Farmington City Planning Commission

February 4, 2016

AGENDA
PLANNING COMMISSION MEETING
February 4, 2016

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah
Study Session: 6:30 p.m. – Conference Room 3 (2nd Floor)
Regular Session: 7:00 p.m. – City Council Chambers (2nd Floor)

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

1. Minutes

2. City Council Report

SUBDIVISION APPLICATION

3. 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. (S-8-15)

CONDITIONAL USE PERMIT APPLICATION

4. Tim Matthews (Public Hearing) – Applicant is requesting conditional use permit approval for a commercial outdoor recreation (reception center facility) located at 495 West Glover Lane in an AE (Agriculture Estates) zone. (C-1-16)

ZONE TEXT CHANGES

5. Farmington City – Applicant is requesting miscellaneous Text Amendments to Chapters 7 and 28 of the Zoning Ordinance regarding: **a)** Defining Small Cell Networks, DAS, and Similar Wireless Networks in Section 11-28-190 and including these in Table 1, the Summary of Conditional and Permitted Uses; **b)** Amending Section 11-7-107(7)(b) of the Zoning Ordinance clarifying the language regarding the buffer requirement between a commercial and residential use.

6. Miscellaneous, correspondence, etc.
   a. Other

7. Motion to Adjourn

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to take action on the item; OR 2. if the Planning Commission feels there

are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

Posted January 29, 2016

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Eric Anderson
Associate City Planner

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 Ordnance 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, CDSD, 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 Ordnance 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 option. **David Petersen** said the Commission is a recommending body and could recommend those items if the Commissions 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

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

FARMINGTON CITY COUNCIL MEETING
NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, February 2, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

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

The agenda for the meeting shall be as follows:

CALL TO ORDER:

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

PRESENTATIONS:

7:05 Update for Pedestrian Overpass on Park Lane

PUBLIC HEARINGS:

7:15 Annexation of 20.2 Acres of Property – Residences at Farmington Hills Subdivision

7:45 The Haws Companies (THC) Development Agreement Amendment

NEW BUSINESS:

7:55 AAA Construction to Construct the 350 East Storm Drain Project

SUMMARY ACTION:

8:00 Minute Motion Approving Summary Action List

1. Resolution in Support of Students Against Electronic Vaping (SAEV) Coalition and Legislation to Tax and Regulate Electronic Cigarettes
2. Appointment of City Council Members to Various Committees
3. Kestrel Bay Townhomes Subdivision Improvements Agreement
4. Asset Management Policy
5. Approval of Minutes from January 5, 2016

GOVERNING BODY REPORTS:

8:05 City Manager Report

1. Executive Summary for Planning Commission held on January 21, 2016
2. Citizen Complaint regarding Activities in Conservation Easement
3. Update on Farmington/UTA Shuttle

8:10 Mayor Talbot & City Council Reports

1. Board of Adjustment Appointments
2. Trails Committee Chair and Historic Preservation Chair

ADJOURN

CLOSED SESSION

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

DATED this 28th day of January, 2016.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

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

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

Planning Commission Staff Report
February 4, 2016

Item 3: Preliminary Plat for the Residences at Farmington Hills Subdivision

Public Hearing:	No
Application No.:	S-8-15
Property Address:	Approx. 300 East between 100 and 400 North
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	LR-F (Large Residential - Foothill)
Area:	44.3 Acres
Number of Lots:	23
Property Owner:	Jerry Preston, et. Al.
Agent:	Jerry Preston

Request: *Applicant is requesting preliminary plat approval for the Residences at Farmington Hills (P.U.D) Subdivision.*

Background Information

The applicant desires to develop 44+ acres east of 200 E. Access to the site will be via a looped residential street connecting the east end of 100 North Street to the east end of 400 North Street. Two points of access are required if the street is more than a 1,000 feet in length. A steep hillside band separates the buildable area of this site from the relatively flat topography of downtown. The major challenge for the developer is to engineer a road across this steep band to and from the site. The City Engineer is aware of the cuts and fills necessary to construct this street, but it is more typical that the Planning Commission consider aesthetics issues related to these cuts and fills during the next stage of the subdivision process.

The applicant's 20,000 s.f. lot yield plan shows that at least 23 lots are possible on site. He is seeking no lot bonuses as per the conservation subdivision standards set forth in Chapter 12 of the Zoning Ordinance. Nor is he seeking TDR lots because the number of lots set forth on the preliminary plat does not exceed the total lot count on the above referenced yield plan and, for the most part, the lots are well over 20,000 s.f. in size. Nevertheless, Lots 3, 4, and 5 on the preliminary plat are less than 20,000 square feet in size (17,190 s.f., 14,563 s.f., 15,008 s.f. respectively) and each of these is served by a common drive. Therefore, the developer is requesting a PUD overlay (limited to said lots) enabling him to deviate from the standards of the underlying zone, and the City Council approved the preliminary PUD master plan for these 3 lots as part of their schematic plan consideration on June 30th. In order to meet his open space requirement for this small PUD, the applicant is proposing to dedicate trail

easements over and across the flag rock trail on the south side of the project, and the lower firebreak road trail on the north side of the development.

The easterly 20 acres of the development is presently located in the unincorporated area of the County. As part of the process, the applicant submitted a petition to annex the acreage into Farmington City and requested the zone designation (LR-F) similar to the rest of his property and adjacent properties in the area that are already located within the city limits. The City Council accepted the petition for annexation study by resolution on May 5, 2015. The Planning Commission voted 6-0 on January 21, 2016 to recommend that the City Council approve the annexation, but recommended denial of the zoning designation of LR-F, which, if the City Council follows the Planning Commission recommendation, the default zone designation would be A-F.

Since the time that the schematic plan was approved by the City Council on June 30, 2015, the applicant has been preparing the studies required to address Section 11-30-105 of the Zoning Ordinance related to the Foothill Development Standards. The most important component of this has been the geotechnical (soils) report and the geo-hazards report. While many of the requirements of the foothill development standards have been met, there are some that will not be required until either the final improvement drawings or building plans have been submitted; these include a drainage and erosion control plan or SWPPP, grading plan, revegetation plan, and streets; all of these outstanding design requirements will be part of the improvement package required at the next step. Excerpts from the geo-hazards and geotech (soils) report have been included as part of this staff report. Both reports state that the property is developable as long as the mitigation methods and engineering guidelines detailed in these reports are followed.

Staff has had a third party geotech engineer (that is a consultant for the City) review the reports, he added a few mitigation requirements, but found the report to be fundamentally sound, however, this review was focused on the structural integrity of the future homes and how to mitigate those risks. At the last Planning Commission, staff was instructed to get a more comprehensive and thorough review of the geo-studies, which has occurred. Staff contracted with AGEC to get an objective, third-party review of the reports, the findings of this report are attached and the recommendations have been included as either conditions for approval, or additional information to be obtained through further study. It is still to be determined when an addendum to the geotech and geohazards study should be performed, but staff feels that it would be prudent to shore up the existing studies with additional information. At the January 21st Planning Commission, the commission tabled preliminary plat to give the applicant time to perform additional borings that were deeper than what GeoStrata initially did. At the time of this writing, the applicant had not received the borings. However, it is likely that those core samples could be available as part of the Planning Commission review tonight. If so, staff is recommending that the Planning Commission make a decision regarding this application, as the applicant has performed and exceeded all of the required studies as part of this subdivision proposal. If the borings have not been completed prior to tonight, then staff is recommending that the preliminary plat be tabled.

Additionally, some concerned residents have acquired a professor of geology from the University of Utah to give her opinion on the applicant's reports. At the City Council meeting held on December 15th, the Planning Commission was invited to hear what Dr. Nicoll said; while Dr. Nicoll had many relevant points, the focus of her discussion was on hillside development in general and how the best practice is to not develop on hillsides. Unfortunately, as valid as that input may be, the City currently has an application for a subdivision to review, and this application is what is under consideration, not an application for a nature preserve. Dr. Nicoll did not really address the two GeoStrata reports directly,

nor did she address the site specifically; it was a high-level, broad-brushed, and overall look at hillside development in general.

Suggested Motion:

Move that the Planning Commission approve the preliminary plat for the Residences at Farmington Hills PUD Subdivision, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The 20 acres must be annexed prior to the City accepting any application for final plat and/or final (PUD) master plan;
2. All cut and fills shall meet the requirements of Chapter 30 of the Zoning Ordinance;
3. The City Engineer must approve any exception to the maximum street slope of 12%, but in no event shall any exception exceed 14% slope as per the ordinance;
4. The developer must work with the City Manager/City Council to acquire property now owned by the City within the proposed development;
5. The applicant must deed trail rights-of-way, for public access to the City for the Flag Rock Trail and the lower firebreak road trail, and these easements shall be shown on final plat;
6. The applicant shall meet all requirements as set forth in Section 11-30-105 of the Zoning Ordinance, that have not been addressed yet;
7. The applicant shall provide any additional information to the geotech and geohazards reports as recommended by the attached *Review of Geologic and Geotechnical Investigation Reports – Farmington Hills Development* in the form of an addendum to the GeoStrata reports;
8. The applicant shall follow all recommended conditions outlined in the attached *Review of Geologic and Geotechnical Investigation Reports – Farmington Hills Development*.
9. GeoStrata shall conduct periodic inspections of development activity on-site to ensure the infrastructure improvements, single-family homes, and other structures are installed and/or constructed consistent with the standards set forth in their studies. All such work must receive approval from GeoStrata in writing, including engineer stamps;
10. The applicant shall set aside necessary land to accommodate the City's water tank and provide all easements necessary to make sure no portion of the City water facilities are outside of said easements including but not limited to off-site water lines connecting to 200 East.

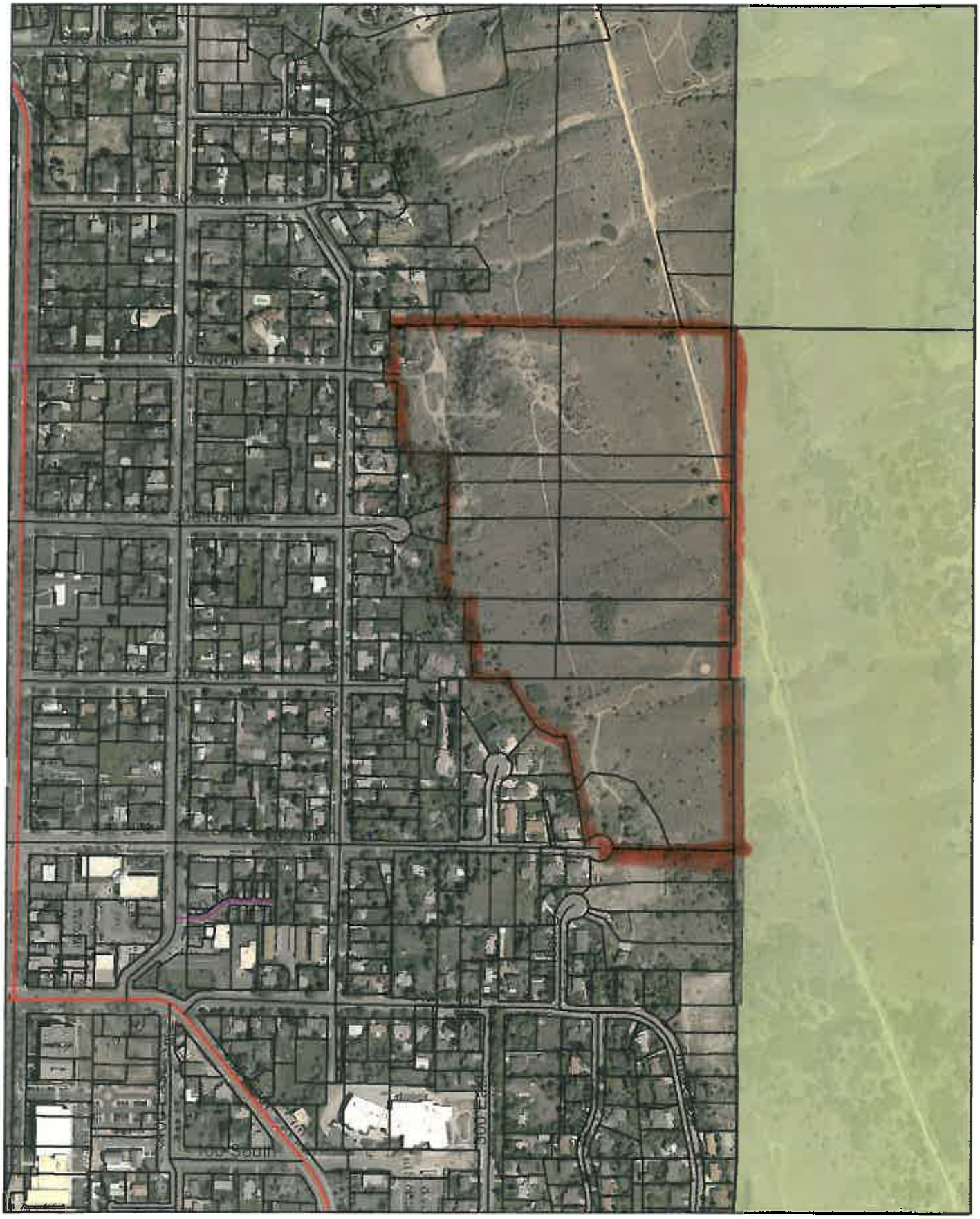
Findings for Approval:

1. The proposed preliminary plat meets the requirements of the subdivision and zoning ordinance.
2. Thus far the developer has demonstrated that the roads providing access to and from the site meet the City's slope standards for such roads.
3. The anticipated trail rights-of-way meet the 10% open space requirement for the PUD, in that only a small area of the project near 100 North will have the PUD overlay, and the developer is not seeking a bonus of lots over and above the lots allowed by the yield plan.
4. The primary responsibility of this small PUD is to maintain the common drive for lots near what is now the east end of 400 North Street.
5. The applicant has provided all of the requirements of Section 11-30-105 that are normally required up to this point in the subdivision process, and will provide the final development standard requirements as part of final plat and improvement drawings.
6. The applicant has provided and will provide additional geotechnical and geohazards studies than what is normally required for foothill development.

Supplemental Information

1. Vicinity Map
2. Yield Plan
3. Preliminary Plat
4. Excerpt from GeoTech Report
5. Excerpt from Geological Hazards Report
6. *The Review of Geologic and Geotechnical Investigation Reports – Farmington Hills Development* Performed by AGEC on behalf of the City

Farmington City



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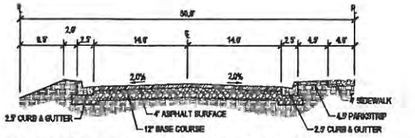
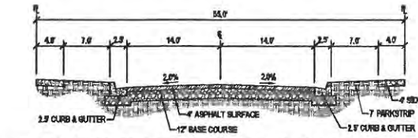
CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.



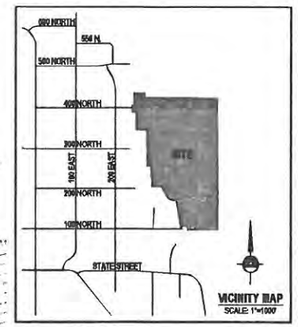
1 TYPICAL 50' STREET CROSS SECTION

SCALE: NONE



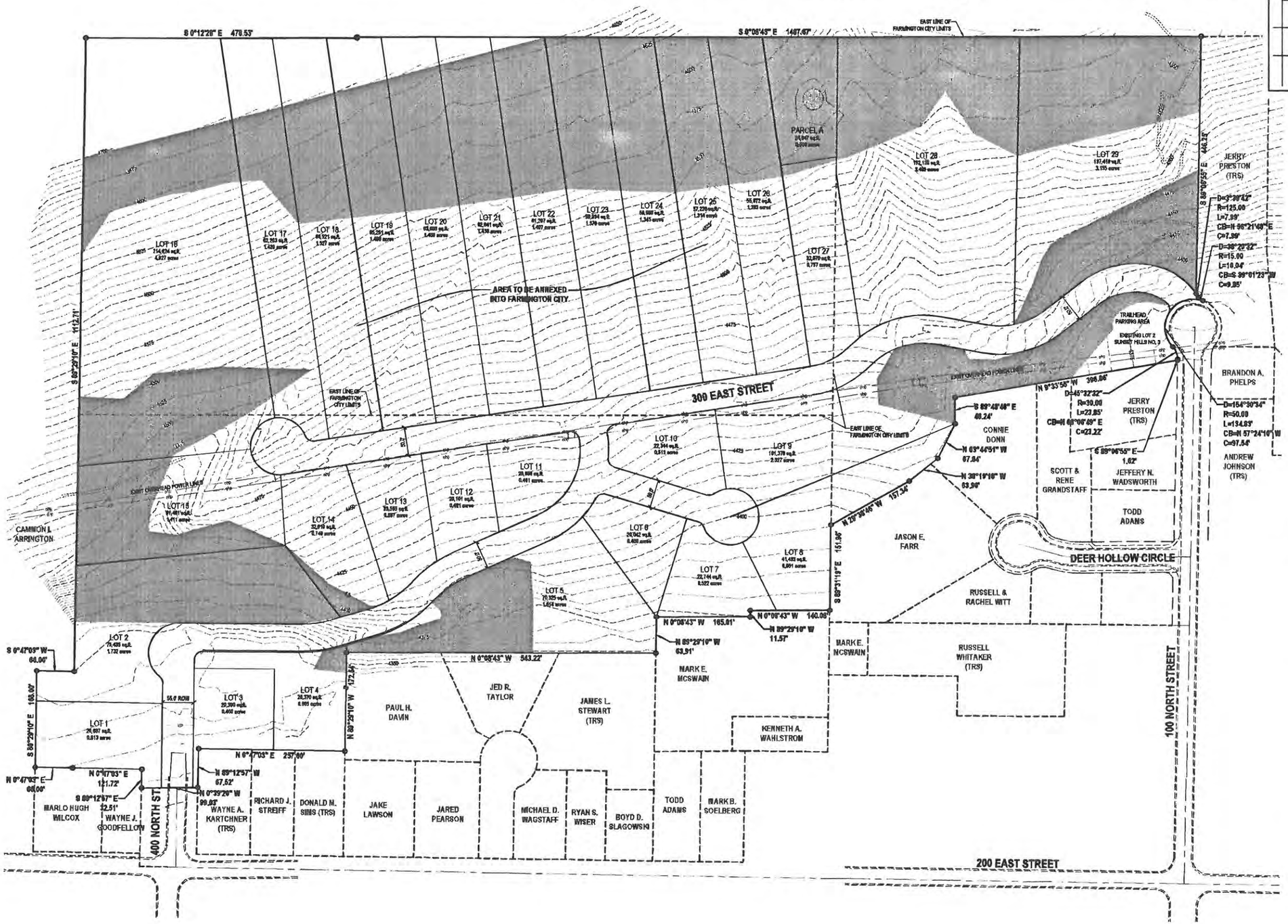
2 TYPICAL 55' STREET CROSS SECTION

SCALE: NONE



VICINITY MAP

SCALE: 1"=1000'



LEGEND

- EXISTING REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXISTING WATER METER
- PROPOSED WATER METER
- EXISTING WATER VALVE
- PROPOSED WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING SECONDARY WATER VALVE
- PROPOSED SECONDARY WATER VALVE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING STORM DRAIN CLEAN OUT BOX
- PROPOSED STORM DRAIN CLEAN OUT BOX
- EXISTING STORM DRAIN CATCH BASIN
- PROPOSED STORM DRAIN CATCH BASIN
- PROPOSED STORM DRAIN COMBO BOX
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER LINE
- EXISTING CULINARY WATER LINE
- PROPOSED CULINARY WATER LINE
- EXISTING SECONDARY WATER LINE
- PROPOSED SECONDARY WATER LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING CONTOURS
- EASEMENT
- EXISTING CONCRETE
- PROPOSED CONCRETE
- SLOPE > 20%

SITE IMPROVEMENT TABLE	
TYPE	AREA
TOTAL AREA (S.F.)	1,939,443 sq.ft.
TOTAL AREA (ACRES)	44.517 sq.ft.
TOTAL RESIDENTIAL LOTS	28 sq.ft.
AVERAGE LOT SIZE(S.F.)	54,397 sq.ft.

HORIZONTAL GRAPHIC SCALE

(IN FEET)
HORZ: 1 inch = 60 ft.

ENSIGN

LAYTON
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

COLORADO SPRINGS
Phone: 719.476.0119

WWW.ENSIGNENG.COM

FOR:
JPC CONTRACTING
40 NORTH 100 EAST
FARMINGTON, UT. 84025

CONTACT:
JERRY PRESTON
PHONE: 801-451-6625
FAX:

RESIDENCES AT FARMINGTON HILLS SUBDIVISION

400 NORTH TO 100 NORTH
FARMINGTON CITY, UTAH

Sec. 5049039
3-31-15
CAMRON NESS PRESTON

NO.	DATE	REVISION	BY
1	3-13-15	FOR CONCEPT APPROVAL	CHP
2	3-25-15	FOR CONCEPT APPROVAL	CHP

YIELD PLAN

PROJECT NUMBER: L2162
PRINT DATE: 3/31/15
DRAWN BY: M.ELMER
CHECKED BY: C.PRESTON
PROJECT MANAGER: C.PRESTON

2 OF 2

CALL BLUESTAKES @ 1-800-662-4111 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

BOUNDARY DESCRIPTION

Beginning at the Southwest Corner of Lot 7, Sunset Hills No. 4 Subdivision, said point being North 89°49'10" East 561.66 feet along the quarter section line and North 0°25'28" West 719.93 feet to the north line of 100 North Street and South 89°39'30" East 166.29 feet along the north line of 100 North Street from the Center of Section 19, Township 3 North, Range 1 East, Salt Lake Base and Meridian (not found), said point of beginning also being South 89°39'30" East 921.91 feet along the centerline of 100 North Street and North 0°20'30" East 30.00 feet from a Farmington City Street Monument in the intersection of 100 North Street and 300 East Street, (the Basis of Bearing being North 0°17'15" East 1785.51 feet record, 1786.04 feet measured, along the monument line in 300 East Street from a monument in 100 North Street to a monument in 400 North Street as shown on the Farmington Townsite Re-Survey, and running;

Thence North 10°06'30" West 189.00 feet along the west line to the Northwest Corner of Lot 7, Sunset Hills No. 4 Subdivision, also being the Southeast Corner of Lot 6, Deer Hollow Run Planned Unit Development;

Thence North 10°06'30" West 207.87 feet along the east line of Lot 6 and Lot 5 to the Northeast Corner of Lot 5, Deer Hollow Run Planned Unit Development;

Thence South 89°38'39" West 46.24 feet along the northerly line of Lot 5, Deer Hollow Run Planned Unit Development;

Thence North 64°17'26" West 67.84 feet along the northerly line of Lot 5, Deer Hollow Run Planned Unit Development;

Thence North 38°51'53" West 63.90 feet along the easterly line of Lot 5 and easterly line of Lot 4, Deer Hollow Run Planned Unit Development;

Thence South 30°11'21" West 157.34 feet along the easterly line to the Northeast Corner of Lot 4, Deer Hollow Run Planned Unit Development;

Thence South 89°56'06" West 142.92 feet along the north line of Lot 4, Deer Hollow Run Planned Unit Development;

Thence North 0°19'14" East 139.45 feet;
Thence North 89°59'05" West 23.54 feet;
Thence North 0°17'15" East 164.31 feet;
Thence North 52°36'45" East 219.78 feet;
Thence North 24°44'40" West 125.23 feet;
Thence North 89°59'05" West 150.22 feet;
Thence North 0°22'40" East 239.00 feet;
Thence North 89°59'05" West 167.15 feet;

Thence North 10.02 feet;
Thence North 89°40'58" West 7.86 feet;
Thence North 0°17'15" East 247.54 feet;
Thence North 89°42'52" West 67.52 feet;
Thence North 1°09'15" West 99.03 feet;
Thence South 89°42'52" East 32.51 feet;
Thence North 0°17'15" East 187.72 feet;
Thence South 89°59'05" East 168.00 feet;
Thence South 0°17'15" West 66.00 feet;
Thence South 89°59'05" East 1112.71 feet to a Bureau of Land Management 3.5"Brass Disk Monument at a 1/16th Corner in Section 19, Township 3 North, Range 1 East;

Thence South 0°44'21" East 1965.05 feet along the 1/16th line to the Northeast Corner of Lot 3, Sunset Hills No. 4 Subdivision;

Thence North 89°39'30" West 446.31 feet along the north line of Sunset Hills No. 4 Subdivision;

Thence southwesterly 8.37 feet along the arc of a 125.00 foot radius curve to the right, (center bears North West and long chord bears South 55°24'30" West 8.37 feet, with a central angle of 3°50'13");

Thence southwesterly 10.07 feet along the arc of a 15.00 foot radius curve to the left, (center bears South 32°40'23" East and long chord bears South 38°05'57" West 9.88 feet, with a central angle of 38°27'19") to the right of way line of 100 North Street;

Thence northwesterly 133.85 feet along the arc of a 50.00 foot radius curve to the left, (center bears North 71°07'42" West and long chord bears North 57°49'00" West 97.31 feet, with a central angle of 153°22'35") along the easterly and northerly right of way line of 100 North Street;

Thence southwesterly 23.48 feet along the arc of a 30.0.0 foot radius curve to the right, (center bears North West and long chord bears South 67°55'06" West 22.89 feet, with a central angle of 44°50'47") along the northerly right of way line of 100 North Street;

Thence North 89°39'30" West 2.45 feet along the north line of 100 North Street to the point of beginning.

Contains 1,874,711 square feet, 43.037 acres, 23 lots.

11-19-15
Date

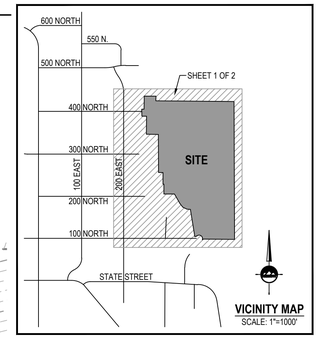
Keith R. Russell
License no. 164386

NOTES

1. BOOSTER PUMPS WITH VAULT PER FARMINGTON CITY STANDARDS WILL BE PROVIDED FOR EACH INDIVIDUAL LOT ON EAST SIDE OF 350 EAST STREET ON THE CULINARY WATERLINE. (POWER PROVIDED BY INDIVIDUAL LOTS)
2. ALL LOTS UNABLE TO DRAIN TO CITY RIGHT-OF-WAY WILL PROVIDE ONSITE RETENTION. NO STORM WATER WILL BE ALLOWED TO DRAIN ACROSS PROPERTY LINES.
3. ALL AREAS (INCLUDING PROPERTY TO BE ANNEXED) IS PROPOSED TO BE LR ZONE.
4. DETENTION POND @ TOP OF 100 NORTH TO PROVIDE ENOUGH STORAGE TO MAINTAIN HISTORICAL RELEASE RATE ONTO 100 NORTH STREET.
5. ALL DRIVEWAYS TO INDIVIDUAL PROPERTIES ARE TO 14% SLOPE OR LESS.

KEYED NOTES

1. INSTALL 1" CULINARY WATER SERVICE
2. INSTALL 4" SANITARY SEWER SERVICE
3. INSTALL 1-1/2" DUAL TURNOUT SECONDARY WATER SERVICE
4. INSTALL 1" SINGLE LOT SECONDARY WATER SERVICE
5. INSTALL FIRE HYDRANT AND VALVE
6. INSTALL SANITARY SEWER MANHOLE
7. INSTALL STORM DRAIN MANHOLE
8. INSTALL STORM DRAIN COMBO BOX
9. INSTALL STORM DRAIN INLET BOX
10. INSTALL "NO PARKING FIRE LANE" SIGNS (12"X18" W/ RED LETTERS ON WHITE REFLECTIVE BACKGROUND)
11. EXCAVATED TRENCH FOR GEOTECHNICAL EXPLORATION - SEE GEOTECHNICAL REPORT
12. LOCATED SECONDARY FAULT LINE - SEE GEOTECHNICAL REPORT



VICINITY MAP
SCALE: 1"=1000'

LEGEND

- EXISTING REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- EXISTING WATER METER
- PROPOSED WATER METER
- EXISTING WATER VALVE
- PROPOSED WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- EXISTING SECONDARY WATER VALVE
- PROPOSED SECONDARY WATER VALVE
- EXISTING SANITARY SEWER MANHOLE
- PROPOSED SANITARY SEWER MANHOLE
- EXISTING STORM DRAIN CLEAN OUT BOX
- PROPOSED STORM DRAIN CLEAN OUT BOX
- EXISTING STORM DRAIN CATCH BASIN
- PROPOSED STORM DRAIN CATCH BASIN
- PROPOSED STORM DRAIN COMBO BOX
- EXISTING LIGHT
- PROPOSED LIGHT
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER LINE
- EXISTING CULINARY WATER LINE
- PROPOSED CULINARY WATER LINE
- EXISTING SECONDARY WATER LINE
- PROPOSED SECONDARY WATER LINE
- EXISTING OVERHEAD POWER LINE
- TRENCH LOCATION - GEOTECHNICAL REPORT
- LOCATED SECONDARY FAULT LINE
- EXISTING CONTOURS
- EASEMENT
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING SLOPE GREATER THAN 30%
- DRAINAGE ARROW

SITE IMPROVEMENT TABLE	
TYPE	AREA
TOTAL AREA (S.F.)	1,874,711
TOTAL AREA (ACRES)	43.037
TOTAL RESIDENTIAL LOTS	23
AVERAGE LOT SIZE (S.F.)	73,474
LOTS PER S.F.	81,509
LOTS PER ACRE	1.871
ANNEXATION AREA (ACRE)	20.07

HORIZONTAL GRAPHIC SCALE
80 0 40 80 160
(IN FEET)
HORZ: 1 inch = 80 ft.

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FOR:
JPC CONTRACTING
40 NORTH 100 EAST
FARMINGTON, UT. 84025

CONTACT:
JERRY PRESTON
PHONE: 801-451-6525
FAX:

RESIDENCES AT FARMINGTON HILLS SUBDIVISION
PRELIMINARY PLAT - NOT TO BE RECORDED
400 NORTH TO 100 NORTH
FARMINGTON CITY, UTAH

PROFESSIONAL ENGINEER
CAMERON HESS PRESTON
No. 5049039
11-19-15
STATE OF UTAH

NO.	DATE	REVISION	BY
1			
2			
3			
4			
5			
6			
7			
8			

PRELIMINARY PLAT

PROJECT NUMBER: L2162
PRINT DATE: 11/20/15
DRAWN BY: M.ELMER
CHECKED BY: C.PRESTON
PROJECT MANAGER: C.PRESTON

1 OF 2

14425 South Center Point Way Bluffdale, Utah 84065
Phone (801) 501-0583 | Fax (801) 501-0584

Geotechnical Investigation
Farmington Hills Development
Farmington, Utah

GeoStrata Job No. 1039-002

October 19, 2015

Prepared for:

Elite Craft Homes
40 North 100 East
Farmington, Utah
Attention: Mr. Jerry Preston

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1.0 EXECUTIVE SUMMARY

This report presents the results of a geotechnical investigation conducted for the Farmington Hills residential development located in Farmington, Utah. The purposes of this investigation were to assess the nature and engineering properties of the subsurface soils at the proposed site and to provide recommendations for general site grading and the design and construction of foundations, slabs-on-grade, and pavements.

Based on the subsurface conditions encountered at the site, it is our opinion that the subject site is suitable for the proposed construction provided that the recommendations contained in this report are complied with. Subsurface conditions were investigated through the excavation of six exploratory test pits that extended to depths ranging from 6 to 13 feet below the site grade as it existed at the time of our investigation. The subject property is overlain by 1 to 2½ feet of topsoil composed of silt, sand, and gravel. Underlying the topsoil we encountered Pleistocene-aged lacustrine sand and gravel deposits.

All fill placed for the support of structures, concrete flatwork or pavements should consist of structural fill. Structural fill may consist of native sand and gravel soils with particles larger than 4 inches in diameter removed or an imported material. Structural fill may also consist of the native clay and silt soils, however the contractor should be aware that it can be difficult to moisture condition and compact the clay and silt soils to the specified maximum density. All structural fill should be free of vegetation, debris or frozen material, and should contain no inert materials larger than 4 inches nominal size. Alternatively, an imported structural fill meeting the specifications presented in the report may be used.

The foundation for the proposed structures may consist of conventional strip and/or spread footings founded on undisturbed native silty sand or gravel soils or on structural fill. Conventional strip footings founded entirely on undisturbed native silty sand and gravel soils, non-collapsible clayey sand, clay and silt soils, or on properly compacted structural fill may be proportioned for a maximum net allowable bearing capacity of **2,500 psf**.

An assumed CBR of 10.0 for near surface soils was utilized in the pavement design. Based on assumed traffic loads, we recommend a pavement section consisting of 3 inches of asphalt over 8 inches of untreated base for pavements on sand and gravel soils. Alternatively, a pavement section consisting of 3 inches of asphalt over 6 inches of untreated base over 6 inches of subbase may be used for pavements on sand and gravel soils.

NOTE: This executive summary is not intended to replace the report of which it is part and should not be used separately from the report. The executive summary omits a number of details, any one of which could be crucial to the proper application of this report.

2.0 INTRODUCTION

2.1 PURPOSE AND SCOPE OF WORK

This report presents the results of a geotechnical investigation conducted for the proposed Farmington Hills residential development located in Farmington, Utah. The purposes of this investigation were to assess the nature and engineering properties of the subsurface soils at the proposed site and to provide recommendations for general site grading and the design and construction of foundations, slabs-on-grade, and pavements.

The scope of work completed for this study included a site reconnaissance, subsurface exploration, soil sampling, laboratory testing, engineering analyses, and preparation of this report as in accordance with our signed proposal dated June 19, 2015. The recommendations contained in this report are subject to the limitations presented in the "Limitations" section of this report.

2.2 PROJECT DESCRIPTION

The subject project consists of an approximately 44 acre parcel located in Farmington, Utah (See Plate A-1, *Site Vicinity Map*). We understand that the development will consist of 29 residential building lots occupied by single-family residential buildings one to two stories in height with basements. We anticipate footings loads on the order of 3 to 5 klf. Several residential roads along with associated utilities, curb & gutter, and sidewalks within the development will also be a part of the proposed construction. We assume that the loads associated with these structures will be relatively light.

3.0 METHOD OF STUDY

3.1 SUBSURFACE INVESTIGATION

As part of this investigation, subsurface soil conditions were explored by excavating six exploratory trenches at representative locations across the site. Representative faces of each of these trenches were logged as part of a geotechnical investigation. The trenches were excavated to depths ranging from 6 to 13 feet below the site grade as it existed at the time of our investigation. The approximate locations of the explorations are shown on the *Exploration Location Map*, Plate A-2 in Appendix A. Exploration points were selected to provide a representative cross section of the subsurface soil conditions in the anticipated vicinity of the proposed structures. Subsurface soil conditions as encountered in the explorations were logged at the time of our investigation by a qualified geotechnical engineer and are presented on the enclosed Test Pit Logs, Plates B-1 to B-6 in Appendix B. A *Key to USCS Soil Symbols and Terminology* is presented on Plate B-7.

The trenches were advanced using a trackhoe. Both relatively undisturbed and bulk soil samples were obtained in each of the test pit explorations. Bulk samples were collected from each trench location placed in bags and buckets. Due to the relatively granular nature of the soils exposed during our investigation, it was not feasible to collect undisturbed soil samples. All samples were transported to our laboratory for testing to evaluate engineering properties of the various earth materials observed. The soils were classified according to the *Unified Soil Classification System* (USCS) by the Geotechnical Engineer. Classifications for the individual soil units are shown on the attached Test Pit Logs.

3.2 LABORATORY TESTING

Geotechnical laboratory tests were conducted on samples obtained during our field investigation. The laboratory testing program was designed to evaluate the engineering characteristics of onsite earth materials. As mentioned previously. due to the relatively granular nature of the subsurface soils, it was not feasible to obtain relatively undisturbed samples, and as such our laboratory testing was limited. Laboratory tests conducted during this investigation include:

- Grain Size Distribution (ASTM D422)
- Direct Shear Test (ASTM D3080)

The results of laboratory tests are presented on the Test Pit Logs in Appendix B (Plates B-1 to B-6), the Laboratory Summary Table and the test result plates presented in Appendix C (Plates C-1 and C-4).

3.3 ENGINEERING ANALYSIS

Engineering analyses were performed using soil data obtained from the laboratory test results and empirical correlations from material density, depositional characteristics and classification. Appropriate factors of safety were applied to the results consistent with industry standards and the accepted standard of care.

4.0 GENERALIZED SITE CONDITIONS

4.1 SURFACE CONDITIONS

At the time of our subsurface investigation, the subject property existed as vacant hillside property. No structures were observed on the property at the time of our investigation, and the only improvements were unpaved roadways largely oriented in a north-south direction. The site was covered in moderate amounts of vegetation consisting of native weeds, sagebrush, and small trees. The eastern portion of the site slopes moderately to the west at an approximate 4:H:1V before steepening to a 1.5H:1V slope near the western portion of the site, although this value varies locally. Total topographic relief across the site is approximately 370 feet. The site is located at an approximate elevation ranging from 4,415 to 4,785 feet above mean seal level

4.2 SUBSURFACE CONDITIONS

The subsurface soil conditions were explored at the subject property by excavating six exploratory trenches to depths ranging from 6 to 13 feet below the existing site grade. Subsurface soil conditions were logged during our field investigation and are included on the test pit logs in Appendix B (Plates B-1 to B-6). The soil and moisture conditions encountered during our investigation are discussed below.

4.2.1 Soils

Based on our observations and geologic literature review, the subject property is overlain by 1 to 2½ feet of topsoil composed of silt, sand, gravel, and cobble with occasional boulders. Undocumented fill soils were not observed during our field investigation. Underlying the topsoil, we encountered Pleistocene-aged lacustrine sand deposits associated with both the transgressive and regressive phases of the Bonneville lake cycle. These deposits extended to the maximum depths explored as part of this investigation. Descriptions of the soil units encountered are described below:

Topsoil: Where observed, these soils consisted of moist, dark brown Silty SAND (SM) with gravel, cobble and occasional boulders. This unit has an organic appearance and texture, with roots throughout. Topsoil was encountered in each of the test pits excavated as part of this investigation.

Pleistocene-Aged Lacustrine Deposits: These soils typically consist of sand with some silt and rounded gravel deposited in beaches corresponding to the transgressive and regressive phases of Lake Bonneville. The soils we encountered largely consisted of coarse-grained sediment including Poorly Graded GRAVEL (GP-GM) with silt and sand, Poorly Graded GRAVEL (GP) with sand, Poorly Graded SAND (SP) with gravel, Silty GRAVEL (GM) with sand, and Silty SAND (SM) with gravel. Fine-grained sediments were encountered interbedded with the coarse-grained material, and consisted of SILT (ML), SILT (ML) with gravel, Sandy SILT (ML), and Sandy Lean CLAY (CL). In general, these fine-grained sediments had low to no plasticity, and contained occasional iron staining.

The stratification lines shown on the enclosed Test Pit Logs represent the approximate boundary between soil types. The actual in-situ transition may be gradual. Due to the nature and depositional characteristics of the native soils, care should be taken in interpolating subsurface conditions between and beyond the exploration locations.

4.2.2 Groundwater Conditions

Groundwater was not encountered in any of the test pits excavated for this investigation. Seasonal fluctuations in precipitation, surface runoff from adjacent properties, or other on or offsite sources may increase moisture conditions; groundwater conditions can be expected to rise several feet seasonally depending on the time of year. However, it is not anticipated that groundwater will impact the proposed development.

5.0 GEOLOGIC CONDITIONS

5.1 GEOLOGIC SETTING

The site is located at an approximate elevation ranging from 4,415 to 4,785 feet above mean sea level, within the eastern boundary of the Great Salt Lake basin and the Wasatch Mountain Range. The Great Salt Lake basin is a deep, sediment-filled structural basin of Cenozoic age flanked by the Wasatch Range to the east and the Promontory Mountains, the Spring Hills, and the West Hills to the west (Hintze, 1980). The southern portion of the Salt Lake Basin is bordered on the west by the east shore of the Great Salt Lake. The Wasatch Range is the easternmost expression of pronounced Basin and Range extension in north-central Utah.

The near-surface geology of the Salt Lake Basin is dominated by sediments, which were deposited within the last 30,000 years by Lake Bonneville (Scott and others, 1983; Hintze, 1993). As the lake receded, streams began to incise large deltas that had formed at the mouths of major canyons along the Wasatch Range, and the eroded material was deposited in shallow lakes and marshes in the basin and in a series of recessional deltas and alluvial fans. Sediments toward the center of the valley are predominately deep-water deposits of clay, silt and fine sand. However, these deep-water deposits are in places covered by a thin post-Bonneville alluvial cover. Surface sediments are mapped at the site, and include Late Pleistocene lacustrine sand and gravel deposits (Machette, 1992).

5.2 SEISMICITY AND FAULTING

The site lies within the north-south trending belt of seismicity known as the Intermountain Seismic Belt (ISB) (Hecker, 1993). The ISB extends from northwestern Montana through southwestern Utah. An active fault is defined as a fault that has had activity within the Holocene (<11ka). Several splays of the Weber segment of the Wasatch Fault zone are mapped as being located throughout the site (Black et. al, 2003, Hecker, 1993). In order to assess the nature of the faults and delineate their location, GeoStrata is concurrently completing a fault trench investigation. The results of that investigation will be presented in a separate report. The most recent movement along the Weber Segment of the Wasatch Fault Zone occurred during the Quaternary period, and there is evidence that as many as 10 to 15 earthquakes have occurred along this segment in the last 15,000 years (Hecker, 1993). A location near Kaysville Utah indicated that the Weber Segment has a measurable offset of 1.4 to 3.4 meters per event (McCalpin, and others, 1994). The Weber Segment may be capable of producing earthquakes as

large as magnitude 7.5 (Ms) and has a recurrence interval of approximately 1,200 years. The site is also located approximately 20 miles east of the East Great Salt Lake Fault Zone (Hecker, 1993). Evidence suggests that this fault zone has been active during the Holocene (0 to 30,000 yrs) and has segment lengths comparable to that of the Wasatch Fault Zone, indicating that it is capable of producing earthquakes of a comparable magnitude (7.5 Ms). Analyses of ground shaking hazard along the Wasatch Front suggests that the Wasatch Fault Zone is the single greatest contributor to the seismic hazard in the Wasatch Front region. Each of the faults listed above show evidence of Holocene-aged movement, and is therefore considered active.

Seismic hazard maps depicting probabilistic ground motions and spectral response have been developed for the United States by the U.S. Geological Survey as part of NEHRP/NSHMP (Frankel et al, 1996). These maps have been incorporated into both *NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures* (FEMA, 1997) and the *International Building Code* (IBC) (International Code Council, 2012). Spectral responses for the Maximum Considered Earthquake (MCE_R) are shown in the table below. These values generally correspond to a two percent probability of exceedance in 50 years (2PE50) for a "firm rock" site. To account for site effects, site coefficients which vary with the magnitude of spectral acceleration are used. Based on our field exploration, it is our opinion that this location is best described as a Site Class D which represents a "stiff soil" profile. The spectral accelerations are shown in the table below. The spectral accelerations are calculated based on the site's approximate latitude and longitude of 40.9856° and -111.8804° respectively and the United States Geological Survey U.S. Seismic Design Maps tool version 3.1.0 (USGS, 2013). Based on the IBC, the site coefficients are F_a=1.00 and F_v= 1.30. From this procedure the peak ground acceleration (PGA) is estimated to be 0.55g.

MCE_R Seismic Response Spectrum Spectral Acceleration Values for IBC Site Class D[a]

Site Location: **Latitude = 40.9856 N** **Longitude = -111.8804 W**	**Site Class C Site Coefficients:** **Fa = 1.00** **Fv = 1.30**
Spectral Period (sec)	**Response Spectrum Spectral Acceleration (g)**
0.2	$\mathbf{S_{MS}}=(F_a * S_s=1.00*1.37) = 1.37$
1.0	$\mathbf{S_{M1}}=(F_v * S_1=1.30*0.56) = 0.73$

[a] IBC 1613.3.4 recommends scaling the MCE_R values by 2/3 to obtain the design spectral response acceleration values; values reported in the table above have not been reduced.

5.3 LIQUEFACTION

Certain areas within the intermountain region possess a potential for liquefaction during seismic events. Liquefaction is a phenomenon whereby loose, saturated, granular soil deposits lose a significant portion of their shear strength due to excess pore water pressure buildup resulting from dynamic loading, such as that caused by an earthquake. Among other effects, liquefaction can result in densification of such deposits causing settlements of overlying layers after an earthquake as excess pore water pressures are dissipated. The primary factors affecting liquefaction potential of a soil deposit are: (1) level and duration of seismic ground motions; (2) soil type and consistency; and (3) depth to groundwater.

Based on our review of the *Liquefaction Special Study Areas, Wasatch Front and Nearby Areas, Utah*, the site is located in an area currently designated as having a "Very Low" liquefaction potential. "Very Low" liquefaction potential indicates that there is less than a 5 percent probability of having an earthquake within a 100-year period that will be strong enough to cause liquefaction. Groundwater was not encountered in any of the test pits excavated as part of our investigation. As such, the near-surface soils are not considered to be susceptible to liquefaction. It is possible that potentially liquefiable soils are also present at depths greater than those covered in our investigation. A liquefaction analysis was beyond the scope of the project; however, if the owner wishes to have greater understanding of the liquefaction potential of the soils at greater depths, a liquefaction analysis should be completed at the site.

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Geologic Hazards Assessment
Farmington Hills Development
Farmington, Utah

GeoStrata Job No. 1039-002

October 15, 2015

Prepared for:

Elite Craft Homes
40 North 100 East
Farmington, Utah
Attention: Mr. Jerry Preston

Learn More

1.0 EXECUTIVE SUMMARY

The purpose of this investigation and report is to assess the proposed Farmington Hills Subdivision for the presence of geologic hazards that may impact the planned development of the site. The Weber segment of the Wasatch fault zone is mapped trending through or adjacent to the western side of the subject site. Surface fault ruptures associated with the Weber segment of the Wasatch fault zone were observed in Trenches 1 and 2 excavated as a part of this investigation. It is our opinion that the observed faults are active surface fault ruptures. No surface fault ruptures were observed in Trenches 3 through 6. Since the observed faults are considered to be active a setback area was established on either side of the observed faults. Setback distances of 24 feet on the upthrown side of the faults and 29 feet on the downthrown side of the faults were used to develop the setback areas. No structures or any portions of any structures intended for human occupancy should be located within the setback areas. It is generally accepted practice to allow roadways, landscaping, driveways, and non-habitable structures such as detached garages and sheds to be located within the setback areas.

No Holocene-aged alluvial fan deposits are located within the proposed Farmington Hills development. Minor debris flow sediments were observed within the channel of an ephemeral drainage located immediately south of the existing Farmington City water tank on the southeastern portion of the site. It is considered possible that debris flow events may occur within this drainage. The potential flood and debris flow hazard associated with this ephemeral drainage channel, to the proposed Farmington Hills development, is considered low as long as the natural course and geometry of the drainage channel is maintained and considered during the development. These hazards are considered high with respect to the existing residences west of the mouth of the drainage channel.

Rock fall hazard was also assessed as part of this investigation. Our field observation would indicate that the rock fall hazard at the site is moderate. Our modeling would indicate the rock fall hazard for the subject property to be low. It is recommended that mitigation structures upslope from the subject site be design and constructed to further reduce the potential for rock-fall events from impacting the proposed development.

NOTICE: The scope of services provided within this report are limited to the assessment of the subsurface conditions for the proposed development. This executive summary is not intended to replace the report of which it is part and should not be used separately from the report. The executive summary is provided solely for purposes of overview. The executive summary omits a number of details, any one of which could be crucial to the proper application of this report.

2.0 INTRODUCTION

2.1 PURPOSE AND SCOPE OF WORK

The purpose of this investigation and report is to assess the proposed Farmington Hills Subdivision residential development located at approximately 300 East 100 North to 400 North in Farmington City, Utah for the presence of geologic hazards that may impact the planned development of the site. The work performed for this report was performed in accordance with our proposal, dated June 19, 2015 and signed July 14, 2015. Our scope of services included the following:

- Review of available references and maps of the area.
- Stereographic aerial photograph interpretation of aerial photographs covering the site area.
- Review of the sub-meter Wasatch Front LiDAR elevation data (2013 to 2014) obtained from the State of Utah AGRC.
- Geologic reconnaissance of the site by an engineering geologist to observe and document pertinent surface features indicative of possible surface rupture fault hazards, debris flow hazards or other geologic hazards.
- Subsurface investigation consisting of trenching across portions of the site exposing the soil stratigraphy and observing the exposed soil for evidence of surface fault rupture or other geologic hazards.
- Preparation of hand drawn logs to document any fault structures, debris flow deposits or evidence of geologic hazards encountered during our subsurface investigation; and
- Evaluation of our observations combined with existing information and preparation of this written report with conclusions and recommendations regarding possible surface rupture hazards or any other geologic hazards observed to affect the site.

The recommendations contained in this report are subject to the limitations presented in the Limitations section of this report.

2.2 PROJECT DESCRIPTION

The project site is located in the foothills of the Wasatch Mountains at approximately 300 East between 100 North to 400 North in Farmington City, Utah. Proposed development, as currently planned, will consist of twenty three residential building lots as well as associated roadways and landscape areas. The subject property currently exists as undeveloped hillside property accessed

through unpaved trails and roadways. The subject site slopes moderately to the west throughout most of the subject site and steeply to the west along the western margin of the site. The subject site has an estimated topographic change of approximately 430 feet from east to west. The project site is shown on the Site Vicinity Map included in the Appendix of this report (Plate A-1). The Appendix also includes a Site Vicinity Geologic Map (Plate A-2 and A-2b) and an Exploration Location Map (Plate A-3).

3.0 METHODS OF STUDY

3.1 OFFICE INVESTIGATION

To prepare for the investigation, GeoStrata reviewed pertinent literature and maps listed in the references section of this report, which provided background information on the local geologic history of the area and the locations of suspected or known geologic hazards (Nelson and Personius, 1993; Black and others, 2003; Christenson and Shaw, 2008; U.S. Geological Survey, 2006). A detailed knowledge of the stratigraphic units expected in the area provided a useful time-stratigraphic framework for interpreting the units exposed in the trench excavated for this geologic hazards assessment. In addition, the presence of specific stratigraphic units is also very useful in determining the presence and severity of other geologic hazards that may be present on the subject property.

A stereographic aerial photograph interpretation was performed for the subject site using three sets of stereo aerial photographs obtained from the UGS as shown in Table 1.

Table 1

Source	Photo Number	Date	Scale
USFS	USFS-F-161	May 30, 1983	1:5,000
USFS	USFS-F-162	May 30, 1983	1:5,000
USFS	USFS-F-163	May 30, 1983	1:5,000
USFS	USFS-F-164	May 30, 1983	1:5,000
UGS OFR-548	WF1-6-079	1970	1:12,000
UGS OFR-548	WF1-6-080	1970	1:12,000
UGS OFR-548	WF1-6-081	1970	1:12,000
UGS OFR-548	WF2-5-121	1970	1:12,000
UGS OFR-548	WF2-5-122	1970	1:12,000
UGS OFR-548	WF2-5-123	1970	1:12,000

GeoStrata also conducted a review of the sub-meter Wasatch Front LiDAR elevation data (2013 to 2014) obtained from the State of Utah AGRC to assess the subject site for visible lineations or other surface fault rupture related geomorphology. The LiDAR elevation data was used to create hillshade imagery that could be reviewed for assessment of geomorphic features related to geologic hazards (Plates A-4 and A-5). We used this hillshade imagery and the stereographic

aerial photographs to map the location of the Weber segment of the Wasatch fault zone along the subject site for as part of preparing the Site Specific Geologic Map (Plate A-6).

The Exploration Location Map (Plate A-3) was produced to plan our assessment of the geologic hazards identified during our office research. One critical factor in the placement of exploration trenches across the site was the assessment of the surface fault rupture hazard along the western side of the subject site that was identified during our office research. The portion of the site that falls within the Surface Fault Rupture Special Study Zone needed to be assessed by means of trenching to assess the near surface geologic units for the presence or absence of active surface fault rupture hazards. No current Surface Fault Rupture Special Study Zone map is identified in the Farmington City Municipal Code (Chapter 30, 11-30-105 Development Standards, (4) Geologic Report). Christenson and others (2003) state that where special-study areas have not been defined, the UGS recommends that the width of special-study areas vary depending on whether the fault is well defined, buried (concealed) or approximately located. The recommended special-study areas for a well defined fault extend horizontally 500 feet (153 m) on the downthrown and 250 feet (76 m) on the upthrown side of mapped fault traces or outermost faults in a fault zone. In areas of high scarps where 250 feet (76 m) on the upthrown side does not extend to the top of the scarp, the special-study area is increased to 500 feet (153 m) on the upthrown side (Robison, 1993). A well-defined fault is defined as a fault where the fault trace is clearly detectable by a geologist qualified to conduct surface-fault rupture investigations as a physical feature at or just below the ground surface (typically shown as a solid line on a geologic map). Nelson and Personius (1993) map the portion of the Weber segment of the Wasatch fault zone trending through the subject site as a well defined fault trace (Plate A-2). The U.S. Geological Survey and Utah Geological Survey, 2006, Quaternary fault and fold database also report this section of the Weber segment of the Wasatch fault zone as a well defined fault trace (Plate A-3).

During our stereographic aerial photograph interpretation and our review of the sub-meter Wasatch Front LiDAR elevation data (2013 to 2014) obtained from the State of Utah AGRC to assess the subject site for visible lineations or other surface fault rupture related geomorphology we mapped the portion of the Weber segment along the western side of the subject site as a well defined fault (Plate A-4; Plate A-5; Plate A-6). The main trace of the Weber segment of the Wasatch fault zone, in the area of the subject site, was observed to correspond to a steeply west dipping escarpment that divided the site into a lower portion (in the northwest corner of the site) and an upper portion (throughout the remainder of the site). This escarpment was assessed to comprise the main fault scarp of the Weber segment. The base of the fault scarp defined a clear

liniment that we interpreted and mapped as the location of the location of the main Weber segment. It should be noted that the Weber segment is mapped further west of our mapped location on the U.S. Geological Survey and Utah Geological Survey, 2006, Quaternary fault and fold database (Plate A-3; Plate A-4). Plate A-3 also shows the special study area associated with the Weber segment across the subject site as we assessed it for this study. The fault location as assessed by GeoStrata was utilized to create the surface fault rupture special study zone, as shown on Plate A-3.

Several other lineations were also observed during our stereographic aerial photograph interpretation and our review of the sub-meter Wasatch Front LiDAR elevation data (2013 to 2014). These lineations were oriented generally east to west and are interpreted to comprise a number of small drainage swales eroded into the west dipping slope that makes up the subject site above and east of the Weber segment fault escarpment. These swales can be seen on Plate A-4 and Plate A-5. The Weber segment fault escarpment was also observed to be incised by several of these drainage swales within the subject site. One drainage located just south of and adjacent to the existing Farmington City water tank is down-cut approximately 10 to 20 feet into a well defined ephemeral drainage channel. This ephemeral drainage is associated with a small unnamed drainage basin canyon on the mountain front east of the subject site as can be seen on Plate A-2.

3.2 FIELD INVESTIGATION

An engineering geologist investigated the geologic conditions within the general site area. A field geologic reconnaissance was conducted to observe existing geologic conditions and to assess existing surficial evidence of surface fault ruptures, debris flow deposits or evidence other geologic hazards. Based on the results of our office research and field observations, six locations were selected for subsurface investigation by means of trenching. While conducting our fieldwork for the surface fault rupture hazard assessment we conducted site observations to assess what other geologic hazards might impact the site.

3.3 SUBSURFACE INVESTIGATION

Six exploratory trenches were excavated along the western side of the proposed development in order to expose and observe the subsurface soils and to assess the subject site for surface fault rupture hazards within the Surface Fault Rupture Special Study Area as shown on Plate A-3. The locations of the six trenches are shown on the Exploration Location Map (Plate A-3). Our trench excavations extended between approximately 30 feet to 130 feet farther east than the Surface

Fault Rupture Special Study Area to aid in assessing the proposed development for other geologic hazards and to assess the near surface soil conditions as part of our geotechnical assessment of the subject site. The geology exposed in these trenches will be described and interpreted in subsequent sections of this report.

4.0 GEOLOGIC CONDITIONS

4.1 GEOLOGIC SETTING

The site is located in Farmington City, Utah at an elevation ranging from 4400 to 4830 feet above mean sea level within the eastern portion of the Salt Lake Basin. The Salt Lake basin is a deep, sediment-filled structural basin of Cenozoic age flanked by the Wasatch Range and Wellsville Mountains to the east and the Promontory Mountains, the Spring Hills, and the West Hills to the west (Hintze, 1980). The southern portion of the Salt Lake Basin is bordered on the west by the east shore of the Great Salt Lake. The Wasatch Range is the easternmost expression of pronounced Basin and Range extension in north-central Utah (Stokes, 1986).

The near-surface geology of the Salt Lake Valley is dominated by sediments, which were deposited within the last 30,000 years by Lake Bonneville (Scott and others, 1983; Hintze, 1993). As the lake receded, streams began to incise large deltas that had formed at the mouths of major canyons along the Wasatch Range, and the eroded material was deposited in shallow lakes and marshes in the basin and in a series of recessional deltas and alluvial fans. Sediments toward the center of the valley are predominately deep-water deposits of clay, silt and fine sand. However, these deep-water deposits are in places covered by a thin post-Bonneville alluvial cover.

Surface sediments within the subject site are mapped as uppermost Pleistocene lacustrine sand (lbpg) mapped below the Provo shoreline where deposits cannot be correlated with a specific phase of the Bonneville Lake Cycle (Nelson and Personius, 1993). This unit is reported to consist of sand, silty sand, gravelly sand, and minor silt. Often consists of a thin, discontinuous veneer of Provo regressional deposits, overlying Bonneville transgressional deposits. Numerous shorelines developed on these deposits usually cannot be identified as either trangressional or regressional.

4.2 TECTONIC SETTING

The majority of the subject site is located on the west dipping bench located along the western foothills of the Wasatch Mountain Range. The Weber segment of the Wasatch fault zone is mapped trending through or adjacent to the western side of the subject site. A steeply west dipping scarp trends along the Weber segment. The Weber segment extends for about 35 miles from its southern terminus to northern terminus (Nelson and Personius, 1993). The southern terminus of the Weber Segment occurs at the Salt Lake Salient, a ridge of Paleozoic and Tertiary bedrock that extends west of the Wasatch Front at the northern end of the Salt Lake rupture

segment. The geometry of linkage between the main rupture zones in the Weber segment and faults in the interior of the Salt Lake salient is not clear. Surface scarps at the southern margin of the salient are discontinuous but apparently extend into the large normal fault along the eastern boundary of the segment. There is no reported evidence for Quaternary movement on this fault in the interior of the salient, so presumably the Quaternary ruptures have not reactivated most of this fault. The Pleasant View Salient marks the boundary between the Weber Segment and the Brigham City Segment to the north (Personius, 1986, Zoback, 1983). Prior paleoseismic studies report that the Weber segment of the Wasatch fault is thought to have experienced four surface faulting seismic events since the middle Holocene. Nelson and others (2006) report four surface faulting seismic events since the middle Holocene with the most recent event being a partial segment rupture which occurred approximately 500 years ago resulting in a 1.6 feet surface rupture displacement. DuRoss and others (2009) report evidence from the 2007 Rice Creek trench site of as many as six surface faulting seismic events during the Holocene with four surface faulting events in approximately the past 5,400 years. This data from DuRoss and others (2009) supports the partial segment surface rupture timing reported by Nelson and others (2006). A location near Kaysville, Utah indicated that the Weber Segment has a measureable offset of 1.4 to 3.4 meters per event (McCalpin and others, 1994). The Weber Segment may be capable of producing earthquakes as large as magnitude 7.5 (Ms). The consensus preferred recurrence interval for the Weber segment, determined by the Utah Quaternary Fault Working Group, is approximately 1,400 years for the past four surface fault rupture earthquakes (Lund, 2005).

The site is also located approximately 9 miles east of the East Great Salt Lake fault zone (Hecker, 1993). Evidence suggests that this fault zone has been active during Holocene times (0 to 10,000 years) and has segment lengths comparable to that of the Wasatch fault zone, indicating that it is capable of producing earthquakes of a comparable magnitude (7.5 Ms).

Analysis of the ground shaking hazard along the Wasatch Front suggests that the Wasatch Fault Zone is the single greatest contributor to the seismic hazard in the Salt Lake City region. Each of the faults listed above show evidence of Holocene-aged movement, and is therefore considered active.

AGEC
Applied GeoTech

January 6, 2016

Farmington City - Planning Commission
160 South Main Street
Farmington, Utah 84025

Attention: Eric Anderson
EMAIL: eanderson@farmington.utah.gov

Subject: Review of Geologic and Geotechnical Investigation Reports
Farmington Hills Development
400 North to 100 North 350 East
Farmington, Utah
Project No. 1151090

Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to review the geologic hazards assessment report for the Farmington Hills development in Farmington, Utah prepared by Geostrata for Elite Craft Homes under Geostrata Job No. 1039-002 dated October 15, 2015. We were requested to review the geotechnical investigation report prepared by the same company for the same client under Geostrata Job No. 1039-002 dated October 19, 2015. The preliminary plat dated November 19, 2015 was provided.

GEOLOGIC HAZARDS ASSESSMENT REVIEW

The geologic hazards assessment report addresses surface-fault-rupture, rockfall and alluvial-fan-flooding/debris-flow hazards. The geotechnical report addresses liquefaction and slope-stability hazards.

1. Surface-fault-rupture Hazard

The surface-fault-rupture hazard is generally adequately addressed in the report. Plate A-7 shows a non-buildable area, which we assume is primarily associated with slope stability and faulting. However, the non-buildable area has a gap just west of the Geostrata-mapped fault shown on the plate, which we expect should be designated as a non-buildable area. A clarification should be provided by Geostrata indicating what is intended by this gap in the non-buildable area.

Condition

We recommend that building excavations within the surface-fault-rupture-hazard, special-study area be observed at the time of construction by a geologist to determine if there are potentially active faults which extend into this area. Building locations should be modified accordingly.

Condition

2. Alluvial-fan Flooding/Debris Flow

The study indicates that debris flow is a potential hazard within a drainage that cuts through Lot 22 and may be a concern for driveways at Lots 22 and 23 which are proposed to cross the drainage. It is stated that modifications to the drainage could have an influence on the extent of the debris-flow-hazard area. We recommend that the area of debris-flow hazard be delineated on plans for the proposed development. The expected debris-flow volume should be quantified to allow for appropriate mitigation design as needed.

Condition

3. Rockfall

The report indicates that rockfall is a potential hazard in the eastern portion of the property. The area of potential hazard should be delineated on a map to identify the area of concern.

Condition

Construction of a chainlink fence or other form of deflection structure is recommended in the report. The location, design and size of the rock fall mitigation structures should be provided.

4. Landslides

The geologic hazards assessment report does not address landslides. We recommend that the geologist review aerial photographs, geologic literature, Lidar data and other information along with site reconnaissance to determine if there is evidence of landslides on or near the property. The geologist should be involved in selecting appropriate cross sections and subsurface conditions for the slope stability analysis provided in the geotechnical study.

further study

GEOTECHNICAL INVESTIGATION REVIEW

The geotechnical investigation report generally addresses geotechnical concerns associated with the project with the exception of slope stability and the selection of a granular subgrade for design of the pavement section. Subsurface exploration in the eastern portion of the property appears to be lacking.

1. Slope Stability

Subsurface investigation to a depth of 13 feet for a reported slope height of 370 feet and slopes of up to 1½ horizontal to 1 vertical is typically not considered adequate to characterize subsurface conditions for slope stability evaluation. We recommend deeper subsurface investigation be performed in key areas where slope stability may be a concern for the proposed development. Cut and fill slopes for the roads planned to extend up the relatively steep slope in the western portion of the property should be evaluated from a slope stability standpoint. Retaining systems for both cut and fill slopes should be appropriately designed.

Further study

conditions

(1) (2)

The friction value used in the stability analysis is high considering the presence of sand and unknown soil conditions below the investigated depth. Deeper subsurface investigation and likely more laboratory testing along with correlations of strength to material types given in published literature will provide a better understanding of subsurface material strengths and allow for selection of suitable strength values.

The model for the slope stability analysis does not include a water table. This might be an appropriate assumption, however, the depth of exploration is not great enough to identify whether or not there is a water table. The geotechnical engineer should consider the potential for a water table to develop in the slope due to water infiltration from landscape watering and other factors that may result in a change in subsurface water conditions due to the proposed development.

The locations of slope profiles used for the stability analysis are not shown.

2. Pavement Design

The pavement recommendations given in the report are based on a granular subgrade although clay was encountered in the western portion of the site. Recommendations for an alternative pavement section should be provided for areas of clay subgrade.

3. Subsurface Investigation

There are no reported test pits, borings or trenches for the eastern portion of the property. As previously noted, the depth of investigation for the slopes in western portion of the property is not considered adequate. Additional subsurface investigation is recommended.

4. Lateral Earth Pressures

It appears a friction angle of 40 degrees and soil unit weight of 120 pounds per cubic foot were used for lateral earth pressure recommendations. Such values may be low for backfill types and compaction methods that may be used. The amount of movement required to develop the passive pressure recommended may be more than what is considered acceptable for some structures. The recommended seismic increases do not appear to be consistent with IBC 2012.

5. Clay

Clay was encountered in some of the test pits. It appears the clay was not considered in most geotechnical recommendations.

6. Seismic Design Information

The values provide for the mapped acceleration parameters are not consistent with the IBC 2012 values. The table on page 8 mixes Site Class D with Site Class C information.

PRELIMINARY PLAT REVIEW

The preliminary plat provided to us does not incorporate recommendations provided in the geologic and geotechnical studies. The subdivision layout should be modified to include recommendations from these studies along with additional information developed by the geologic/geotechnical consultant with completion of additional studies recommended herein.

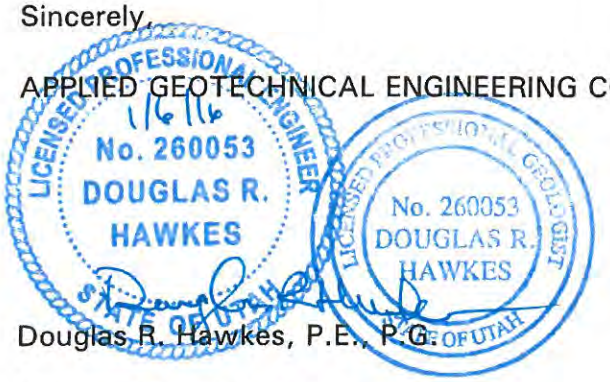
LIMITATIONS

This letter has been prepared in accordance with generally accepted geologic and geotechnical engineering practices in the area for the use of the client. The conclusions and recommendations included in the letter are based on our understanding of the site and review of the consultant's reports. We have not performed an independent study for the proposed development.

If you have questions or if we can be of further service, please call.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Douglas R. Hawkes, P.E., P.G.

Reviewed by JRM, P.E.

DRH/rs

Planning Commission Staff Report
February 4, 2016

Item 4: Conditional Use Permit Approval for an Events Center

Public Hearing:	Yes
Application No.:	C-1-16
Property Address:	495 West Glover Lane
General Plan Designation:	RRD (Rural Residential Density)
Zoning Designation:	AE (Agriculture Estates)
Area:	3 Acres
Number of Lots:	1
Property Owner:	Tim Matthews
Agent:	Tim Matthews

Request: *Conditional use approval for an events and reception center.*

Background Information

The applicant is requesting conditional use approval for an event and reception center located at 495 West Glover Lane. The proposal would be to use the two existing structures, particularly the barn to host indoor/outdoor events, including wedding receptions, family reunions, and a reception facility. Staff has included a letter from the applicant further describing the type of use he envisions for this property.

Staff requested the Planning Commission's input on whether to include this proposed use under the "commercial outdoor recreation, minor (i.e. family reunion center, outdoor reception facilities, equestrian facilities, picnic grounds, tennis courts, etc.). Four commissioners responded to the email request positively stating that they felt the proposed use did indeed fall under the minor commercial outdoor recreation use as defined in Chapter 10 of the Zoning Ordinance. In the AE zone, the minor commercial outdoor recreation is a conditional use.

The applicant did not provide a site plan as he is utilizing existing structures. However, a parking lot layout was provided (attached) and shows that there is ample space to park cars on a road-base lot that is removed from Glover Lane and placed at the rear of the lot; this lot would be accessed by a gravel drive. Additionally, if the need for overflow parking does arise, the pasture has more than enough room to accommodate additional cars. Although Chapter 32 of the Zoning Ordinance, which regulates off street parking, does not have standards for this type of use, staff has researched the national standard

according to the APA (American Planning Association) and this application far exceeds those recommended minimum requirements.

Suggested Motion

Move that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
2. The hours of operation are limited to 8 a.m. to 10 p.m.;
3. 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;
4. 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.

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 Glover Lane.

Supplemental Information

1. Vicinity Map
2. Narrative Description of Proposed Use
3. Site Plan Showing Parking

Applicable Ordinances

1. Title 11, Chapter 8 – Conditional Uses
2. Title 11, Chapter 10 – Agriculture Zones

Farmington City

Tuesday, February 24, 2009 10:44:54 AM
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0 50 100 200 300 Feet

To: Farmington City Planning Commission

From: Tim Matthews

Date: January 28, 2016

Subject: Conditional Use Description

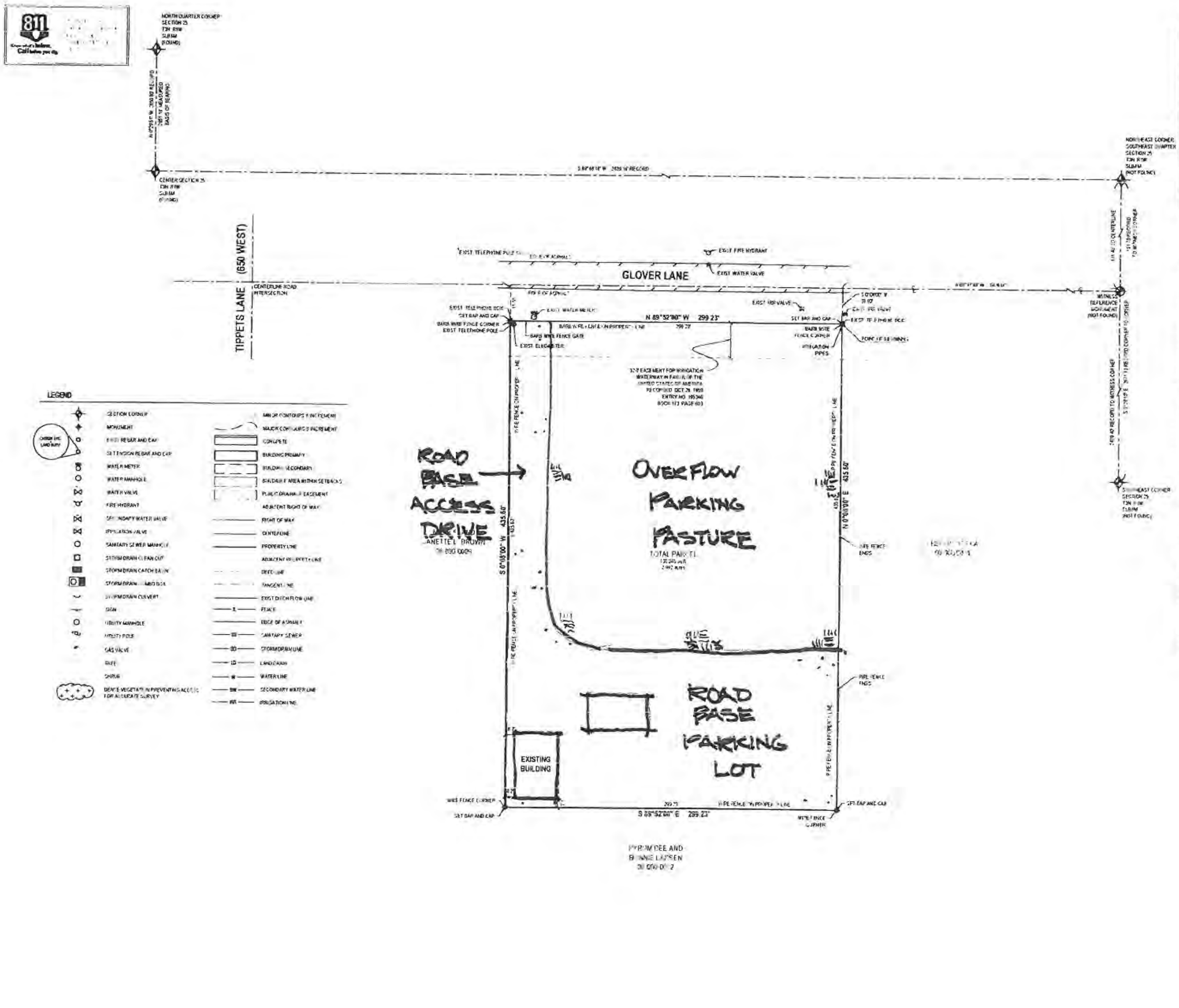
Our family has a small 3-acre ranch located at 495 West Glover Lane (across from where the new Farmington High School is being built). Our small ranch consists of some barns, pasture, animals, farm equipment, road/driveways and parking areas. There is not a residence on the property.

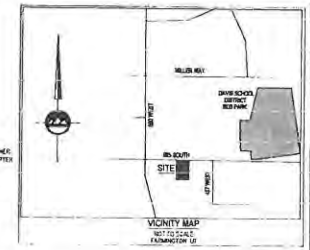
We desire to obtain a conditional use permit that would allow us to rent out, from time to time, our facilities to families so that they can conduct western style/farm themed functions and events on the property? These functions may include family reunions, birthday parties, holiday events, weddings, and similar activities. These types of western style/farm themed functions and events would be primarily outdoor but may also utilize our barns and facilities.

The property is zoned AE (Agriculture Estate). According to the City's Agriculture Zones and Schedule of Uses (11-10-020), AE allows with "conditional use" approval: *Commercial outdoor recreation, minor (i.e. family reunion center, outdoor reception facilities, equestrian facilities, picnic grounds, tennis courts, etc.).*

We believe that our desired conditional use request compliments the City of Farmington.

Thank you for your consideration.





SURVEYOR'S CERTIFICATE

Deed Parcel Description

Surveyed Parcel Description

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 25
TOWNSHIP 3 NORTH, RANGE 1 WEST
SALT LAKE BASE AND MERIDIAN

ENSIGN

LAYTON
1485 W. Hill Field Rd. Ste. 204
Layton, UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

SALT LAKE CITY
Phone: 801.255.0529

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

COLORADO SPRINGS
Phone: 719.476.0115

WWW.ENSIGNENG.COM

OLSON PROPERTY FOR TIM MATTHEWS

495 WEST GLOVER LANE
FARMINGTON, UTAH

PROPERTY SURVEY

1 OF 1

Planning Commission Staff Report
February 4, 2016

Item 5: Miscellaneous Zoning, Subdivision, and Sign Ordinance Amendments

Public Hearing:	Yes
Application No.:	ZT-5-15
Property Address:	NA
General Plan Designation:	NA
Zoning Designation:	NA
Area:	NA
Number of Lots:	NA
Applicant:	Farmington City

Request: *Applicant is requesting a recommendation of approval of amendments to the Zoning Ordinance.*

Background Information

The updates to the Farmington City Ordinance were included as part of the omnibus text amendment that was before the Planning Commission on January 21, 2016; these two items were tabled to give staff enough time to write or rewrite the ordinance amendments. The two zone text amendments are as follows: **a)** Defining Small Cell Networks, DAS, and Similar Wireless Networks in Section 11-28-190 and including these in Table 1, the Summary of Conditional and Permitted Uses; and **b)** Amending Section 11-7-107(7) of the Zoning Ordinance clarifying the language regarding the buffer requirement between a commercial and residential use.

a) Defining Small Cell Networks, DAS, and Similar Wireless Networks in Section 11-28-190 and including these in Table 1, the Summary of Conditional and Permitted Uses.

The City recently received and approved a conditional use permit for a "new wireless facility" on the Oakridge Country Club in the summer of 2015; this new facility is only 30' tall, very unobtrusive, and has a smaller radius of coverage. However, because of its small footprint and limited coverage area, telecommunications companies may be using these types of facilities in the future in a variety of contexts that were previously unavailable to some of the more impactful cell towers around the city. Currently, due to the novelty of these types of facilities, the city has no regulations specific to them. In preparation for the potential proliferation of these facilities, staff was directed to look into first codifying a definition for "New Wireless Facilities" and then better accommodating these facilities in the future expanding where they could be used and installed throughout the city.

At the last Planning Commission meeting, this item was tabled because staff was in the process of rewriting this ordinance with the help of a wireless company. The *de facto* "consultant" has now provided a draft ordinance change which has been parced out and incorporated into our current code as follows:

11-28-190 Wireless Telecommunications Facilities.

(a) Purpose. The purpose of this section is to address planning Issues brought on by the rapid growth in demand for low power radio services. This section distinguishes low radio from other broadcasting type Telecommunication technologies and establishes provisions that deal with issues of Demand, visual mitigation, noise, engineering, residential impacts, health, safety, And facility siting.

(b) Definitions. The following definitions are specific to this Chapter:

(1) Accessory Equipment. Any equipment serving or being used in conjunction with a Facility or Support Structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.

(2) Antenna. ~~A transmitting or receiving device used in telecommunications that radiates or captures radio signals.~~ Any equipment or device used to receive or transmit electromagnetic waves for the provision of Personal Wireless Services including, but not limited to, cellular, paging, personal communications services (PCS), and microwave communications. Such structures and devices include, but are not limited to, directional antennas, remote radio heads, small cell antennas, antennas for distributed antenna systems, panels, microwave and satellite dishes, and omni-directional antennas, such as whips. This definition does not apply to broadcast antennas, antennas designated for amateur radio use, or satellite dishes designed for residential or household purposes.

(3) Distributed Antenna System (DAS). A distributed antenna system network consisting of one or more nodes connected by a fiber system to a carrier's base transceiver station or other location commonly referred to in the communications industry as an "eNodeB", or "NodeB", or similar designation.

(4) Existing Structure. Previously erected Support Structure or any other structure, including but not limited to, base stations, buildings, water tanks, transmission towers, poles, signs, or similar structures to which Facilities can be attached.

(5) Facility. Any unmanned facility established for the purpose of providing wireless transmission of voice, data, images or other information including, but not limited to, Personal Wireless Services, cellular telephone service, personal communications service (PCS), and paging service. A Facility can consist of one or more Antennas and Accessory Equipment or one base station, a small cell network or Distributed Antenna System or any node, attachment, or facility, and associated equipment.

(6) Lattice Tower. A self-supporting multiple sides, open steel frame structure used to support telecommunications equipment.

(7) Low Power Radio Services facility. An unmanned structure which consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio wave or (wireless) transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.

(8) Monopole with Antennas and Antenna Support Structure greater than two (2) feet in width. A self-supporting monopole tower on which antennas or an antenna structure exceeding two (2) feet in width are placed. The antennas and antenna support structures may not exceed thirteen (13) feet in width or eight (8) feet in height.

(9) Monopole with Antennas and Antenna Support Structure less than two (2) feet in width. A monopole with antennas and antenna support structure not exceeding two (2) feet in width. Antennas and antenna support structures may not exceed ten (10) feet in height.

(10) Monopole. A single cylindrical steel or wooden pole that acts as the support structure for antennas.

(11) Personal Wireless Services. Commercial wireless services, unlicensed wireless services and common carrier wireless exchange access services.

(12) Roof Mounted Antenna. A roof mounted antenna is an antenna or series of individual antennas mounted on a flat roof, mechanical room or penthouse of a building.

(13) Small Cell Network. A Small Cell Network shall mean, but is not limited to, any radio access node (RAN) consisting of equipment which may include, but is not limited to, distributed antenna system (DAS), picocells, remote radio heads (RRH), distributed radio access nodes (DRAN), and other similar technologies as may exist now and into the future. A small cell "Node" is an equipment enclosure containing active radio components, concealment/"stealthing" (but excluding any associated electric meters, grounding equipment, power supply, power transfer switch, and cut-off switch), radio transceiver, and such other facilities and associated electronics as meet generally accepted industry standards or Federal Communications Commission ("FCC") rules, regulations and/or guidelines for small cell facilities.

(14) Stealth Facility. Any Facility that is integrated as an architectural feature of an Existing Structure or changes a Support Structure design so that the purpose of the Facility or Support Structure for providing wireless services is not readily apparent.

(15) Support Structure. A structure designed to support Facilities including, but not limited to, Monopoles, Vertical Facilities, utility poles and other freestanding self-supporting structures.

(16) Wall Mounted Antenna. An antenna or series of individual antennas mounted against the vertical wall of a building.

(17) Whip Antenna. An antenna that is cylindrical in shape. Whip antennas can be directional or omni-directional and vary in size depending upon the frequency and gain for which they are designed.

(n) Antennas an Mounting Structures on or over a public right-of-way. Antennas and mounting structures encroaching on or over the public sidewalk or on or over a public right-of-way shall be subject to obtaining permission from the city pursuant to the City's Rights-of-way Encroachment Policy.

(o) Non-maintained or Abandoned Facilities. The Zoning Administrator may require each non-maintained or abandoned low power radio services antenna to be removed from the building or premise when such an antenna has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of non-maintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure.

(p) Small Cell Networks, DAS, and Similar Networks. Small Cell Networks, DAS and similar networks may exceed the maximum building height limitations within a zoning district, provided they do not constitute a Substantial Change. These types of facilities shall not exceed fifty (50) feet in height unless such height increase is approved by the Planning Commission as part of a conditional use application.

(1) Site Plan Requirements. Site plans shall detail proposed improvements which complies with Farmington City's existing site plan requirements. Drawings must depict improvements related to the requirements listed in this Section, including property boundaries, setbacks, topography, elevation sketch, and dimensions of improvements.

(2) Lighting. Facilities or Support Structures shall not be lighted or marked unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or other applicable governmental authority.

(3) Signage. Signs located at the Facility shall be limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by the applicable governmental authority. Commercial advertising is strictly prohibited.

(4) Landscaping. In all zoning districts where these facilities are allowed the Planning Commission shall have the authority to impose reasonable landscaping requirements surrounding the Accessory Equipment. Required landscaping shall be consistent with surrounding vegetation and shall be maintained by the Facility owner. The Planning Commission may elect to waive landscaping requirements for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgment of the Planning Commission landscaping is not appropriate or necessary.

Table 1: Summary of Permitted and Conditional Uses

Zone District	Wall Mounted Antenna	Roof Mounted Antenna	Monopoles/< 2 ft structure, <60 ft tall or max height for district, if less	Monopoles/<2 ft structure, >60 ft tall or exceeding max height for district	Monopoles/> 2 ft structure, <60 ft tall or max height for district, if less	Monopoles/<2 ft structure, >60 ft tall or exceeding max height for district	Small cell network, DAS, and similar
A	C!	C!	C	C	C	C	C
AE /AA	C!	N	C#	N	N	N	C#
LS	C!	N	C#	N	N	N	C#
S	C!	N	C#	N	N	N	C#
LR	C!	N	C#	N	N	N	C#
R	C!	N	C#	N	N	N	C#
R-2	C!	N	C#	N	N	N	C#
R-4	C!	N	C#	N	N	N	C#
R-8	C!	N	C#	N	N	N	C#
BP	P	P	P	C	C	C	P
C-H	C!	P!	P	C	C	C	P
C-R	P	P	P	C	C	C	P
C	P	P	P	C	C	C	P
BR	C!	C!	C#	C	N	N	C#
M-1	P	P	P	C	C	C	P
S	P	P	P	C	C	C	P
B	C!	N	C#	N	N	N	C#

KEY: N = Not Permitted P = Permitted C = Conditional Use ! = Allowed Only on Non-Residential Structures
= Allowed Only on School, Church, etc, if Disguised

b) Amending Section 11-7-107(7) of the Zoning Ordinance clarifying the language regarding the buffer requirement between a commercial and residential use.

This issue came up when Ascent Construction was building their new headquarters on the corner of Park and Main. The parking lot abuts the DeJong home, and the Planning Commission found the language in this section of code to be ambiguous and difficult to administer and directed staff to amend the ordinance; this is an attempt to do just that. The requested amendment would reduce the 30' requirement, because both staff and the commissioners felt

that this is too high of a requirement, and it is a requirement that has not been enforced uniformly throughout the city. Additionally, removing the "and/or" requirement renders the ordinance less ambiguous.

At the January 21, 2016 Planning Commission meeting, the commission expressed concerns over the inclusion of industrial uses with commercial uses, and a 10' buffer was determined to not be enough separation for residential from industrial uses. As a solution, staff extricated industrial from commercial uses and placed more stringent requirements on industrial uses, such as an 8' high fence and a 30' buffer, as opposed to a 6' high fence and a 10' buffer. Additionally, staff was directed to tighten up the language in Section 11-7-107(7)(a), which was completed with a few minor changes as outlined in the amendment below.

11-7-107 Standards for Construction of Multiple-Family Residential, Commercial, Commercial Recreation, or Industrial Conditional Uses or Permitted Uses on an Undeveloped Site.

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(7) Screening shall be provided in the following situations and according to the following standards:

(a) The site plans shall indicate the location, height, design, and materials of walls, fences, hedges, and other buffers. These features shall be used to screen or conceal storage areas (including refuse containers), service yards, utility installations or other unsightly features, to minimize any negative impacts on adjacent property, and to create a harmonious streetscape, as determined by the Planning Commission at that time when a site plan application is reviewed.

(b) A six (6) foot high masonry fence and ~~/or a thirty (30)~~ a ten (10) foot buffer zone with sufficient plantings of trees and shrubs to provide adequate suppression of sound and light, as approved by the City Planner, shall be constructed between a residential property line or zone boundary and any parking area, road, or driveway of a proposed use determined to be of a commercial, office, or institutional ~~or industrial~~ nature. All fences shall be engineered to withstand wind loads up to 100 mph and shall be approved by the City Engineer. The Planning Commission may consider an alternative fence on its own initiative or upon petition by affected property owners.

(c) An eight (8) foot high masonry fence and a thirty (30) foot buffer zone with sufficient plantings of trees and shrubs to provide adequate suppression of sound and light, as approved by the City Planner, shall be constructed between a residential property line or zone boundary and any parking area, road, or driveway of a proposed use determined to be of an industrial nature. All fences shall be engineered to withstand wind loads up to 100 mph and shall be approved by the City Engineer. The Planning Commission may consider an alternative fence on its own initiative or upon petition by affected property owners.

Suggested Motion:

Move that the Planning Commission recommend approval of the proposed amendments to the Zoning and Subdivision Ordinances as set forth in the February 4, 2016 staff report, subject to all applicable Farmington City ordinances and standards.

Findings:

a. Providing a definition of small cell networks, DAS, and other similar networks is being proactive and preparing for the future widespread use that these types of facilities potentially represent.

b. This amendment clarifies the language regarding the buffer requirement between a commercial parking lot and a residential use and gives more specific administrative power to the Planning Commission when enforcing this requirement. Additionally, through bifurcating industrial from commercial uses and placing more stringent requirements on industrial uses, this provides stronger protections for residents from any potential negative impacts normally associated with industrial uses.

Applicable Ordinances

1. Title 11, Chapter 7 – Site Development Standards
2. Title 11, Chapter 28 – Supplementary and Qualifying Regulations

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"A Ladder of Citizen Participation"

Journal of the American Institute of Planners (1969)

Sherry Arnstein

Editors' Introduction

Local government is important and plural actors can influence the outcome of policies and programs that affect their lives. Local government is an important part of a new global order where public, private, and nonprofit sectors often work together in complex regimes. This new order raises local citizens' stakes in having their interests taken into account by local decision makers. But how, exactly, should citizens participate in local government decision making? Guidance as to how this might best be done comes from a classic article by Sherry Arnstein titled "A Ladder of Citizen Participation." Arnstein was the chief adviser on citizen participation in the Model Cities Program at the United States Department of Housing and Urban Development in the late 1960s and early 1970s.

Arnstein uses the metaphor of a ladder to describe gradations of "citizen participation" in urban programs that affect their lives. She makes clear her own personal commitment to a redistribution of power from haves to have-nots by empowering the poor and powerless. "A Ladder of Citizen Participation" has been reprinted more than eighty times and translated into five foreign languages.

At the lowest level of Arnstein's ladder are two forms of nonparticipation, which she terms *manipulation* and *therapy*. According to Arnstein, some governmental organizations have contrived phony forms of participation, which are really aimed at getting citizens to accept a predetermined course of action. While gullible citizens may think they are participating in decision making at these lowest levels of the ladder, Arnstein says they really are not. They are simply being used by decision makers. Almost at the bottom of the ladder is another form of nonparticipation, which Arnstein identifies as *therapy*. Arnstein brands this form of nonparticipation both dishonest and arrogant. Here the intent is to "cure" participants of attitudes and behaviors that local government officials do not like under the guise of seeking their advice.

Legitimate, but low, rungs of the ladder are *informing* and *consultation*. Informing citizens of the facts about a government program and their rights, responsibilities and options is a good first step, particularly if it is designed to go beyond a one-way flow of information. Consultation – getting citizens' opinions – is even better if the process is honest and citizens' opinions are really considered. Surveys, for example, may provide real input from citizens to decision makers, but if that is the only form of participation they would not go far in assuring that citizen views really carry weight. *Placation* – in which government gives in to some citizen demands – goes a step further. But a model in which government throws complaining citizens some crumbs to placate them is not really a satisfactory relationship.

The highest rungs on Arnstein's ladder are *partnership*, three rungs from the top, *delegated power*, one rung below the top, and *citizen control* at the very top of the ladder. During the "War on Poverty" in the 1960s, local government delegated power to run programs to some citizen groups or gave them full control over programs. Delegated power and citizens' control have been rare since that time. Opponents of citizen control advance many of the arguments that Arnstein identifies – that citizen control arguably balkanizes public services, may be costly and inefficient, can reward opportunistic citizen hustlers, and may be symbolic politics.

Today partnerships between public, private, and nonprofit organizations are popular. Arnstein places true partnerships relatively high on her eight-rung ladder. Partnerships represent a redistribution of power arrived at through negotiation. Where the odd bedfellows of local government, private corporations, and neighborhood nonprofit community-based organizations form joint planning and decision-making structures, citizen views can have real weight.

Both Sherry Arnstein and Paul Davidoff (p. 400) were engaged liberals who wrote their classic statements about citizen participation and advocacy planning in the late 1960s. Compare the approach of Davidoff, the lawyer who argues in favor of skilled professionals advocating on behalf of powerless clients, with the approach of Arnstein, the social work professional who favors empowering individuals and communities by involving them directly in planning and decision making.

Other books on citizen participation in urban planning and programs include James L. Breighton, *The Public Participation Handbook: Making Better Decisions Through Citizen Involvement* (San Francisco: Jossey-Bass, 2005), Thomas Ehrlich, *Public Policymaking in a Democratic Society: A Guide to Civic Engagement* (Armonk: M.E. Sharpe, 2002), Henry Sanoff, *Community Participation Methods in Design and Planning* (New York: Wiley, 1999), and John F. Forester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (Cambridge: MIT Press, 1999).

Peter Marris and Martin Rein's classic *Dilemmas of Social Reform*, second edition (Chicago: University of Chicago Press, 1982) describes community-based urban programs and articulates a philosophy of social change that influenced US urban policy in the 1960s. Two very different views on the US "War on Poverty" are Sar Levitan, *The Great Society's Poor Law* (Baltimore: Johns Hopkins University Press, 1969), and Daniel Patrick Moynihan, *Maximum Feasible Misunderstanding* (New York: Free Press, 1969). The US Model Cities program, its antecedents, and the initial phase of the successor Community Development Block Grant program are discussed in Bernard J. Frieden and Marshal Kaplan, *The Politics of Neglect: Urban Aid from Model Cities to Revenue Sharing* (Cambridge: MIT Press, 1975).

Books on public participation in urban planning and programs in Europe include James Barlow, *Public Participation in Urban Development: The European Experience* (Washington, DC: Brookings, 1995), Her Majesty's Stationery Office, *Community Involvement in Planning and Development Processes* (London: HMSO, 1995), and Albert Mabileau, *Local Politics and Participation in Britain and France* (Cambridge: Cambridge University Press, 1990).

The idea of citizen participation is a little like eating spinach: no one is against it in principle because it is good for you. Participation of the governed in their government is, in theory, the cornerstone of democracy – a revered idea that is vigorously applauded by virtually everyone. The applause is reduced to polite handclaps, however, when this principle is advocated by the have-not blacks, Mexican Americans, Puerto Ricans, Indians, Eskimos, and whites. And when the have-nots define participation as redistribution of power, the American consensus on the fundamental principle explodes into many shades of outright racial, ethnic, ideological, and political opposition.

There have been many recent speeches, articles, and books which explore in detail *who* are the have-nots of our time. There has been much recent documentation of *why* the have-nots have become so offended and embittered by their powerlessness to deal with the profound inequities and injustices pervading their daily lives. But there has been very little analysis of the content of the current controversial slogan: "citizen participation" or "maximum feasible participation." In short: *What* is citizen participation and what is its relationship to the social imperatives of our time?

Citizen participation is citizen power

Because the question has been a bone of political contention, most of the answers have been purposely buried in innocuous euphemisms like "self-help" or "citizen involvement." Still others have been embellished with misleading rhetoric like "absolute control"

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which is something no one – including the President of the United States – has or can have. Between understated euphemisms and exacerbated rhetoric, even scholars have found it difficult to follow the controversy. To the headline reading public, it is simply bewildering.

My answer to the critical *what* question is simply that citizen participation is a categorical term for citizen power. It is the redistribution of power that enables the have-not citizens, presently excluded from the political and economic processes, to be deliberately included in the future. It is the strategy by which the have-nots join in determining how information is shared, goals and policies are set, tax resources are allocated, programs are operated, and benefits like contracts and patronage are parceled out. In short, it is the means by which they can induce significant social reform which enables them to share in the benefits of the affluent society.

EMPTY REFUSAL VERSUS BENEFIT

There is a critical difference between going through the empty ritual of participation and having the real power needed to affect the outcome of the process. This difference is brilliantly capsulized in a poster painted last spring [1968] by the French students to explain the student-worker rebellion. (See Figure 1.) The poster highlights the fundamental point that participation without redistribution of power is an empty and frustrating process for the powerless. It allows the powerholders to claim that all sides were considered, but makes it possible for only some of those sides to benefit. It maintains the status quo. Essentially, it is what has been happening in most of the 1,000 Community Action Programs, and what promises to be repeated in the vast majority of the 150 Model Cities programs.

Figure 1 French student poster. In English, "I participate, you participate, he participates, we participate, you participate . . . they profit"

Types of participation and "nonparticipation"

A typology of eight *levels* of participation may help in analysis of this confused issue. For illustrative purposes the eight types are arranged in a ladder pattern with each rung corresponding to the extent of citizens' power in determining the end product. (See Figure 2.)

The bottom rungs of the ladder are (1) *Manipulation* and (2) *Therapy*. These two rungs describe levels of "nonparticipation" that have been contrived by some to substitute for genuine participation. Their real objective is not to enable people to participate in planning or conducting programs, but to enable powerholders to "educate" or "cure" the participants. Rungs 3 and 4 progress to levels of "tokenism" that allow the have-nots to hear and to have a voice: (3) *Informing* and (4) *Consultation*. When they are proffered by powerholders as the total extent of participation, citizens may indeed hear and be heard. But under these conditions they lack the power to insure that their views will be *heeded* by the powerful. When participation is restricted to these levels, there is no follow-through, no "muscle," hence no assurance of changing the status quo. Rung (5) *Placation* is simply a higher level tokenism because the groundrules allow have-nots to advise, but retain for the powerholders the continued right to decide.

Further up the ladder are levels of citizen power with increasing degrees of decision-making clout. Citizens can enter into a (6) *Partnership* that enables

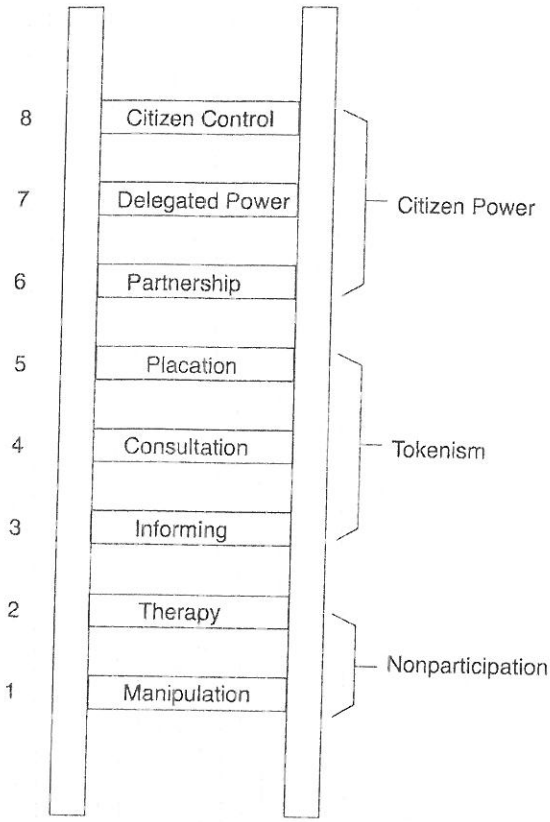

Figure 2 Eight rungs on the ladder of citizen participation

them to negotiate and engage in trade-offs with traditional power holders. At the topmost rungs, (7) *Delegated Power* and (8) *Citizen Control*, have-not citizens obtain the majority of decision-making seats, or full managerial power.

Obviously, the eight-rung ladder is a simplification, but it helps to illustrate the point that so many have missed – that there are significant gradations of citizen participation. Knowing these gradations makes it possible to cut through the hyperbole to understand the increasingly strident demands for participation from the have-nots as well as the gamut of confusing responses from the powerholders.

Though the typology uses examples from federal programs such as urban renewal, anti-poverty, and Model Cities, it could just as easily be illustrated in the church, currently facing demands for power from priests and laymen who seek to change its mission; colleges and universities which in some cases have become literal battlegrounds over the issue of student power; or public schools, city halls, and police departments (or big business which is likely to be next on the expanding list of targets). The underlying issues are essentially the same – "nobodies" in several arenas are trying to become "somebodies" with enough power to make the target institutions responsive to their views, aspirations, and needs.

LIMITATIONS OF THE TYPOLOGY

The ladder juxtaposes powerless citizens with the powerful in order to highlight the fundamental divisions between them. In actuality, neither the have-nots nor the powerholders are homogeneous blocs. Each group encompasses a host of divergent points of view, significant cleavages, competing vested interests, and splintered subgroups. The justification for using such simplistic abstractions is that in most cases the have-nots really do perceive the powerful as a monolithic "system," and powerholders actually do view the have-nots as a sea of "those people," with little comprehension of the class and caste differences among them.

It should be noted that the typology does not include an analysis of the most significant roadblocks to achieving genuine levels of participation. These roadblocks lie on both sides of the simplistic fence. On the powerholders' side, they include racism, paternalism, and resistance to power redistribution. On the have-nots' side, they include inadequacies of the poor community's political socioeconomic infrastructure and knowledge-base, plus difficulties of organizing a representative and accountable citizens' group in the face of futility, alienation, and distrust.

Another caution about the eight separate rungs on the ladder: In the real world of people and programs, there might be 150 rungs with less sharp and "pure" distinctions among them. Furthermore, some of the characteristics used to illustrate each of the eight types might be applicable to other rungs. For example, employment of the have-nots in a program or on a planning staff could occur at any of the eight rungs and could represent either a legitimate or illegitimate characteristic of citizen participation. Depending on their motives, powerholders can hire poor people to coopt them, to placate them, or to utilize the have-nots' special skills and insights. Some mayors, in private, actually boast of their strategy in hiring militant black leaders to muzzle them while destroying their credibility in the black community.

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Characteristics and illustrations

It is in this context of power and powerlessness that the characteristics of the eight rungs are illustrated by examples from current federal social programs.

1. MANIPULATION

In the name of citizen participation, people are placed on rubberstamp advisory committees or advisory boards for the express purpose of "educating" them or engineering their support. Instead of genuine citizen participation, the bottom rung of the ladder signifies the distortion of participation into a public relations vehicle by powerholders.

This illusory form of "participation" initially came into vogue with urban renewal when the socially elite were invited by city housing officials to serve on Citizen Advisory Committees (CACs). Another target of manipulation were the CAC subcommittees on minority groups, which in theory were to protect the rights of Negroes in the renewal program. In practice, these subcommittees, like their parent CACs, functioned mostly as letterheads, trotted forward at appropriate times to promote urban renewal plans (in recent years known as Negro removal plans).

At meetings of the Citizen *Advisory* Committees, it was the officials who educated, persuaded, and advised the citizens, not the reverse. Federal guidelines for the renewal programs legitimized the manipulative agenda by emphasizing the terms "information-gathering," public relations," and "support" as the explicit functions of the committees.

This style of nonparticipation has since been applied to other programs encompassing the poor. Examples of this are seen in Community Action Agencies (CAAs) which have created structures called "neighborhood councils" or "neighborhood advisory groups." These bodies frequently have no legitimate function or power. The CAAs use them to "prove" that "grassroots people" are involved in the program. But the program may not have been discussed with "the people." Or it may have been described at a meeting in the most general terms; "We need your signatures on this proposal for a multiservice center which will house, under one roof, doctors from the health department, workers from the welfare department, and specialists from the employment service."

The signatories are not informed that the $2 million-per-year center will only refer residents to the same old waiting lines at the same old agencies across town. No one is asked if such a referral center is really needed in his neighborhood. No one realizes that the contractor for the building is the mayor's brother-in-law, or that the new director of the center will be the same old community organization specialist from the urban renewal agency.

After signing their names, the proud grassrooters dutifully spread the word that they have "participated" in bringing a new and wonderful center to the neighborhood to provide people with drastically needed jobs and health and welfare services. Only after the ribbon-cutting ceremony do the members of the neighborhood council realize that they didn't ask the important questions, and that they had no technical advisors of their own to help them grasp the fine legal print. The new center, which is open 9 to 5 on weekdays only, actually adds to their problems. Now the old agencies across town won't talk with them unless they have a pink paper slip to prove that they have been referred by "their" shiny new neighborhood center.

Unfortunately, this chicanery is not a unique example. Instead it is almost typical of what has been perpetrated in the name of high-sounding rhetoric like "grassroots participation." This sham lies at the heart of the deep-seated exasperation and hostility of the have-nots toward the powerholders.

One hopeful note is that, having been so grossly affronted, some citizens have learned the Mickey Mouse game, and now they too know how to play. As a result of this knowledge, they are demanding genuine levels of participation to assure them that public programs are relevant to their needs and responsive to their priorities.

2. THERAPY

In some respects group therapy, masked as citizen participation, should be on the lowest rung of the ladder because it is both dishonest and arrogant. Its administrators -- mental health experts from social workers to psychiatrists – assume that powerlessness is synonymous with mental illness. On this assumption, under a masquerade of involving citizens in planning, the experts subject the citizens to clinical group therapy. What makes this form of "participation" so invidious is that citizens are engaged in extensive activity, but the focus of it is on curing them of their "pathology" rather than changing the racism and victimization that create their "pathologies."

Consider an incident that occurred in Pennsylvania less than one year ago. When a father took his seriously ill baby to the emergency clinic of a local hospital, a young resident physician on duty instructed him to take the baby home and feed it sugar water. The baby died that afternoon of pneumonia and dehydration. The overwrought father complained to the board of the local Community Action Agency. Instead of launching an investigation of the hospital to determine what changes would prevent similar deaths or other forms of malpractice, the board invited the father to attend the CAA's (therapy) child-care sessions for parents, and promised him that someone would "telephone the hospital director to see that it never happens again."

Less dramatic, but more common examples of therapy, masquerading as citizen participation, may be seen in public housing programs where tenant groups are used as vehicles for promoting control-your-child or cleanup campaigns. The tenants are brought together to help them "adjust their values and attitudes to those of the larger society." Under these ground rules, they are diverted from dealing with such important matters as: arbitrary evictions; segregation of the housing project; or why there is a three-month time lapse to get a broken window replaced in winter.

The complexity of the concept of mental illness in our time can be seen in the experiences of student/civil rights workers facing guns, whips, and other forms of terror in the South. They needed the help of socially attuned psychiatrists to deal with their fears and to avoid paranoia.

3. INFORMING

Informing citizens of their rights, responsibilities, and options can be the most important first step toward legitimate citizen participation. However, too frequently the emphasis is placed on a one-way flow of information – from officials to citizens – with no channel provided for feedback and no power for negotiation. Under these conditions, particularly when information is provided at a late stage in planning, people have little opportunity to influence the program designed "for their benefit." The most frequent tools used for such one-way communication are the news media, pamphlets, posters, and responses to inquiries.

Meetings can also be turned into vehicles for one-way communication by the simple device of providing superficial information, discouraging questions, or giving irrelevant answers. At a recent Model Cities citizen planning meeting in Providence, Rhode Island, the topic was "tot-lots." A group of elected citizen representatives, almost all of whom were attending three to five meetings a week, devoted an hour to a discussion of the placement of six tot-lots. The neighborhood is half black, half white. Several of the black representatives noted that four tot-lots were proposed for the white district and only two for the black. The city official responded with a lengthy, highly technical explanation about costs per square foot and available property. It was clear that most of the residents did not understand his explanation. And it was clear to observers from the Office of Economic Opportunity that other options did exist which, considering available funds, would have brought about a more equitable distribution of facilities. Intimidated by futility, legalistic jargon, and prestige of the official, the citizens accepted the "information" and endorsed the agency's proposal to place four lots in the white neighborhood.

4. CONSULTATION

Inviting citizens' opinions, like informing them, can be a legitimate step toward their full participation. But if consulting them is not combined with other modes of participation, this rung of the ladder is still a sham since it offers no assurance that citizen concerns and ideas will be taken into account. The most frequent methods used for consulting people are attitude surveys, neighborhood meetings, and public hearings.

When powerholders restrict the input of citizens' ideas solely to this level, participation remains just a window-dressing ritual. People are primarily perceived as statistical abstractions, and participation is measured by how many come to meetings, take brochures home, or answer a questionnaire. What citizens achieve in all this activity is that they have "participated in participation." And what powerholders achieve is the evidence that they have gone through the required motions of involving "those people."

Attitude surveys have become a particular bone of contention in ghetto neighborhoods. Residents are increasingly unhappy about the number of times per week they are surveyed about their problems and hopes. As one woman put it: "Nothing ever happens with those damned questions, except the surveyor gets

$3 an hour, and my washing doesn't get done that day." In some communities, residents are so annoyed that they are demanding a fee for research interviews.

Attitude surveys are not very valid indicators of community opinion when used without other input from citizens. Survey after survey (paid for out of anti-poverty funds) has "documented" that poor housewives most want tot-lots in their neighborhood where young children can play safely. But most of the women answered these questionnaires without knowing what their options were. They assumed that if they asked for something small, they might just get something useful in the neighborhood. Had the mothers known that a free prepaid health insurance plan was a possible option, they might not have put tot-lots so high on their wish lists.

A classic misuse of the consultation rung occurred at a New Haven, Connecticut, community meeting held to consult citizens on a proposed Model Cities grant. James V. Cunningham, in an unpublished report to the Ford Foundation, described the crowd as large and mostly hostile:

> Members of The Hill Parents Association demanded to know why residents had not participated in drawing up the proposal. CAA director Spitz explained that it was merely a proposal for seeking Federal planning funds – that once funds were obtained, residents would be deeply involved in the planning. An outside observer who sat in the audience described the meeting this way:
>
> "Spitz and Mel Adams ran the meeting on their own. No representatives of a Hill group moderated or even sat on the stage. Spitz told the 300 residents that this huge meeting was an example of 'participation in planning.' To prove this, since there was a lot of dissatisfaction in the audience, he called for a 'vote' on each component of the proposal. The vote took this form: 'Can I see the hands of all those in favor of a health clinic? All those opposed?' It was a little like asking who favors motherhood."

It was a combination of the deep suspicion aroused at this meeting and a long history of similar forms of "window-dressing participation" that led New Haven residents to demand control of the program.

By way of contrast, it is useful to look at Denver where technicians learned that even the best intentioned among them are often unfamiliar with, and even insensitive to, the problems and aspirations of the poor. The technical director of the Model Ci program has described the way professional plann assumed that the residents, victimized by high-pric local storekeepers, "badly needed consumer educ tion." The residents, on the other hand, pointed out th the local storekeepers performed a valuable functic Although they overcharged, they also gave cred offered advice, and frequently were the only neig borhood place to cash welfare or salary checks. A a result of this consultation, technicians and res dents agreed to substitute the creation of neede credit institutions in the neighborhood for a consume education program.

5. PLACATION

It is at this level that citizens begin to have some degree of influence though tokenism is still apparent. An example of placation strategy is to place a few hand-picked "worthy" poor on boards of Community Action Agencies or on public bodies like the board of education, police commission, or housing authority. If they are not accountable to a constituency in the community and if the traditional power elite hold the majority of seats, the have-nots can be easily outvoted and outfoxed. Another example is the Model Cities advisory and planning committees. They allow citizens to advise or plan ad infinitum but retain for power-holders the right to judge the legitimacy or feasibility of the advice. The degree to which citizens are actually placated, of course, depends largely on two factors: the quality of technical assistance they have in articulating their priorities; and the extent to which the community has been organized to press for those priorities.

It is not surprising that the level of citizen participation in the vast majority of Model Cities programs is at the placation rung of the ladder or below. Policy-makers at the Department of Housing and Urban Development (HUD) were determined to return the genie of citizen power to the bottle from which it had escaped (in a few cities) as a result of the provision stipulating "maximum feasible participation" in poverty programs. Therefore, HUD channeled its physical-social-economic rejuvenation approach for blighted neighborhoods through city hall. It drafted legislation requiring that all Model Cities' money flow to a local City Demonstration Agency (CDA) through the elected city council. As enacted by Congress, this gave local city councils final veto power over planning

and programming and ruled out any direct funding relationship between community groups and HUD.

HUD required the CDAs to create coalition, policy-making boards that would include necessary local powerholders to create a comprehensive physical-social plan during the first year. The plan was to be carried out in a subsequent five-year action phase. HUD, unlike OEO, did not require that have-not citizens be included on the CDA decision-making boards. HUD's Performance Standards for Citizen Participation only demanded that "citizens have clear and direct access to the decision-making process."

Accordingly, the CDAs structured their policy-making boards to include some combination of elected officials; school representatives; housing, health, and welfare officials; employment and police department representatives; and various civic, labor, and business leaders. Some CDAs included citizens from the neighborhood. Many mayors correctly interpreted the HUD provision for "access to the decision-making process" as the escape hatch they sought to relegate citizens to the traditional advisory role.

Most CDAs created residents' advisory committees. An alarmingly significant number created citizens' policy boards and citizens' policy committees which are totally misnamed as they have either no policy-making function or only a very limited authority. Almost every CDA created about a dozen planning committees or task forces on functional lines: health, welfare, education, housing, and unemployment. In most cases, have-not citizens were invited to serve on these committees along with technicians from relevant public agencies. Some CDAs, on the other hand, structured planning committees of technicians and parallel committees of citizens.

In most Model Cities programs, endless time has been spent fashioning complicated board, committee, and task force structures for the planning year. But the rights and responsibilities of the various elements of those structures are not defined and are ambiguous. Such ambiguity is likely to cause considerable conflict at the end of the one-year planning process. For at this point, citizens may realize that they have once again extensively "participated" but have not profited beyond the extent the powerholders decide to placate them.

Results of a staff study (conducted in the summer of 1968 before the second round of seventy-five planning grants were awarded) were released in a December 1968 HUD bulletin. Though this public document uses much more delicate and diplomatic language, it attests to the already cited criticisms of non-policy-making policy boards and ambiguous complicated structures, in addition to the following findings:

1. Most CDAs did not negotiate citizen participation requirements with residents.
2. Citizens, drawing on past negative experiences with local powerholders, were extremely suspicious of this new panacea program. They were legitimately distrustful of city hall's motives.
3. Most CDAs were not working with citizens' groups that were genuinely representative of model neighborhoods and accountable to neighborhood constituencies. As in so many of the poverty programs, those who were involved were more representative of the upwardly mobile working-class. Thus their acquiescence to plans prepared by city agencies was not likely to reflect the views of the unemployed, the young, the more militant residents, and the hard-core poor.
4. Residents who were participating in as many as three to five meetings per week were unaware of their minimum rights, responsibilities, and the options available to them under the program. For example, they did not realize that they were not required to accept technical help from city technicians they distrusted.
5. Most of the technical assistance provided by CDAs and city agencies was of third-rate quality, paternalistic, and condescending. Agency technicians did not suggest innovative options. They reacted bureaucratically when the residents pressed for innovative approaches. The vested interests of the old-line city agencies were a major – albeit hidden – agenda.
6. Most CDAs were not engaged in planning that was comprehensive enough to expose and deal with the roots of urban decay. They engaged in "meetingitis" and were supporting strategies that resulted in "projectitis," the outcome of which was a "laundry list" of traditional programs to be conducted by traditional agencies in the traditional manner under which slums emerged in the first place.
7. Residents were not getting enough information from CDAs to enable them to review CDA developed plans or to initiate plans of their own as required by HUD. At best, they were getting superficial information. At worst, they were not even getting copies of official HUD materials.
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8. Most residents were unaware of their rights to be reimbursed for expenses incurred because of participation – babysitting, transportation costs, and so on. The training of residents, which would enable them to understand the labyrinth of the federal–state–city systems and networks of subsystems, was an item that most CDAs did not even consider.

These findings led to a new public interpretation of HUD's approach to citizen participation. Though the requirements for the seventy-five "second-round" Model City grantees were not changed, HUD's twenty-seven-page technical bulletin on citizen participation repeatedly advocated that cities share power with residents. It also urged CDAs to experiment with subcontracts under which the residents' groups could hire their own trusted technicians.

A more recent evaluation was circulated in February 1969 by OSTI, a private firm that entered into a contract with OEO to provide technical assistance and training to citizens involved in Model Cities programs in the north-east region of the country. OSTI's report to OEO corroborates the earlier study. In addition it states:

> In practically no Model Cities structure does citizen participation mean truly shared decision-making, such that citizens might view themselves as "the partners in this program . . ."
>
> In general, citizens are finding it impossible to have a significant impact on the comprehensive planning which is going on. In most cases the staff planners of the CDA and the planners of existing agencies are carrying out the actual planning with citizens having a peripheral role of watchdog and, ultimately, the "rubber stamp" of the plan generated. In cases where citizens have the direct responsibility for generating program plans, the time period allowed and the independent technical resources being made available to them are not adequate to allow them to do anything more than generate very traditional approaches to the problems they are attempting to solve.
>
> In general, little or no thought has been given to the means of insuring continued citizen participation during the stage of implementation. In most cases, traditional agencies are envisaged as the implementors of Model Cities programs and few mechanisms have been developed for encouraging organizational change or change in the method of program delivery within these agencies or for insuring that citizens will have some influence over these agencies as they implement Model Cities programs . . . By and large, people are once again being planned *for*. In most situations the major planning decisions are being made by CDA staff and approved in a formalistic way by policy boards.

6. PARTNERSHIP

At this rung of the ladder, power is in fact redistributed through negotiation between citizens and power-holders. They agree to share planning and decision-making responsibilities through such structures as joint policy boards, planning committees, and mechanisms for resolving impasses. After the groundrules have been established through some form of give-and-take, they are not subject to unilateral change.

Partnership can work most effectively when there is an organized power-base in the community to which the citizen leaders are accountable; when the citizens' group has the financial resources to pay its leaders reasonable honoraria for their time-consuming efforts; and when the group has the resources to hire (and fire) its own technicians, lawyers, and community organizers. With these ingredients, citizens have some genuine bargaining influence over the outcome of the plan (as long as both parties find it useful to maintain the partnership). One community leader described it "like coming to city hall with hat on head instead of in hand."

In the Model Cities program only about fifteen of the so-called first generation of seventy-five cities have reached some significant degree of power-sharing with residents. In all but one of those cities, it was angry citizen demands, rather than city initiative, that led to the negotiated sharing of power. The negotiations were triggered by citizens who had been enraged by previous forms of alleged participation. They were both angry and sophisticated enough to refuse to be "conned" again. They threatened to oppose the awarding of a planning grant to the city. They sent delegations to HUD in Washington. They used abrasive language. Negotiation took place under a cloud of suspicion and rancor.

In most cases where power has come to be shared it was *taken by the citizens*, not given by the city. There is nothing new about that process. Since those who

have power normally want to hang onto it, historically it has had to be wrested by the powerless rather than proffered by the powerful.

Such a working partnership was negotiated by the residents in the Philadelphia model neighborhood. Like most applicants for a Model Cities grant, Philadelphia wrote its more than 400-page application and waved it at a hastily called meeting of community leaders. When those present were asked for an endorsement, they angrily protested the city's failure to consult them on preparation of the extensive application. A community spokesman threatened to mobilize a neighborhood protest *against* the application unless the city agreed to give the citizens a couple of weeks to review the application and recommend changes. The officials agreed.

At their next meeting, citizens handed the city officials a substitute citizen participation section that changed the groundrules from a weak citizens' advisory role to a strong shared power agreement. Philadelphia's application to HUD included the citizens' substitution word for word. (It also included a new citizen prepared introductory chapter that changed the city's description of the model neighborhood from a paternalistic description of problems to a realistic analysis of its strengths, weaknesses, and potentials.) Consequently, the proposed policy-making committee of the Philadelphia CDA was revamped to give five out of eleven seats to the residents' organization, which is called the Area Wide Council (AWC). The AWC obtained a subcontract from the CDA for more than $20,000 per month, which it used to maintain the neighborhood organization, to pay citizen leaders $7 per meeting for their planning services, and to pay the salaries of a staff of community organizers, planners, and other technicians. AWC has the power to initiate plans of its own, to engage in joint planning with CDA committees, and to review plans initiated by city agencies. It has a veto power in that no plans may be submitted by the CDA to the city council until they have been reviewed, and any differences of opinion have been successfully negotiated with the AWC. Representatives of the AWC (which is a federation of neighborhood organizations grouped into sixteen neighborhood "hubs") may attend all meetings of CDA task forces, planning committees, or sub-committees.

Though the city council has final veto power over the plan (by federal law), the AWC believes it has a neighborhood constituency that is strong enough to negotiate any eleventh-hour objections the city council might raise when it considers such AWC proposed innovations as an AWC Land Bank, an AWC Economic Development Corporation, and an experimental income maintenance program for 900 poor families.

7. DELEGATED POWER

Negotiations between citizens and public officials can also result in citizens achieving dominant decision-making authority over a particular plan or program. Model City policy boards or CAA delegate agencies on which citizens have a clear majority of seats and genuine specified powers are typical examples. At this level, the ladder has been scaled to the point where citizens hold the significant cards to assure accountability of the program to them. To resolve differences, powerholders need to start the bargaining process rather than respond to pressure from the other end.

Such a dominant decision-making role has been attained by residents in a handful of Model Cities including Cambridge, Massachusetts; Dayton and Columbus, Ohio; Minneapolis, Minnesota; St. Louis, Missouri; Hartford and New Haven, Connecticut; and Oakland, California.

In New Haven, residents of the Hill neighborhood have created a corporation that has been delegated the power to prepare the entire Model Cities plan. The city, which received a $117,000 planning grant from HUD, has subcontracted $110,000 of it to the neighborhood corporation to hire its own planning staff and consultants. The Hill Neighborhood Corporation has eleven representatives on the twenty-one-member CDA board which assures it a majority voice when its proposed plan is reviewed by the CDA.

Another model of delegated power is separate and parallel groups of citizens and powerholders, with provision for citizen veto if differences of opinion cannot be resolved through negotiation. This is a particularly interesting coexistence model for hostile citizen groups too embittered toward city hall – as a result of past "collaborative efforts" – to engage in joint planning.

Since all Model Cities programs require approval by the city council before HUD will fund them, city councils have final veto powers even when citizens have the majority of seats on the CDA Board. In

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Richmond, California, the city council agreed to a citizens' counter-veto, but the details of that agreement are ambiguous and have not been tested.

Various delegated power arrangements are also emerging in the Community Action Program as a result of demands from the neighborhoods and OEO's most recent instruction guidelines which urged CAAs "to exceed (the) basic requirements" for resident participation. In some cities, CAAs have issued subcontracts to resident dominated groups to plan and/or operate one or more decentralized neighborhood program components like a multipurpose service center or a Headstart program. These contracts usually include an agreed upon line-by-line budget and program specifications. They also usually include a specific statement of the significant powers that have been delegated, for example: policy-making; hiring and firing; issuing subcontracts for building, buying, or leasing. (Some of the subcontracts are so broad that they verge on models for citizen control.)

8. CITIZEN CONTROL

Demands for community controlled schools, black control, and neighborhood control are on the increase. Though no one in the nation has absolute control, it is very important that the rhetoric not be confused with intent. People are simply demanding that degree of power (or control) which guarantees that participants or residents can govern a program or an institution, be in full charge of policy and managerial aspects, and be able to negotiate the conditions under which "outsiders" may change them.

A neighborhood corporation with no intermediaries between it and the source of funds is the model most frequently advocated. A small number of such experimental corporations are already producing goods and/or social services. Several others are reportedly in the development stage, and new models for control will undoubtedly emerge as the have-nots continue to press for greater degrees of power over their lives.

Though the bitter struggle for community control of the Ocean Hill-Brownsville schools in New York City has aroused great fears in the headline reading public, less publicized experiments are demonstrating that the have-nots can indeed improve their lot by handling the entire job of planning, policy-making, and managing a program. Some are even demonstrating that they can do all this with just one arm because they are forced to use their other one to deal with a continuing barrage of local opposition triggered by the announcement that a federal grant has been given to a community group or an all black group.

Most of these experimental programs have been capitalized with research and demonstration funds from the Office of Economic Opportunity in cooperation with other federal agencies. Examples include:

1. A $1.8 million grant was awarded to the Hough Area Development Corporation in Cleveland to plan economic development programs in the ghetto and to develop a series of economic enterprises ranging from a novel combination shopping-center-public-housing project to a loan guarantee program for local building contractors. The membership and board of the nonprofit corporation is composed of leaders of major community organizations in the black neighborhood.
2. Approximately $1 million ($595,751 for the second year) was awarded to the Southwest Alabama Farmers' Cooperative Association (SWAFCA) in Selma, Alabama, for a ten-county marketing cooperative for food and livestock. Despite local attempts to intimidate the coop (which included the use of force to stop trucks on the way to market) first year membership grew to 1,150 farmers who earned $52,000 on the sale of their new crops. The elected coop board is composed of two poor black farmers from each of the ten economically depressed counties.
3. Approximately $600,000 ($300,000 in a supplemental grant) was granted to the Albina Corporation and the Albina Investment Trust to create a black-operated, black-owned manufacturing concern using inexperienced management and unskilled minority group personnel from the Albina district. The profitmaking wool and metal fabrication plant will be owned by its employees through a deferred compensation trust plan.
4. Approximately $800,000 ($400,000 for the second year) was awarded to the Harlem Commonwealth Council to demonstrate that a community-based development corporation can catalyze and implement an economic development program with broad community support and participation. After only eighteen months of program development and negotiation, the council will soon launch several large-scale ventures including operation of two

supermarkets, an auto service and repair center (with built-in manpower training program), a finance company for families earning less than $4,000 per year, and a data processing company. The all black Harlem-based board is already managing a metal castings foundry.

Though several citizen groups (and their mayors) use the rhetoric of citizen control, no Model City can meet the criteria of citizen control since final approval power and accountability rest with the city council.

Daniel P. Moynihan argues that city councils are representative of the community, but Adam Walinsky illustrates the nonrepresentativeness of this kind of representation:

> Who . . . exercises "control" through the representative process? In the Bedford-Stuyvesant ghetto of New York there are 450,000 people – as many as in the entire city of Cincinnati, more than in the entire state of Vermont. Yet the area has only one high school, and 80 per cent of its teenagers are dropouts; the infant mortality rate is twice the national average; there are over 8000 buildings abandoned by everyone but the rats, yet the area received not one dollar of urban renewal funds during the entire first 15 years of that program's operation; the unemployment rate is known only to God.
>
> Clearly, Bedford-Stuyvesant has some special needs; yet it has always been lost in the midst of the city's eight million. In fact, it took a lawsuit to win for this vast area, in the year 1968, its first Congressman. In what sense can the representative system be said to have "spoken for" this community, during the long years of neglect and decay?

Walinsky's point on Bedford-Stuyvesant has general applicability to the ghettos from coast to coast. It is therefore likely that in those ghettos where residents have achieved a significant degree of power in the Model Cities planning process, the first-year action plans will call for the creation of some new community institutions entirely governed by residents with a specified sum of money contracted to them. If the groundrules for these programs are clear and if citizens understand that achieving a genuine place in the pluralistic scene subjects them to its legitimate forms of give-and-take, then these kinds of programs might begin to demonstrate how to counteract the various corrosive political and socioeconomic forces that plague the poor.

In cities likely to become predominantly black through population growth, it is unlikely that strident citizens' groups like AWC of Philadelphia will eventually demand legal power for neighborhood self-government. Their grand design is more likely to call for a black city achieved by the elective process. In cities destined to remain predominantly white for the foreseeable future, it is quite likely that counterpart groups to AWC will press for separatist forms of neighborhood government that can create and control decentralized public services such as police protection, education systems, and health facilities. Much may depend on the willingness of city governments to entertain demands for resource allocation weighted in favor of the poor, reversing gross imbalances of the past.

Among the arguments against community control are: it supports separatism; it creates balkanization of public services; it is more costly and less efficient; it enables minority group "hustlers" to be just as opportunistic and disdainful of the have-nots as their white predecessors; it is incompatible with merit systems and professionalism; and ironically enough, it can turn out to be a new Mickey Mouse game for the have-nots by allowing them to gain control but not allowing them sufficient dollar resources to succeed. These arguments are not to be taken lightly. But neither can we take lightly the arguments of embittered advocates of community control – that every other means of trying to end their victimization has failed!