

**FARMINGTON CITY**  
**PLANNING COMMISSION MEETING**  
March 17, 2016

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**STUDY SESSION**

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

**Item #3. Russell Wilson/Symphony Homes – Requesting Recommendation for Schematic Plan Approval for the Pheasant Hollow Subdivision**

**David Petersen** discussed the two previous plans that preceded what the applicant is presenting tonight. He explained the last plan was a 15 lot subdivision and a pocket park. He said the Public Works department was never excited about maintaining another pocket park, and that the developer was having a challenging time being able to make the plans fully work. The developer decided to cut the density, put 4 larger lots in lieu of a cul-de-sac and have one connecting street all the way through for the City to maintain. He explained the 4 larger lots, Lots 6, 7, 8, and 9, is being proposed to be accessed by a private drive. **David Petersen** also said the private drive will be built and maintained by the developer and will have an easement over it as the sewer line will be routed under it. Staff and the commissioners more fully discussed this option and the requirements of the ordinance regarding flag lots and private streets.

**Eric Anderson** suggested amending the motion to read that the Planning Commission recommends approval of “the schematic plan subject to all applicable Farmington City ordinances and development standards, and the following condition...” as well as remove Condition #1 and Finding for Approval #6 and amend Condition #2 to include “lots 6, 7, 8 and 9.”

Staff and the commissioners discussed the proposed plan. **David Petersen** said he feels the public will enjoy the layout more, and reminded the commissioners the applicant previously completed a geotech report for each lot. **Eric Anderson** added that with the layout, that means some lots may have 2 completed geotech reports.

Upon further reviewing Section 12-7-030(2), **Kent Hinckley** asked what justification the Planning Commission may state for approving the private road. He wondered if the cul-de-sac could have been shifted in order to make it work. **Eric Anderson** explained the cul-de-sac would have been more expensive; to make it financially work, the applicant would have had to increase his density back to 15 lots. **Alex Leeman** also pointed out that Findings for Approval #2 states the private street enables the developer to decrease the density of the development which is beneficial in light of the soil condition. **Kent Hinckley** asked for clarification as to why lower density is beneficial for the soil. **David Petersen** said the lower the density means less weight on the soil, and the lower amount of asphalt and roof tops also means less storm drain runoff which has the potential to build up and exasperate the area. **Eric Anderson** also added that allowing the developer to do a private road helps Central Davis Sewer District (CDS) with their sewer line as all manholes will now be located in asphalted or hard surfaced areas.

**Item #4. Nate and Anna May – Requesting Recommendation for Schematic Plan Approval for the Owl’s Landing Subdivision**

**Eric Anderson** said the applicants want to develop Owl’s Landing, which is located on the corner of Shirley Rae Dr. and Glovers Lane. They are proposing a 5 lot subdivision in an AA (Agricultural – Very Low Density) zone; the minimum lot size for the AA zone is 10 acres. This subdivision is approximately 2.1 acres so based on the yield plan, it does not result in any lots. According to the TDR Subdivision Ordinance, additional lots can be brought in. The applicants are looking to rely on the TDR to create a subdivision. This has never been done before, and its feasibility is a question of interpretation, which is the reason for a Motion A and a Motion B. Additionally, the property falls below the 4218 line. There is skepticism if the property can convey storm water off site. **Chad Boshell**, the City Engineer, stated there are other constraints besides storm water. He said there is no clear drainage of this property so he is unsure where or if the property drains. He recommended before the commission moves on this project that a surveyor shoots elevations to see where the property drains. **Chad Boshell** said the other constraint is the relocation of the power poles in order to widen the road. He said it is the developer’s responsibility to work with Rocky Mountain Power to make it happen, which they are doing.

**Heather Barnum** expressed concern that these lots seem small. She wants it to be consistent with the surrounding area. **David Petersen** reminded the commissioners of Bruce Bassett’s schematic plan that he received approval on, which also included a TDR approval. He said that approval was more logical as the City needed to finalize the construction of 1100 W; however, it was not to set a precedence as TDR approvals are a legislative act. **David Petersen** pointed out that Glovers Lane is also an important road, especially with plans for the future high school to be located on Glovers Lane. This project could be beneficial in improving Glovers Lane.

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**REGULAR SESSION**

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

**Item #1. Minutes**

**Dan Rogers** made a motion to approve the Minutes from the March 3, 2016 Planning Commission meeting. **Connie Deianni** seconded the motion which was unanimously approved.

**Item #2. City Council Report**

**Eric Anderson** gave a report from the March 15, 2016 City Council meeting. He said someone presented information regarding the Air Show at Hill AFB, which is the largest event in Utah. There was also a proposal for a community garden in West Farmington by Karen Rigby. The Sunset Hills Plat Amendment was approved and the Active Transportation Plan was adopted. The City Council approved the annexation of approximately 20 acres for the Residences at Farmington Hills subdivision, but chose to annex it with the recommendation of LR in lieu of the Planning Commission’s recommended zone designation of A. **David Petersen** stated the City Council was concerned with some of the uses within zone A, including uses commercial in nature and the allowable accessory building size. **Eric Anderson**

said the City Council also approved a study to design the Right-In and Right-Out on Highway 89 just north of the new Mercedes-Benz dealership which may reduce traffic that enters local streets.

## **SUBDIVISION APPLICATIONS**

### **Item #3. Russell Wilson/Symphony Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Pheasant Hollow Subdivision consisting of 10 lots on 4.55 acres located at approximately 700 South and 50 East in an R (Residential) zone. (S-4-16)**

**Eric Anderson** said this is the third iteration of this development. He said there is currently a gap on 700 S. He said the applicant is proposing a 10 lot subdivision (which was previously up to 15 lots). It would provide a connection for the 700 S. gap, and will include a private drive to access 4 lots. He said all lot standards have been met; however, Section 12-7-030(2) does not allow for private streets except by Planning Commission approval. **Eric Anderson** said it is up to the Planning Commission to determine if 3 lots having frontage on a private street is allowed.

**David Petersen** said the previously proposed 15 lot concept plan had much smaller lots. He said the proposed cul-de-sac was not built to standards as it did not have park strips and only had sidewalk on one side. Also, the previous development included a pocket park which the Parks Department was not excited to maintain. When the developer returned with the revised development, staff felt it was a significantly better proposal as it includes the important 700 S. connection all the way through, and it is lower density. If the developer still proposed the cul-de-sac, the density would have to be increased to make it financially reasonable. **David Petersen** also pointed out that fewer lots means less storm water runoff and less weight on the soil. He said he feels this is a win-win situation for the City, the community and the developer.

**Heather Barnum** asked if there will be sidewalk on the private drive. **David Petersen** said no, but there will be sidewalk on both sides of the road for the 700 S. connection.

**Russell Wilson**, 526 N. 400 W., North Salt Lake, representative for Symphony Homes, said he feels this iteration is the best fit for this sensitive area. He said there will be less road maintenance, less homes and will include a lot of the natural vegetation. He said they have met with the Fire Department and received their standards for the private road and a turn-around area. He said they have also met with CDSO regarding the sewer line. **Russell Wilson** said they will realign the sewer line to be through the private street so all manholes will be in asphalted or hard surfaced areas for easy access by CDSO.

**Alex Leeman opened the public hearing at 7:21 p.m.**

No comments were received.

**Alex Leeman closed the public hearing at 7:21 p.m.**

**Kent Hinckley** asked staff their feelings on not having sidewalks on the private road. **David Petersen** said the Planning Commission didn't require full sidewalks on both sides of the cul-de-sac on previous iterations of the development. Also, this private road will service 4 lots, which results in approximately 40 trips a day. **David Petersen** said he personally feels comfortable without sidewalks on the private road.

**Alex Leeman** read Section 12-07-030(2) and reviewed it. He asked the commissioners if they feel they have enough information to satisfy the approval of a private street. Staff and the

commissioners discussed the issues. **David Petersen** said the new iteration provides decreased density. **Kent Hinckley** said it also provides the important connection of 700 S and assists CDS with their sewer line. **Heather Barnum** asked if the private road will be maintained by an HOA. **Eric Anderson** said it is something that will be determined by the developer. **David Petersen** said there are a few other private streets in the City that have a reciprocal access easement over the street. He said this often helps property owners “get along” better without having the hassle of an HOA.

**Motion:**

**Kent Hinckley** made a motion that the Planning Commission recommend that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following condition that the applicant shall provide a reciprocal access easement and private street for Lots 6, 7, 8, and 9 and have this easement recorded against the property prior to final plat. **Dan Rogers** seconded the motion which was unanimously approved.

Findings for Approval:

1. As part of a previous approval, the applicant has provided geotech reports that exceed what is normally required for a subdivision of this size.
2. The decrease in density, and removal of the cul-de-sac road is preferable due to the potential impact from poor soils and topographic issues.
3. The bridging of the 700 South gap is beneficial to the City and provides much needed east-west connection, and will help alleviate pressures on 620 South, Glover Lane, and 450 South.
4. Although the applicant is utilizing the alternative lot size, he is not requesting any TDRs to meet that minimum standard.
5. The densities requested are comparable or exceed those of surrounding neighborhoods, and by clustering the smaller lots along 700 South and placing the larger lots interior to the project, the subdivision is context sensitive to the area.
6. The private street allows the developer reduced density which is better for the soils types in the area, higher density results in greater storm water runoff which may also exasperate these soil types, meanwhile lower density that is proposed by the applicant results in less storm water runoff.
7. The private street will assist Central Davis Sewer District in terms of the sewer line’s location and accessible manholes.

**Item #4. Nate and Anna May (Public Hearing) – Applicant is requesting recommendation for schematic plan approval for the Owl’s Landing Subdivision consisting of 5 lots on 2.17 acres located at approximately Glover’s Lane and Shirley Rae Drive in an AA (Agriculture Very Low Density) zone. (S-3-16)**

**Eric Anderson** said this proposed project is located at Shirley Rae Dr. and Glovers Lane. The applicant is requesting 5 lots on approximately 2.17 acres which is currently zoned AA. As it was discussed during the Study Session, the subdivision is predicated on a TDR transaction. Typically, the use of a TDR takes place after the subdivision has been created. It is up to the Planning Commission to determine if a development can be created through the sole use of a TDR. **Eric Anderson** also said there are questions regarding drainage on the property, including storm water runoff as the property is below the 4218 line. He said two proposed motions are included, but that part of the motion is also recommending if the TDR makes sense in this circumstance.

**Nate & Anna May**, 59 S. 300 W., said they are modeling their proposal after what was approved for Bruce Bassett and Troy Holzer's subdivision. They are not asking for anything new or anything liberal, but what has been approved across the street. He said the lot sizes are larger than what was approved in the Bassett/Holzer subdivision. He said there is concerns with the drainage. They have talked extensively with the City Engineer, Chad Boshell. **Nate May** said they anticipate needing to bring in a lot of fill and design around the drainage concerns. There are a lot of improvements they will be asked to make, including bringing in a sewer line. There are many property owners that have not been able to do anything with their lots so they are willing to share the cost to bring the line out. **Nate May** said there will be a lot of improvements they will be asked to make; he feels this subdivision and the improvements will add value to the City and the area.

**Alex Leeman** asked the applicant to discuss the power lines, as was mentioned in the Study Session. **Anna May** said Rocky Mountain Power (RMP) came out and moved the power lines 6 months ago. She said RMP stated the City should have anticipated the need to further widen the road and thus request to move the power lines further back. **David Petersen** corrected RMP's comment; RMP never told the City they were relocating power lines, otherwise, the City would have let them know future plans to widen the road. **Anna May** said they are working with RMP on the best way to handle moving the power lines as it is typically up to the developer to front the full cost. **Chad Boshell** added that if a few power lines are moved at once, RMP must anchor the lines differently which is more costly. If the City has plans to move all power lines on Glovers Lane at once to widen the road, there may be some middle ground to have RMP assist with it.

**Alex Leeman** asked the applicant what their time line is for this project. **Nate May** said they would like to move as quickly as possible.

**Heather Barnum** asked if there were plans for development in this area of the City. **Kent Hinckley** said it was his impression that only Bruce Bassett was considering development of his property, and an error with the title company put the 1100 W. ROW in Mr. Bassett's yard. **Dan Rogers** said the commission does not know that for sure, but, it did seem to expedite the process.

**Heather Barnum** asked the applicants if this is a phase that will lead into a larger development. **Nate May** said no, they originally were looking to purchase a large lot for them to build and live on. He said the profit to gain at this point makes them interested in the property, and if approval is granted tonight, they will move forward working with engineers and excavators to resolve concerns. **Anna May** added that as they were looking for a large lot to live on, they found this lot and felt they could divide it into two lots to make it worth it; however, development costs went up resulting in the need to further subdivide the property. She said 5 lots will still make it worth it. **Alex Leeman** asked if the applicants own the property at this time. **Nate May** said they are under contract to purchase the property. They wanted to come before the Planning Commission first before closing although the seller is anxious to close.

**Alex Leeman opened the public hearing at 7:34 p.m.**

**Jonathon Hughes**, 927 S. Mountain Side Cir., said he owns property across from the proposed subdivision. He said they have had the similar discussions with staff regarding having to pay for utilities and improvements in order to develop their land. In order to pay for the utilities, there needs to be enough lots to make it possible and to make a profit. He said that it has been a challenge with the current AA zone. He feels in order to get Glovers Lane and 1525 W. improved, there will have to be a coordinated cooperation between the City and the property owners to find a solution that is good for everyone. He feels the TDR is a good tool to make it happen.

**Lara Johnson**, 1656 Farm Meadow Rd., said she has seen many proposed TDRs, and is not specifically opposed to this project, but is opposed to the use of a TDR in this way. In the past discussions regarding Mr. Bassett's subdivision, the Planning Commission expressed concern the smaller lots and TDR would set a precedence for other property owners. The applicant stated the reason they are coming before the commission is they are only requesting what has already been approved in the Bassett subdivision. **Lara Johnson** said she feels the difference between the Bassett subdivision and what is being proposed tonight is that Mr. Bassett joined with Troy Holzer's property which had a higher yield plan. The proposed subdivision is being created solely through the use of TDRs. **Lara Johnson** expressed concern that approving this subdivision could portray to other property owners in West Farmington that they too will get approval to create small lot subdivisions on their property solely through the use of TDRs.

**Alex Leeman closed the public hearing at 7:44 p.m.**

**David Petersen** provided a little history on TDRs. He said it is a discretionary item found in Chapter 28 of the Zoning Ordinance. He explained the theory behind it. The City purchased land for the regional park. The City paid market value for it as well as traded things to obtain the full property. The City estimated approximately 100 lots could have been developed. The City decided to create a "transfer of development rights" or TDR which in essence exchanges open space for density. A developer can request a TDR and pay cash payment for it which then transfers as payment for the park. **David Petersen** said there has been 8-9 TDRs that have been approved; however, some have been denied. He said the exchange for additional density is not approved unless the Planning Commission and City Council feel it works for the City. He also said the approval of TDRs is 100% a legislative act.

**Alex Leeman** asked what the benefit of the City will be for the approval of this specific TDR request. **David Petersen** showed the location of the new high school site on the aerial map. He said the City is anticipating the 3 main routes to the high school will be 650 W., 1100 W., and 1525 W., which will produce more activity on Glovers Lane. He said the City does not have funds to improve Glovers Lanes so it has to be improved when the property owners develop the property. **David Petersen** said he feels the Bassett development appealed to the City because the City needed funds and a way to complete the 1100 W. connection.

**Alex Leeman** asked how the development would change if the property would be zoned AE. **David Petersen** said the property is 2.17 acres so a yield plan may produce 4 lots which would still require the property owner to obtain at least one TDR. Staff and the commissioners discussed the constraints on the land with the standing water, storm drain problems, lack of sewer line and more. **David Petersen** added that Glovers Lane may not be a simple asphalt extension either. The applicant would need to provide a boring of the street to qualify it meets City standards; Glovers Lane may need to be rebuilt as it has been an old county lane with asphalt overlay continually added to it.

**Heather Barnum** said she feels what is being considered tonight is the purpose of a TDR. She said she feels it is best served with large developments or very small developments to help subdivide property. Based on her experience, **Heather Barnum** expressed concern that this is not the intention of the TDRs. She said she understands there is a large cost to develop, but that is up to the applicants to determine if it will work. She feels the City should see a large benefit to the City; she feels approval of this use of a TDR would set a precedence for use of a TDR to create small subdivisions.

**Kent Hinckley** agreed. He said he has driven by previously approved PUDs. Although it is a different zone and situation, he feels the homes don't fit the area as they are smaller and do not have a side or front yard. He said although it was a different situation, he holds the same concern that this will not fit the area. **Connie Deianni** said she also has the same concerns with a TDR approval.

**Dan Rogers** said he feels he does not understand a TDR well enough to make an informed decision. He asked staff what the City will benefit if the TDR is granted. **David Petersen** said the City could use the development as a way to get improvements on Glovers Lane and Shirley Rae Dr. Also, the City would be paid money for the TDRs which would transfer over to the regional park. **David Petersen** said this property does have a lot of underlying constraints which may be problematic in its development. **Kent Hinckley** said he would like to see those constraints resolved before the commission moves forward with this approval. **Dan Rogers** expressed concern that the applicants may not want pay to find resolutions to the constraints without approval on the subdivision. He feels it would not be worth the applicants' time and money. **Kent Hinckley** agreed, but feels it is something the applicants must decide.

**Alex Leeman** said he does not feel the argument that this does not fit the surrounding area is not compelling. He said there are multiple property owners who would like to do the same thing, but they need each other to do it at the same time. He feels this proposal may not fit "yet," but, if this stand along project of 2 acres results in 5 lots, TDRs may be a section that could have a "truck drive through it." **Alex Leeman** said he welcomes this development, but that the storm water, sewer line, etc. concerns are hard for one developer to tackle. Each property owner needs one another; however, the commission cannot consider that as those applications are not before them.

**Dan Rogers** asked the applicant if the motion is approved and they move forward with the investigation on how to mitigate the problems and it doesn't work, are they willing to run the risk of losing those funds. **Nate May** said yes, that is part of the risk of development. He said he has been talking with Bruce Bassett and Troy Holzer at least twice a week and have visited with other surrounding neighbors. He said he can vouch for the other neighbors that there is interest in developing. He said he does understand it would be expensive for them to bring the improvements on their own, but they have 2-3 neighbors who are willing to share the cost of some improvements. A resident in the audience agreed that he would like to build on his piece of property so he would like to see the approval of this item.

***Motion:***

**Heather Barnum** made a motion that the Planning Commission recommend that the City Council deny the schematic plan. **Kent Hinckley** seconded the motion. **Heather Barnum, Connie Deianni,** and **Kent Hinckley** voted in favor of the motion and **Alex Leeman** and **Dan Rogers** voted against it. The motion passed on a 3-2 vote.

Findings for Denial:

1. The underlying zone designation of AA is intended to be development restricted and very low density; this is because of the 4218 elevation line. The proposed development does not conform to the required densities of the underlying zone.
2. The schematic plan approval is dependent on a liberal interpretation of the TDR provision in the Zoning Ordinance.
3. Approval of this subdivision may result in system-wide issues in the future due to the difficulties with conveying storm-water off site.

**CONDITIONAL USE PERMIT**

**Item #5. Sage Bubak (Public Hearing) – Applicant is requesting conditional use approval for an equestrian facility (minor commercial outdoor recreation) consisting of 1.58 acres located at 732 West 500 South in an AE (Agricultural Estates) zone. (C-7-16)**

**Eric Anderson** said the applicant is proposing to build an equestrian center to teach horse riding lessons near 500 S. and 650 W. which is near the location of the new gym. He said the property is owned by the Websters, and the applicant Sage is their daughter. The property is located within the AE zone. **Eric Anderson** said the application is similar to the recently approved reception center; it is a minor outdoor recreation use. He said the application meets all City standards, and staff is recommending that the conditional use permit be approved.

**Wyatt Bubak**, 155 S. 1550 W. West Point, said he is married to and is part owner of the facility with Sage. Sage has taught professional riding lessons for 15 years at a facility in Layton; however, with recent changes, she would like to now offer private lessons on the Websters' property. He said the use would be small scale as lessons would be offered to school-aged children in the afternoons. The proposed facility that will be built will allow for indoor riding so riding lessons can be taught year round. **Alex Leeman** asked the average number of students at any given moment and the length of time for each lesson. **Wyatt Bubak** said they average approximately 15-20 students per week with lesson times ranging from 30 minutes to an hour separated between 6 days.

**Connie Deianni** said she is not familiar with riding so she wondered if this is typically a year round activity, and if the horses used will be boarded on-site. **Wyatt Bubak** said the facility Sage has worked at in Layton does have an indoor/outdoor facility. He said the proposed barn would allow her to teach year round. He said horses will be boarded on-site; however, students are welcome to bring their own horse. **Dan Rogers** asked if the commission should anticipate a lot of trailers at the location. **Wyatt Bubak** said no as the majority of riders taking lessons do not own their own horse so students use the horses on-site.

**Heather Barnum** asked if dust from the facility will be a problem. **Wyatt Bubak** said they will have a sprinkler system that will keep the dust down.

**Heather Barnum** asked if the lessons will ever be taken off-site. **Wyatt Bubak** said Sage does do trail rides as a way to diversify the lessons, but it will be up the commission if that is allowed. **Heather Barnum** asked staff if there is any restriction to horses on the City's trail system. **David Petersen** said no.

**David Petersen** asked for clarification on the size of the proposed facility that will be built. **Wyatt Bubak** said the application proposed that the area will not exceed 81'x80'; however, he requested an alteration be made to the proposed arena. He said they would like to increase the arena not to exceed 90'x80'. He said the tack room is typically used for storing equipment; however, at times hay is stored there for the horses being boarded inside. The 9' requested extension will provide a separate location to store hay so the student riders will be able to get ready for lessons in the tack room.

**David Petersen** reviewed the Ordinance. Based on the ordinance requirements in Chapter 11, an accessory building shall not exceed 25% of a rear yard; however, in order to have a rear yard there must be a main building. The lot does not have a main building, and the increased-size proposed arena barely falls under the 25% rear yard coverage requirement. **David Petersen** said he feels that if the arena does not exceed the proposed size, it will be ok.

**Alex Leeman** opened the public hearing at 8:15 p.m.

No comments were received.

**Alex Leeman closed the public hearing at 8:15 p.m.**

**Heather Barnum** said she feels this is a good use of the property, and it is consistent with the area. She said she feels having sprinklers in place to control dust will be good, and would also like to include a condition to the motion for dust control. **Mrs. Webster**, the property owner that was in attendance, also added that they will be diligent in keeping the dust down, but wanted to let the commissioners know the proposed barn will be surrounded by large fields.

**Alex Leeman** feels this application has been well thought out. His only concern was the amount of traffic the lessons would generate; however, he does not feel this use will generate excessive traffic. He feels this is a good use of the property.

***Motion:***

**Dan Rogers** 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 conditions:

1. All farm animal structures, including barns, stables, stalls, corrals, etc. shall be located a minimum of fifty (50) feet from 500 South;
2. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
3. The hours of operation are limited to 8 a.m. to 10 p.m.;
4. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
5. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
6. The applicant must enter into an extension agreement with the City for all improvements related to 500 South, including sidewalk, curb & gutter, park strip, and road improvements.

**Connie Deianni** seconded the motion which was unanimously approved.

**Wyatt Bubak** asked staff for clarification on Condition #6 as he was unsure the meaning of it. **David Petersen** reviewed the condition, and after discussing it with **Eric Anderson**, he explained that the extension agreement for the previously approved reception center was included as the facility has the potential to be very large. **David Petersen** said since the applicant will be doing private lessons, which could be viewed similar to piano lessons, it may be appropriate to strike Condition #6. He said in the event the equestrian facility significantly increases, the City may choose to revisit the extension agreement. The commissioners agreed. **Heather Barnum** also reminded the commissioners she would like to add a condition regarding dust control.

***Motion to Reconsider:***

**Kent Hinckley** made a motion that the Planning Commission reconsider the previous motion. **Heather Barnum** seconded the motion which was unanimously approved.

***Motion to Approve the Item:***

**Dan Rogers** 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 conditions:

1. All farm animal structures, including barns, stables, stalls, corrals, etc. shall be located a minimum of fifty (50) feet from 500 South;
2. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
3. The hours of operation are limited to 8 a.m. to 10 p.m.;
4. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
5. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
6. The applicant will be proactive on dust control.

**Connie Deianni** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
7. The proposed use provides adequate parking, and that parking has been removed from 500 South.

**OTHER BUSINESS**

**Item #6. Miscellaneous a) Jerry Preston/Homes (Public Hearing) – Applicant is requesting to place a detached accessory building (garage) in a side yard, and a special exception for a driveway that will be accessing one ore lot for property located at 9 S. Sunset Hills Drive in an LR-F (Large Residential-Foothill) zone.**

**Eric Anderson** said the commission approved the Sunset Hills Plat Amendment at the previous Planning Commission meeting. He said this item is part of that plat amendment. **Jerry Preston** would

like to build a detached garage, as well as do a shared driveway that will service two lots. **Eric Anderson** said there are two applications before the commission, the shared driveway and the detached garage, which means there are two motions to consider.

**Eric Anderson** reviewed the Ordinance for shared driveways which states a special exception may be granted by the Planning Commission after a public comment is held. He also reviewed the special exception standards as found in Section 11-3-045(5)(b). **Eric Anderson** said the request conforms to the standards as the shared driveway will alleviate traffic problems caused by the topography and will not be detrimental to the health, safety and welfare of others.

**Eric Anderson** said with regards to the detached garage, it is done in a way that is not visible to the street, recessed from the home, and is something that can be approved by the Planning Commission. Staff is recommending approval of both items.

**Heather Barnum** asked if there is emergency access to the detached garage with the placement it is in regards to the house. She expressed concern with wild fires as well as the fact that accessory buildings are a greater fire risk. **David Petersen** said he does not feel there is additional concern. The applicant could have proposed one long single family home, but chose to do a detached garage instead.

**Adam Heath**, 37 N. 200 E., representative for the applicant Jerry Preston, said the garage will be all concrete so it will not pose additional fire risk. He also said the size of the driveway will allow for plenty of turnaround fire access, as well as sufficient access to the house and the garage. He also explained the dirt road for the private driveway accessing the 2 lots was there when the property was purchased, but now the applicant is seeking permission to build it out.

**Alex Leeman opened the public hearing at 8:28 p.m.**

**Neil Bernson**, 52 W. Sunset Dr., said he lives across the street from the project and has been watching it carefully. He said it looks like a very difficult project, and was interested about the reason for the public hearing. He said he feels applicant **Jerry Preston** is doing a great job on the project, and he is in support of the proposal.

**Alex Leeman closed the public hearing at 8:30 p.m.**

**Heather Barnum** asked for clarification on the two different motions. **Eric Anderson** explained one motion is for approval for a garage in the side yard, and the second motion is for the special exception of the shared driveway. **David Petersen** explained these lots were platted in the 70's despite being on a 30% slope. The City Attorney said we cannot prevent property owners their ability to build on platted lots despite the fact that the lots are now in violation of the Ordinance. **David Petersen** said the applicant is cleaning up a difficult situation as he combined 4 lots down to 2, and is building a shared driveway that comes up slowly to the homes in lieu of a driveway climbing the steep grade. Also, **David Petersen** said the there is a narrow building band so there is not room to put the detached garage in the rear yard so it is now located in the side yard.

***Motion for the Detached Accessory Building:***

**Kent Hinckley** made a motion that the Planning Commission approve the detached accessory building placement in the side yard of the applicant's property, subject to all applicable Farmington City ordinances and development standards. **Dan Rogers** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed structure conforms to the goals, policies, and principles of the Comprehensive General Plan.
2. The proposed structure 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 structure is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
5. All requirements as set forth in Section 11-11-060(c) will be met during the building permit review process, including applicable setbacks, required separation from the main building, etc.

***Motion for the Special Exception:***

**Kent Hinckley** made a motion that the Planning Commission approve the special exception, subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall record a reciprocal access easement on Lot 201 prior to or concurrent with issuance of occupancy (as part of the building permit), and such easement shall be acceptable to the City as determined by the City Planner. **Connie Deianni** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed special exception is desirable in that it avoids the steep slopes found on the western portion of Lot 202.
2. The proposed special exception is not detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.
3. The proposed special exception does not create unreasonable traffic hazards, and the parcel where the special exception is located is sufficient in size to accommodate the use.

**ADJOURNMENT**

***Motion:***

At 8:36 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.

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**Alex Leeman**  
**Vice Chair, Farmington City Planning Commission**