

**FARMINGTON CITY
PLANNING COMMISSION MEETING
March 23, 2017**

STUDY SESSION

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

Item #3. Katharine Hawkes (Public Hearing) – Applicant is requesting conditional use permit approval for a secondary dwelling unit above an attached garage on .73 acres of property located at 151 East 300 North in an OTR (Original Townsite Residential) zone. (C-4-17)

Eric Anderson said this item is for a secondary dwelling unit (SDU) above an attached garage. He explained SDUs are a good way to build density within a city without building more rooftops. He said the property being discussed is located on a large lot in the OTR zone. The existing home on the property sits on the southeast corner. The applicant would like to build onto the back and west side of the home with an SDU above the garage. **Eric Anderson** clarified that the Planning Commission is not reviewing the home addition or garage; the OTR design guidelines will dictate the setbacks, height limitations and more. The Planning Commission is only reviewing and voting on the SDU. **Bret Gallacher** asked about the email received from residents stating that what is being proposed violates the OTR zone. **Eric Anderson** said what is being proposed is allowed, as well as the additions the applicants are looking to build; however, any discrepancies in the applicant's site plan would require a variance from the zoning administrator. He again emphasized that the site plan is not before the Commission, but the Commission is only reviewing the conditional use permit for the SDU above the garage.

Kent Hinckley asked why the Commission would even consider not allowing for the SDU above the garage. **Eric Anderson** said some residents may argue that it changes the nature of a single-family residential neighborhood, but he feels that is not a compelling argument. **Kent Hinckley** asked if there are areas in the City that have SDUs listed as a conditional use, but that the City may not want SDUs in those locations. **Eric Anderson** said he is not aware of any locations, but if there are, a zone text change needs to be discussed for those areas. **Alex Leeman** clarified that conditional uses are allowed for an area as long as reasonable conditions can be placed on the use to mitigate any concerns. **Heather Barnum** said she feels SDUs are an appropriate way for a city to grow while maintaining open space and not having to build out more apartment buildings. She feels this use still feels residential. **Alex Leeman** reminded staff that he would like the clause stating if the home is sold, the future homeowner would have to reapply for the conditional use permit on the SDU removed. **Eric Anderson** said the change will be on the next omnibus zone text amendment.

Item #4. Jason Anderson / Enswell Fabrication (Public Hearing) – Applicant is requesting conditional use permit approval for a light manufacturing operation involving custom fabrication on 2.95 acres of property located at 1224 South 650 West Suite 2a in an LM&B (Light Manufacturing and Business) zone. (C-5-17)

Eric Anderson said the applicant is proposing to build a light manufacturing operation that fabricates furniture, automobile accessories, and other types of goods. **Kent Hinckley** asked if the reason the applicant is before the Commission is because they are proposing an office in the front. **Eric Anderson** said no, the office use is permitted in the LM&B zone; however, the fabrication component of their business requires conditional use approval. He explained the only term that applies to what they want to do is “light manufacturing,” but does not specifically includes fabrication of furniture. The Commissioners agreed with staff that what is being proposed sounds like light manufacturing. **Eric Anderson** said if that is the case, it should not be listed as a conditional use approval as light manufacturing is the purpose of the LM&B zone. He said that change could be discussed at the next omnibus zone text change. **Kent Hinckley** asked if the business hours are a concern, as no residential homes surround the building. **Eric Anderson** said staff is comfortable with that condition being removed.

REGULAR SESSION

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

Item #1. Minutes

Bret Gallacher made a motion to approve the Minutes from the March 9, 2016 Planning Commission meeting. **Alex Leeman** seconded the motion, which was unanimously approved.

Item #2. City Council Report

Eric Anderson gave a report from the March 21, 2017 City Council meeting. He said the 650 W. improvements are still being discussed. The City Engineer received 5 bids for the 650 W. that include curb, gutter, sidewalks, and more. He said a bid was decided on, but that there will still be some painful and difficult times moving forward as the City goes about collecting on extension agreements. **Eric Anderson** said the City Council went with the Planning Commission’s recommendation for approval on the Zoning Ordinance Amendment to the Business Park (BP) zones. **Heather Barnum** asked about the Kaysville Boundary Adjustment that was on the City Council’s agenda. **Eric Anderson** said it was a small piece of property that a man wanted to bring in from Kaysville to Farmington. He explained the majority of the resident’s property was already located in Farmington.

SUBDIVISION

Item #3. Katharine Hawkes (Public Hearing) – Applicant is requesting conditional use permit approval for a secondary dwelling unit above an attached garage on .73 acres of property located at 151 East 300 North in an OTR (Original Townsite Residential) zone. (C-4-17)

Eric Anderson said the property being discussed is located in the OTR zone. The applicant is requesting a conditional use permit for a secondary dwelling unit that will be located above the garage. Since the garage will be attached to the existing home, it is considered a secondary dwelling unit and not an accessory dwelling unit. He explained the building permit will require all setback and height requirements be met, as per Chapter 17 of the Zoning Ordinance, which covers the OTR zone and its

design guideline standards. **Eric Anderson** reminded the Commission that the only thing being considered at this time is the secondary dwelling unit. Staff feels that a secondary dwelling unit is a good fit and recommends its approval.

The applicant was present and available for questions. The Planning Commission did not have any questions for the applicant at this time.

Heather Barnum opened the public hearing at 7:12 p.m.

Heather Barnum read the email received by residents Glenn and Carolie Parker into the record. The Parkers asked that the item be postponed until more information is provided to neighbors that will be impacted, and information about how the proposed structure violates the OTR zone.

Heather Barnum closed the public hearing at 7:13 p.m.

Alex Leeman said, as was previously discussed in the Study Session, there is little room to deny a conditional use permit on a secondary dwelling unit like what is being proposed. He said he understands Mr. and Mrs. Parker's request to table the item; however, he said he does not see any basis for denial so there is no reason to table the item. **Kent Hinckley** also pointed out that the information the Parkers are requesting is covered under the building permit process, which is not within the Planning Commission's purview. **Bret Gallacher** agreed with moving forward on the motion.

Motion:

Kent Hinckley made a motion that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following condition: the applicant shall obtain all other applicable permits for the operation of the conditional use including but not limited to a building permit subject to all applicable building codes. **Bret Gallacher** seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
2. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
5. The proposed use will have to meet the standards for a main building in the OTR zone, including new construction design guidelines, and cannot bring the existing home into non-compliance.

CONDITIONAL USE PERMIT

Item #4. Jason Anderson / Enswell Fabrication (Public Hearing) – Applicant is requesting conditional use permit approval for a light manufacturing operation involving custom fabrication on 2.95 acres of property located at 1224 South 650 West Suite 2a in an LM&B (Light Manufacturing and Business) zone. (C-5-17)

Eric Anderson said the property being discussed is the south unit of the existing building. He said Chapter 26 of the Zoning Ordinance, which covers “Light Manufacturing,” does not specifically list fabrication as part of the definition. He said there is one part of their fabrication that fits under a conditional use permit that is allowed in the LM&B zone. **Eric Anderson** also noted that a zone text change in the future might be appropriate to make the LM&B uses more specific to include fabrication. He said that may be discussed at the next omnibus zone text change. **Eric Anderson** said based on the narrative provided by the applicant, the use will be low impact and fit within the intent of the LM&B zone. Staff is recommending approval as staff feel it is a good use within the zone.

Jason Anderson, 1983 W. Ranch Rd, said he is available for questions. **Kent Hinckley** asked about the sentence in the provided narrative that states they “intend on purchasing and remarketing vehicles.” He asked how that would be the case as most dealerships have cars lined up on the exterior of the building. **Jason Anderson** said the nature of their business is more hot rod and other longer term projects. They focus on “higher-end” builds. He said the dealership side is not the main part of the business, but they do plan to use it as an additional revenue stream. He said it may result in selling a few cars a month. **Kent Hinckley** asked where they plan to park the finished cars as there is not much room for parking. **Jason Anderson** said they have parking in the front, side and back of the building; however, due to the high-end, rare quality of cars they are selling, the vehicles will not remain parked outside for an extended length of time or overnight.

Alex Leeman asked why there is a condition to the motion restricting business hours. **Eric Anderson** said it is a “boiler-plate” condition for conditional uses; however, it is just a suggestion and can be amended. He said this condition might better apply to something that is more of an office use or even a construction site trailer. **Eric Anderson** pulled up the GIS map; the commissioners and staff verified that the business is not close to residential uses. **Heather Barnum** asked the applicant when he plans to be operating. **Jason Anderson** said they will be working normal business hours; however, there will be times that they will work odd hours during nights, mornings, and weekends. He also pointed out that the building is made of 6-8” concrete walls so the noise will be significantly less than in a regular building. **Alex Leeman** proposed to strike the first condition from the motion; the commissioners agreed with removing it.

Heather Barnum opened the public hearing at 7:26 p.m.

No comments were received.

Heather Barnum closed the public hearing at 7:26 p.m.

Kent Hinckley said he feels this is a good use for this location in the LM&B zone.

Heather Barnum asked if there are hazardous materials stored on site. **Jason Anderson** said there will be paint and other highly combustible materials, but that could also be said for gas and other chemicals as well. **Heather Barnum** said she feels the second condition to the motion could limit the nature of the applicant’s business. **Eric Anderson** said that as part of the business license process, the Fire Marshal will review the materials they have on site; the Fire Department has a list of materials that will not be allowed. He said the Fire Department’s list of unacceptable materials also depends on the type of building and use, so the applicant may have some flexibility as well. **Heather Barnum** suggested amending the condition to the motion to read, “No hazardous materials shall be stored on site unless approved by the Fire Marshal.”

Motion:

Bret Gallacher made a motion that the Planning Commission approve a conditional use permit for Enswell Fabrication to be located at 1224 South 650 West Suite 2A, subject to all applicable Farmington City codes, ordinances, and development standards and the following conditions:

1. Normal business hours shall be limited to 6 a.m. to 6 p.m. Monday through Friday;
2. No hazardous materials shall be stored on site unless approved by the Fire Marshal.

Alex Leeman seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed use is low impact in comparison to many light industrial and manufacturing uses.
2. The proposed use of the particular location is necessary to provide a service or facility which will contribute to the general well-being of the community.
3. The proposed use complies with the regulations and conditions in the Farmington City ordinance for such use.
4. The proposed use conforms to the goals, policies, and governing principles of the Comprehensive General Plan for Farmington City.
5. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods, and other existing and proposed development.
6. Adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation are available.
7. Such use shall not, under the circumstances of this particular application, be detrimental to the health, safety, or general welfare of the persons residing or working in the vicinity, or injurious to the property or improvements in the vicinity.

OTHER

Item #6. Miscellaneous a) Discussion on Vacant Lot in Farmington Greens Subdivision

Eric Anderson said this only a discussion regarding the vacant lot on the corner of Clark Lane and 1525 W. He said in 1998 when the PUD was being reviewed and approved, Wayne Petty noticed a line in the PUD chapter of the Zoning Ordinance that made reference to allowable commercial development. Mr. Petty said that he felt the line allowed for commercial use in the PUD, and the City's then attorney agreed with Mr. Petty's interpretation. At the time, there were no restrictions or definitions on the type of commercial development, except it had to fit on the parcel. The City and nearby residents were concerned it would become a convenience store or gas station.

Eric Anderson said the City recently received an application from Mr. Petty's group for an apartment complex. Currently, the PUD and Development Agreement for the Farmington Greens Subdivision is maxed out for residential homes, so the only way to bring in the units would be to rezone the property to a multi-family zone or use TDRs in exchange for the units. **Heather Barnum** asked why apartments would be a good fit in this area. **Alex Leeman** expressed concern that other proposed apartment complexes have not even been built yet. **Eric Anderson** said the ratio for single family to multi family has remained at around 9:1, even with the new apartments going in.

Eric Anderson said staff wanted to bring this item before the Planning Commission and City Council's attention as the rezone and the TDR request are both discretionary and legislative. **Eric Anderson** said it appears that some neighbors are in favor of apartments in lieu of a convenient store; however, staff feels it will be good to hold a public meeting regarding the application to find out how the residents actually feel about what is being proposed. **Eric Anderson** said the developer is going to do a neighborhood meeting to collect public input before it comes before the Planning Commission and City Council.

ADJOURNMENT

Motion:

At 7:43 p.m., **Kent Hinckley** made a motion to adjourn the meeting, which was unanimously approved.



Heather Barnum
Chair, Farmington City Planning Commission