750) feet of the freeway interchange right of way shall not exceed the lesser of five stories or seventy-five (75) feet.

Buildings more than one thousand seven hundred fifty (1,750) feet from the freeway interchange right of way shall not exceed the lesser of three stories or forty-five (45) feet.

(b) Secondary District. In order to support the pedestrian-friendly environment of the Core District, while allowing for more vehicle-oriented uses, in the Secondary District front and side yard building setbacks shall be as follows:

- (1) Front Yard (measured from property line or abutting public street or private street edge): Minimum of ten (10) feet, except where a pedestrian plaza is provided.
- (2) Side Yards (measured from face of building perpendicular to abutting property line) ten (10) feet between residential, commercial, public or semi-public buildings. Zero lot lines are permitted when abutting a non-residential use.
- (3) Rear Yard: No specified requirements, except that a minimum of thirty (30) feet shall be provided when adjacent to a low density residential development.
- (4) Side Yard Corner: same as front yard.
- (5) Lot size: no requirement.
- (6) Lot width: minimum lot width shall be fifty (50) feet.

Building Height: Not exceed fifty (55) feet.

(7)

**11-18-106 Density**

Density calculations may be averaged over an entire parcel, including any areas otherwise un-buildable, provided that compensating areas of open space, outdoor play areas, and/or community facilities are provided. Allowable development densities shall be as follows:

(a) Residential Development. Subject to the open space and other provisions of the MDG, no density limit is established within the Core District (all such developments must contain a generous mix of non-residential uses). Up to a maximum of eighteen (18) dwelling units per net acre are allowed in the Secondary District, subject to the provisions of the MDG (if a project contains a generous mix of uses, the city may consider densities higher than 18 dwelling units per acre). No dwelling units are allowed in the Tertiary District. No residential units shall be for rent, except in the Core District.

(b) Retail/service/wholesale. The floor area to land ratio (FAR, which is the net constructed floor area of all floors of a structure as a ratio to the overall parcel land area it is constructed on) is not limited in the Core district. Parking structures shall not be included in the FAR calculation. The FAR is limited to a maximum of .4 (40%) in the Secondary District. No retail/service/wholesale uses are allowed in the Tertiary District, except as provided for herein.

(c) Office/other. The FAR is not limited in the Core District. The FAR is a maximum of .4 (40%) in the Secondary District and the Tertiary District.

**11-18-107 Project Master Plan.**

(a) Project Master Plan (“PMP”) Required. A PMP is required for any development of property larger than 5 acres in size. All PMPs shall be submitted to the planning commission for approval. The Project Master Plan must show all phases of the development (including any phasing plans) in both existing and projected development. Approval of PMP does not constitute approval of individual site plans for any buildings or improvements within the PMP area. Any required PMP, including development plan approval, must be approved before any zoning permit is issued.

(b) Intent. The intent of the PMP is to establish a workable framework for the development of large or phased projects. Major transportation, major drainage and grading, and water quality systems, major utilities, open space or land use issues within the PMP area shall be identified with a conceptual plan for addressing them. An approved PMP will guide all future development within the area defined by the PMP.

(c) Application and Submittal. PMP applications shall be submitted to the City Planner.

(d) PMP requirements. PMP applications shall include the following information:

(1) Narrative submittal requirements. Unless waived by the City Planner, the following information shall be submitted in narrative form:

- a. Description of land use concepts, anticipated structures, ranges of square footage and general location, parking concept, public open space concept, and circulation concept of primary auto, bicycle and pedestrian and transit connections within the area and to adjoining properties.
- b. Description of major transportation systems, including arterial streets, major storm water drainage and water quality systems, major utilities, open space or land use issues and discussion of how such issues will be addressed as development proceeds.
- c. Description of any contemplated development standards at the periphery of the PMP to promote compatibility between the PMP and adjoining properties.
- d. Estimated sequence and estimated timing (where known) of project development, including on site infrastructure improvements, off-site infrastructure improvements, and supporting facilities.
- e. Discussion of proposed incorporation of existing structures in future development plans.

(2) PMP graphic submittal requirements. Unless waived by the City Planner, the following information shall be submitted in graphic form:

- a. Diagram indicating the location of land uses by area, indicating the anticipated range of densities for each type of area within the PMP.
- b. Diagram of circulation plans for primary vehicular, transit, bicycle, and pedestrian service.
- c. Concept plan showing the relationship of development to site ingress and egress and to public amenities and/or open spaces.

- d. Open space concept plan, showing both the general location and general configuration of the intended public and private open spaces, bicycle and pedestrian corridors.
  - e. Preliminary utility and regional storm water detention/retention plans.
  - f. Preliminary transportation analysis that addresses roadway network design, functional classification, lane requirements, and intersection control for arterial and collector roadways, modal split, trip distribution and bicycle, pedestrian, and transit facility plans that provide critical linkages to the surrounding local and regional transportation system.
  - g. Proposed incorporation of existing structures in future development plans.
  - h. Maps and legal description of the boundaries of the project area.
  - i. Proposed building configurations, elevations, anticipated massing, signage plan and an overall schematic drawing of the proposed development.
- (3) Waiver of specific submissions. Any information required by these PMP requirements may be waived by the Zoning Administrator on the basis that the information is not necessary to review the proposed PMP.
  - (4) Planning Commission Public Hearing. The Planning Commission shall hold a public hearing on any proposed Master Plan within the TOD Zone. The Planning Commission shall recommend approval or denial of the PMP.
  - (5) City Council Public Hearing. Upon receipt of a recommendation from the Planning Commission, the City Council shall hold a public hearing on the proposed Master Plan. The City Council shall approve, approve with conditions or deny the PMP.
  - (6) Except as provided below in Section 11-18-111 for PMP's approved in connection with the approval of a development

agreement, the criteria for review of all PMPs by the Planning Commission and City Council shall be:

- a. Consistency with the Farmington City General Plan;
  - b. Compliance with city codes, rules, regulations and standards applicable to the proposed PMP;
  - c. Consistency with any Development Standards determined by the City to be applicable to all development within the TOD Zone; and
  - d. For development in the Core District, establishment of an appropriate mix of uses in locations that will promote and encourage the goals of the TOD Zone.
- (7) Approval of a PMP shall constitute use approval for uses shown and described in an approved PMP and further conditional use approval shall not be required for applications which are consistent with an approved PMP.
- (8) Recording. All approved PMPs, and all approved amendments to such PMPs, shall be recorded in the real property records with a notation that all land within such boundaries shall be subject to the provisions of such PMP or amendment, unless or until amended.
- (9) Major and minor amendments. An approved PMP may be amended at any time using the process set out herein, and may be amended simultaneously with the processing of a site plan application or a site plan amendment. The City Planner shall determine whether a proposed amendment is a “major” or “minor” amendment. In order to initiate an amendment, the applicant shall submit to the City Planner those PMP submission items that would change if the proposed amendment were approved.
- a. Major amendments. Major amendments shall be reviewed and approved by the planning commission. Changes of the following types, if included in the approved PMP, shall define an amendment as major:
    - i. To significantly modify or reallocate the allowable height, mix of uses, or density of a development; or

- ii. To significantly alter the location or amount of land dedicated to parks, trails, open space, natural areas or public facilities; or
    - iii. To significantly change the location of land use areas as shown on the original PMP.
  - b. Minor amendments. Amendments that are not major amendments shall be termed “minor amendments” and shall be referred to the Zoning Administrator for review, who may also refer the application to other departments or agencies for comment. The Zoning Administrator shall approve, approve with conditions, or deny such amendment within twenty (20) calendar days after the date of applicant's submission of a complete application for amendment.
- (10) Effect of recorded plans. All PMPs and PMP amendments shall be binding upon the applicants and their successors and assigns and approving agencies, and shall limit and control the issuance of all zoning permits and certificates and the construction, location, use and operation of all land and structures included within the PMP or PMP amendment.
- (11) Appeals of decision. The final decision of the City to approve, approve with conditions, or deny a PMP may be appealed as set forth in *Utah Code Ann.* § 10-9a-801, or its successor section.

### **11-18-108 Master Development Guidelines**

The developer of each area of land that is designated and mapped on the Farmington City Zoning Map as a TOD Zone shall prepare and submit Master Development Guidelines (MDG) to be recorded against the property, which MDG shall define the standards for design within the district for architectural controls, open space, buildings, structures, landscaping, lighting, signs and similar external improvements. It is specifically contemplated that development throughout the entire TOD Zone will meet certain Development Standards that are determined by the City to be reasonably necessary to assure compatible, high quality development within the TOD Zone and that such Development Standards will be incorporated into the Master Development Guidelines for each project. In addition to any other notice provisions set forth in the City Ordinances or State law, the City shall be required to provide notice of all pending PMP approvals within a TOD zoned area to all property owners within the same contiguous TOD zoned area or within the TMU area identified in the Land Use Master Plan to allow comment from such property owners regarding the consistency of any proposed project or Master Development Guidelines with those Development Standards determined by the City to be applicable to all development within the TOD Zone.

The MDG shall be prepared by the developer and in all cases submitted to the Planning Commission before the City shall grant any approval for any improvements within any mapped zone district under the TOD Zone regulations. All construction in the TOD Zone shall comply with applicable MDGs and CAMP. The MDG and/or CAMP may contain specific lien and other enforcement provisions to ensure adequate compliance. Any requirement of an MDG or CAMP may be more restrictive or require a higher standard or quality than the TOD Zone regulations or Development Standards determined by the City to be applicable to all development within the TOD Zone.

### **11-18-109 Common Area Management Plan**

Controls requiring the maintenance of open space, landscaping and common areas shall be adopted via a CAMP to achieve the purposes of the TOD Zone and the City's General Plan.

The CAMP will be prepared by the developer and approved by the Planning Commission. All development within the TOD Zone shall conform to the adopted CAMP provisions.

### **11-18-110 Development Standards**

(a) General Requirements. In addition to general standards provided elsewhere in the City's Zoning Ordinances, and unless approved otherwise by the Planning Commission in connection with the approval of a PMP, the following standards shall apply specifically to developments in the Transportation Oriented Development Zone ("TOD Zone"). These standards are to be implemented in order to create a cohesive appearance unique to Farmington that is pedestrian friendly (walkable), and which encourages travel by transit, bicycling, van pooling; and car pooling. Proposed development within the TOD Zone may also be subject to additional design criteria

stated in applicable Master Development Guidelines (MDG) and/or covenants, conditions and restrictions contained in a Common Area Management Plans (CAMP).

(b) Parcel Size. Parcels shall be of sufficient size to assure compliance with building set backs, landscaping, access, parking and walkability standards.

(c) Buffering. Landscape buffers are preferred over fences and walls where a separation is desirable. A visually open look should be encouraged between compatible uses. Fences or walls, if determined to be necessary or desirable, must be reviewed for their effectiveness in protecting private space while not creating isolated uses or dead space void of natural surveillance. Approved fences or walls shall be compatible in color, texture and design in relationship to building materials. In order to mitigate any negative impacts, the Planning Commission, after due consideration, may modify building set backs and heights and require additional architectural and/or landscape elements, as needed between uses, within a mixed-use project.

A thirty (30) foot buffer zone with sufficient plantings of trees, shrubs, and other vegetation to provide adequate suppression of sound and light shall be provided between any residential or agriculture property line and a use proposed for development in the TOD Zone, except as outlined by the PMP. This separation may be adjusted up or down as part of site plan review, depending upon the character and impacts of the uses proposed.

(d) Architectural Design and Materials. The treatment of building mass, materials and exterior appurtenances shall create an aesthetically pleasing building and site that is in character with the proportions of other surrounding buildings, and yet provides a diversity in design. Requirements applicable to all buildings are stated below:

- (1) Buildings facing pedestrian pathways, shall incorporate arcades, roofs, alcoves, porticos and awnings that protect pedestrians from the rain and sun.
- (2) Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street.
- (3) Buildings that are open to the public and are within twenty-five (25) feet of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be designed to be attractive and functional, be a distinctive and prominent element of the architectural design, and shall be open to the public during all business hours.

- (4) Buildings shall incorporate exterior lighting and changes in mass, surface or finish giving emphasis to entrances.
- (5) Buildings shall provide a foundation or base, typically from ground to the bottom of the lower window sills, with changes in volume or material. The top floor of any building rising over two stories shall contain a distinctive finish, consisting of a cornice or other architectural termination.
- (6) Recessed or projecting balconies, verandas, or other usable space above the ground level is encouraged in a street facing elevation.
- (7) Hard scape (paving material) shall be utilized to designate “people” areas. Materials could include unit masonry, concrete unit pavers, stamped or scored colored concrete, stone, or combinations of the above.
- (8) All sides of buildings exposed to pedestrian and/or vehicular traffic and adjacent properties shall receive equal design consideration.
- (9) Mechanical units on the roof shall be screened from view from public and private streets. Special screening may be required if rooftop equipment may be visible from the freeway. Mechanical units or equipment located on the roof of a building shall not project above the provided screening. The materials, height and appearance of screening measures is subject to Planning Commission approval.
- (10) The following additional requirements shall apply to buildings located within the Core District:
  - a. Primary building orientation shall be toward the street-accessible side. The principal entrance must be designed to be readily apparent from both public and private streets. Where buildings have streets on both sides, two entries may be required or other mitigation may be required to provide for a pedestrian scale and character on both sides of the building.
  - b. All walls that face a principal street, plaza, or other public open space shall contain at least thirty percent (30%) of that facing wall area in display, windows, or doorways.

Walls facing side streets or lesser spaces shall contain at least twenty percent (20%) of that facing wall area in display, windows, or doorways.

- c. At least thirty percent (30%) of the buildings that are not connected shall include a ten (10) foot wide sidewalk and landscaping between the buildings and the parking lot or access driveway. Parking should be designed to be pedestrian friendly, while still being functional for the use intended.

(e) Signage. Proper design and placement of signs and their lighting is critical and shall be compatible with structures and uses. Mixed-use projects shall have a sign theme which promotes mixed-use compatibility. Permitted signs within the TOD Zone shall be in compliance with Title 15 of the Farmington City Code. No off premise signage or billboards are permitted in the TOD Zone.

(f) Open Space. Significant useable open space shall be provided within mixed-use projects located within the TOD Zone, depending upon size, scale and nature of the development, as determined by the Planning Commission. Approved open space may include, but is not limited to commons, parks, plazas, courtyards, landscape features, water fountains and features, green belts and pedestrian walkway connections. A Village Green as a commons area, may be required adjacent to mass-transit connections or other significant activity. Building materials used within open space areas shall relate to the materials of adjacent buildings and shall be a non-skid finish. Design shall encourage comfortable and safe pedestrian use, including landscaping, seating areas and lighting as appropriate. Unless otherwise specified through written agreement with the City, all open space areas shall be maintained by the owners, developer, or applicable owner association.

(g) Landscaping. The following landscaping standards shall apply to all new development in the TOD Zone. Additional landscaping standards may be set forth and be more fully defined in the applicable MDG and maintained pursuant to a CAMP. Species shall be selected from the approved plant list provided herein or within the MDG for the Project:

- (1) Street trees shall be provided on all street frontages at a maximum spacing of forty (40) feet on center.
- (2) Street trees shall be planted within a landscape strip of at least five (5) feet in width, between the roadway and sidewalk where feasible.

- (3) Street trees shall be planted no closer than twenty (20) feet to light standards.
- (4) For all development within the Secondary District, a minimum of twenty percent (20%) of the site shall be landscaped and for all development in the Core District, a minimum of ten percent (10%) of the site shall be landscaped. Decorative hard scape within a public plaza, excluding required sidewalks, may be counted towards up to one-half (½) of the required landscaping.
- (5) In any parking area which includes more than thirty (30) spaces, five (5) percent of all parking area shall be used for internal landscaping. A landscape border that is not less than fifteen (15) feet wide shall be provided around the perimeter of all parking areas, unless the area abuts slopes created by adjoining roadways/freeways, future highways or adjoining parking from adjacent parcel. There should also be a maximum of ten (10) parking rows between parallel walkway/landscape divisions. Landscaped areas shall be designed to accommodate snow piles without damage to plants and trees. All landscape areas shall be landscaped with a combination of trees, shrubs and ground covers.
- (6) A maintenance program for all common areas through a common area management plan (CAMP) is required.
- (7) Landscaping, in general, shall follow Crime Prevention Through Environmental Design (CPTED) principles.
- (8) No plans for any building structure or other improvements shall be approved by the Planning Commission, unless there shall also have been submitted landscape and streetscape plans satisfactory to the Planning Commission.
- (9) Landscaping in accordance with the plans submitted must be installed within thirty (30) days following the occupancy of the site, or as otherwise approved by the Zoning Administrator as seasonal conditions may dictate.
- (10) Future development areas or land areas not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed-free condition or landscaped as approved by the Planning Commission.

- (11) The developer shall bond for such landscape improvements to insure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
- (12) It shall be the responsibility of the developer to grade, place topsoil, seed, sod, install sprinkler irrigation systems and properly plant trees, shrubs and other approved plant materials.
- (13) It shall be the responsibility of the owner, developer and/or owner association to properly maintain all landscaped areas, including watering, mowing, pruning, fertilizing and the removal and replacement of dead plant materials in a timely manner.

(h) Outdoor Lighting. The lighting of streets, pedestrian walkways, parking lots and open space is required. Exterior wall-mounted flood lights are expressly prohibited. Indirect lighting, bollard lighting and landscape lighting is encouraged. Lighting fixtures shall not cast light beyond the mixed-use project, except for the public rights-of-way. Design and location of standards and fixtures shall be specified on the site plan drawings. Intensities shall be controlled so that safety lighting is provided while neighboring areas are protected from glare or excessive direct light. Uplights accenting buildings and landscape areas are allowed, if properly screened.

All lighting shall be installed in accordance with a master lighting plan approved by the Planning Commission. Lighting fixtures with 50 watt high pressure sodium lighting, or its equivalent, not exceeding ten (10) to eighteen (18) feet in height, shall be provided for primary walkways which would not be adequately lit by street lights or parking area lights, to maximize lighting intensity of walking surfaces throughout the mixed-use project.

(i) Streets and Pedestrian Ways. The following standards shall apply to all development within the TOD Zone:

- (1) Large diameter roundabouts (min. 100 feet outside radius) should be incorporated at major intersections within and adjacent to the development to ease traffic flow when deemed practicable by the City Engineer. An alternative to large diameter roundabouts, where deemed practical by a traffic analysis and the City Engineer, is signalization of major intersections.
- (2) Public sidewalks shall be located along all public streets and ways, and public spaces shall be provided at key locations.

- (3) Pedestrian walkways shall form an on-site circulation system that minimizes potential conflict between pedestrians and motor vehicle traffic. Pedestrian walkways of at least eight (8) feet in width shall connect building entrances to each other, connect building entrances and sidewalks on public streets, and connect building entrances, and exiting or planned transit stops unless otherwise set forth by conditional use permit or approved by the Planning Commission.
- (4) Where practicable, pedestrian walkways shall be raised above the grade of streets, drives, parking lots and other paved areas. Where pedestrian walkways cannot be raised, they shall be constructed of a material differing in texture and color from adjacent pavement but consistent with other raised walkways.
- (5) Public seating and bicycle racks shall be provided near entrances or buildings or groups of buildings.
- (6) Bike-way systems and designs shall meet standards consistent with the Farmington City Trails and Sidewalk Master Plan. These bike-ways shall be separate and provide safe and inviting access through development project areas and shall provide continued circulation of trails identified in the Farmington City Master Trail Plan including planned equestrian trails. Otherwise equestrian trails and uses are prohibited.
- (7) All accesses within a project located in the TOD Zone shall have connectivity with existing and future street patterns. A grid street pattern or modified grid pattern is required where practically possible. Cul-de-sac streets will not be approved, unless it can be demonstrated that no other practical way exists to make connectivity. In order to uphold enhanced traditional neighborhood development principles, private streets are discouraged and gated communities are prohibited. The design of streets and pedestrian walkways shall comply with the City's engineering standards and specifications.

(j) **Parking Areas.** Parking shall be provided in accordance with Chapter 32 of the City's Zoning Ordinance. In addition, the following provisions shall apply to developments in the TOD Zone:

- (1) Parking structures are encouraged. Surface parking areas may be located behind, underneath, or at one side of the building in the

Core District. Entryways, porticos, drop-off areas, and one individual row of parking on either side of vehicle entryways are permitted in front of buildings in the Core and Secondary Districts. Surface parking may also be located in front of a building in the Secondary District. On-street parking in front of buildings is allowed in both Core and Secondary Districts.

- (2) Parking structures shall be designed around natural light and with “safety” lighting added as needed. Landscaping, within and without, may be required to enhance compatibility and safety.
- (3) Parking structures shall have architectural treatments compatible with adjoining buildings.
- (4) Parking structures shall conceal views of autos from public streets and open spaces. A brick, masonry, pre-cast or similar wall at least 42 inches high shall be provided at ground level when the parking structure is within forty (40) feet of a public street.
- (5) Parking lots with more than two hundred (200) spaces shall be divided by landscaped areas including a walkway at least ten (10) feet in width, or by buildings.
- (6) Pedestrian connections shall be made when feasible to any streets adjacent to the development and to any pedestrian facilities that connect with the property. All developments shall provide a pedestrian access plan that shows pedestrian paths on the site that connect with the sidewalk or other adjacent pedestrian ways.
- (7) Secure bicycle racks shall be provided at transit, shopping and business destination stops to help and encourage the use of bicycles as a way to access those destinations. Racks shall be designed consistent with standards contained in the Farmington City Trails and Sidewalks Master Plan.

#### **11-18-111 Alternative Approval Process; Development Agreements**

(a) Alternative Development Agreement Approval Process. Projects within the TOD zone involving the development of at least 25 acres of land may elect the alternative approval process described in this Section 11-18-111, resulting in the approval, execution and recordation of a development agreement. An approved development agreement shall govern the specific uses, densities and intensities of use proposed for the project area and the specific Development Standards to be applied in the

development of any necessary public infrastructure and the private improvements to be located on the project site. A development agreement must be consistent with the provisions of Sections 11-18-103, 11-18-104, and 11-18-106, and the provisions of 11-18-107, to the extent not inconsistent with this Section 11-18-111, but may supersede and be inconsistent with the provisions of Sections 11-18-101(g), 11-18-105, 11-18-108, and 11-18-109 and with the provisions of Section 11-18-110, where the City Council determines an alternative Development Standard proposed by the project developer is appropriate for the development of the project and the Council finds there is appropriate consideration, in the form of monetary, tangible or intangible consideration of benefit to City or the public from the proposed development and/or other appropriate reasons that justify the determination of the City to alter generally applicable standards. The Development Standards of an approved development agreement shall also govern over any conflicting Development Standards contained in any other provisions of Farmington City ordinances including, without limitation, provisions relating to site development standards in Chapter 7 of the Zoning Ordinance, off-street parking in Chapter 32 of the Zoning Ordinance, supplementary and qualifying regulations in Chapter 28 of the Zoning Ordinance, and signage standards in Title 15 of the Farmington City Code.

(b) The processes for approval of a development agreement and subsequent approvals for a project covered by a development agreement shall be governed by the provisions of this Section 11-18-111 and any supplemental procedural provisions agreed by the parties in an approved development agreement.

(c) Application for Development Agreement. Simultaneously with the application for a PMP, an applicant for a PMP involving at least 25 acres may apply for approval of a development agreement. In addition to the application requirements for a PMP, the applicant shall provide in narrative form a proposed development agreement including a specific description of the proposed uses, densities and intensities of use proposed for the project area and a statement of the specific Development Standards proposed by the applicant to be applied in the development of any necessary public infrastructure and the private improvements to be located on the project site. The proposed uses, densities and intensities of use shall be consistent with the requirements and purpose of the TOD Zone, but the other proposed Development Standards may vary from those Development Standards set forth elsewhere in Chapter 18, the Zoning Ordinance or the Farmington City Code. However, nothing herein shall be construed to allow any deviation from Uniform Construction Codes or Standards as set forth in the Farmington City Code. Any application information required by this paragraph may be waived by the Zoning Administrator on the basis that the information is not necessary to review the proposed PMP and development agreement.

(d) Consideration and Approval of a Development Agreement. The development agreement shall be considered at the same time as the PMP and following the same approval and appeal processes described in Section 11-18-107(d)(4), (5) and

(11). The criteria for review of a PMP and development agreement application by the Planning Commission and City Council shall consist of the following criteria in lieu of the criteria set forth in Section 11-18-107(d)(6):

- (1) Consistency with the Farmington City General Plan;
- (2) Compliance with applicable city codes, rules, regulations and standards applicable to the proposed PMP, except that Development Standards specifically included in the development agreement may be different from Development Standards contained in the Farmington City Ordinances;
- (3) Consistency with any Development Standards determined by the City to be applicable to all development within the TOD Zone;
- (4) For development in the Core District, establishment of an appropriate mix of uses in locations that will promote and encourage the goals of the TOD Zone; and
- (5) Establishment of circulation and transportation features sufficient to meet the requirements of the project, to coordinate with anticipated offsite circulation and transportation features and to further any applicable community-wide transportation objectives.

(e) Final Development Agreement. The final development agreement shall incorporate the terms of the approved PMP, and shall contain Development Standards for the development of the project site and any public infrastructure required to be improved, the duration of the agreement and the rights granted pursuant thereto and such conditions of approval as may be imposed by the City Council and agreed to by the applicant. In addition to addressing uses, densities and intensities of use and Development Standards governing to project, the final development agreement shall include a common area

management plan, and processes for future approvals and amendments to the terms of an approved development agreement consistent with the provisions of Section 11-18-111(f) below. The common area

management plan, Development Standards and architectural review provisions in the development agreement shall be applicable to the project site only and not to the balance of the land within a TOD Zone, but the foregoing shall not limit the discretion of the City to require other developers to implement Development Standards adopted in the development agreement through the Master Development Guideline provisions of Section 11-18-108. The final development agreement may contain such other agreements between the City and the applicant as may be agreed by such parties and necessary for the development and financing of the project, including without limitation, agreements regarding the phasing of development, the vesting of development rights and approvals, the terms and conditions for the extension of public infrastructure, the extension by developer of infrastructure, and any payment or repayment obligations associated therewith, the donation of any land or any other agreement reflecting an agreement between developer and the City, not covered within the description of the approved PMP.

(e) Controlling Provisions. The terms of a development agreement shall be binding on the City and all successors in the ownership and occupancy of any portion of the project site covered by the development agreement. The provisions of the development agreement shall control over any inconsistent provision in the Zoning Ordinance. Upon approval and recordation of a development agreement, the property covered by the development agreement shall be deemed to be established as a separate district for purposes of establishing and enforcing the development regulations contained in the development agreement.

(f) Approval Processes after the Approval of a Development Agreement.

(1) Site Plan Review. Notwithstanding any inconsistent provision of the Zoning Ordinance, a final development agreement may contain such site plan review processes as may be agreed between developer and the City, including such application requirements and review processes.

(2) Amendment. Notwithstanding any inconsistent provision of the Zoning Ordinance, a development agreement and a PMP for a project covered by a development agreement may be amended on such terms and following such processes as is provided in the final development agreement. A PMP shall be deemed amended by any changes to the PMP approved at the time of final site plan review. No amendment of a PMP or a development agreement shall be required to reflect normal adjustments to the locations of improvements that occur as a result of the development of more specific plats, plans and specifications.

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