



HISTORIC BEGINNINGS • 1847

Farmington City Planning Commission

February 20, 2014



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

AGENDA **PLANNING COMMISSION MEETING** **February 20, 2014**

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah

Study Session: 6:30 p.m. – Conference Room 3 (2nd Floor)
Regular Session: 7:00 p.m. – City Council Chambers (2nd Floor)

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Planning Department prior to noon the day before the meeting.)

1. Minutes
2. City Council Report

SUBDIVISION APPLICATION

3. Chris Ensign - Applicant is requesting Preliminary Plat approval for The Farmington Bungalows Subdivision (10 lots) on 3.2 acres located at approximately 50 South and 300 West in an OTR zone. (S-15-13)

CONDITIONAL USE/SITE PLAN APPLICATION

4. Farmington City (Public Hearing) – Applicant is requesting conditional use and site plan approval to expand the Public Works building and parking lot on 4.29 acres located at 720 West 100 North in a TMU Zone. (C-1-14)

ZONE TEXT CHANGE APPLICATION

5. Indulgent Foods, David Cowley (Public Hearing) – Applicant is requesting a recommendation to increase the building height in the BP (Business Park) zone from 40 feet to 60 feet and to modify building setback standards accordingly. (ZT-1-14)

OTHER BUSINESS

6. Miscellaneous, correspondence, etc.
 - a. Other
7. Motion to Adjourn

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to take action on the item; OR 2. if the Planning Commission feels there are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

Posted February 14, 2014



Eric Anderson
Associate City Planner

FARMINGTON CITY
PLANNING COMMISSION MEETING
February 6, 2014

STUDY SESSION

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

Item #3. Jared Darger – Plat Amendment and Minor Subdivision Approval for Meadow View Subdivision

Eric Anderson explained this is a simple subdivision. It will be part of the Meadow View Conservation Subdivision; it is currently listed as “Parcel C” in the Subdivision. The developer would like to subdivide it into 5 additional lots. The developer provided the open space requirement for the conservation subdivision and is now requesting a transfer of development rights (TDR) of this open space to the City’s regional park which would allow him to build the requested 5 lots. **David Petersen** provided a history and explanation of the TDR section of the Zoning Ordinance for the Commissioners.

Item #4. Chris Ensign – Preliminary Plat Approval for Farmington Bungalows Subdivision

Eric Anderson requested this item be tabled as the developer is finalizing the storm drain on the Preliminary Plat.

Item #5. Farmington City – Amendments to the Zoning and Subdivision Ordinances

David Petersen explained the use of the word “minimum” as shown in Section 11-28-070 of the Zoning Ordinance. Commissioners are comfortable removing it from the ordinance. After discussing with staff the possibility of striking Section 11-35-103(15), which makes the sale of firearms a prohibited use under Home Occupations, the commissioners would like the City Attorney to review the State firearm laws before a final decision is made.

REGULAR SESSION

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

#1. Minutes

Kris Kaufman made a motion to approve the Minutes from the January 23, 2014 Planning Commission meeting. **Heather Barnum** seconded the motion which was unanimously approved.

#2. City Council Report

Eric Anderson gave a report from the City Council meeting on February 4, 2014. The Cottages at Rigby Road Schematic Plan, Annexation and Zone Designation was approved with an added condition that a trail be built at the bottom of the ravine. The Preliminary Plat and Preliminary (PUD) Master Plan for the Kestrel Bay Estates PUD Subdivision was also approved.

SUBDIVISION/ZONE CHANGE APPLICATIONS

#3. Jared Darger (Public Hearing) – Applicant is requesting recommendation for plat amendment and minor subdivision approval for the Meadow View Subdivision Amendment #1 consisting of 5 lots on 1.32 located at 1525 West 425 North in an AE zone. (S-1-14)

David Petersen showed the vicinity map and where the location of the open space is in relation to the Meadow View Subdivision. Currently, the Meadow View Conservation Subdivision has 19 lots with much of the open space as “Parcel C” in the northeast corner. The City implemented a transfer of development rights section to the Zoning Ordinance. This allows a city to “transfer” lots from where they don’t necessarily want/need open space to where they do want it. The City is currently developing a regional city park; there is a value for developable lots that could have been built there. Since “Parcel C” doesn’t have the greatest utility, the developer can “transfer” developable lots from the City’s regional park to his subdivision and move his open space to the City’s regional park. The City Manager will determine the terms and monetary value of the TDR.

Heather Barnum asked why Lot 23 is smaller and narrower than Lot 24. She suggested making Lot 24 slightly smaller so both lots are more consistent with the others.

Jared Darger, 1575 S. Packsaddle Dr., Bluffdale, said they plan to adjust the property lines for Lots 23 and 24 and will appear that way in the Final Plat. He also added that he did not feel 19 lots would support a park and an open field would not have much use to the community. He feels transferring the open space to an area where the whole community can enjoy them is a much better use of land.

Brett Anderson opened the public hearing at 7:26 p.m.

Sherri Ellis, 1722 W. Country Bend Rd., lives directly behind the Meadow View development. She would like to see less density, larger lots, and more open space. She feels larger lots invite quality homes that add value to the surrounding area. Currently, Farmington’s ordinances are written to preserve the open space and keep the density low. She feels transferring this open space is not consistent with the intent of the ordinances and with the surrounding community. She explained where she lives, in Phase 3 of the Farmington Ranches Subdivision, there is a lot of undeveloped open space. It adds privacy to the neighborhood and keeps the density low. She also expressed concern that the development has not been consistent with the current ordinances in place which could then result in further issues as additional lots may be added to the development. She stated that some of the issues that still need to be addressed in the development are the height of the homes and the

water drainage. She stated she is frustrated and concerned as she has seen the developer try and sneak in solutions to these problems.

Tim Ellis, 1722 W. Country Bend Rd., expressed disappointment that the original proposal for the development included open space backing on their back property line, but the open space was originally moved to the front as the lots were packed in together. He is frustrated that the road for the development is already higher than his 6' fence, then the homes are built up an additional 6'. The homes are also being built approximately 10' from the property lines; any privacy he once had is now gone. He is very unhappy with the large wall of homes behind him and would like to see the open space as is required. He suggested having a large grass area for those using the trail system; it would be a great benefit to the community. He is frustrated with the development process of the current homes; the lots backing his have piped their drainage to the property lines resulting in approximately 12-18" of standing water on his property in the spring. He feels the best use of "Parcel C" is to leave it as open space.

Brett Anderson closed the public hearing at 7:35 p.m.

David Petersen addressed a few of the concerns brought up by residents. When the Ranches Subdivision was developed approximately 10 years ago, drainage plans were not as sophisticated as the plans are now. The developer is required to have all surface water drain to the street. Staff, including the City Engineer and Storm Water Official, have met with residents to address their concerns. They are looking to see if the development is causing any impact to neighbors' property. They are putting together a report of the possible water issues, the actual elevation of the road and the height of the homes as the finished grade has not yet occurred. As for the density, the lots in the Meadow View Subdivision are comparable in size to the Farmington Ranches Subdivision. "Parcel C" provided some open space, but there is not much utility in leaving it undeveloped. A grassy area would be nice, but it could not be maintained by 19 lots and the Parks and Recreation director said he is also not able to maintain it.

Brett Anderson clarified and **David Petersen** agreed that the issues regarding the drainage are not before the Planning Commission as the applicant is just requesting a plat amendment for 5 additional lots. **Kent Hinckley** added his condolences to the Ellis' with the drainage issues they are facing, but continued that the issues are not relevant to the decision before the Commission at this time.

Sherri Ellis stated she is frustrated that although it is not directly related, she feels the developer is getting away with a lot and is now being awarded additional lots despite the unresolved issues. At one point, the basements of homes were full of water and the developer installed unapproved sump pumps approximately 5-10' away from the property line, which is against City ordinances. She feels the developer should be asked to follow the current "rules" before he should be allowed to continue with additional lots. **Brett Anderson** replied that although the Commission understands and feels for those issues, the Planning Commission does not have the policing authority to address them. **David Petersen** added the report from the City Engineer and the Storm Water Official will include recommendations and will determine if the developer is in violation of the ordinances.

Brett Anderson said he likes the idea of open space, but sees and understands the merits of aggregation. **Rebecca Wayment** stated she feels this is a good location for a TDR. Although small patches of grass are appealing, so much open space is just weeds. She likes the idea of being able to transfer open space to an area where all the community can enjoy it. **Karolyn Lehn** also added there

used to be undeveloped open space behind her home; it became a breeding ground for feral animals and weeds. She is also in favor of a TDR for this area.

Motion:

Rebecca Wayment made a motion that the Planning Commission recommend that the City Council approve the enclosed Plat Amendment and minor subdivision subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The applicant must pay a TDR fee to the City for a monetary sum as decided by the City Manager through negotiations with the applicant prior to plat amendment approval;
2. The applicant enter into an agreement with the City Council as per the ordinance.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. Lot dimensions comply with the standards set forth in the Zoning and Subdivision ordinances.
2. All lots front an existing fully improved public ROW (425 North).
3. The City will receive compensation through a TDR to transfer/acquire open space at the regional park site.

Item #4. Chris Ensign – Applicant is requesting a recommendation for Preliminary Plat approval for The Farmington Bungalows Subdivision (10 lots) on 3.2 acres located at approximately 50 South and 300 West in an OTR zone. (S-15-13)

David Petersen asked the Commission to table this item.

Motion:

Kent Hinckley made a motion that the Planning Commission table this item. **Karolyn Lehn** seconded the motion which was unanimously approved.

ZONING TEXT CHANGE APPLICATION

Item #5. Farmington City (Public Hearing) – Applicant is requesting amendments to the Zoning and Subdivision Ordinances (ZT-9-13 and ZT-8-93) as listed below.

- a) Deleting the word “minimum” in 11-28-070
- b) Striking Section 11-35-103(15) which makes the sale of firearms a prohibited use under Home Occupations

David Petersen explained the use of the word “minimum” in Section 11-28-070 of the Zoning Ordinance as shown in the staff report. As for the home occupation amendment, he stated staff is comfortable moving forward with whatever the Commissioners would like to do as discussed in the study session.

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

No comments were received.

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

Rebecca Wayment said she is comfortable with approving proposed amendment a and deleting the word “minimum” from the ordinance, but based on the conversation in the study session, she would like additional information from the City Attorney to determine which route to go regarding the proposed amendment related to firearms. **David Petersen** asked if the Commissioners would like him to attend a study session. The Commissioners said yes they would like him to attend after he has done adequate research regarding the issue and can appropriately counsel on the issue.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend approval of the proposed amendment a to the Zoning and Subdivision Ordinances, but table proposed amendment b until the Commission can have further discussion with the City Attorney. **Karolyn Lehn** seconded the motion which was unanimously approved.

Finding:

1. Striking the word “minimum” in proposal “a” allows more flexibility in the design and siting of accessory buildings and still prohibits accessory buildings from being too large in residential zones.

OTHER BUSINESS

#6. Miscellaneous, correspondence, etc.

- a) **Flag Lot Discussion**
- b) **Public Notice Process Discussion**

Eric Anderson provided a memo regarding flag lots to the Commissioners as shown in the staff report. He explained our ordinance for flag lots may be inadequate. He would like input as to whether or not the City should change the ordinance or allow flag lots at all. In his memo, he proposed design requirements A-K for flag lots based on his research of other cities’ flag lot requirements. These requirements would make it more stringent as to what types of flag lots would be accepted. **Rebecca Wayment** added that recently there have been a few larger developments proposed that include a couple flag lots; she feels the developer could make something else work if flag lots were better regulated. **David Petersen** stated design requirements A, B, E, F, H, I and K are currently part of the City’s ordinance, but requirements C, D, G and J would be new standards.

The Commissioners discussed one lot versus two lots being serviced by the stem on a flag lot. The commissioners feel comfortable that if there are two lots there needs to be two stems. Staff suggested amending design requirement G to read if two stems are side by side, each stem width could be decreased from 28’ to 20’.

With regards to the second memo provided to the Commission, **David Petersen** said the City Council would like input on considering sign posting for public hearings in lieu of public mailings as is done in other cities. For example, Kaysville will post a sign on a property if it is being considered for a major subdivision or rezone so residents are informed about it. Farmington has always stuck to mailings to ensure each property owner is informed; there may be some cases where a property owner may own a lot in a subdivision but lives elsewhere. The flip side, however, is that often times

the mailing radius of 300' may only catch a few lot owners, but many in the community may be interested in the impact of a development, as is the case with much of the property north of Station Park. The concern staff has is once sign posting begins, it must be continued for all items. Staff would still like to do mailings on all agenda items to ensure property owners are informed; sign posting would be additional notification. **Rebeca Wayment** stated she is not opposed to informing the public via sign posting; she gave the example that it would have been helpful when determining public notifications when the electronic sign on Main Street was being discussed. **Kris Kaufman** added that with the electronic sign, he would have liked notification sent to residents via the City newsletter, but also agreed that a sign posting would have been sufficient and effective.

The Commissioners also expressed concern that if postings were happening on all items for the Planning Commission and the City Council, it would take a lot of time and money, and people would stop paying attention. **David Petersen** suggested only doing postings for conditional uses and rezones and keep mailings as is for all other items.

ADJOURNMENT

Motion:

At 8:25 p.m., **Kris Kaufman** made a motion to adjourn the meeting which was unanimously approved.

Brett Anderson, Chairman
Farmington City Planning Commission

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be an update by the Davis County Commissioners, and to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, February 18, 2014, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

7:05 Executive Summary for Planning Commission held February 6, 2014

PUBLIC HEARINGS:

7:10 Brentwood Estates Schematic Plan

PRESENTATION OF PETITIONS AND REQUESTS:

7:25 Recognition of Brigham Mellor and Bob Murri for their Service on the Planning Commission

7:30 TDR Sending and Receiving Zone(s) Ordinance

7:45 Consideration of Contractor for the D&RG Clark Lane Storm Drain Project

7:55 Expansion of City Shop and Storage Facilities

8:05 Financial Update with FY2013 Audited Balances put into the Financial Forecast

SUMMARY ACTION:

8:15 Minute Motion Approving Summary Action List

1. Approval of Minutes from February 4, 2014
2. Amendment to Consolidated Fee Schedule regarding Swim Lesson Fees
3. Resolution Adopting the Storm Drain Master Plan
4. Ratification of Approval of the Storm Water Bond Log

DISCUSSION ITEMS:

- 8:20 Omnibus Zone Text Change
- 8:30 Flag Lots
- 8:40 City's Policy on Posting Notices for Public Meetings

GOVERNING BODY REPORTS:

- 8:50 City Manager Report
1. Police and Fire Monthly Activity Reports for January
 2. Building Activity Report for January
 3. January Justice Court Report
- 8:55 Mayor Talbot & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for potential property acquisition.

DATED this 13th day of February, 2014.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.



Planning Commission Staff Report February 20, 2014

Item 3: Preliminary Plat for the Farmington Bungalows Subdivision

Public Hearing:	No
Application No.:	S-15-13
Property Address:	50 South 300 West
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	OTR (Original Townsite Residential)
Area:	3.2 Acres
Number of Lots:	10
Property Owner:	Michael White/Bentley/Gill
Applicant:	Chris Ensign

Request: *Applicant is requesting approval of a Preliminary Plat for the Farmington Bungalows Subdivision.*

Background Information

The applicant, Chris Ensign, is requesting Preliminary Plat approval for a 10-lot conventional subdivision on 3.2 acres located at approximately 50 South 300 West. The underlying zone for this property is an OTR zone. One of the lots in the subdivision (Lot 10) is also located in the Clark Lane Historic District and the south boundary of the project abuts the rear yard of Farmington Junior High School. There is an existing house on Lot 10 and Davis County records show that the house was built in 1954.

Initially, the applicant proposed a cul-de-sac entering off of State Street. At the public hearing on October 10th, the Planning Commission determined that a road alignment off of State Street would create corner lots for the Johnsons and Sonzinis. The proposed road alignment would also create potential conflicts with those property owners due to nuisances associated with traffic. The item was tabled on October 10th and again on October 24th to give the applicant time to meet with adjacent property owners and to pursue possible alternatives to a State Street access.

The applicant pursued the recommendations proposed by the Planning Commission and revised his schematic plan with the access road coming off of 300 West, he subsequently received a recommendation for approval at the November 14th Planning Commission and City Council approval at the December 3rd meeting. Additionally, the applicant has acquired, or is in the process of possibly

acquiring, additional property owned by the Ballantynes and the Bentleys. The proposed 300 West access road is preferable for many reasons, including:

- 1- The impact to adjacent neighbors from the road will be less impactful because there is more space for a side buffer;
- 2- The rhythm of State Street, which adds to the historic character of that district will not be impacted by a break in that rhythm from an access road;
- 3- Although the traffic impact to State Street would have been minimal, concentrating the limited additional traffic onto an existing local road is preferable to adding another access point onto State;
- 4- This new alignment, along with the possible acquisition of the rear portion of the Bentley property has allowed the applicant to create more lots (10 instead of 7) and remain a conventional subdivision in the OTR zone.

There is currently a home on the northern portion of the parcel and the property is owned by Michael White. The applicant is proposing that eventually the existing home may be demolished and a new home be built in its place. In discussions with a representative of the Farmington Historic Preservation Commission, it appears that this house is both a non-contributing structure to the historic district and falls outside of the period of significance. Notwithstanding this, Section 11-39-105(f)(2) states that "proposed repairs, alterations, additions, relocation or demolitions to Historic Resources listed on the Register requiring a building permit are subject to review by the Historic Preservation Commission and shall receive a "Certificate of Historic Appropriateness." Even though the existing home itself is not in the Historic Register, the underlying Clark Lane Historic District is, and therefore a Certificate of Historic Appropriateness may be required to replace the existing home. Additionally, Chapter 11-17-070 of the Zoning Ordinance establishes "New Construction Design Guidelines." While the houses on the interior of the proposed subdivision should try and meet all of the requirements established therein, it is highly recommended that the proposed house on State Street, because of its prominence and location between two historic homes should "request a recommendation from an ad hoc architecture committee established by the City Council or the Farmington City Historic Preservation Commission."

The current subdivision configuration shows that the lot widths for Lots 1, 2, 4 and 6 are 70-75', but the required lot width in the OTR zone is 85'. Nevertheless, according to Section 11-17-040 of the Zoning Ordinance "the Zoning Administrator may reduce the minimum lot width standards," by no more than fifteen feet and only if the proposed width shall be compatible with the character of the district. In order to come into compliance with the City's zoning ordinance, these lot widths may need to be adjusted.

The applicant has been in the process of addressing his storm water issues through negotiations with UDOT. Currently the applicant is planning on piping the storm water to the Frontage Road and is getting permission to do so from UDOT. The City Engineer has expressed that he would like the City to ensure that the applicant obtains permission prior to moving on to Final Plat and that any outstanding issues with storm water are addressed at that time.

Additionally, Parcels A and B (on either side of the access road) are narrow strips of remnant land that need to be addressed prior to Final Plat. The issue is that the access road will be a public street, and the Public Works department does not want to have to maintain and manage these remnant

parcels in perpetuity. The applicant will need to address how these parcels will be treated prior to moving on to the Final Plat phase of this project.

Suggested Motion:

Move that the Planning Commission approve the Preliminary Plat for the Farmington Bungalows subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant continues to work with the City and other agencies to address any outstanding issues remaining with regard to the Preliminary Plat, including but not limited to conforming with required lot widths of the underlying OTR zone and storm drainage;
2. Street width cross-section must be 56’;
3. If the applicant replaces the existing home on State Street, then the proposed dwelling on State Street shall receive a recommendation for approval from an ad hoc architectural review committee as established by the City Council or the Farmington City Historic Preservation Committee;
4. The proposed dwellings on Lots 1-9 must be consistent with the surrounding OTR Zone as determined through staff review of proposed building elevations prior to Final Plat, in cooperation with the Historic Preservation Committee;
5. The applicant must resolve the outstanding storm drain issues and receive UDOT permission, in writing, to utilize the Frontage Road ROW;
6. The applicant must resolve the ownership and long-term management of Parcels A and B prior to Final Plat submission.

Findings for Approval:

1. The property is identified as Low Density Residential on the General Plan, and the proposed schematic plan is consistent with that designation.
2. The General Plan also states that the City should “recognize and preserve Farmington’s heritage of pioneer buildings and traditions for the enrichment of its present and future citizens.” The property is in the Clark Lane Historic District, and the applicant will receive a Certificate of Appropriateness before demolition of the existing home takes place.
3. Specific to the schematic plan only, and the recommended conditions of approval, the plan complies with all Zoning and Subdivision Ordinance requirements, and other appropriate regulations.
4. Staff will ensure that the homes will fit in with the historic character of the underlying Clark Lane District.

Supplemental Information

1. Vicinity Map
2. Farmington Bungalows Preliminary Plat
3. Clark Lane Historic District Map
4. Chapter 11-17-070 of the Zoning Ordinance

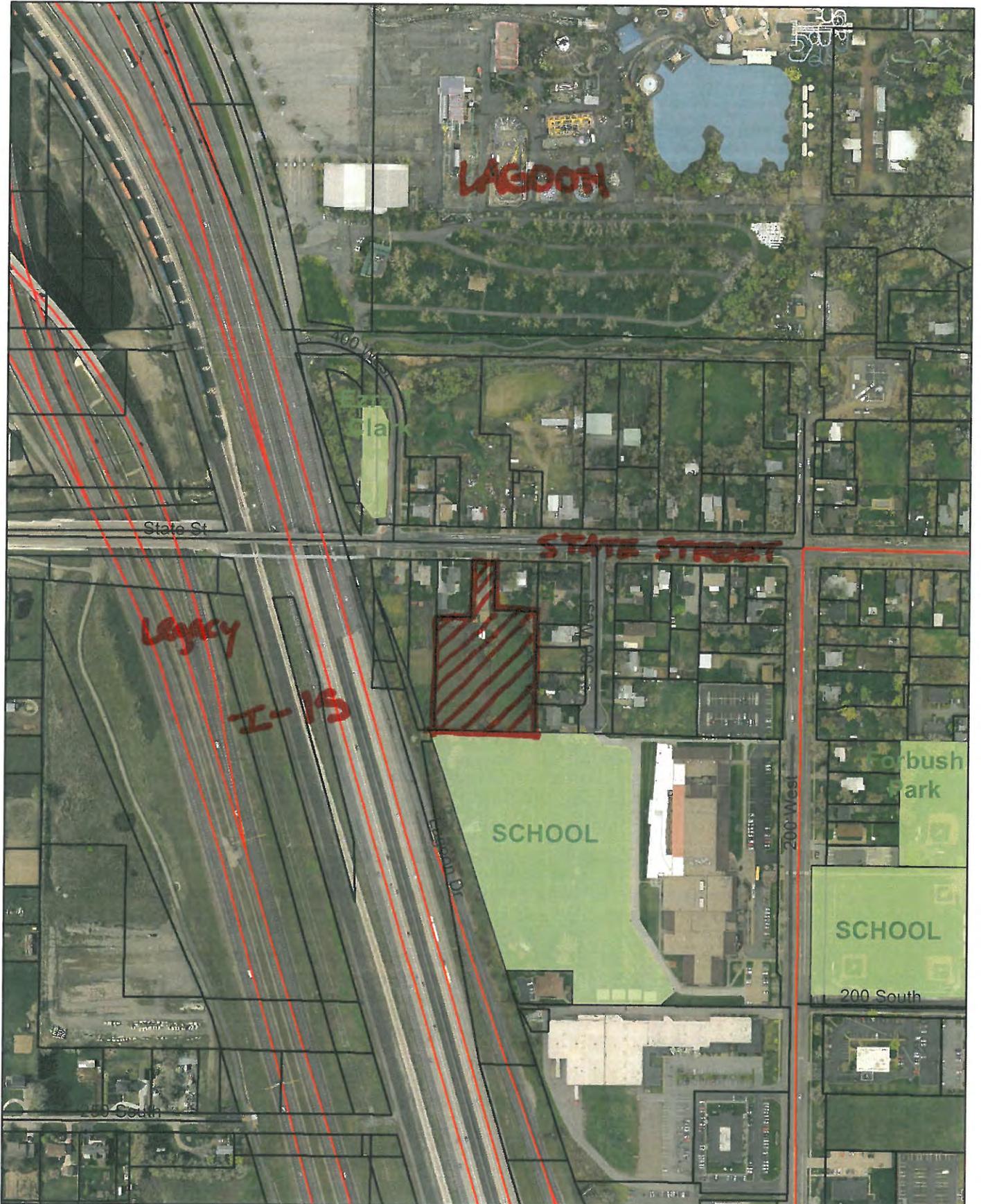
Applicable Ordinances

1. Title 12, Chapter 6 – Major Subdivisions

2. Title 12, Chapter 7 – General Requirements for All Subdivisions
3. Title 11, Chapter 17 – Original Townsite Residential Zone
4. Title 11, Chapter 39 – Historic Buildings and Sites



Farmington City



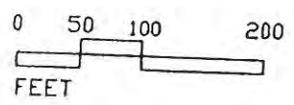
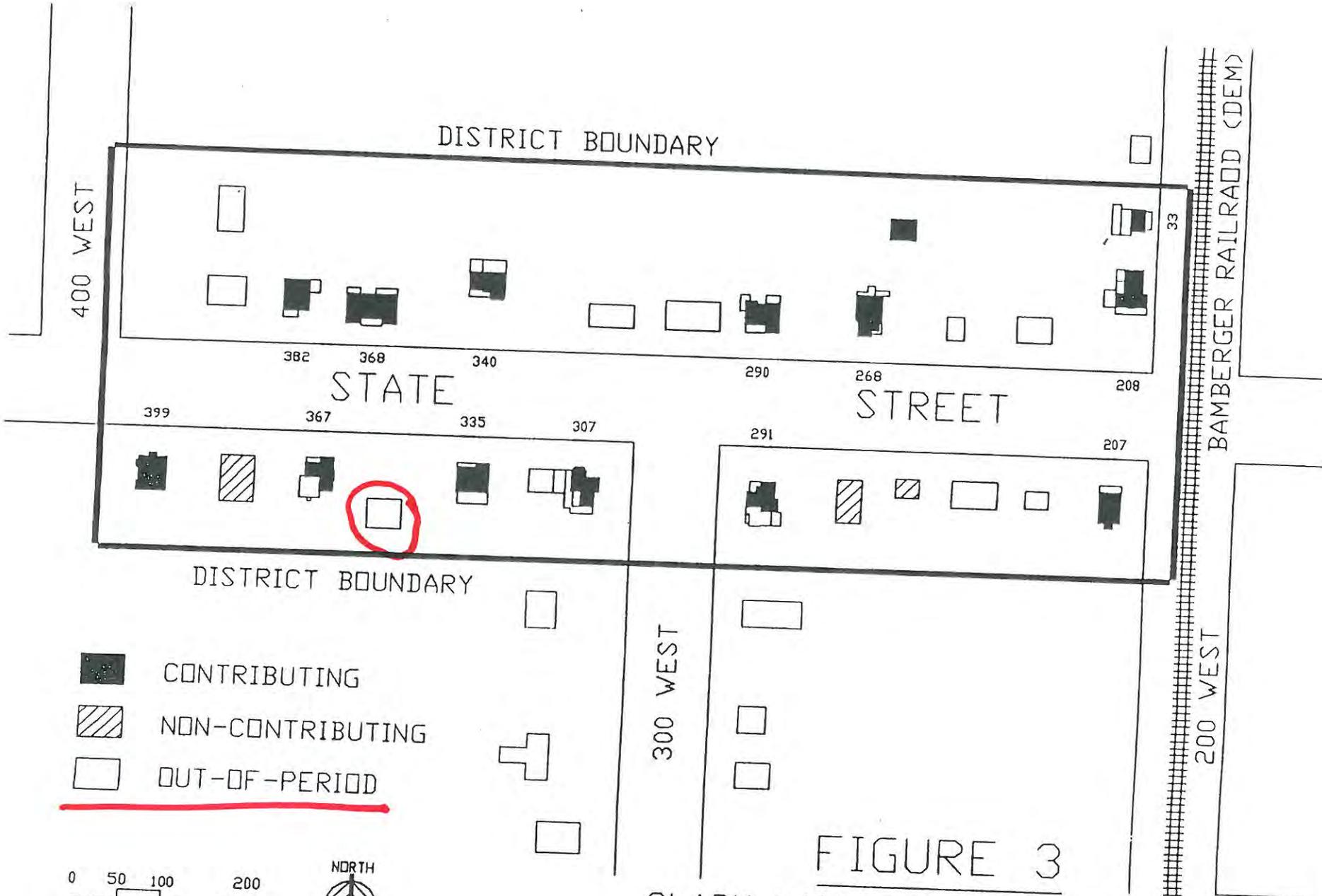


FIGURE 3
CLARK LANE HISTORIC DISTRICT
FARMINGTON, UTAH
MARCH 1994

CHAPTER 17

ORIGINAL TOWNSITE RESIDENTIAL ZONE (OTR)

- 11-17-010 Purpose.**
- 11-17-020 Permitted Uses.**
- 11-17-030 Conditional Uses.**
- 11-17-040 Minimum Lot and Setback Standards.**
- 11-17-050 Accessory Buildings and Structures (Including Attached or Detached Garages).**
- 11-17-060 Fences.**
- 11-17-070 New Construction Design Guidelines.**

11-17-010 Purpose.

The purpose of this zone is to conserve and protect the beauty and historic character of the original townsite residential area of Farmington City through conservation of neighborhoods which reflect distinctive features of the original townsite, to promote the public welfare by keeping the original townsite area a desirable and attractive place in which to live, and to assure compatibility of design of new residential units, additions, remodels, and accessory structures. In order to assure compatibility with the purpose of this zone, these provisions shall also extend to existing or proposed conforming or non-conforming land uses such as commercial, public, and industrial land uses that are situated within the boundaries of the Original Townsite Residential (OTR) Zone.

11-17-020 Permitted Uses.

The following are permitted uses in the OTR Zone. No other permitted uses are allowed, except as provided by Section 11-4-105(6):

- (1) Agriculture;
- (2) Class "A" animals;
- (3) Class "B" animals (as provided herein);
- (4) Home occupations complying with the provisions of Section 11-35-103;
- (5) Single-family dwellings; and

11-17-030 Conditional Uses.

The following are conditional uses in the OTR Zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Class “D” animals;
- (2) Day-care center;
- (3) Dwelling, Accessory;
- (4) Dwelling, Secondary;
- (5) Greenhouses, private with no retail sales;
- (6) Home occupations requiring a conditional use permit under Section 11-35-040;
- (7) Private school;
- (8) Public uses (as provided herein);
- (9) Public utility installations (except lines and rights-of-way) (as provided herein);
- (10) Quasi-public uses (as provided herein);
- (11) Residential facilities for the elderly; and
- (12) Residential facilities for the handicapped.
- (13) Single-family residential planned unit development (PUD)

11-17-040 Minimum Lot and Setback Standards.

(1) The following shall be the minimum lot areas, widths, and main building setbacks in the OTR Zone:

Zone	Lot Area	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
OTR	10,000 s.f. for each single-family	85'	95'	30'	10' min., total 22'	20'	30'

(2) Class “B” animals are permitted in the OTR Zone only if the area of the lot is twenty thousand (20,000) square feet or larger. Class B animals shall be limited to not more than one (1) horse or cow and not more than two (2) sheep or goats for each twenty thousand (20,000) square feet of a lot.

(3) Public uses, Public utility installations, and Quasi-public uses are only allowed on lots less than 40,000 square feet in size.

(4) Special Standards for Lot Width. Certain large, wide, and deep lots presently exist in the OTR zone. City records show that between 1969 and 1986 the minimum lot width in the original townsite area was seventy (70) feet. Furthermore, for all the years prior to World War II, no minimum lot width or lot size standards existed at all in the original townsite area. Consequently scores of lots exist in this area with frontages less than eighty-five (85) feet in width. The purpose of this section is to provide special standards for narrower lot width for the subdivision of large, wide lots located in the OTR zone. A property owner may subdivide a parcel of land in the OTR zone resulting in a lot width less than the minimum requirement set forth herein so long as the following standards are met:

- (a) Any new construction on the building lot created therefrom, shall conform to the New Construction Design Guidelines contained herein.
 - (b) The reduction in lot width shall not exceed fifteen feet (15');
 - (c) The lot size must meet the minimum standard lot size described herein;
 - (d) The lot, and any use proposed for the lot, shall comply with the minimum setback standards set forth herein, and standards related thereto set forth in Chapter 28 of this Title.
 - (e) Any structures existing prior to the subdivision shall meet the setback requirements set forth in this Chapter within the new subdivision.
- (5) Flag Lots as defined by the Farmington City Code shall be prohibited in the OTR Zone.

11-17-050 Accessory Buildings and Structures (Including Attached or Detached Garages).

(1) Accessory buildings, except for those listed in Subsection (2) below, may be located within one (1) foot of the side or rear property line, provided they are at least six (6) feet to the rear of the dwelling, do not encroach on any recorded easements, occupy not more than twenty five percent (25%) of the rear yard, are located at least fifteen (15) feet from any dwelling on an adjacent lot, and accessory buildings shall, without exception, be subordinate in height and area to the main building and shall not encroach into the front yard and required side corner yard;

(2) Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not closer than ten (10) feet from any side or rear property line and eighty (80) feet from any public street or from any dwelling on an adjacent property (exceptions to these setback requirements may be reviewed by the Planning Commission as a conditional use);

(3) On double-frontage lots, accessory buildings shall be located not less than twenty-five (25) feet from each street upon which the lot has frontage.

(4) All garages and any similarly related accessory buildings, whether attached or detached, shall be considered for approval as follows:

- (a) Under no circumstance shall any garage encroach into the front yard, or any other yard, except side yards and the rear yard, of the building lot;
- (b) Attached garages constructed even with the front setback line, or that are setback (or recessed) from the front setback less than a distance equal to

half the depth of the main building shall comprise no more than 33% of the front plane of the home,

- (c) All garages, unless otherwise provided herein, shall be considered as a Permitted Use.
- (d) Garages must be compatible and consistent with existing garages in the area. The placement of garages in the general vicinity and on adjoining properties with respect to setbacks and the position of existing garages in relation to the main buildings will be a consideration in determining site plan approval for new garages. Property owners may be asked to provide information regarding such during the building permit application review process.

11-17-060 Fences.

(1) Fences consisting of chain link or vinyl materials, except such fences which have a wood grain appearance, located in the front yard or side corner yard shall be prohibited.

(2) Vinyl fences shall only be installed with colors consisting of flat, non-gloss finishes.

11-17-070 New Construction Design Guidelines.

These standards apply to all structures requiring a building permit including new construction, additions, and alterations. Creative solutions that are compatible with the desired character of a historic neighborhood are strongly encouraged. Designs that seek to contrast with the existing context are discouraged. This guidance will help protect the established character of each neighborhood, while also allowing new, compatible design.

The area within the OTR Zone, including specific neighborhoods and buildings, conveys a certain sense of time and place associated with its history. It also remains dynamic, with alterations to existing structures and construction of new buildings occurring over time. New buildings and/or construction are not encouraged to look old, rather a new design should relate to the fundamental characteristics of the district while also conveying the stylistic trends of today.

New construction should, to the greatest extent possible, maintain the established mass, scale, height, width, and form of other buildings on the street. New buildings and additions may be larger than earlier structures, but should not be so dramatically greater in scale such that the visual continuity of the street is compromised.

The Planning Department and/or Planning Commission may request a recommendation from an ad hoc architecture committee established by the City Council or the Farmington City

Historic Preservation Commission regarding applications for Permitted Uses or Conditional Uses.

(1) Streetscape. New construction must be compatible and consistent with buildings on adjoining lots and parcels in the general vicinity. To ensure compliance with setback and orientation, mass and scale, building height, building and roof form, materials, and color standards set forth herein, applicants for new construction may be required to provide a plan view of the streetscape showing building elevations (similar to examples contained in the appendix of this chapter), landscaping, and other physical features, of adjacent lots, a series of abutting lots, or lots across the street. The City may also review aerial photographs to ensure a compatible and consistent streetscape.

(2) Setback and Orientation. Situate new buildings such that they are arranged on their sites in ways similar to existing buildings in the area. This includes consideration of building setbacks, orientation, and open space. The Zoning Administrator may reduce the minimum setback standards contained herein, provided such exception shall conform to the following standards:

- (a) The reduction in the setback shall not exceed fifteen (15) feet;
- (b) The setback proposed shall be compatible with the character (including historic qualities related thereto) of the site, and the existing setback of structures on adjacent and surrounding properties.
- (c) The Zoning Administrator and/or Planning Commission may require conditions consistent with the Farmington City General Plan, the intent and purpose of this Title, and other provisions contained herein,

(3) Mass and Scale.

- (a) New buildings and additions must be constructed to reinforce a sense of human scale. This may be accomplished by employing techniques such as these:
 - i. Using building materials that are of traditional dimensions;
 - ii. Providing one story porch on a main building dwelling that is similar to that seen traditionally;
 - iii. Using a building mass that is similar in size to those seen traditionally;

- iv. Using a solid-to-void ratio on all visible facades from the public right-of-way that is similar to that seen traditionally, and using window openings that are similar in size to those seen traditionally. At least 25% of street facing facades, excluding roofs, shall consist of window and/or doors.
 - (b) New buildings and additions shall appear similar in scale to the scale that is established in the block or in the general vicinity. Subdivide larger masses into smaller “modules” that are similar in size to buildings seen traditionally. The area of a new construction or addition shall be equal to or less than that of the main dwelling or original building unless otherwise approved by the Planning Commission as a conditional use;
 - (c) Front elevations shall be designed similar in scale to those seen traditionally in the block. Fronts shall include a one story element, such as a front porch. In certain circumstances a two story element, such as a two story porch, may be appropriate. The primary plane of the front should not appear taller than those of typical structures in the block. A single wall plane should not exceed the typical maximum facade width in the zone.
- (4) Building Height.
- (a) New building height should be similar to those found historically in the vicinity, and shall not exceed twenty-seven (27) feet height;
 - (b) No dwelling structure shall contain less than one (1) story;
 - (c) Except as otherwise provided herein, the height of a new addition shall be equal to or less than that of the original building;
 - (d) Accessory buildings or structures shall be subordinate in height to the main building and shall not exceed 15 feet in height unless approved by the Planning Commission after a review of a conditional use application filed by the property owner.

(5) Building and Roof Form. Building form is an indispensable component which advances the purpose of this Chapter, and visually, the roof is the single most important element in an overall building. New construction, including second story additions, shall comply with the following design guidelines (see also the illustrations in the Appendix):

- (a) Building and roof forms should be consistent with other buildings seen traditionally on the block and in the neighborhood;

(b) Simple rectangular solids are typically appropriate in building form;

(c) Gable and hip roofs are appropriate for primary roof forms in most residential areas. Shed roofs are appropriate for some additions. Roof pitches must be within +/- 2 inches per foot of other roofs on that property and/or adjacent properties of similar era ("shed style" roofs excepted);

(d) If a property owner is proposing to construct a second story but no second story homes exist in the neighborhood, the property owner should consider bringing portions of the roof down to the gutter or eave line of the first story;

(e) Major portions of second-story and/or second story additions should be set away from front, rear and side property lines, and placed over the house and not the garage only; and

(f) No structure shall extend above or beyond a daylight plane having a height of 12 feet at each side property line and extending into the lot or parcel at an angle of 45 degrees with the following encroachments allowed:

i. Television or radio antennas, chimneys, flues, eaves, and skylights;

ii. Dormers or similar architectural features, provided that the horizontal length of all such features shall not exceed a combined total of 15 feet on each side; and

iii. Gables or similar architectural features, provided that the horizontal length of all such features shall not exceed a combined total of 19 feet on each side, measures along the intersection with the daylight plane, and provided that the intersection of the gable with the daylight plane closest to the front property line is along the roof line.

(6) **Materials.** Building materials should contribute to the traditional sense of scale of the block, this will reinforce the sense of visual continuity in the district. New materials that are similar in character to traditional materials may be acceptable with appropriate detailing. Alternative materials should appear similar in scale, proportion, texture and finish to those used historically. They also must have a proven durability in similar locations in this climate. Except for the roof, fascia and soffit, exterior material on the front and side elevations of said structures shall consist of brick, rock, stucco, wood siding or combination thereof, metal and vinyl shall be prohibited. Metal or vinyl exterior materials shall be permitted on windows and doors and on the fascia and soffit, and on the entire rear elevations of said structures. All exterior materials and colors are to be specified on plans for said structures and shall be submitted for approval by the Planning Department and/or Planning Commission.

(7) Color. With respect to colors on an historic building, a scheme that reflects the historic style is preferred, although some new color selections can be compatible. For newer buildings and additions, a color scheme that complements the historic character of the zone should be used. Property owners are particularly encouraged to employ colors that will help establish a sense of visual continuity for the block.

- (a) Keep color schemes simple. Using one base color for the building is preferred. Muted colors are appropriate for the base color. Using only one or two accent colors is also encouraged, except where precedent exists for using more than two colors with some architectural styles.
- (b) Coordinating the entire building in one color scheme is usually more successful than working with a variety of palettes. Using the color scheme to establish a sense of overall composition for the building is strongly encouraged.

Enacted 12/04/02, Ord. 2002-48
Chapter 17 Amended, 7/16/03
Added Conditional Use #13, 09/19/06, Ord. 2006-62
Amended 3/6/07, Ord. 2007-18



Planning Commission Staff Report February 20, 2014

Item 4: Conditional Use and Site Plan Approval Public Works Expansion

Public Hearing:	Yes
Application No.:	C-1-14
Property Address:	720 West 100 North
General Plan Designation:	TMU (Transit Mixed Use)
Zoning Designation:	TMU
Area:	4.29 Acres
Number of Lots:	N/A
Property Owner:	Farmington City
Applicant:	Farmington City

Request: *Applicant is requesting conditional use and site plan approval for the expansion of the Public Works building and parking lot.*

Background Information

The applicant, Farmington City, is requesting approval for a conditional use and site plan to expand the Public Works building and parking lot for property located at 100 North and 700 West. The underlying zone for this property is an TMU (Transit Mixed Use) zone.

When the Public Works building was originally designed, it was anticipated that it would someday need to expand. Because of the hiring of our City Engineer and other staff within both the Public Works and Leisure Services departments, the City wants to expand the building, parking lot and add a few storage garages in the rear yard. Under certain circumstances, staff has the authority to review and approve a building expansion internally. However, in this instance, the expansion of the parking lot will encroach on a shared ROW (100 North). Due to this, staff determined that the applicant would need to obtain a site plan and conditional use approval from the Planning Commission.

Because the City is still waiting on final plans of the proposed expansion and a survey to determine where the ROW is, staff is recommending that a public hearing is held and that the item is tabled until these outstanding issues can be resolved.

Suggested Motion:

Move that the Planning Commission hold a public hearing and table this item.

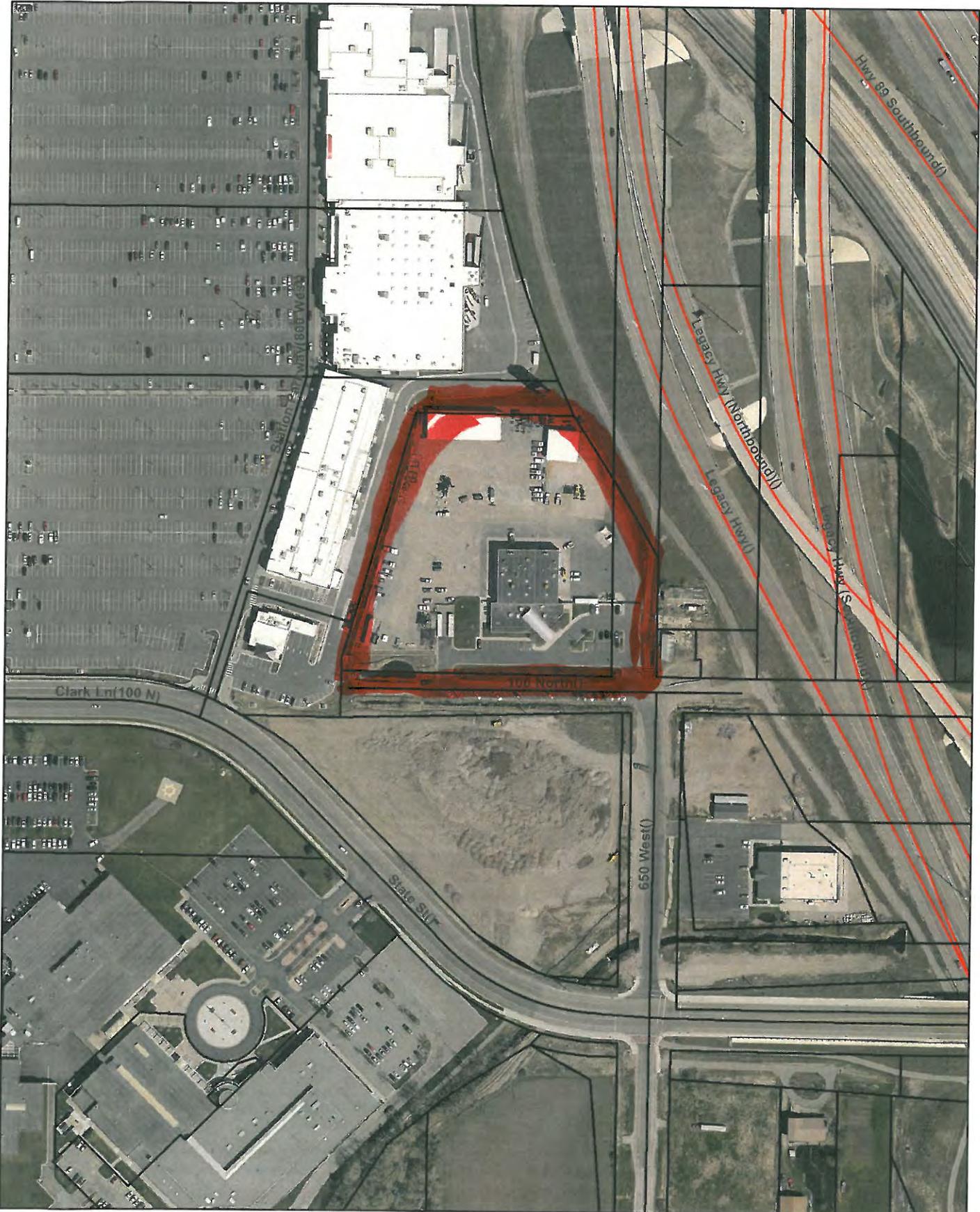
Supplemental Information

1. Vicinity Map
2. Proposed Site Plan

Applicable Ordinances

1. Title 11, Chapter 18 – Mixed Use Districts

Farmington City



CONSULTANTS

NOTE:

Bid documents should not be separated or mixed as partial sets to subcontractors. Bidders are responsible for all portions of the documents that pertain to the work covered by sub-bid. Bidder assumes full responsibility for errors or misinterpretations resulting from use of partial sets of Bidding Documents by itself or any sub-bidder.

Conflicting information or errors found in the construction documents should be brought to the attention of the architect immediately so that questions and concerns may be clarified by addendum. In the event of a conflict in the drawings, bidder should not assume that the least expensive option will meet the project requirements.

PUBLIC WORKS & LEISURE SERVICES BUILDING ADDITION

720 WEST 100 NORTH FARMINGTON, UTAH 84025

PERMIT SET

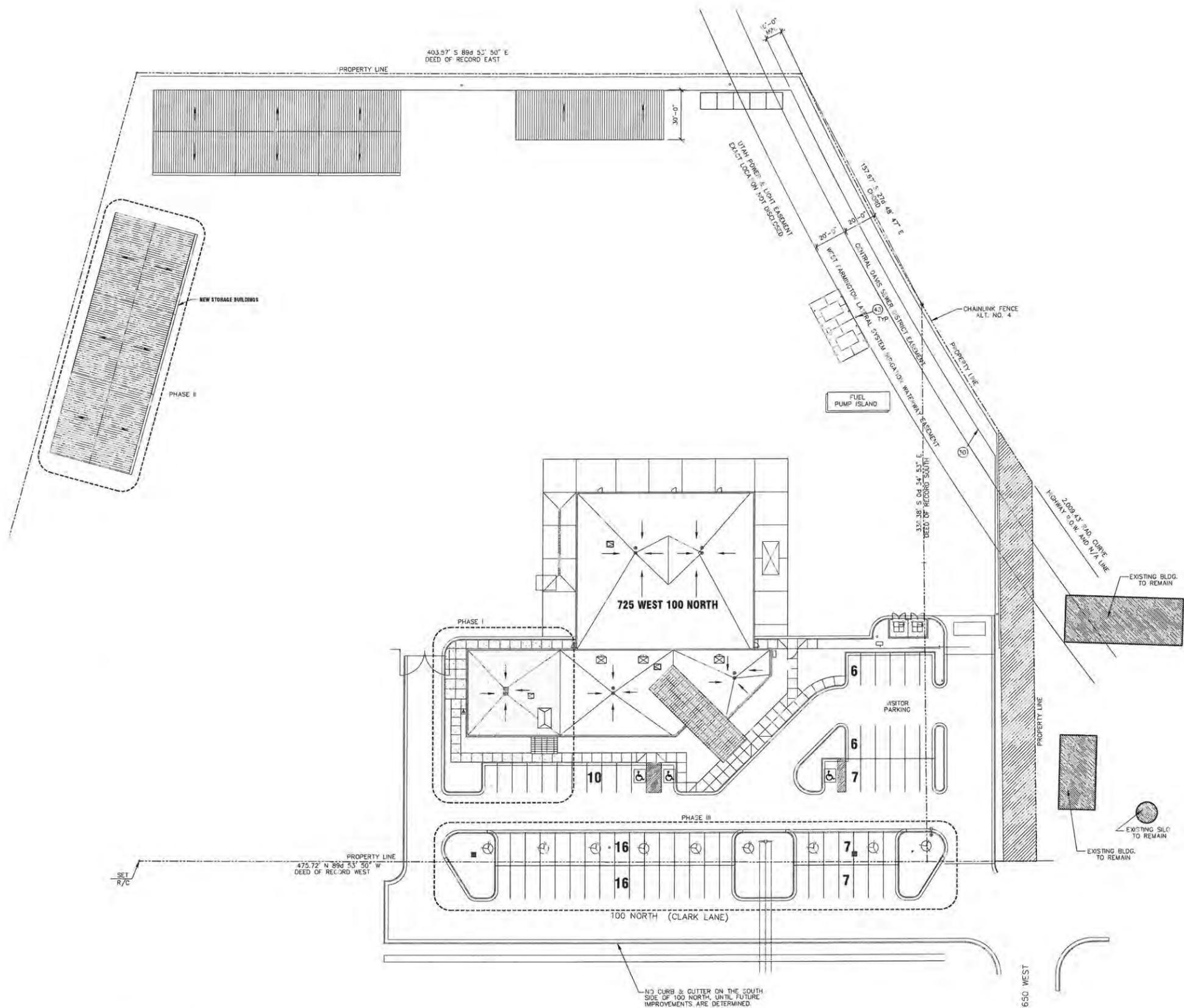
#	DATE	DESC.

ISSUE: 01/29/2014
 PROJECT NO: -
 DRAWN BY: CCS
 CHECKED BY: DD

SHEET TITLE

SITE PLAN

A-0.01



01 SITE PLAN
 A0.01 SCALE: 1/4" = 1'-0"

CONSULTANTS

NOTE:

Bid documents should not be separated or issued as partial sets to subcontractors. Bidders are responsible for all portions of the documents that pertain to the work covered by sub-bids. Bidder assumes full responsibility for errors or misinterpretations resulting from use of partial sets of Bidding Documents by itself or any sub-bidder.

Conflicting information or errors found in the construction documents should be brought to the attention of the architect immediately so that questions and concerns may be clarified by addendum. In the event of a conflict in the drawings, bidder should not assume that the least expensive option will meet the project requirements.

PUBLIC WORKS & LEISURE SERVICES BUILDING ADDITION

720 WEST 100 NORTH FARMINGTON, UTAH 84025

SCHEMATIC DESIGN

#	DATE	DESC.

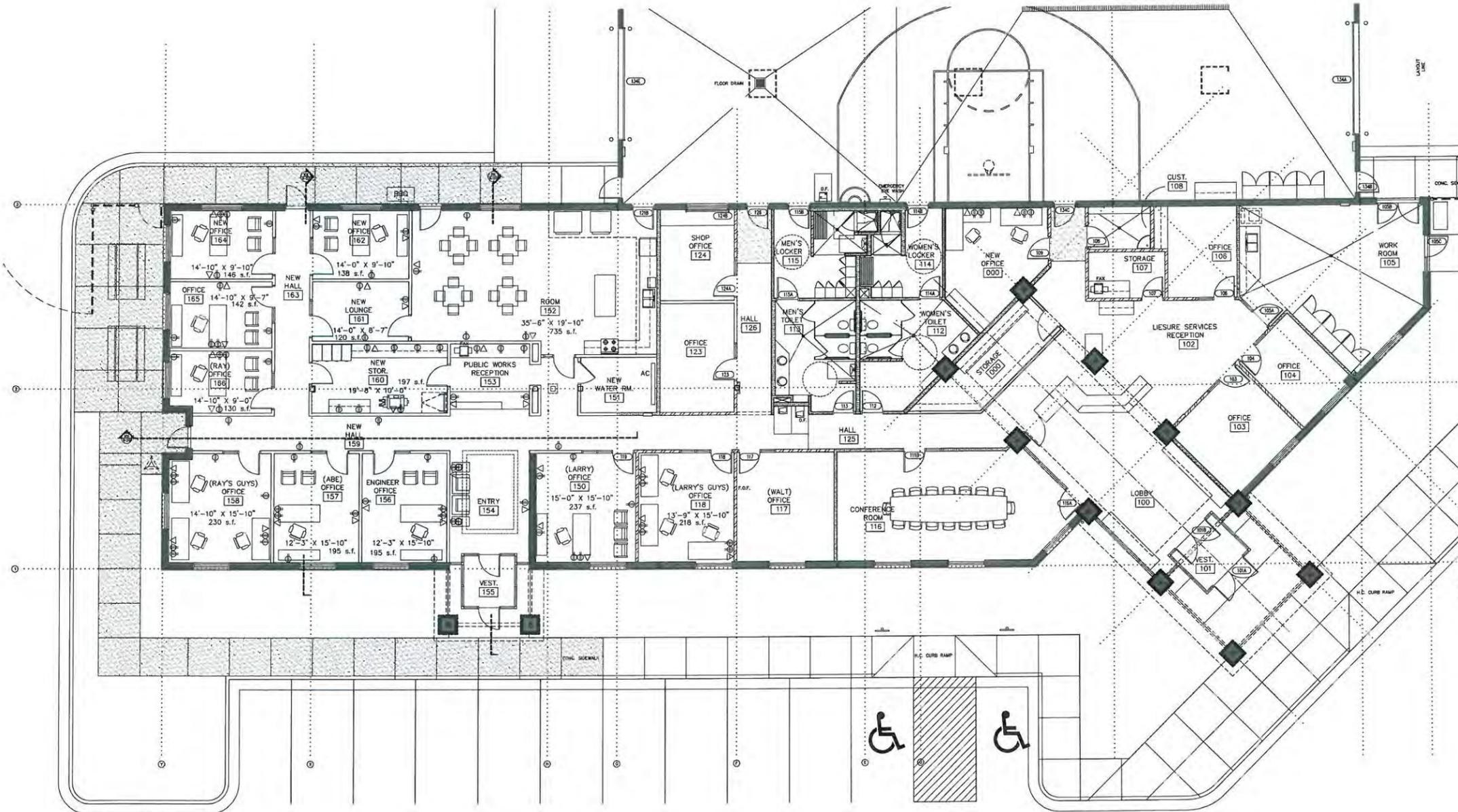
ISSUE: 10/22/2013
PROJECT NO: -
DRAWN BY: CCS
CHECKED BY: DD

SHEET TITLE

FLOOR PLAN

A-1.01

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Planning Commission Staff Report February 20, 2014

Item 5: Building Height and Setback Amendments in the BP Zone

Public Hearing:	Yes
Application No.:	ZT-1-14
Property Address:	NA
General Plan Designation:	O/BP (Office Business Park)
Zoning Designation:	BP (Business Park)
Area:	NA
Number of Lots:	NA
Applicant:	Indulgent Foods, David Cowley

Request: *Applicant is requesting a recommendation to amend the building height in the BP zone from 40 feet to 60 feet and to modify building setback standards accordingly.*

Background Information

Indulgent Foods is located at 228 South 200 West in the office/warehouse facility adjacent to the south boundary of Farmington Junior High. The company is exploring the possibility of constructing an office building on the last remaining site on the west side of the property next to the Frontage Road/I-15. The applicant would like to seek approval for a three story office building 44.5 feet in height, but the height limit in the BP zone is 40 feet.

Prior to May 18, 1994, the property was zoned C-2. The building height in the C-2 was 60 feet. This zone was repealed, and replaced by a newly enacted BP zone (Ordinance 94-22, application #ZT-7-93), which reduced the building height to 40 feet. A search of the file does not show why the Planning Commission reduced the height [note: staff did not, however, conduct a search of meeting minutes].

Suggested Alternative Motion:

A. Move that the Planning Commission recommend approval of the request as presented in the letter from Indulgent foods dated February 4, 2014.

Findings:

1. It is likely that the intent of reducing the building height in this area from 60 feet to 40 feet in 1994 was not to prohibit the creation of 3 story Class-A office buildings as requested by the current applicant.
2. Present office building types call for higher ceilings.

3. The construction of a 3 story Class office building will allow the applicant to expand and keep his business in Farmington. This is good for the City's tax base, and meets the City's economic development goals set forth in the General Plan and elsewhere.
4. Expansion of building activity on the project site will create more jobs for the community.
5. More jobs in Farmington/Davis County will result in less vehicle commuter miles on the transportation network. This will also result in better air quality.
6. High quality three story buildings in BP locations will enhance the City's business friendly image.
7. The increase in height coupled with the modification of setback requirements will not impact residential uses.
8. The modification of building setbacks is more in-line with the "build-to" lines the City has established elsewhere.

- OR -

B. Move that the Planning Commission recommend approval of the request as presented in the letter from Indulgent foods dated February 4, 2014 except amend the building height to read "3 stories" not 40 feet (and not 60 feet as requested).

Findings:

1. Same as alternative motion A, and:
2. The 3 story limit is more reflective of what could happen on the project site and other areas in BP zone districts.
3. By denying a request for 60 feet it does not preclude a future applicant from requesting that height, but the City will be better able to judge the merits of such a request and decide if the 60 foot height is the most appropriate for the BP Zone.

- OR -

C. Move that the Planning Commission recommend approval of the request as presented in the letter from Indulgent foods dated February 4, 2014 except amend the building height to read 45 feet and not 40 feet (and not 60 feet as requested).

Findings:

4. Same as alternative motion A, and:
5. The 45 foot height limit is more reflective of what could happen on the project site and other areas in BP zone districts.
6. By denying a request for 60 feet it does not preclude a future applicant from requesting that height, but the City will be better able to judge the merits of such a request and decide if the 60 foot height is the most appropriate for the BP Zone.

Supplementary Information

1. Letter of request from indulgent food dated February 4, 2014
2. Possible site plan and building elevations from the applicant.
3. Zoning Map showing the location of the BP zone districts city-wide.
4. Chapter 14--Business Park Zone (BP)

Applicable Ordinances

1. Title 11, Chapter 2 – Definitions
2. Title 11, Chapter 28 – Supplementary and Qualifying Regulations



February 4, 2014
Farmington City
160 S. Main Street
Farmington, UT 84025

Re: Requested Zone Text Change – Business Park Zone (BP)

To Whom It May Concern:

We are requesting a change to the text of two sections of Chapter 14 – Business Park Zone (BP) of the Zoning Ordinance of the City of Farmington, Utah.

Here is the existing code for setbacks within the BP Business Park Zone:

11-14-050 Minimum Lot and Setback Standards.

(1) Setback from Streets: The minimum setback from public or private streets shall be twenty (20) feet for buildings or structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional foot for each foot of height over twenty (20) feet. Parking lots shall not be permitted within the minimum required street setback(s).

(2) Commercial side and rear setbacks: The minimum side and rear setbacks from property lines shall be twenty (20) feet for buildings and structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional foot for each foot of height over twenty (20) feet. If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than ten (10) feet in width shall be maintained along the property lines.

We are requesting that the text be changed to:

11-14-050 Minimum Lot and Setback Standards.

(1) Setback from Streets: The minimum setback from public or private streets shall be twenty (20) feet for buildings or structures twenty (20) feet or less in height. **Buildings or structures over twenty (20) feet in height shall be setback an additional 10' feet (30' total).** Parking lots shall not be permitted within the minimum required street setback(s).

(2) Commercial side and rear setbacks: The minimum side and rear setbacks from property lines shall be twenty (20) feet for buildings and structures twenty (20) feet or less in height. **Buildings or structures over twenty (20) feet in height shall be setback an additional 10' feet (30' total).** If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than ten (10) feet in width shall be maintained along the property lines.

Here is the existing code for height standards within the BP Business Park Zone:

11-14-060 Height Standards.

Non-residential buildings or structures in a BP Zone shall not exceed forty (40) feet in height, except accessory buildings, which shall not exceed 15 feet in height unless approved otherwise as a conditional use. Residential main buildings and accessory buildings shall not exceed thirty (30) feet in height.

We are requesting that the text be changed to:

11-14-060 Height Standards.

Non-residential buildings or structures in a BP Zone shall not exceed sixty (60) feet in height, except accessory buildings, which shall not exceed 15 feet in height unless approved otherwise as a conditional use. Residential main buildings and accessory buildings shall not exceed thirty (30) feet in height.

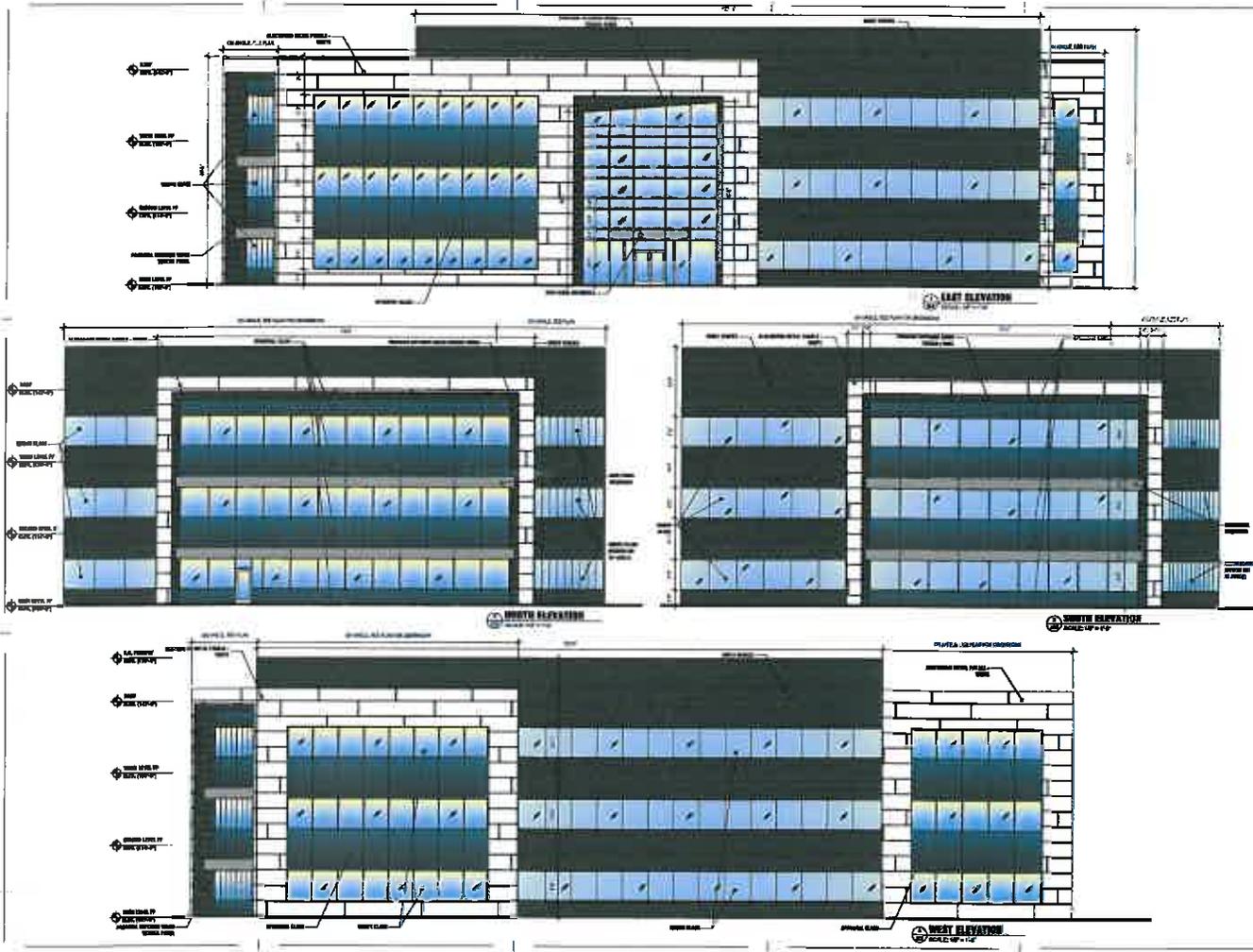
These changes are being requested to allow us to apply for the site development and construction of a 3 story Class-A Office Building on a vacant parcel of land located at approximately 230 S. 200 W. in Farmington, next to the Stephen's Gourmet Warehouse building.

It is our understanding that the height standard was sixty (60') feet at some point in the past. We are requesting that it be changed back to that previous standard as noted.

Sincerely,



David Cowley
President
Indulgent Foods, LLC



Indulgent Foods
 228 South 200 West
 PO Box 18
 Farmington, UT, 84025

Office Building
 (Core & Shell)
 200 West Farmington UT

ARCHITECT'S
SCALE

DATE	DESCRIPTION

ELEVATIONS

A2.6
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CHAPTER 14

BUSINESS PARK ZONE (BP)

11-14-010	Purpose.
11-14-020	Permitted Uses.
11-14-030	Conditional Uses.
11-14-040	Conceptual Plan and Site Plan Review.
11-14-050	Minimum Lot and Setback Standards.
11-14-055	Accessory Buildings and Structures.
11-14-060	Height Standards.
11-14-070	Design Standards.

11-14-010 Purpose.

The purpose of this zone is to provide areas primarily for planned general office and business park developments and related services which will be compatible with, and serve as a transition to, nearby residential areas and will promote a quiet, clean environment. In certain unique locations, residential planned unit developments may also be appropriate to provide this transition. Development in this zone should emphasize a high level of architectural and landscape excellence. These zone districts will generally be established along high volume arterial streets in order to buffer the impacts of these streets from less intensive land uses. The intent is to create an attractive environment that will compliment, and serve as a transition to, surrounding land uses.

11-14-020 Permitted Uses.

The following are permitted uses in the BP Zone after a conceptual development plan has been approved as provided in this Chapter. No other permitted uses are allowed, except as provided by Section 11-4-105(6):

- (1) Agriculture;
- (2) Business and professional offices;
- (3) Commercial testing laboratories and services;
- (4) Data processing services;
- (5) Day care/preschool;
- (6) Funeral home;
- (7) Printing/publishing;
- (8) Public park;
- (9) Public or quasi-public administrative offices (excluding temporary or portable buildings);
- (10) Public utility lines and rights-of-way;
- (11) Research services;
- (12) Residential facility for the elderly;
- (13) Residential facility for the handicapped;
- (14) Seasonal fruit/produce vendor stands;
- (15) Signs complying with provisions of the Sign Ordinance;
- (16) Uses customarily accessory to a listed permitted use.

11-14-030 Conditional Uses.

The following are conditional uses in the BP zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Any development which includes multiple buildings or is proposed on a site which is over one (1) acre in size;
- (2) Athletic or tennis club;
- (3) Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.);
- (4) Financial institutions;
- (5) Light manufacturing uses (fabrication, assembly, treatment, or packaging operations conducted in a totally enclosed building using previously prepared materials);
- (6) Outside storage;
- (7) Planned unit development or condominium, commercial;
- (8) Planned unit development or condominium, residential, in areas where such development provides an appropriate transition from non-residential to lower density residential uses;
- (9) Public and quasi-public uses, other than administrative offices, developed on an undeveloped site (excluding those not specifically listed as a permitted or conditional use) and material additions or modifications on a developed site;
- (10) Public utility substations, wireless transmission towers except as specified in Section 11-28-190, generating plants, pumping stations, and buildings;
- (11) Restaurants (traditional sit-down only);
- (12) Storage/warehousing, as an accessory use, as necessary to maintain a principal use;
- (13) Temporary uses;
- (14) Uses customarily accessory to a listed conditional use.

11-14-040 Conceptual Plan and Site Plan Review.

(1) When a development will include multiple buildings or is proposed on a site which is over one (1) acre in size, an overall conceptual development plan, encompassing the entire site, shall be submitted to the Planning Commission for conditional use and site development review. The intent of this requirement is to commit the developer to a general plan within which individual businesses can be placed. Once approved, any material change to the conceptual plan shall require the approval of the Planning Commission. A material change shall be interpreted as any change which substantially alters the original plan and/or has the potential of causing a significant impact beyond the site.

(2) The conceptual development plan shall include the following specific information and shall also comply with all other applicable standards contained in Chapter 7 of this Title. The plan shall:

- (a) Indicate the location of existing streets and, if applicable, the proposed street layout for the entire development;
- (b) Identify the general location of building pads and the height of all proposed buildings and structures;

- (c) Identify the general location and extent of existing and proposed parking areas;
- (d) Include a conceptual landscape plan showing the general location, density and size of trees, shrubs and ground cover;
- (e) Identify proposed phasing of the project (if any);
- (f) Illustrate the architectural design of buildings including type of materials, colors, and any proposed signs;
- (g) Illustrate the relationship of the proposed development to surrounding uses.

11-14-050 Minimum Lot and Setback Standards.

(1) **Setback from Streets:** The minimum setback from public or private streets shall be twenty (20) feet for buildings or structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional foot for each foot of height over twenty (20) feet. Parking lots shall not be permitted within the minimum required street setback(s).

(2) **Commercial side and rear setbacks:** The minimum side and rear setbacks from property lines shall be twenty (20) feet for buildings and structures twenty (20) feet or less in height. Buildings or structures over twenty (20) feet in height shall be setback an additional foot for each foot of height over twenty (20) feet. If the area of the side or rear setback is used for parking or as a service area, a landscaped strip, not less than ten (10) feet in width shall be maintained along the property lines.

(3) **Residential side and rear setbacks:**

- (a) The minimum side yard setback from non-residential zone boundaries for a new residence in a BP zone shall be twenty (20) feet. A mix of evergreen and deciduous trees and shrubs shall be planted in such yard area to help mitigate potential impacts from adjacent non-residential uses;
- (b) The minimum rear setback from non-residential zone boundaries shall be forty (40) feet. A landscaped strip, not less than twenty (20) feet in width shall be maintained along the rear property line to help mitigate potential impacts from adjacent non-residential uses;
- (c) Side and rear yard setbacks from boundaries of zones which are exclusively residential shall be the same as the adjacent residential zone.

(4) **Minimum lot size:**

- (a) The minimum lot size for a non-residential use or development in the BP Zone shall be one half (½) acre.
- (b) The minimum development acreage for a residential planned unit development or condominium shall be not less than five (5) acres. Lot size, dimensions, and/or arrangement of buildings shall be determined by

the Planning Commission after review of the conceptual development plan. Gross density shall not exceed eight (8) dwelling units per acre.

(5) Lot Width: The minimum lot width in a BP zone, except in a residential planned unit development or condominium, shall be one hundred (100) feet. For individual lots with a single use, one hundred (100) feet of frontage shall be provided on a fully improved public street.

(6) Maximum lot coverage: The maximum percentage of coverage for all buildings and structures in a BP zone shall be fifty percent (50%).

(7) Minimum district size: A BP zone district shall contain not less than five (5) acres.

11-14-055 Accessory Buildings and Structures.

(1) Accessory buildings shall be located to the rear of the main building, shall not encroach on any recorded easement, shall not cause the maximum lot coverage ratio to exceed the standards set forth herein, shall, without exception, be subordinate in height and area to the main building, and shall be reviewed as a conditional use.

(2) Accessory building setbacks:

- (a) Setback from rear and side property lines. No setback is required except as specified below;
- (b) Where office/commercial development in a BP zone share a common property line with a residential zone or a residential use within the BP zone, the minimum setback for the accessory building abutting the residential zone shall be the same as that required for such residential zone.
- (c) The placement of an accessory building shall not interfere with site plan objectives such as traffic circulation, open spaces, landscaping, etc.
- (d) On double-frontage lots, the setback from the rear lot line for accessory buildings shall meet the setback requirement for main buildings.
- (e) Architecturally compatible accessory buildings as approved by the Planning Commission, may be located in the side yard of a lot if all front, side, and rear setbacks are provided as specified herein.

11-14-060 Height Standards.

Non-residential buildings or structures in a BP Zone shall not exceed forty (40) feet in height, except accessory buildings, which shall not exceed 15 feet in height unless approved otherwise as a conditional use. Residential main buildings and accessory buildings shall not exceed thirty (30) feet in height.

11-14-070 Design Standards.

(1) All areas of a developed site not occupied by buildings, required parking, driveways, sidewalks, or service areas, shall be appropriately landscaped with lawn, trees, shrubs

and other landscaping materials in accordance with an approved landscaping plan. A minimum of fifteen percent (15%) of the gross area of a commercial site and forty percent (40%) of a residential site shall be landscaped. Gross area is interpreted as the total site area remaining after any required street dedication.

(2) Parking lots shall be provided with landscaping around the periphery and in islands and bays in the interior of the lot. If parking lots are oriented parallel to the street, a landscaped berm, at least three (3) feet in height, shall be provided between the parking lot and sidewalk in order to help screen vehicles from view.

(3) Street trees shall be planted along the street frontage(s) of all sites and shall be spaced at not more than thirty (30) feet on center. The minimum caliper size for street trees shall be two (2) inches.

(4) In landscape buffers adjacent to residential zones and between residential and non-residential uses within the zone, a mix of evergreen and deciduous trees shall be planted at a ratio of not less than one (1) tree for each three hundred (300) square feet of landscape area. For conditional uses, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site.

(5) All uses located in the zone shall be conducted entirely within a fully enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use, except as specifically approved by the Planning Commission in conjunction with a conditional use application.

(6) Trash storage and dumpsters shall be located in an area convenient for pick-up and shall be screened from public view by a six (6) foot masonry wall.

(7) A masonry or architectural concrete wall or alternative visual barrier as approved by the Planning Commission, at least six (6) feet in height, shall be erected along all development boundaries adjoining a residential zone or a residential use within the BP zone. The required wall shall be constructed prior to, or concurrently with, construction of the first building on the site.

(8) All utility transmission lines shall be placed underground. Transformers, meters and similar apparatus shall be at or below ground level and shall be screened from public view by a wall or fence, landscaping, earth berming, or special architectural treatment acceptable to the Planning Commission.

(9) All uses shall be free from objectionable or excessive odor, dust, smoke, noise, radiation or vibration.

Repealed as Residential-Suburban R-S, 4/1/92, Ord. 92-08

Establish Business Park Zone BP, 5/18/94, Ord. 94-22

Establish Business/Residential Zone BR, 10/19/94, Ord. 94-42

11-13-103(10) Amended, 4/2/97, Ord. 97-17

Recodified from Chapter 13 to Chapter 14, 4/21/99, Ord. 99-19

Business/Residential Zone BR Recodified from Chapter 14 to Chapter 15, 4/21/99, Ord. 99-19

Enactment of Section 11-14-055 and amendment of 11-14-060 - 12/14/05, Ord. 2005-69

Amended, 08/15/06, Ord. 2006-55