

**FARMINGTON CITY
PLANNING COMMISSION MEETING
January 21, 2016**

STUDY SESSION

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

Item #3. Jerry Preston – Applicant is requesting preliminary plat approval for the Residences at Farmington Hills (P.U.D.) Subdivision consisting of 23 lots on 44.3 acres located at approximately 300 East between 100 and 400 North in an LR-F (Large Residential-Foothill) zone; and a recommendation to annex approximately 20 acres of the 44.3 acres of the proposed development with the zone designation LR-F.

David Petersen said the City contracted with Applied Geotechnical Engineering Consultants (AGEC) to obtain a third party review of the applicant's geotech report per the Planning Commission's request from the last meeting. He said AGEC's biggest recommendation was deeper borings needed to be done. All other questions are easier to address. **Mark Christensen** with Geostrata said they will perform 2-3 more borings to confirm the soil and run a couple more strength tests. He said they plan to start with 2 borings 80' deep, one in the middle of the property and one on the southern end. If either boring shows clay, they will perform another boring. **David Petersen** asked what the result will be if clay is found. **Mark Christensen** said clay is a weaker material. The original analysis did not show any clay; however, if clay is found in the additional borings, they will rerun their analysis. **Mark Christensen** said the slope failure in North Salt Lake resulted in a combination of water and clay under the gravel. He said he does not anticipate there will be an issue here.

David Petersen said the Planning Commission has 3 decisions for this meeting: first, recommend if the approximate 20 acres should or should not be annexed into the City; second, decide the zone designation of the property if it is to be annexed; third, approval or denial of the preliminary plat.

The commissioners discussed the pros and cons of keeping all decisions together. It was discussed that some of the commissioners did not want to make any decisions on the items until the final boring tests were completed and results were submitted. The commissioners also expressed concerns that approving the annexation and zone designation might send a message to the public that the subdivision has been approved even if the preliminary plat has not yet been reviewed. They want to ensure the public is completely aware of the process and what the recommendations and approvals mean with regards to the subdivision.

Jerry Preston, the applicant, expressed concerns that if the item is tabled in its entirety, he may not be able to attend the public hearing when the annexation is presented to the City Council as he is scheduled to be out of town later in February. He feels it is important to be in attendance for the public hearing. He also explained that the property owners do not want to move forward with the annexation if the subdivision is not approved. He said if the Planning Commission chooses to recommend the annexation tonight, it will be sent to City Council which will allow him to attend the public hearing. He

said two weeks later he will know if the Planning Commission approves or denies the preliminary plat. If a denial happens, he said the property owners would likely pull their annexation application.

The commissioners discussed this possibility. Many commissioners had concerns about recommending the annexation and zone designation to the City Council; they felt it may be better to only recommend the annexation at this point without the zone designation which would require the property to be annexed with the default zone designation of A (Agriculture) in lieu of requested designation of LR-F (Large Residential-Foothill). The commissioners felt it would be better to discuss the requested LR-F zone designation, which gives the applicant density rights, and the preliminary plat together.

Mayor Talbot, who attended part of the study session, suggested that if the Planning Commission does want to recommend the zone designation, either tonight or at a later time, he suggested that a condition be included in the motion that if progress has not been made during a specified time, the zone designation would revert back to A. **Alex Leeman** asked why the commissioners were concerned about recommending the zone designation for the annexed property to be LR-F as recommending it does not give the applicant approval to do anything. He feels it may be another unnecessary step that the applicant has to come in for another public hearing. Staff also explained the applicant is still able to move forward with his subdivision plans with the zone designation for the annexed property as A; however, zoning the annexed property to LR-F is consistent with the General Plan and with the surrounding neighborhoods.

Many of the commissioners still expressed concern and hesitancy of recommending approval of the annexation and zone designation of LR-F. Again, they expressed concern that the public may view the recommendation for approval as agreement of the subdivision. They want to ensure the public does not feel like “the rug is being pulled out from under them.”

Eric Anderson suggested the Planning Commission may consider a condition to the motion that states the annexation and LR-F zone designation is null and void if preliminary plat does not get approved. That may provide a better level of comfort to the commissioners that density rights are not being granted to the applicant if the preliminary plat is not approved.

Item #4. Scott Balling – Applicant is requesting final plat approval for the Kestrel Bay Estates Phase II PUD Subdivision consisting of 20 lots on 3.59 acres located at approximately 50 South 200 West in an R (Residential) zone.

Rebecca Wayment asked if this item has changed at all. **Eric Anderson** said nothing has changed. The applicant has recorded and begun construction on Phase I. He is now ready to begin Phase II.

Item #6. The Haws Companies (Public Hearing) – Applicant is requesting a recommendation for an amendment to a development agreement as per Section 114 of Chapter 18 of the Zoning Ordinance between Farmington City and The Haws Companies regarding a modification to pylon signs in said agreement related to proposed signage next to the Union Pacific Tracks north of 675 West Street in an OMU zone.

Rebecca Wayment asked if this agenda item and the Rainey Homes special exception item should be moved to be discussed prior to the large zone text change agenda item. **David Petersen** said it is up to the Planning Commission, but a motion must be taken to move the items.

David Petersen walked the commissioners through the staff report and the included exhibits. He said the changes include decreasing the number of pylon signs from 2 to 1 and moving the sign further away from the freeway ramp. He also said a condition to the motion has been included that Cabela's must take the top area of the sign. He feels a freeway sign like this may be appropriate in some uses; a big business like Cabela's has a regional draw, and he feels it may be worthy of a freeway sign.

Closed Session

David Petersen suggested moving to a closed session when the City Attorney arrives and then reconvening to open session after the discussion is complete.

Item #7. Miscellaneous: Farmington Rock Committee Assignment

David Petersen said that Commissioner **Dan Rogers** asked to sit on the Committee although he is not in attendance of this meeting.

REGULAR SESSION

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

Item #1. Minutes

Kent Hinckley made a motion to approve the Minutes from the December 17, 2015 Planning Commission meeting. **Heather Barnum** seconded the motion which was unanimously approved.

Item #2. City Council Report

Eric Anderson gave a report from the January 5, 2016 City Council meeting. He said the public hearing for the rezone of Chestnut Farms Phase IV and V was held, but the item was tabled for the City to determine what it will require for street improvements on 1525 West. The Pack Property rezone was denied on a 3-2 vote. **Eric Anderson** said the City Council felt it is a good holding place for future unseen needs. Also, he said the Clark Lane Village License Agreement was approved. The City Council meeting on January 17, 2016 had a big item that never occurred. Viking Real Estate, that owns 300 acres on Buffalo Ranches, submitted an application to amend the conservation easement on the property to allow for additional uses, including additional housing. The City was not in favor of this change; it also had a large response from the community against the change. A few days before the City Council meeting, UDOT purchased approximately 250 acres of the land in preparation for the West Davis Corridor. Since Viking Real Estate was no longer the property owner, they withdrew their application. The City Council turned the item into a discussion to help the public be aware of what took place.

SUBDIVISION APPLICATIONS

Item #3. Jerry Preston – Applicant is requesting preliminary plat approval for the Residences at Farmington Hills (P.U.D.) Subdivision consisting of 23 lots on 44.3 acres located at approximately 300 East between 100 and 400 North in an LR-F (Large Residential-Foothill) zone; and a recommendation

to annex approximately 20 acres of the 44.3 acres of the proposed development with the zone designation LR-F. (S-8-15 & A-1-15)

Eric Anderson said this item has recently been discussed in the last few meetings. The subdivision is between 400 N. and 100 E., as well as additional property along the east side of those roads. Half of the proposed subdivision, or approximately 20 acres, is located within the County lines. There are 2 applications before the Commission tonight, the preliminary plat and the annexation of the 20 acres and the related zone designation of LR-F for the annexed property. **Eric Anderson** said, as it was discussed in detail during the Study Session, it is up the Planning Commission if they would like to keep this item as a “package deal” and consider the preliminary plat and annexation together or separate the items which may mean tabling the preliminary plat and recommending approval to the City Council for the annexation.

Eric Anderson also said additional soils reports will soon take place which may weigh in on the approval of the preliminary plat.

Jerry Preston, 177 N. Main St., said the City contracted with AGEC for third party review of the geotech report. He said the geologists and geotech engineers have met together. Both groups feel additional borings are needed; those borings will take place soon. He said it is his preference that the Planning Commission separate the items and move the annexation forward. That would leave just the review of the preliminary plat for the Planning Commission to consider at the next meeting.

Alex Leeman asked the applicant to explain why he would like the annexation to move forward. **Jerry Preston** said the reason is timing. If the annexation is pushed back, he will miss the City Council public hearing when the annexation is being considered. He feels it is important that he be in attendance at that meeting. Additionally, **Jerry Preston** said the City has the ability to annex property without a subdivision approval; the two petitions are separate. Also, he feels the property should be annexed with the zone designation of LR-F because it is more consistent with the surrounding property; however, he also said if the Planning Commission is more comfortable to have the annexed property default to zone A, he is ok too.

Rebecca Wayment said she prefers to separate the items. She feels discussing a recommendation for approval on the property annexation separate from the zone designation and preliminary plat is appropriate. She also suggested holding another public hearing for the zone designation and preliminary plat after the final borings are completed. **Kent Hinckley** agreed; he also feels discussing the annexation tonight, but holding off on the zone designation allows for greater transparency to the public.

Alex Leeman said he feels it is important for the applicant to be in attendance of the public hearing during the City Council so he is in favor of moving the annexation and zone designation forward to allow the applicant to attend. He said he feels it would need to be made very clear that the approval of the annexation and zone designation are contingent on approval of preliminary plat as **Eric Anderson** suggested during the Study Session. Also, if the preliminary plat is denied, the annexation and zone designation would have an automatic denial.

Bret Gallacher feels all concerns are valid. He feels it is important for the applicant to be able to attend the public hearing when the annexation is discussed by the City Council; however, he feels it is more important for the public to have a forum to discuss the results of the borings. **Bret Gallacher** recommended the Planning Commission just consider the annexation during tonight’s meeting.

Heather Barnum agreed with **Bret Gallacher's** comments. She said it has been discussed that some commissioners may or may not want to give a zone designation, some may want to put a condition on it based on the approval or denial of preliminary plat or if certain progress (or movement on the property) be made within a time frame. She said she feels the majority of the commissioners only want to talk about the annexation tonight and let the property default as zone A. She said she agrees and feels discussing just the annexation will help ensure that the Planning Commission is not making what may appear to be a forward moving decision. **Connie Deianni** also agreed with separating the annexation with the preliminary plat and zone designation. She does not want the public to feel a decision was made without them knowing all the details.

Rebecca Wayment said if the City Council approves the annexation, but the Commission does not approve the preliminary plat, the property owners do not have to move forward with the annexation like was discussed during the Study Session.

Alex Leeman stated he feels the Commission may want to recommend approval on the annexation with a condition that it's contingent on approval of Preliminary Plat. **Eric Anderson** said the condition can also state the annexation is null and void if the preliminary plat is denied. He also reminded the commissioners if they do not designate the annexed property as zone LR-F, the property will default to zone A. He also pointed out that the suggested motion in the staff report may also work by tabling the preliminary plat and recommending to the City Council approval of the petition to annex the property.

Motion:

Alex Leeman made a motion that the Planning Commission table the application for preliminary plat and recommend that the City Council approve the petition to annex approximately 20 acres into Farmington City, and deny a zone designation of LR-F related thereto, subject to all applicable Farmington City ordinances and development standards and the following condition that the applicant shall receive preliminary plat approval prior to the property being annexed. **Heather Barnum** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed annexation is within the City's Annexation Declaration Area.
2. Although the requested zone designation of A is inconsistent with the General Plan, it will provide future developers lower densities than an LR zone, which is preferable.

Item #4. Scott Balling – Applicant is requesting final plat approval for the Kestrel Bay Estates Phase II PUD Subdivision consisting of 20 lots on 3.59 acres located at approximately 50 South 200 West in an R (Residential) zone. (S-30-15)

Eric Anderson said the applicant received Final PUD Master Plan approval on March 19, 2014. He said very few things have changed and that staff is recommending approval of the final plat with the conditions stated in the staff report.

Taylor Spendlove, representative for Brighton Development, said Scott Balling is still completing the engineering on the project, but has sold the subdivision to Brighton Homes. **Taylor Spendlove** said they already have lots of interest in Phase II so they are looking forward to expanding the project to fill those needs.

Heather Barnum asked if there are any conditions or findings that are significant and need to be discussed in further detail. **Eric Anderson** said most things have been address during phase I; Condition #3 does amend the wording to a “reciprocal access easement” with reference to the flag lots that are being proposed. **Eric Anderson** explained a reciprocal access easement ensures one property owner cannot close off access to the other property owner.

Motion:

Bret Gallacher made a motion that the Planning Commission approve the final plat for Kestrel Bay Estates Phase II PUD Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The final plat and final improvement drawings for the project, including a final drainage plan, shall be approved by the City Engineer, Public Works Department, Storm Water Official, Benchland Irrigation, CDS, the Fire Department, and the Community Development Department;
2. The applicant shall follow all requirements and provisions of agreements previously entered into with the City and County regarding the flood plain and storm water;
3. The applicant shall remove the “Common Right-of-Way for Lots 215 and 216” and replace it with a reciprocal access easement for lots 215 and 216 prior to recordation;
4. Any outstanding issues raised by the DRC shall be addressed prior to recordation.

Kent Hinckley seconded the motion which was unanimously approved.

Findings for Approval:

1. The final plat is largely consistent with the City’s Master Transportation Plan which is a part of the General Plan, through its creation of a 450 South connection to the Frontage Road, although this connection is less than desirable in its staggered alignment.
2. Under its former zoning, this proposed subdivision could not have as many single family residences, however, it could have 32 multi-family units. The approved alternative, with approval of the requested zone change creates a preferable development.
3. There is a growing needs for “active senior communities” in Farmington, a need that is currently underserved.
4. The proposed final plat is consistent with the approved preliminary plat and final PUD master plan.
5. The applicant has worked with the City, County and UDOT to resolve the storm-water issue, and entered into an agreement regarding the same.

MOTION TO AMEND THE AGENDA

Motion:

Heather Barnum made a motion that the Planning Commission Move Item #6 (Now Item #5: The Haws Companies request to amend the development agreement related to proposed signage) and Item #7C (Now Item #6: Rainey Homes’ request for a special exception to allow for a driveway without direct public street access) to this point in the agenda. **Kent Hinckley** seconded the motion which was unanimously approved.

OTHER BUSINESS

Item #5. The Haws Companies (Public Hearing) – Applicant is requesting a recommendation for an amendment to a development agreement as per Section 114 of Chapter 18 of the Zoning Ordinance between Farmington City and The Haws Companies regarding a modification to pylon signs in said agreement related to proposed signage next to the Union Pacific Tracks north of 675 West Street in an OMU zone.

David Petersen walked the Commission through the staff report. He showed what currently exists in the applicant's development agreement regarding a signage plan as outlined in 5.1.1, including the approval of 2 pylon signs. **David Petersen** showed the applicant's proposed modifications to the Signage Plan, as well as the City's revisions of those modifications. He showed the map of the project and showed where the new, single sign will be located. **David Petersen** said the only thing that is changing is that the applicant is decreasing the number of signs from 2 to 1 and moving the location of the sign.

Connie Deianni asked who is in charge of the maintenance of the sign. **David Petersen** said the applicant is responsible for it. **Connie Deianni** asked if the motion can include anything about how soon repairs must take place in the event something happens to the sign. She feels repairs should be in a timely manner. **David Petersen** said a condition to the motion can be added to ensure the developer maintains it in a timely manner.

In reference to the sign's visual appearance options found in the staff report, **Rebecca Wayment** asked staff when the commissioners decide which option they want. **David Petersen** said to include their visual appearance preference in the motion.

Heather Barnum asked the original development agreement is negated as a result of the sign being moved. She asked if it is now within the Commission's purview to deny the sign in its entirety or amend the height recommendation. She feels this change could award the City an opportunity to revisit previous decisions that may not have sat well with commissioners.

The commissioners and staff discussed these options. **David Petersen** said the Commission is a recommending body and could recommend those items if the Commission chooses to do so. **Kent Hinckley** remembers being told by the YESCO consultant that the current location of the sign was the best place to put it so the applicant did put the sign there. He feels the applicant did what was recommended to them. **Bret Gallacher** expressed concern that it is challenging to go back and approve something smaller than what was approved by the City Council; he also feels it is over reaching the commissioner's parts.

Scott Harwood, 33 S. Shadow Breeze Rd., said he recognizes this is a sensitive topic. He said UDOT came in at the end of October with restrictions against the placement of the current sign. He said they have spent significant amounts of time discussing the issue with the tenants since then. After much discussion, **Scott Harwood** said they decided to consolidate down to one sign. He said the sign is not for THC, but is essential for its tenants, like Cabela's. He said the proposed location for the revised sign will meet UDOT's ordinance and allow space for THC's tenants.

Jeff Krantz, 4139 S. Mount Olympus Way, Millcreek City, representative from YESCO, said the applicant is not looking for more signs or bigger signs, but to consolidate from two signs down to one. They wanted to go back to the original intent of the sign which is to make sure anchor tenants have the signage they need to make this area their home.

Kent Hinckley asked **Jeff Krantz** if future tenants may come in asking for additional signs above their businesses as the consolidation now means less room for the applicant's future tenants. **Jeff Krantz** said he is unsure if someone will or will not ask for it, but requesting a sign means they would have to come before the Planning Commission again.

Heather Barnum asked how many tenant spots are on each of the sign options. **Scott Harwood** said Option 1 has 5 total tenant spots, Option 2 has 3 tenant spots. **Heather Barnum** expressed concern that the current sign has had the majority of spots open for some time. **Scott Harwood** said THC has been working with tenants to figure out a solution to the sign. Once it is resolved, the sign will fill quickly. **Scott Harwood** also stated that they control the lighting of the panels. He suggested they could leave panel lights off on vacant spots.

Jeff Krantz also added YESCO will provide maintenance of the sign. He said due to the location of the sign and the high winds that are often present in the area, the engineering standard for this sign is higher than signs in other areas. He said panel face blow-outs may still occur; they move quickly to repair it, but there are times it may seem like it lags as they are waiting for insurance processing.

Rebecca Wayment opened the public hearing at 7:55 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 7:55 p.m.

Rebecca Wayment provided some background information for those that were not on the Commission when the original signs were approved. She said the applicant originally requested 3 signs, but the approval was for 2 signs with the first one being filled prior to the second sign being built. At the time of the pylon signs original approval, **Rebecca Wayment** said she had and still has the same concerns. She said when driving southbound on I-15, one of her favorite views is the mountain range as you head into Farmington as well as the view of the iconic Red Barn. She also said the applicant originally had requested an 80' sign, the Planning Commission felt comfortable with 45', and the City Council overrode the decision and granted 55' for the sign height. **Rebecca Wayment** said she still feels 45' is high enough and hopes that if it were 10' lower, additional mountain landscape may be seen over the top of the sign. She did commend the applicant on the sign's design. **Scott Harwood** clarified that the new placement of the sign would sit further north from the Red Barn. He feels the new location would allow for a better view of the mountain landscape and the Red Barn than where the sign is currently located.

Kent Hinckley asked why the applicant prefers the sign height of 55' more than 45'. **Scott Harwood** states the additional height is for the bottom panel; the height increase ensures the bottom panels do not get blocked from the sight line. **Jeff Krantz** also added that based on the sight line study, the biggest concern for visibility is for the traffic going northbound on I-15 whereas the commissioners seem to only be viewing the height from southbound traffic. **Connie Deianni** asked for clarification as to the need for northbound traffic to adequately see the tenants on the sign. **Jeff Krantz** said it is to raise brand awareness. He explained big businesses, like Cabela's, looks for locations based on high traffic counts; he said having a visible sign that is seen by approximately 70,000 cars daily creates brand reinforcement, not just impulse decisions.

Heather Barnum suggested going with Option 2 that includes 2 panels. She feels eliminating the bottom panel would allow for a better line of sight with a 55' sign height. **Alex Leeman** said the applicant had the approval for (2) 55' signs. Since the development agreement does not state which site will be location #1, in theory, the applicant could take down the current sign, place it in the other

originally proposed location so it will not interfere with UDOT's restrictions and possibly still have the 2nd sign closer to the freeway exit in the future if restrictions are ever lifted.

Bret Gallacher said he feels the applicant has made the proper concessions and is acting in good faith to find the best solution. He also added that he likes Option 1 (the 3 panel sign) and does not see a problem with the height being 55'. **Kent Hinckley** agreed; he feels it would be unnecessary for the developer to "jump through more hoops." He and **Alex Leeman** also prefer the Option 1 sign.

Motion:

Kent Hinckley made a motion that the Planning Commission recommend approval of THC's request as set forth in the enclosed First Amendment To Supplemental Development Agreement For The Park Lane Commons Project subject to the following conditions:

1. A sign for Cabela's be included on the top most prominent area of the structure (except for the smaller wording which identifies the project) as shown in the attached exhibit D;
2. The applicant use the Option 1 sign which includes 3 panels;
3. The panel not be lit until a tenant fills the vacancy.

Alex Leeman seconded the motion. **Bret Gallacher**, **Kent Hinckley** and **Alex Leeman** voted in approval of the motion; **Heather Barnum** and **Connie Deianni** voted against it. The motion passed with a 3-2 vote.

Item #6. Miscellaneous: Rainey Homes – Special Exception – Driveway without direct public street access

Eric Anderson showed the plans for the property as found in the staff report. He said the applicant is going through a boundary adjustment for 2 existing parcels in order to create 2 buildable lots. The applicant is proposing that "Lot 2" have frontage on 200 E, which is a UDOT road and is very steep, but that access to the lot would come from the rear through "Lot 1" by way of a 20' reciprocal access easement that will be recorded on the property. **Eric Anderson** said staff is recommending approval of the exception.

Brock Johnston 1157 Go Lane Cir., Syracuse, representative from Rainey Homes, said they have owned this property for some time. Due to the steepness of the property, they did not end up liking many of the proposed homes they have tried. He said the homes they would like to move forward on are craftsman style homes, a 2-story manor with the downhill section as the front part of the lot. He said they plan to feature this home in the Northern Wasatch Parade of Homes; it will be a valuable addition to the area.

Rebecca Wayment asked for further clarification on where the home will be located on Lot 2 and if the majority of the lot be a front yard space. **Brock Johnston** said the unique aspect of the homes they build are that all 4 sides of the home architecturally pleasing rather than just the front. He said most people will view the home as having 2 frontages. He said by having the reciprocal access easement, the home will be pushed closer to the east side of the lot. He said the house will be located on the downhill slope with the flat land on the east bench of the property.

Connie Deianni asked who will own the reciprocal access easement. **Brock Johnston** said the easement will be recorded on Lot 1. **Connie Deianni** asked, in the event the driveway is in need of large repairs, if it will be Lot 1's responsibility to have it fixed. **Brock Johnston** said both property owners of Lots 1 and 2 will know they have to work together on it; however, the actual easement will be on Lot 1.

Connie Deianni asked if the property owners of Lot 1 were able to landscape the driveway or gate it just before their house. **Alex Leeman** said lot owners are able to do as they choose as long as access is not restricted. **Eric Anderson** also pointed out that typically easements take place at plat recordation; however, these plats are not recordings but that lot lines are simply moving. He said this reciprocal access easement will have to be recorded as a separate document.

Motion:

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 1" prior to or concurrent with the recordation of the boundary adjustment, 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 does not put driveway access onto a busy UDOT street, and avoids the steep slopes found on the western portion of "Lot 2."
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.

ZONE TEXT CHANGES

Item #7. Farmington City (Public Hearing) – Applicant is requesting miscellaneous Text Amendments to Chapters 4, 7, 10, 11, 12, 28 and 32 of the Zoning Ordinance, Chapters 5 and 7 of the Subdivision Ordinance, and Chapter 5 of the Sign Ordinance regarding the following changes:

- A) Amending Section 12-7-030(2), requiring private roads built in Farmington comply with Farmington City Development Standards for pavement sections, to increase the required lot frontage to 28' instead of 20' reflecting flag lot ordinance requirement set forth in 2014;
- B) Removing Section 11-12-090(e) regarding street frontage requirements in conservation subdivisions;
- C) Amending Sections 12-5-070 and 12-5-080 of the Subdivision Ordinance regarding minor plat approval process and bringing it into conformance with the current approval process for major subdivisions;
- D) Amending Section 11-28-220(2)(b) to clarify the definition for class "A" self-storage;
- E) Removing "Property Bond" from 11-4-107(2);
- F) Defining "New Wireless Facilities" in Section 11-28-190 and including it in Table 1, the Summary of Conditional and Permitted Uses;
- G) Amending Section 12-7-030(10) of the Subdivision Ordinance to clean up the numbering in that section making it uniform with the rest of Title 12;
- H) Amending Section 11-32-103(4) of the Zoning Ordinance allowing for tandem parking for Two-Family Dwellings;
- I) Amending Sections 11-10-040 and 11-11-050 of the Zoning Ordinance to allow for greater flexibility in setback standards for institutional uses in the Agriculture and Single Family Residential Zones;

- J) **Amending Section 15-5-106 of the Sign Ordinance adding public uses to the allowable area for electronic message signs;**
- K) **Amending Section 11-7-107(7)(b) of the Zoning Ordinance clarifying the language regarding the buffer requirement between a commercial and residential use.**

Eric Anderson explained each item as follows:

- A) Historically, roads that have been made private eventually are brought back into the City and the City maintains the road. Public Works and the City Engineer would like the private roads to be built to City standards so the roads can be brought into the City without improvements being made. Also, a new required lot frontage of 28' was a standard that was updated in 2014, but missed being amended for this section.
- B) Lot widths is thoroughly discussed and is uniform with the rest of the Ordinance. Having additional street frontage requirements is unnecessary.
- C) Previously, it was brought to the City Council's attention that during a subdivision's approval process, the Council was acting as the land use authority as well as the appeal body creating a conflict of interest. It was amended so schematic plan is recommended by the Planning Commission and approved/denied by the City Council, preliminary plat is approved/denied by the Planning Commission and final plat are approved/denied by the Planning Commission with the City Council acting as the appeal body. This change, however, has not yet been applied to the minor plat approval process. This item addresses those discrepancies.
- D) This current standard states steel paneling should not be used. It is problematic because it does not say "shall not" use steel paneling. Additionally, it is unclear if this also prohibits corrugated steel. Staff is unsure the intent of prohibiting steel paneling as requests from Cubes Self Storage have nice looking buildings that include corrugated steel.
- E) Removing the property bond from the wording was advice from the City Attorney as it is antiquated and other bonds are available.
- F) This item is not yet ready to be reviewed, but it will address regulations for smaller microsite facilities for cell phone companies as those smaller sites may become more readily used.
- G) The numbering that existed in this area was off so this item is bring in into uniformity with the rest of the Ordinance.
- H) Currently, the Zoning Ordinance only allows for tandem parking for single-family homes, but should also allow for tandem parking in two-family dwellings.
- I) The LDS Church is looking to build a new seminary building adjacent to the high school; however, setback requirements for institutional uses have the same setback requirements as a single family home. Staff feels it does not make sense to have the same setbacks as a single family home and proposed reducing the front setback to 15', the rear setback to 10' and leave the side setback requirements as is.
- J) The City would like allowable areas for an electronic message sign to get the word out for community recreational activities. The City Council is proposing the signs be located on City property and that they only advertise City events. It is hoped that by allowing for electronic message boards, banners and other sign clutter may be reduced within the City. The commissioners expressed major concern that these electronic message boards, including but not limited to the signs only being allowed on City property and that it may set a precedent for other businesses to want one. **Todd Godfrey**, the City Attorney, who had just arrived at the meeting, stated the City must be able to answer why a public entity's message is more important and compelling than the private entity. He feels the justification for allowing the City to have an electronic message board, but not allowing private entities the same luxury, is not there. The commissioners felt comfortable removing this item from the discussion.

- K) This item is a result of the discussion about a screening buffer with the new Ascent Construction building. It was **Brett Anderson's** recommendation for a 10' buffer as that has been required in the past, although the Ordinance calls for 30' buffer, but the City has done little to enforce that requirement. Also, the Ordinance allows for an "and/or" which leaves too much ambiguity. The commissioners discussed different buffer options, including setback increases and decreases, additional landscaping and a required masonry wall. Some commissioners felt 30' was sufficient; however, many would like to see it decreased as the buffer would also include a vegetation, a fence and the adjacent property owners own setback requirement. **Kent Hinckley** pointed out that the Ordinance calls for screening between a residential property and proposed commercial or industrial use. He feels that screening requirements may be different for a commercial use than industrial as industrial may include heavy machinery which may require additional screening. The commissioners decided to continue this item to a later date.

Rebecca Wayment opened the public hearing at 9:57 p.m.

No comments were received.

Rebecca Wayment closed the public hearing at 9:57 p.m.

Motion:

Connie Deinni made a motion that the Planning Commission recommend approval of the proposed amendments to the Zoning and Subdivision Ordinances as set forth in the January 21, 2016 staff report, with the exception of zone text amendments "F" and "K," which are tabled until a future date uncertain, and zone text amendment "J" which has been removed. **Bret Gallacher** seconded the motion which was unanimously approved.

Findings:

1. In the event that a private road becomes public and under the City's jurisdiction, city staff, including the engineer and public works would like private roads to be built to the City's standards; this protects the City in the future.
2. Removing this section from the code is a means to delete redundancies as it relates to lot widths and street frontage requirements in conservation subdivisions.
3. Amending the minor subdivision process to make it consistent with the major subdivisions approval process will ensure that the City no longer has an appeal body that is also the land use authority.
4. Removing the metal plate requires for Class "A" Self Storage will clarify the ordinance and allow for more design flexibility to use architectural materials that are readily used in many high-end, modern applications.
5. Amending the allowable forms of subdivision by removing property bonds eliminates redundancies and an antiquated, unused bond.
6. Remove.
7. Renumbering the portion of the flag lot ordinance is a "clean-up" item making that section of the code more uniform with the rest of the Subdivision Ordinance.
8. By allowing for tandem parking in two-family dwellings, the City is updating an outdated portion of the code that does not give enough flexibility to duplexes in regards to parking requirements, especially in those areas where street parking is not allowed.

9. Amending the setback requirement for institutional uses citywide allows for more flexibility related to lot dimensions and design requirements for uses that do not and should not conform to standards established for single family residences.
10. Remove.
11. Remove.

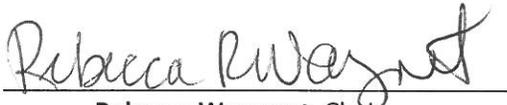
CLOSED SESSION

Motion:

Alex Leeman made a motion to go into a closed meeting for potential property transaction. **Connie Deianni** seconded the motion which was unanimously approved.

Sworn Statement

I, **Rebecca Wayment**, Chair of the Farmington City Planning Commission, 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.



Rebecca Wayment, Chair

Motion:

A motion to reconvene into an open meeting was made by **Kent Hinckley**. The motion was seconded by **Connie Deianni** which was unanimously approved.

Item #8. Miscellaneous: Question as to whether to require Jerry Preston to provide right-of-way to the Arrington property.

Eric Anderson said the Arrington family owns a large piece of property adjacent to Jerry Preston's proposed subdivision. The Arrington family is asking that the City require Jerry Preston to provide a ROW from the cul-de-sac on the north side of his property to their property. The Arrington family is concerned that they will not be able to develop their property without access through Jerry's cul-de-sac; however, there is a large gravel pit on the north side of the subdivision. The Ordinance requires that an applicant stub the road unless there is certain criteria that is involved including topography. The topography does include the gravel pit, and the property is very steep. **Eric Anderson** said he is unsure where the road would even connect. Staff felt it was important to get the Planning Commission's opinion on the decision. **David Petersen** also added that the Arrington property is currently landlocked and does not have current access through Jerry's property. Additionally, the Arrington property is even steeper with larger rivets through it. **Eric Anderson** said staff is unsure where the ROW would even go as Jerry's road has not yet been engineered. The commissioners agreed that they don't feel they could require Jerry to provide ROW to the Arrington property.

Item #9. Miscellaneous: Farmington Rock Committee Assignment

David Petersen asked for those that are interested in being part of the Farmington Rock Committee. **Heather Barnum** and **Rebecca Wayment** volunteered, and **Dan Rogers** who volunteered before the meeting.

Reconsideration of Previous Motion

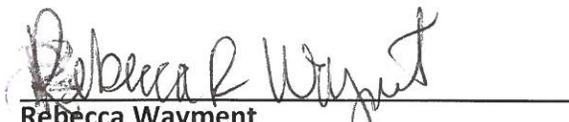
Rebecca Wayment realized after the 3-2 vote had been taken regarding THC's pylon sign, she has the option as Chair of the Planning Commission to cast her vote. She would have voted no which would have resulted in a tied motion. She asked if a reconsideration of the motion could take place so she can go on record stating she was not in favor of the motion that was presented. **David Petersen** reviewed the Ordinance which stated a motion to reconsider can take place on any action of the same meeting or the next meeting following the meeting when the motion took place.

Heather Barnum made a motion to reconsider which would allow **Rebecca Wayment** the opportunity to cast her dissenting vote. The commissioners discussed it and felt it better to honor what the City previously approved. The motion died for lack of a second.

ADJOURNMENT

Motion:

At 10:18 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.



Rebecca Wayment
Chair, Farmington City Planning Commission