

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 agenda for the work session will be to answer questions on items the City Council may have and to hear a quarterly financial update on revenues and expenditures. 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, September 20, 2011, 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

7:05 Approval of Minutes from August 25, 2011 and September 6, 2011.

PUBLIC HEARINGS:

7:10 Public Hearing: Zoning Text Amendments regarding Historic Buildings

SUMMARY ACTION:

7:20 Minute Motion Approving Summary Action List

1. Building Activity Report for August
2. Canvass of Primary Election Results

GOVERNING BODY REPORTS:

7:25 City Manager Report

1. Upcoming Agenda Items
2. To Do Lists

7:30 Mayor Harbertson & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 15th day of September, 2011.

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.

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that City Manager Dave Millheim give the invocation/opening comments to the meeting and it is requested that City Recorder Holly Gadd lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

S U B J E C T: Approval of Minutes of Previous Meetings

ACTION TO BE CONSIDERED:

Minute motion approving the minutes of the City Council meetings held on August 25, 2011 and September 6, 2011.

GENERAL INFORMATION:

Please see enclosed minutes. They have been reviewed by staff and are ready for Governing Body review and approval.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

**FARMINGTON CITY
SPECIAL CITY COUNCIL MEETING
August 25, 2011**

Present: Mayor Scott Harbertson, Council Member John Bilton, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, and Community Development Director David Petersen

Mayor **Harbertson** began the meeting at 4:30 p.m., and the Council reviewed the following agenda items:

Local Consent for Main Events Concession and Catering “On-Premise (Non-Tavern) Beer License” and “On-Premise Banquet Liquor License”

The **Mayor** said that prior to receiving a liquor license from the State of Utah, “local consent” from the City is required. The applicant has submitted a written request, a copy of their Farmington Business License, evidence of proximity to any school, church, public library, playground or park, and a floor plan showing where the liquor will be stored and sold. The City Manager described the process of monitoring the amount of liquor that is consumed and said the Farmington Police Department and/or representatives of the State may use people as “bait” to test whether or not rules are being followed.

Motion

Cory Ritz made a motion to approve the Local Consent forms for the Main Events Concession and Catering “On-Premise (Non-Tavern) Beer License” and “On-Premise Banquet Liquor License”. The motion was seconded by **John Bilton** and approved by Council Members **Bilton, Ritz, Talbot, and Young**.

Revocation and Abandonment of Easement—Farmington Creek Estates, Phase III

Dave Millheim said this item was discussed in detail during the August 16, 2011 meeting, and since that time staff discovered a 1995 ruling specifying that if there is not a designated Questar easement, 15 feet is a safe distance. He recommended that the Council base their decision on a standard and one not specific to Lot 309 and listed the following three options:

1. Leave the easement as it currently exists;
2. Alter the easement to a 15-foot standard;
3. Create a new standard (staff is not recommending this option).

Mr. Millheim said Chevron was not interested in changing their position on this issue or amending the Agreement, and by treating this as a P.U.E., the City retains their ability to control it.

Motion

Cory Ritz made a motion to authorize the **Mayor** to sign and record the enclosed Revocation and Abandonment of Easement form with an alteration to narrow the 40-foot wide Chevron Gas Easement and P.U.E. (as shown on the Farmington Creek Estates Phase III PUD Subdivision Plat), to a 15-foot wide standard easement subject to the following conditions:

1. The petitioner shall provide a legal description whereby the City shall maintain a 15-foot wide P.U.E. west of the west pipeline.
2. The City shall amend the Plat and remove the words "Chevron Gas easement".

The alteration was based on the finding of a 1995 natural gas statute standard. The motion was seconded by **Sid Young** and approved by Council Members **Bilton, Ritz, Talbot and Young**.

ADJOURNMENT

Motion

Jim Talbot made a motion to adjourn the meeting. The motion was seconded by Sid Young, and it was approved by Council Members **Bilton, Ritz, Talbot and Young**.

Holly Gadd, City Recorder
Farmington City Corporation

FARMINGTON CITY COUNCIL MEETING

September 6, 2011

WORK SESSION

Present: Mayor Scott Harbertson, City Council Members: Rick Dutson, Cory Ritz, Jim Talbot and Sid Young. Council Member John Bilton was excused.

Staff: City Manager Dave Millheim, City Finance Director Keith Johnson, Assistant City Planner Christy Alexander, Intern Erin Vogeler, City Recorder Holly Gadd, Police Chief Wayne Hansen, Fire Chief Guido Smith, Street Superintendent Ray White, Parks Superintendent Colby Thackery and Recording Secretary Cynthia DeCoursey.

Candidates for City Council: Justin LeCheminant, Nelsen Michaelson, Cory Ritz, Dustin Siler, Tyler Turner, Ray Walsh, and James Young.

Econowest Associates, Inc.: Doug Macdonald, Scott Macdonald

Mayor Harbertson began the meeting at 5:00 p.m., and an opening prayer was offered by **Jim Young**, Vice Chairman of the Planning Commission.

Doug Macdonald presented Farmington City's Strategic Financial Plan through a power point presentation and explained that the City's #1 macro goal is to continue development in designated areas which will add to the stable tax base and allow other areas of the City to maintain their historical ambience. He said the financial plan and economic model will enable Farmington City's policy makers to ascertain whether certain goals are attainable financially, or if not, to raise taxes or cut expenditures to realize their vision. The development of the plan included the following steps:

1. Reviewed other strategic plans (Clearfield—goal oriented, and Park City—financial);
2. Analyzed Farmington City expenditures from FY 1995 to FY 2011;
3. Reviewed expenditure trends with department heads to ascertain spending drivers;
4. Tested potential spending drivers with expenditures;
5. Built econometric models to forecast spending and revenues;
6. Built several models to forecast Farmington population;
7. Incorporated econometric equations into reduced form to build spreadsheet.

The City's financial, budgeting and planning processes were reviewed, and forecasts of future revenue and expenditure patterns were presented.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members Rick Dutson, Cory Ritz, Jim Talbot and Sid Young, City Manager Dave Millheim, Community Development Director David Petersen, City Finance Director Keith Johnson, City Engineer Paul Hirst, Assistant City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

CALL TO ORDER:

Opening Comments/Invocation/Pledge of Allegiance

Mayor Harbertson opened the meeting at 7:08 p.m. and welcomed those in attendance—including Youth City Council member **Sarah Barfuss**. He offered the invocation, and the Pledge of Allegiance was led by Council Member **Rick Dutson**.

Approval of Minutes

Motion

Jim Talbot made a motion to approve the minutes of the August 16, 2011 with one minor amendment. The motion was seconded by **Sid Young** and approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

At 7:10 p.m. an RDA meeting was held to review a request for RDA funding on property located at 1400 N. Main Street. The City Council meeting resumed at 7:55 p.m.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS

Executive Summary for the Planning Commission meeting held August 25, 2011

Information from the meeting was included in the staff report.

PRESENTATION OF PETITIONS AND REQUESTS:

Final Plat approval for the Farmington Crossing North Phase 5 Subdivision

Assistant City Planner **Christy Alexander** said the Planning Commission recommended approval of this Final Plat during their August 11, 2011 meeting. **Rick Dutson** asked if a swimming pool is planned for this phase of the Subdivision.

Noel Ballsteadt, 8501 S. Taos Drive, Sandy, Garbett Homes, said a petition is being distributed to Farmington Crossing residents asking if they are still in favor of having a swimming pool. He said the splash pad has been popular.

Dave Millheim read from the City Council July 12, 2011 staff report: “a motion was made to reapprove the Farmington Crossing Phase 5 Schematic Plan, subject to all applicable Farmington City ordinances, development standards and the same conditions and findings previously by the City and additional findings 1-9, and to reflect the existing Final PUD Phase 4 except that the applicant shall construct a swimming pool and related facilities in Farmington Crossing concurrently with Phase 5.” He reminded Garbett that if any changes were made, approval would be necessary.

Motion

Jim Talbot made a motion to approve the Final Plat for the Farmington Crossing North Phase 5 Subdivision (93 lots) to reflect the existing Final (PUD) Master Plan, subject to the same conditions and findings for the Schematic Plan as previously approved by the Planning Commission on April 26, 2006 and to approve the Final Plat for the Farmington Crossing North Phase 5 Subdivision to reflect the existing Final (PUD) Master Plan Plat approval and subject to the same conditions and findings

established by the City Council and as set forth in the August 11, 2011 City staff report—supplemental items #1-6 and applicable ordinances #1-3. The motion was seconded by **Sid Young** and approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

SUMMARY ACTION:

Minute Motion Approving Summary Action List

- 1. Approval of Disbursement Lists for July**
- 2. Lot Line Adjustment (Jonathan and Natalie Shurtliff)**
- 3. Ratification of Approvals of Construction & Storm Water Bond Logs**

Motion

Sid Young made a motion to approve the items on the Summary Action List. **Rick Dutson** seconded the motion which was approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

GOVERNING BODY REPORTS:

City Manager Report

1. The upcoming agenda items list is included in the packet.
2. A simple economic development packet was compiled by City staff to provide information to CNN Money Magazine for their “best places to live” list. It required considerable time and effort, and staff believes it will contribute to the City’s marketing strategy in the future. **Rick Dutson** commended them for their efforts and suggested several changes: (1) include a letter from the **Mayor**, (2) change the folder color from green to black, (3) upgrade the quality of the paper, (4) hire a capable person to review the entire packet, and (5) include it on the website.
3. He asked **Neil Miller** to research the possibility of expanding the current Cemetery. While it may not be the ideal or final solution, it may meet the City’s short-term needs. When the new veteran’s memorial is completed, there will be 10-12 additional plots near the existing flagpole. **Sid Young** said he understands the need for more space, and he will listen to the proposal, but the park is very well used and appreciated by the public. He asked that input from the residents in the area be considered.
4. Owners and/or architects sometimes make major changes to their building plans following the initial plan review by the City’s building official. If additional Plan Reviews are requested, there will be a minimum 2-hour charge at the discretion of the building official.
5. The Planning Commission approved a conditional use permit for a Hampton Inn, but there was one issue that was unclear. The applicant thought he received approval to leave the barbed wire fence up on the north side of the property until further development occurs. However, an adjoining homeowner has filed an appeal regarding the fence, and the issue will be reviewed by the Council at an upcoming meeting.
6. PBS has a show called the Journal, and as a result of being named #12 on the “Best Places to Live” list, the producer of the Journal called and asked if Farmington would like to have the

PBS crew come out and do a piece on Farmington City. The cost would be approximately \$16,000. The Council said they were not interested in pursuing this opportunity.

Mayor Harbertson

- He attended a meeting with Key Bank and Brighton Homes regarding the Old Farm Property.
- He attended a West Davis Corridor meeting, and **Randy Jefferies** presented preliminary plans for the new alignments; however, the final alignment will not be available for six months.
- He met with **Jason Burningham** to discuss the City's water rates. A suggestion was made that the City implement two water rates—a commercial rate and a residential rate. **Dave Millheim** explained that when the water rate was analyzed a year ago, the commercial rate was not adequately reviewed. City staff will continue to study this issue.
- He attended a meeting with Zions Bank to discuss investment opportunities. They plan to be involved and make donations to the City, but they would also like the City's business.
- The Fire Department received a new truck through a government grant, and the Job Corps has converted it from an army truck into a grass fire truck which holds 2000 gallons of water.
- He received an email regarding life insurance awareness month--the Council chose not to participate.
- The League of Cities and Town Convention will begin with a Policy Committee meeting on Tuesday, September 13, 2011.
- He asked **Holly Gadd** to send flowers to Centerville **Mayor Russell**—his wife recently passed away, and her funeral will be held on Saturday, September 10, 2011.
- **Steve Cox**, who was recently hired as a part-time fire marshal, passed away unexpectedly. Fire Chief **Guido Smith** and other staff from the fire department attended the funeral and sent a letter to his wife. An autopsy was performed, but no results have been released.

Cory Ritz

- He was approached by a resident who complained about the open ditch area on west Clark Lane near the Station Park storm water extension. It is currently a blight—yard waste and other refuse is repeatedly dumped into the ditch, and flooding has also occurred. The resident suggested piping the open ditch and connecting the sidewalk because of recent additional foot traffic in the area. **Dave Millheim** reported that he has asked the City's Traffic Engineer to study the pedestrian access from the south side of Clark Lane to Station Park, and he will ask him to study this issue also.
- A resident on the east side of 650 West would like to obtain access to Weber irrigation water. **Mr. Millheim** asked for his name and address and said he would contact the resident.
- A Farmington resident would like the City to sponsor fast pitch softball. She is experienced and willing to assist with the program. **Dave Millheim** said the main issue would be availability of

fields. **Mr. Ritz** said the Davis School District planned to build a ball diamond on the northeast corner of the high school property and wondered if that could be done in the near future. **Dave Millheim** will have Neil Miller look into the possibility.

Rick Dutson

- He attended a Youth City Council meeting. **Kauri Tye** attended and seemed to be in fairly good spirits, but her recovery is ongoing.
- He is very concerned about the signage near Park Lane and asked the City Manager to contact UDOT again regarding the matter.

Sid Young

- He has recently been approached by a number of residents who are interested in riding ATVs on City streets. The issue was discussed several years ago, but further research shows ATVs are not legal within a City of more than 7500 residents unless specific routes are designated and marked for ATV use. The Council discussed several issues—including possible routes and the difficulty of enforcement and decided not to pursue the marking of routes at this time.
- He asked if cost estimates for the paving of three City streets—Oak Lane, Bay View, and Oakridge—have been obtained. The **Mayor** said money is not available for the project until the U.S. Forest Service land is finalized, and he asked **Mr. Young** to speak with resident **Jim Hansen** regarding the issue.
- He asked for an update of the **Stevenson** property purchase, and the City Manager said he recently received the documents--**Mr. Young** would like to hand deliver the documents.

Jim Talbot

- Many residents have complained about a smoke shop that recently opened in the Smith's shopping center. He informed them that the shop is allowed in a C-2 zone. He encouraged the residents to contact the Boyer Company with their complaints.
- Another resident is concerned about the type of people who are "hanging out" near the Harmon's store. **Dave Millheim** said the area is patrolled by police officers on a daily basis.

CLOSED SESSION

Motion

At 9:30 p.m. **Rick Dutson** made a motion to adjourn to a closed session to discuss strategy as it pertains to potential litigation and to discuss the acquisition of real property by reasons permitted by law. The motion was seconded by **Cory Ritz** and approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Scott C. Harbertson, Mayor

Motion

At 10:15 p.m. a motion to reconvene into an open meeting was made by **Rick Dutson**, seconded by **Cory Ritz**, and approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

ADJOURNMENT

Motion

At 10:15 p.m. **Rick Dutson** made a motion to adjourn the meeting. The motion was seconded by **Cory Ritz** and approved by Council Members **Dutson, Ritz, Talbot** and **Young**.

Holly Gadd, City Recorder
Farmington City Corporation

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

S U B J E C T: Public Hearing: Zoning Text Amendments regarding Historic Buildings

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. See enclosed staff report for recommendation.

GENERAL INFORMATION:

See enclosed staff report prepared by Dave Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: September 9, 2011

SUBJECT: **SPECIAL EXCEPTION ORDINANCE AMENDMENT FOR HISTORIC BUILDINGS**

RECOMMENDATIONS

1. Open the public hearing and take comment.
2. Approve the enclosed ordinance amending Section 11-3-045(1) regarding special exceptions for historic buildings and structures and enacting a new definition for adaptive reuses (Section 11-2-020(3)).

Findings:

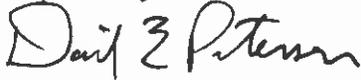
1. The proposed amendment is reasonably necessary because there may be some historic buildings and structures now or in the future that cannot economically be restored and/or preserved without the existence of a viable adaptive reuse.
2. It is in the public interest because such actions will enhance and stabilize neighborhoods, foster civic pride, preserve Farmington's heritage and history, and continue to strengthen a sense of place and community.
3. The Farmington City General Plan is based on the overall goal of creating within the community a healthy, attractive, and pleasant living environment for its residents. This goal is the most significant element underlying the General Plan. The text amendments strongly support this goal.

BACKGROUND

Farmington City enacted Section 11-3-045 of the Zoning Ordinance regarding Special Exceptions on December 4, 2002 (Ordinance 2002-48). Paragraph (1) of this section states in part: "A special exception is an activity or use incidental to or in addition to a principal use

permitted in a zoning district or an adjustment to a fixed dimension standard permitted as an exception to the requirements of this Title". It is proposed that the City expand this language to include adaptive re-uses, which may or may not be allowed in a particular zone, for the purpose of restoring and preserving historic buildings and structures. The City Attorney reviewed the proposed text amendment and is alright with it as long as it is narrowly limited to historic buildings as presently drafted.

Respectively Submitted



David Petersen
Community Development Director

Concur



Dave Millheim
City Manager

FARMINGTON, UTAH

ORDINANCE NO. 2011 -

AN ORDINANCE AMENDING SECTION 12-3-045(1) AND ENACTING 11-2-020 (3) OF THE FARMINGTON CITY MUNICIPAL CODE REGARDING SPECIAL EXCEPTIONS FOR ADAPTIVE REUSES IN HISTORIC BUILDINGS AND/OR STRUCTURES (ZT-2-11).

WHEREAS, the Planning Commission has held a public hearing in which the proposed text changes for Sections 12-3-045(1) and 11-2-020(3) of the Farmington City Municipal Code were thoroughly reviewed and the Planning Commission recommended that these changes be approved by the City Council; and

WHEREAS, the Farmington City Council has also held a public hearing pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Amendment. Section 12-3-045(1) of the Farmington City Municipal Code are hereby amended to read in its entirety as set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 2. Enactment. Sections 12-2-020(2) of the Farmington City Municipal Code are hereby amended and enacted to read as set forth in Exhibit "A" attached hereto and by this reference made a part hereof, whereby the remainder of Section 12-2-020 will be re-codified as necessary.

Section 3. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 20th day of September, 2011.

FARMINGTON CITY

Scott C. Harbertson, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT "A"

SECTION 11-3-045 SPECIAL EXCEPTIONS.

(1) Purpose. A special exception is an activity or use incidental to or in addition to a principal use permitted in a zoning district or an adjustment to a fixed dimension standard permitted as an exception to the requirements of this Title or an adaptive reuse of a building or structure eligible, or that may be eligible, for the National Register of Historic Places so long as the adaptive re-use does not compromise such eligibility. A special exception has less potential impact than a conditional use but still requires careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing its establishment on any given site. This Section sets forth procedures for considering and approving special exceptions to the provisions of this Title.

11-2-020 Definitions.

(3) Adaptive Reuse. Rehabilitation or renovation of existing building(s) or structure limited to residential and/or office uses(s) other than the present use(s).

CHAPTER 3

PLANNING COMMISSION

- 11-3-010 **Planning Commission.**
- 11-3-020 **Members.**
- 11-3-030 **Organization and Procedure.**
- 11-3-040 **Functions and Duties.**
- 11-3-045 **Special Exceptions**
- 11-3-050 **Appeals.**

11-3-010 **Planning Commission.**

There is hereby created, pursuant to Utah Code Ann. § 10-9-201, as amended, a Planning Commission of the City to recommend and monitor the planning and development of the City whose primary duty shall be to act as an advisory commission to the City Council on all matters pertaining to planning and zoning. The Planning Commission shall be known and may be referred to as the Farmington City Planning Commission.

11-3-020 **Members.**

(a) Number. The Planning Commission shall be comprised of seven (7) members who shall be appointed by the Mayor with the advice and consent of the City Council.

(b) Terms. The members shall be appointed to staggered terms of four (4) years, provided that members may be appointed to terms shorter than four (4) years when necessary to provide for staggered terms and efficient operation of the Commission. Members may be reappointed for successive terms.

(c) Alternate Members. Two (2) alternate members may be appointed by the Mayor with the advice and consent of the City Council. An alternate member may take the place and serve in the same capacity as a regular member in the event that a regular member is absent from a meeting. Alternate members shall serve for terms of one year, which may be renewed annually at the discretion of the Mayor with the advice and consent of the City Council.

(d) Removal. The members shall serve at the pleasure of the City Council, and the Mayor may remove any member of the Planning Commission upon majority vote of the City Council with or without cause.

(e) Vacancy. A vacancy occurring on the Planning Commission by reason of death, resignation, removal or disqualification, shall be promptly filled by a replacement appointed by the Mayor with the advice and consent of the City Council for the unexpired term of the replaced member.

(f) Compensation. The City Council may fix per diem compensation for the members of the Planning Commission, based upon necessary and reasonable expenses and on meetings actually attended by the members.

(g) Status. The members shall be deemed "volunteers" for purposes of City ordinances, rules, regulations, and policies concerning personnel, provided however, they shall

be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Ann. § 63-30-1, et seq., as amended.

11-3-030 Organization and Procedure.

The Planning Commission shall be organized and exercise its powers and duties as follows:

(a) **Chairperson.** The Planning Commission shall elect one of its members as Chairperson to oversee the proceedings and activities of the Planning Commission and one of its members to act as Vice-Chairperson to assist the Chairperson and to act as Chairperson in the event the Chairperson is unable to attend a meeting or act for any reason. The City Council shall ratify the Chairperson and Vice-Chairperson elected by the Planning Commission. The Chairperson and Vice-Chairperson shall serve for a term of one (1) year. The Chairperson or Vice-Chairperson acting as the Chairperson, shall have the power to vote on all matters. The Chairperson and Vice-chairperson may be elected for successive terms.

(b) **Rules.** The Planning Commission may adopt reasonable policies and procedures for governing the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission. Such policies and procedures shall be approved by the City Council before taking effect.

(c) **Meetings.** The Planning Commission shall meet on the second and fourth Thursday of each month at the hour of 7:00 p.m., and/or such other times as deemed necessary by the Chairperson, City Manager or City Council. All meetings shall be properly noticed and held in accordance with the open meetings law set forth in Chapter 4, Title 52 of the Utah Code Annotated, as amended. Written minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the City Recorder for review and access by the public in accordance with the City Government Records Access and Management Ordinance.

(d) **Quorum.** No official business shall be conducted by the Planning Commission unless a quorum of the members are present. Four (4) members of the Planning Commission shall constitute a quorum. Unless otherwise provided by law or City Ordinance, the minimum number of yes votes required for the Planning Commission to take action on any matter shall be by majority vote of the members of the quorum present. The concurring vote of four (4) members is necessary to reverse any order, requirement, decision or determination of any administrative official or agency or to decide in favor of the appellant.

11-3-040 Functions and Duties.

It shall be the function of the Planning Commission to oversee the proper development of property within the City in accordance with pertinent City Ordinances and provisions of Chapter 9, Title 10, of the Utah Code Annotated, as amended. The duties of the Planning Commission shall include, but shall not be limited to, the following:

(a) prepare and recommend a general plan, street plan, zoning map, zoning ordinances, and any other relevant proposals or recommendations to the City Council for the proper development of property within the City;

(b) prepare and recommend any additions, changes, or amendments to the City's general plan, street plan, zoning map, zoning ordinances or other relevant items to the City Council for the proper development of the City;

- (c) administer the provisions of the zoning ordinances;
- (d) recommend subdivision ordinances and regulations and amendments thereto to the City Council;
- (e) recommend approval or denial of subdivision applications;
- (f) advise the City Council on matters requested by the City Council;
- (g) hear or decide any matter that the City Council designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;
- (h) prepare and recommend programs for public improvements and the financing thereof to the City Council; and
- (i) exercise any other powers that are necessary to enable the Planning Commission to perform its function or that are delegated to it by the City Council.

SECTION 11-3-045 SPECIAL EXCEPTIONS.

(1) Purpose. A special exception is an activity or use incidental to or in addition to a principal use permitted in a zoning district or an adjustment to a fixed dimension standard permitted as an exception to the requirements of this Title. A special exception has less potential impact than a conditional use but still requires careful review of such factors as location, design, configuration and/or impacts to determine the desirability of authorizing its establishment on any given site. This Section sets forth procedures for considering and approving special exceptions to the provisions of this Title.

(2) Authority. When expressly provided for under the provisions of this Title, the Planning Commission is authorized to approve special exceptions to the provisions of this Title in accordance with the terms and provisions set forth in this Section.

(3) Initiation. A property owner, or the owner's agent, may request a special exception to the provisions of this Title in accordance with the procedures set forth herein.

(4) Procedure. An application for a special exception shall be considered and processed as follows.

(a) A complete application shall be submitted to the Zoning Administrator in a form established by the City along with any fee established by the City's Fee Schedule. The application shall include at least the following information:

- (i) The name, address and telephone number of the applicant and the applicant's agent, if any.
- (ii) The address and parcel identification of the subject property.
- (iii) The zone, zone boundaries and present use of the subject property.
- (iv) A complete description of the proposed special exception.
- (v) A plot plan showing the following:

- (A) applicant's name;
- (B) site address;
- (C) property boundaries and dimensions;
- (D) layout of existing and proposed buildings, parking, landscaping, and utilities; and
- (E) adjoining property lines and uses within one hundred (100) feet of the subject property.

(vii) Such other and further information or documentation as the Zoning Administrator may deem necessary for a full and proper consideration and disposition of a particular application.

(b) After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission.

(3) A staff report evaluating the application shall be prepared by the Zoning Administrator.

(4) The Planning Commission shall hold a public meeting and thereafter shall approve, approve with conditions or deny the application pursuant to the standards set forth in Section 11-3-045(5) below. Any conditions of approval shall be limited to conditions needed to conform to the special exception to approval standards.

(5) After the Planning Commission makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.

(6) A record of all special exceptions shall be maintained in the office of the Zoning Administrator.

(5) Approval Standards. The following standards shall apply to the approval of a special exception.

(a) Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the City as a whole, or upon public facilities and services. These conditions may include but are not limited to conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this Title. Such conditions shall be expressly set forth in the motion authorizing the special exception.

(b) The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:

(i) Will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;

- (ii) Will not create unreasonable traffic hazards;
- (iii) Is located on a lot or parcel of sufficient size to accommodate the special exception.

(6) Effect of Approval. A special exception shall not authorize the establishment of any use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any approvals or permits that may be required by this Title or other applicable provisions of the Farmington City Municipal Code.

(7) Amendments. The procedure for amending a special exception shall be the same as the original procedure set forth in this section.

(8) Expiration. Subject to an extension of time, a special exception which is not exercised within one hundred eighty (180) days shall expire and have no further force or effect.

11-3-050 Appeals.

Any interested person aggrieved of a final decision of the Planning Commission may appeal such decision in accordance with the procedures set forth in Chapter 4 of this Title regarding rights of appeal.

11-3-200 and 11-3-300 Amended, 2/20/91, Ord. 91-10
Chapter 3 Renumbered and Recodified, 11/19/97, Ord. 97-55
11-3-045 Special Exceptions, 12/4/02, Ord. 2002-48
11-3-020 amended 2/6/07 Ord. 2007-08

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

SUBJECT: Minute Motion Approving Summary Action List

1. Building Activity Report for August
2. Canvass of Primary Election Results

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Month of August 2011	BUILDING ACTIVITY REPORT - JULY 2010 THRU JUNE 2011				
RESIDENTIAL	PERMITS THIS MONTH	DWELLING UNITS THIS MONTH	VALUATION	PERMITS YEAR TO DATE	DWELLING UNITS YEAR TO DATE
NEW CONSTRUCTION *****					
SINGLE FAMILY	7	7	\$1,631,500.00	127	127
DUPLEX	2	2	\$313,000.00	2	2
MULTIPLE DWELLING	0	0	\$0.00	5	324
OTHER RESIDENTIAL	0	0	\$0.00	16	16
SUB-TOTAL	9	9	\$1,944,500.00	150	469
REMODELS / ALTERATION / ADDITIONS *****					
BASEMENT FINISH	2		\$186,800.00	56	
CARPORT/GARAGE	0		\$0.00	5	
ADDITIONS/REMODELS	2		\$25,000.00	14	
SWIMMING POOLS/SPAS	0		\$0.00	6	
OTHER (waterheater, elec meter, covered deck)	3		\$8,616.00	96	
SUB-TOTAL	7		\$220,416.00	177	
NON-RESIDENTIAL - NEW CONSTRUCTION *****					
COMMERCIAL	2		\$1,950,500.00	15	
PUBLIC/INSTITUTIONAL	1		\$8,625.00	4	
CHURCHES					
OTHERS	0		\$0.00	3	
SUB-TOTAL	3		\$1,959,125.00	22	
REMODELS / ALTERATIONS / ADDITIONS - NON-RESIDENTIAL *****					
COMMERCIAL/INDUSTRIAL	3		\$129,712.00	25	
OFFICE				3	
PUBLIC/INSTITUTIONAL					
CHURCHES				1	
OTHER				3	
SUB-TOTAL	3		\$129,712.00	32	
MISCELLANEOUS - NON-RESIDENTIAL *****					
Signs, Retain Wall	4		\$29,500.00	32	
SUB-TOTAL	4		\$29,500.00	32	
TOTALS	26	9	\$4,283,253.00	413	469

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

SUBJECT: City Manager Report

1. Upcoming Agenda Items
2. To Do Lists

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

Upcoming Agenda Items

October 4, 2011 - Staff Reports Due: September 23rd

Work Session: Paving Tour and Substation

Action Items:

- Approval of Minutes of Previous Meetings

Public Hearings:

- Hampton Inn Appeal

Summary Action Items:

- Ratification of Approvals of Construction & Storm Water Bond Logs
- Approval of Disbursement Lists

Discussion Items:

- Bob Hasenyager to recognize Diana Vos (Director of Great Salt Lake Nature Center at Farmington Bay)
- Interface Fire Engine
- Planning Commission Report
- To Do List
- Mayor & City Council Reports

City Council Action List

Dept.	Status	Meeting Date	Item
Dave P	Not Started	January 18, 2011	Talk to Dave M. on sidewalk survey and how we are going to address missing links created by wetlands, no development plans, etc.
Keith	Not Started	January 18, 2011	Work up general guidelines for use by community groups for after hours use of building.
Walt	Not Started	January 18, 2011	Contact County Health Department and prepare memo outline of fluoride requirements as they relate to water system. Ask Dave M. issues before you call.
Dave M	Not Started	March 1, 2011	Have Todd draft letter to the Evans related to future cooperation needs and our disappointment with them in not resolving all property matters with CenterCal.
Dave M	Not Started	March 1, 2011	Decide what triangular piece of Property City owns on West side?
Dave M	Not Started	March 29, 2011	Talk to CRS on Well site plan. Make sure site plan goes through noticing process with neighbors at PC and CC level.
Dave M	Not Started	April 19, 2011	Call Todd Godfrey on Farr trail easement issue and get 60 day request in play to review options.
Neil	Not Started	April 19, 2011	See me on cemetery update report. How much of a priority is this?
Dave M	Not Started	June 7, 2011	Get with Sid Young on Forest Service Road issues.
Dave M	Not Started	June 7, 2011	Get with Title Company and Bank and see how to identify possible foreclosed property or bank owned property for park or cemetery sites in City.
Wayne	Not Started	June 7, 2011	Work with me on cross walk issue for 200 East. See me for details and possible letter to UDOT.
Dave P	Not Started	June 7, 2011	Beautification plan for Park Lane interchange. Talk to Dave M about this.

City Council Action List

Dave M	Not Started	June 21, 2011	Get meeting scheduled with Paul Hirst and Sid Young on Forest Service Road issues.
Walt	Not Started	July 19, 2011	Talk to Dave on gate and signage for Farmington Canyon near pond entrance.
Guido	Not Started	July 19, 2011	Dave wants to see 8/16 staff report on Fireworks ban. season recap and potential new restrictions map no later than Monday the 8th.
Dave M	Not Started	August 16, 2011	Make sure to coordinate with Tyler Servoss (bike race) on noticing of neighbors affected. getting written verification of City being listed as add. Insured for \$1 Million and \$2,000 deposit and approve route safety plan and personnel plan.
Dave M	Not Started	August 16, 2011	Greg Garfield Easement - Get aerial map prepared to draft in improvements to be made to Point of View Park. Have Neil and Guido sign off before improvements are constructed. Encourage Greg to get it done within one year.
Dave M	Not Started	August 16, 2011	Set up meeting with Jason Buringham on Lagoon water use issue after talking to Larry F.
Wayne	Not Started	August 16, 2011	Get with Tyler Servoss to discuss the bike race issues.
Keith	Not Started	August 16, 2011	Get written verification of City being listed as add. Insured for bike race and \$2,000 deposit for personnel costs.
Neil	Not Started	August 16, 2011	Talk with Dave M and Keith regarding Spring Creek Park options now that grant is not approved.
Dave P	Not Started	August 16, 2011	HAWS Development Agreement amendment - set up conference call with Todd to address modifications (use of funds allowed, keep things safe with impact fee rules, possibly bring back on the 25th to CC)
Dave M	Not Started	September 6, 2011	Notify PBS - Do not want to do the marketing issue.
Dave M	Not Started	September 6, 2011	Talk to Kris Peterson UDOT on improved signage in the Park Lane overpass area.
Wayne	Not Started	September 6, 2011	Talk to Dave M about sidewalk issue from Ranches to Station Park.

City Council Action List

Keith	Not Started	September 6, 2011	Get with Larry F about Commercial Water Rate issue with timelines for completion. Give update to Dave M.
Keith	Not Started	September 6, 2011	Get with Dave M on scheduling out the follow up for the MacDonald study. Prioritization with staff and special meeting with CC.
Neil	Not Started	September 6, 2011	Cemetery expansion was telegraphed. Talk to Dave M about plan, timing, issues and how we communicate to the neighbors.
Neil	Not Started	September 6, 2011	Fast pitch softball. See Dave M on Council comments. School District property NE corner of bus area/future High School ground. Talk to Gary Payne
Dave P	Not Started	September 6, 2011	Talk to Ralph Gibbons and ask him to look closely at illegal dumping by area residents in area of Ranches and Station Park along Clark Lane.
Dave P	Not Started	September 6, 2011	RDA - Make sure all conditions are met as outlined in the motion. Arrange site tour for Eric to inspect. Start thinking about draft agreement regarding Affordable Housing.
Guido	Not Started	September 6, 2011	Report to Dave M on gym usage for the memberships paid by the City.

City Council Action List

Dept.	Status	Meeting Date	Item
Dave M.	Initiated	November 16, 2010	Doug Allen property acquisition for water tank. Work with Sid Young & Paul Hirst.
Dave P.	Initiated	December 14, 2010	FYI - I assigned Eric Miller to track the warranty period and punch lists for the completion of this building. (On going)
Walt	Initiated	December 14, 2010	Talk to Well Driller and Paul Hirst about plans to open up the future pump house site to allow access to Forbush Park from the East through the site. CRS is working on this
Dave M.	Initiated	January 5, 2011	Set up meeting with County on Court Services. Discuss with Department Heads any issues to bring up with County regarding improved prosecution needs, if any. (Waiting for information from County)
Dave P.	Initiated	January 5, 2011	Give Dave M status of Cory Ritz trail easement. What needs to be done to put this to bed?
Holly	Initiated	January 5, 2011	Find electronic drawing pad used for remote accessing screen. Train Dave P., Cynthia and Dave M. on how to use CC AV stuff.
Dave M.	Initiated	January 18, 2011	Work with Tim Taylor on improved signage request for I-15 and get to UDOT. Make sure Davis Clipper article goes with request to add emphasis.
Dave M.	Initiated	January 18, 2011	Nag Bryson Garbett on Nadine Simon to see when they will have something we can act upon.
Dave M.	Initiated	February 16, 2011	Change ROW notice letter to be defined \$65 fee. Hand deliver to affected providers. Begin negotiating new agreements. Make sure Public Works understands new rules.
Dave P.	Initiated	February 16, 2011	Come back to PC with recommended components for Affordable Housing compliance. Think multi-year and only tools we could accomplish in Farmington without a lot of administrative oversight. Staffing is limited.
Dave P.	Initiated	March 1, 2011	How do we monitor Kambouris landscaping requirement? (Follow up)
Dave P.	Initiated	March 1, 2011	Do survey of neighboring cities signs for timing, temp vs. permanent, sizing, residential vs. commercial. Bring back SR to City Council with recommendations.

City Council Action List

Dave P.	Initiated	March 1, 2011	Do Flag Lot study and prepare future Staff Report. How big is program? Steps to mitigate? Is conforming criteria for future development (splitting) good enough or do we need more?
Dave P.	Initiated	March 29, 2011	Get matrix done on all existing approvals, development agreements, plats, etc. no later than April 22nd.
Dave P.	Initiated	March 29, 2011	Discuss with Dave M. specific list of projects you wish to complete FY using extra dollars we found in budget discussions. Specifically the Alley Rose home.
Dave P.	Initiated	April 19, 2011	Get Ally Rose house project underway. Write memo to City Council explaining what projects are in process. What projects do you want to do with extra dollars from budget?
Dave M	Initiated	June 7, 2011	Talk to Verizon representative on height, co-location and specificity of design before they come back for consideration on cell tower.
Walt	Initiated	June 7, 2011	Spring Clean-up guidelines were approved but fix typo on sheet to specify 10 inch diameter so there is no confusion. Make sure we get those guidelines in City newsletter next year in advance of clean-up with emphasis that rules will be enforced.
Dave P	Initiated	June 21, 2011	Have Eric Miller put final punch list together for City Hall cleanups. Provide list to CC
Dave P	Initiated	July 19, 2011	Work with Paul Hirst on Well House sit plan and elevations per comments received from Council. Take through site plan process with City as the applicant.
Dave P	Initiated	July 19, 2011	Get Eric Miller started on generator bids for emergency backup for City Hall.
Dave P	Initiated	August 16, 2011	Get Verizon site plan application for cell tower in front of PC. Dave needs to review staff report before it goes out.
Dave P	Initiated	August 16, 2011	Blake Mathews - Address all issues listed on Dave's email. Easement language, existing PUE easement, Chevron, and existing swimming pool issue.
Dave P	Initiated	August 16, 2011	Stake holder's meeting for business park. Set date and get notices out with copy of CC staff report. Start noticing and ordinance preparation for those related items needing to go before PC

CITY COUNCIL AGENDA

For Council Meeting:
September 20, 2011

SUBJECT: Mayor Harbertson & City Council Reports

To be given at City Council meeting.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.