



Farmington City Planning Commission

July 7, 2016



AGENDA
PLANNING COMMISSION MEETING
July 7, 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

3. Glen Lent / Oakwood Homes – Applicant is requesting final plat approval for the Avenues at the Station Phase III Subdivision consisting of 21 lots on 2.58 acres of property located at approximately 1100 West Clark Lane in an RMU (Residential Mixed Use) Zone. (S-34-15)
4. Nick Mingo / Ivory Homes – Applicant is requesting preliminary plat approval for the Silver Hollow Conservation Subdivision consisting of 11 lots on 5 acres of property located at approximately 1600 West Jeppson Way (1550 North) in an LR (Large Residential) Zone. (S-7-16)
5. Farmington City (Public Hearing) – Applicant is requesting miscellaneous Text Amendments to Chapters 3, 17, 28, and 35 of the Zoning Ordinance, and Chapter 7 of the Subdivision Ordinance regarding **a)** Amending Section 11-3-045, requiring a public hearing for special exceptions; **b)** Adding language to Section 11-17-070(4)(d) specifying that no fee will be required to appear before the Planning Commission for a height increase of an accessory building in the OTR zone, as it is in other residential zones; **c)** Broadening Sections 11-13-030, 11-15-030, and 11-26-040, to include “temporary uses” as a conditional use in the Multi-Family, Light Manufacturing & Business, and Business Residential zones; **d)** Removing language from Section 12-7-030(10)(a) of the Subdivision Ordinance that restricts the allowance of flag lots in a platted subdivision; **e)** Amending Section 11-35-103(1) adding language clarifying the allowable number of external employees of home occupations.

OTHER

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 July 1, 2016

Eric Anderson
Associate City Planner

FARMINGTON CITY
PLANNING COMMISSION MEETING
June 23, 2016

STUDY SESSION

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

Item #3. Nick Mingo/Ivory Homes – Requesting Schematic Plan Approval for the Davis Creek Conservation Subdivision

David Petersen said the applicant is seeking to do a conservation subdivision with a waiver for the open space requirement. He said the majority of the lots are over half an acre. He said with a conservation subdivision, the applicant is required to have 30% open space which would leave approximately 2-3 acres of open space. He said the subdivision is across the street from the future high school and near the new elementary school so there is plenty of open space in close proximity. **David Petersen** also said in the event a developer chose to have a park on their open space, an HOA would have to maintain it and the fees may be astronomical for property owners as there are only 15 lots in the subdivision. **David Petersen** said the applicant has already been in negotiations with the City Manager to obtain the waiver; to obtain the waiver the applicant must exchange something in lieu of the open space or make a cash payment. The City Manager will present the possible waiver agreement to the City Council at their next meeting.

David Petersen also mentioned that the applicant is making significant improvements to the area for this development and for the City so Ivory Homes is requesting the City enter into a Pioneering Agreement. Typically when a property owner develops, they are required to put in improvements along their property line; however, in this event, the applicant is already completing the improvements. The Pioneering Agreement would allow the City to require property owners to reimburse the original developer for the property owner's portion of the improvements when they decide to develop their property.

Item #4. Nick Mingo/Ivory Homes – Requesting Schematic Plan Approval for the Davis Creek Commercial Subdivision

David Petersen said the large parcels of this subdivision may be further developed by Ivory Homes or may be sold to businesses that will fit within the uses of the Large Manufacturing and Business (LM&B) zone. He said it is not clear how long it will take to build out the entire subdivision or how many phases it will take. He pointed out the outfall for water drainage; it will eventually work its way to a detention basin they have located near the property before it enters Davis Creek.

David Petersen said if the preferred UDOT West Corridor Alignment is chosen, the WDC would go through this project. If this project is recorded prior to that, the City would like an offsite easement recorded for an offsite detention basin. If UDOT comes in 3-4 years later, the City needs to be able to show where the easements are for storm drainage so the City can ensure UDOT makes the City whole.

David Petersen said this is the 3rd layout for this property the City has received, and it includes all elements the City would prefer. **Alex Leeman** asked the length of the proposed cul-de-sac. **David Petersen** said they will measure the length and further review it during Regular Session.

Item #5. Miscellaneous

Connie Deianni asked about the outcome of City Council’s discussion regarding the Rice Farms property. **David Petersen** said after the previous meeting, staff pulled the Development Agreement for the Rice Farms property requiring the trail, as discussed in the last Planning Commission meeting. The applicant Jerry Preston signed the agreement in 2006. Jerry Preston is now proposing an amendment to the Development Agreement which will be presented at the next City Council meeting on July 19, 2016.

David Petersen said the other miscellaneous item is the Silverhollow Subdivision trail easement. He said the easement for the trail is already in place. On Tuesday, the item was presented to City Council; City Council made it clear they do not want to vacate that easement.

REGULAR SESSION

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

Item #1. Minutes

Kent Hinckley made a motion to approve the Minutes from the June 9, 2016 Planning Commission meeting. **Connie Deianni** seconded the motion which was unanimously approved.

Item #2. City Council Report

David Petersen gave a report from the June 21, 2016 City Council meeting. He said the City Council discussed the new high school and the elementary school, as well as the improvements that are being made around each school. The 2017 Fiscal Year budget was approved. The City Council provided an update to their sidewalk total and approved the schematic plan for Eastridge Estates Phase II with the recommendations that the Planning Commission provided. The City Council discussed the Silverhollow trail easement, and the Council’s desire to not vacate that easement.

SUBDIVISION APPLICATIONS

Item #3. Nick Mingo / Ivory Homes (Public Hearing) – Applicant is requesting schematic plan approval for the Davis Creek Conservation Subdivision consisting of 15 lots on 9.5 acres of property located at 475 West Glover Lane in an AE (Agricultural Estates) zone. (S-9-16)

Alex Leeman said the applicant was here to present the Davis Creek Conservation Subdivision.

Chase Freebairn, 978 E. Wood Oak Lane, Salt Lake City, said he is here representing Ivory Homes. He explained that this is the third proposal that has come before the City for the Pack family’s property. He said this is the residential side of the development; it is being proposed as a conservation

subdivision which consists of 15 lot with a large portion of the lots being over half an acre. **Chase Freebairn** said the conservation subdivision requires a percentage of open space with the option to request a waiver for the open space. He said they are already in negotiations with the City Manager to request the waiver.

David Petersen said in the last 8-9 years, the City has received approximately three proposals for this property. The property is constrained by the street configuration and the lay of the land. He said the applicant is proposing the schematic plan as shown in the staff report. Ivory Homes is proposing a conservation subdivision which resulted in 8 (1) acre lots on the yield plan. In order to increase density to the proposed 15 lots, which is a difference of 7 lots, the Ordinance requires a percentage increase of open space or cash in lieu of the open space. **David Petersen** said if the applicant chooses the cash payment option, the money will go towards open space in another location within the City. He said it would be difficult to leave the open space within the subdivision as the fees for a common space with such a few number of lots would be difficult for property owners to maintain. **David Petersen** said the City is not interested in having or maintaining an acre park as the regional park is in the near vicinity, the high school is across the street and the new elementary school is also nearby. **David Petersen** said the City Council will discuss the waiver amount at the next meeting.

David Petersen said it was asked by **Alex Leeman** during the Study Session about the dead end street limitation. He showed the aerial of the cul-de-sac; in total, the cul-de-sac is 1350' which means the applicant exceeds the limitation by 350'. **David Petersen** provided a copy of a section from the Ordinance for the commissioners regarding cul-de-sacs and read it with the commission. He pointed out the exceptions, one of which states that the street length shall not impact the ability for emergency vehicle access. **David Petersen** said the City Fire Department has already reviewed this proposal and is okay with it. The Ordinance also states that an exception may be granted if it is impossible to improve the property in any other way. **David Petersen** explained it is not impossible, but the alternative layout that meets the 1,000' dead end limitation would not be the best thing for the neighborhood and district. He explained previous developers have gone with the alternative layout because it is less road to build; however, the City has always directed them otherwise because the surrounding area does not benefit by the alternative layout for the road.

Alex Leeman opened the public hearing at 7:19 p.m.

Eva Gisseman, 465 W. 1025 S., said she lives in the middle of the proposed project. She expressed a few concerns. First, she said she is greatly affected by the drainage of the Pack property, including when it rains or when the Pack family waters. Second, she said all her utilities, including sewer, water, power, etc., run down both sides of Doberman Lane. She expressed concern that those may be affected by this development. She expressed frustration with surrounding property owners refusing past development back in 2002. It was her impression when past development opportunities were refused that this density would not be allowed around her home. **Eva Gisseman** said she makes a living training dogs. She is concerned that the future homeowners of the development will complain because of the noise of the dogs she trains. She said she is opposed to the proposed development, but does want assurance that her easement and utilities will not be disrupted.

John Kraczek, 1037 S. 650 W., said that he has lived in his home for 38 years. He said he disagreed with Eva Gisseman as he was not against past development opportunities, but that those that were against the 2002 development plans were those that lived along Glover's Lane. He said that he is in favor for the proposed development and feels the road should go all the way through. **Alex Leeman** asked him to clarify which road Mr. Kraczek is referring to. **John Kraczek** said the road he is referring to is 475 W. **Alex Leeman** explained that the way the road is stubbed would allow the road to possibly go

through at a future time. **John Kraczek** also expressed frustration that UDOT may bring the WDC so near to their homes and in an area that was supposed to remain somewhat rural.

Alex Leeman closed the public hearing at 7:28 p.m.

Alex Leeman asked the applicant to further explain how drainage and utilities will be addressed. **Chase Freebairn** said Ivory Homes will ensure the utilities are preserved and that property owners, including the Gisseman's access will be maintained. He said the development will have a storm drain to a detention pond below the last 2 lots in the cul-de-sac. The City has also asked that the storm drain easement be preserved in the event something happens to the property to the south (i.e. the WDC) to ensure there is a permanent solution for the storm drainage.

Alex Leeman also asked if the west side of the road, from Glover's Lane down to the Gisseman's property, will be finished with curb, gutter and sidewalk. **Chase Freebairn** said it was Ivory Home's understanding that the City did not want those improvements at this point; however, they are required to improve to back of curb. **David Petersen** stated it was his understanding that Ivory Homes would be including curb and gutter along the frontage of the Gisseman property. **Chase Freebairn** said yes, they are planning to improve curb and gutter along the Gisseman property. **Alex Leeman** asked that a note be included to ensure those improvements are shown on the preliminary plat.

Kent Hinckley expressed concern that the Ordinance does not allow for cul-de-sacs longer than 1,000'; however, the Fire Department feels this one is okay being 350' too long. He feels it may not be appropriate for the Fire Department to approve this cul-de-sac when they would not approve all other cul-de-sacs that exceeded the limitation. He pointed out that when Clearwater Homes presented the Meadow View Phase II the commissioners held true to the 1,000' dead end limitation and required the developer to come up with another solution. **David Petersen** said it can again be reviewed by the Fire Department to discuss if a temporary access can be provided, or at least be provided until a connection is made by continuing the road on. He also pointed out that there is a trade-off with continuing the road through as there is the potential of mingling light manufacturing traffic with the residential area. **David Petersen** explained a few other alternative layouts; however, those layouts are dependent on other property owners and their choice if they want a road through their property. **Bret Gallacher** pointed out that the Ordinance allows an exception to the limitation is if the topography and other circumstances make it impossible for any other layout; he said it's the commissioners' decision to decide if this is one of those circumstances. **Alex Leeman** said if the City considers 475 W. as a road that will eventually be pushed all the way through, the cul-de-sac is significantly shorter. He feels that although it does exceed the 1,000' limitation at this point, it may not always.

Kent Hinckley asked **David Petersen's** professional opinion as a City Planner as to whether it is a good idea to have a residential zone adjacent to a LM&B zone knowing some of the businesses that could be allowed within the LM&B zone as well as the traffic associated with it. **David Petersen** said he is comfortable with it as the LM&B zone highlights "light manufacturing;" he said there is no heavy manufacturing uses. He said the way the zone text was written, it would be very difficult to bring in something that will be very impactful to those residents.

In reference to **Eva Gisseman's** comment about her established business of training dogs, **Connie Deiani** asked how the City can protect this resident's livelihood while still meeting the needs of the proposed 4 lots that are adjacent to her home. **Alex Leeman** said that if the use is allowed by the zone, then the property owners can continue with their business. **Kent Hinckley** said it is easy to say they are allowed to do it; however, it does not address some of the challenges that come with unhappy neighbors. **David Petersen** explained in all his time working with the City, there has been one notice written for a horse, but was a result of a divorce dispute. It was the only complaint that has risen to the

City regarding livestock. He said the only complaint regarding dogs was a concern with the size of the property owner's dogs which turned out that this resident was raising wolves. **David Petersen** said often fear of complaints are expressed during the meetings; however, there are very rarely any concerns. In the event a complaint is received, a citation may be written if the complaint has merit; however, if the property owner is acting within the Ordinance and use of their zone, the City will immediately dismiss the complaint.

Connie Deianni expressed concern that Doberman Lane may become a parking lot for high school students as Doberman Lane will be directly across from the future high school. **David Petersen** said the other schools around Davis County have not had that problem; however, if the problem does arise, the City can put up signs that will not allowing parking on the street except by the residents. **David Petersen** said the City prefers to wait to see if there is a problem before using that type of signage, and it will be most likely addressed by the police.

John Kraczek has a question about an existing Weber Basin easement. **Chase Freebairn** said the easement will be vacated and the secondary water line will be relocated to the proposed road.

Motion:

Kent Hinckley made a motion that the Planning Commission recommends that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall receive approval for the open space waiver by a vote of not less than four (4) City Council members;
2. The applicant shall provide a 30' storm drain, sanitary sewer, and secondary water easement from the cul-de-sac to the proposed Davis Creek Commercial Subdivision on preliminary and final plat, as illustrated on the attached schematic plan;
3. The applicant shall provide all side treatments, including curb, gutter, sidewalk, and park strip on both sides of the proposed road for its entire length;
4. The applicant must receive approval from the City Council for the cul-de-sac which exceeds 1,000' in length;
5. City staff must make sure the length of the cul-de-sac is acceptable to the Fire Department.

Bret Gallacher seconded the motion which was unanimously approved.

Findings for Approval:

1. There appears to be no sensitive or constrained lands on site worth preserving, and the 2.85 acres of open space could be used elsewhere in the City.
2. The lot sizes exceed the minimum and average lot size required in a Conservation Subdivision for an AE zone significantly.
3. The proposal seeks to create in-fill development in an area of the City where such development makes sense, i.e. across from the new high school.
4. By moving the road to the southern and western boundaries, the proposed schematic plan is allowing for future development of several adjacent property owners who otherwise might not be able to develop their long and deep parcels.
5. The Fire Department has provided no dissenting comments regarding the cul-de-sac to be in excess of 1,000'.
6. The Planning Commission has determined that the physical conditions of the development site makes it impossible to develop the property any other way.

Item #4. Nick Mingo / Ivory Homes (Public Hearing) – Applicant is requesting schematic plan approval for the Davis Creek Commercial Subdivision consisting of 24 lots on 49.12 acres of property located at 1269 South 650 West in an LM&B (Light Manufacturing and Business) zone. (S-10-16)

Alex Leeman said this is the commercial side of the Davis Creek Subdivision. He invited the applicant to address the commission.

Chase Freebairn, 978 E. Wood Oak Lane, Salt Lake City, said this property is currently zoned as LM&B. The proposed development consists of 24 lots and meets all City's standards and requirements for this zone. He said he is available for questions.

David Petersen said this development includes very large parcels and will act more as a business park.

Alex Leeman asked if the applicant plans to put the roads in. **Chase Freebairn** said Ivory Home's timeline is unsure at this point; however, Ivory Homes has the option to retain the lots for their development or to sell the lots to other light manufacturing businesses.

Alex Leeman opened the public hearing at 7:43 p.m.

Philip Paget, 1012 S. 650 W., expressed concern with what he feels as the laxity of the zoning of the property and uses currently located there (i.e. soccer fields and other recreation) as it generates a lot of traffic for the area. He asked the applicant if they currently own the property, and if not, how soon do they expect to close and begin construction. He is concerned the applicant may leave the lots vacant and possibly entertain the idea of additional soccer fields. He said the previous concerns mentioned about LM&B traffic traveling through residential areas hit home to him as that is what he currently encounters on a daily basis. **Bret Gallacher** asked how long he has lived at his property and if that use was there prior to them moving into their home. **Philip Paget** said they have been there 11 ½ years, and he is not completely sure if the LM&B zone existed prior to that time.

John Kraczek, 1037 S. 650 W., questioned Ivory Homes if Ivory planned that the north to south street in the previous application will connect to this subdivision proposed for the LM&B zone. He also expressed concerns regarding traffic.

Jerry Schetselarr, 1060 S. 650 W., expressed concern that some of the businesses currently located in the LM&B zone don't seem to be light manufacturing type businesses. He said it is not on the builder to maintain the integrity of the zone. He said in the Ordinance it states that the LM&B zone is intended to reduce traffic; however, he feels it is currently increasing traffic. He asked who will protect the residents to ensure the additional 24 lots will remain LM&B uses which will help reduce the traffic rather than what is currently happening with the increase in traffic. He expressed concern with the damage the heavy trucks may be making to the road, especially as there have been approximately 5-6 water line breaks in the last few years. **Jerry Schetselarr** asked what the increased costs of these heavy trucks are and who is overseeing the businesses that will be coming into the LM&B zone.

Eva Gisseman, 465 W. 1025 S., said, in response to previous comments, she does not want 475 W. to continue south through her property and asked that conversation regarding its continuation cease. The road would be right under her bedroom. She said no one has approached her about buying her property nor does she have any intention of having that road continue through her property.

Alex Leeman closed the public hearing at 7:58 p.m.

Chase Freebairn said the Pack family does still have ownership of the property at this point. Ivory Homes is planning to close soon on the upper portion with plans to close on the southern portion in a few months. Once Ivory Homes retains ownership, there is no intention to lease property to Forza or any other recreational entities.

Alex Leeman clarified that the zoning designation for the LM&B zone is not up for a change at this meeting. He said Ivory Homes has tried to change the zone designation in an effort to extend the residential or agricultural zones, but have not been successful. He said it is his understanding that all businesses currently located in the LM&B zone comply with the allowed uses. **Alex Leeman** said he does not like the placement of this zone within the City; however, for the zone to change, someone has to ask for it to be changed. He said approval has not been granted to those that have asked for the zone to change. **David Petersen** said when the property was annexed into the City, it was annexed as LM&B. He explained all uses that are currently located in the LM&B zone are all conditional and permitted uses for the zone, including Forza. He said there have been requests to assess whether or not Forza is meeting the conditions of their conditional use approval. He said the police have also closely monitored 650 W. for speeding, but discovered the main problem is the volume of traffic generated between game times. **David Petersen** said the proposal for the business park may look like something similar to what is west of the freeway on Parrish Lane and should generate less traffic than the Forza Fields.

Bret Gallacher asked if **David Petersen** could address the resident's comment regarding the water line breaking approximately 5 times in the last few years. **David Petersen** said he is not familiar with the situation, but he knows the Water Superintendent has been dissatisfied with the water line in that area.

With regards to the truck traffic through the LM&B zone, **David Petersen** said the City is trying to direct traffic to Glover's Lane and onto the Frontage Road so the truck traffic will bypass the residential areas.

Kent Hinckley asked if the applicant intends to put the roads in for this project right away. **Alex Leeman** pointed out that the development of this property has been extremely slow for the Pack family so he would anticipate it may be the same moving forward.

Connie Deianni said it sounds like the applicant may soon own the property, but does not at this time. She asked if a motion can be made if they are not the property owners. **Alex Leeman** said Ivory Homes acts as proxy for the Pack family.

David Petersen stepped out and discussed the water line concerns with the Water Superintendent Larry Famuliner over the phone. He said Larry Famuliner explained that the issue with the water line is not a result from the traffic, but that the water line is over 25 years old and the joints keep leaking. Larry Famuliner said the current development's proposal will not improve the water line, but it should not make it worse.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council approve the schematic plan subject to all applicable Farmington City ordinances and development standards and the following condition; the applicant shall provide a storm water easement in favor of Farmington City from the north to the south boundary, and show this easement on preliminary plat. **Connie Deianni** seconded the motion which was unanimously approved.

Findings for Approval:

1. The proposed subdivision is the highest and best use for this property given the underlying LM&B zoning designation.
2. The proposed subdivision meets all of the requirements as outlined in Chapter 26 of the Zoning Ordinance.
3. The proposed subdivision created added connectivity to the area with three points of ingress/egress to Glovers Lane and 650 West.
4. By providing a storm-water easement the length of the property, the City is protecting itself from future drainage issues should the subdivision not be built due to the ultimate West Davis Corridor alignment.

ADJOURNMENT

Motion:

At 8:10 p.m., **Connie Deianni** made a motion to adjourn the meeting which was unanimously approved.

Alex Leeman
Acting Chair, Farmington City Planning Commission



Planning Commission Staff Report July 7, 2016

Item 3: Final Plat for the Station Avenues Phase III Subdivision

Public Hearing:	No
Application No.:	S-34-15
Property Address:	Southwest Corner of Clark Lane and 1100 West
General Plan Designation:	Transportation Mixed Use (TMU)
Zoning Designation:	RMU (Residential Mixed Use)
Area:	2.58 Acres
Number of Lots:	21
Property Owner:	Oakwood Homes
Agent:	Oakwood Homes

Request: *Applicant is requesting approval of a Final Plat for Station Avenues Phase III.*

Background Information

The Planning Commission reviewed the Schematic Plan at a public hearing on September 17, 2013, and recommended the plan for approval to the City Council, which they subsequently approved on October 1st. On November 14, 2013 the Planning Commission approved the Preliminary Plat. Now the Final Plat for Phase III is before the Planning Commission. Under normal circumstances, a schematic plan is far less detailed than what was required by staff of the applicant, the reason for this was twofold: first, the plan was hampered by a large petroleum/gas line running through the property that could have potentially affected the lot layouts and overall site plan significantly, as a result the applicant had to provide a detailed explanation. Second, because this constitutes the first development in the RMU zone, it became important that the plan, even at the schematic level show more refinement than what is normally requested. As a result, the final plat before you is very similar to what was proposed at both schematic plan and preliminary plat level, but is solely for Phase III.

Project Master Plan (PMP). The proposed project is subject to the development plan review process set forth in Chapter 18 of the Zoning Ordinance. As per Section 11-18-108 of this chapter, an approved PMP, which establishes a “framework for the development of large or phased projects” may be required as a prerequisite for this process. The PMP was approved concurrently with the preliminary plat on November 14, 2013.

Subdivision Process. Notwithstanding the forgoing, the developer must follow the subdivision process because each dwelling unit results in a building lot and the streets and trails as shown in red on the

attached drawing must be dedicated as public rights of way. This subdivision process consists of three stages: 1) schematic plan; 2) preliminary plat; and 3) final plat. The final plat for Phase III is now being presented for Planning Commission consideration, in so doing the Commission must ensure, among other things, that the proposed layout and description of public improvements (i.e. culinary water, storm drain, sanitary sewer, etc.) comply with the City's Master Plan, Zoning Ordinance, the Subdivision Ordinance, and other appropriate regulations. After a careful review of the plan, the City's Development Review Committee (DRC) is recommending final plat approval subject to the conditions set forth in the proposed motion.

The applicant has entered into a development agreement to use a future detention basin to the west of the D&RG Trail (UTA ROW); this detention basin will be a project improvement. The applicant was originally proposing that the temporary detention basin be removed as part of this phase and the storm-water be conveyed across the tracks into a permanent detention basin on City property. However, there have been two issues that have arisen preventing this solution. The first is that the US Army Corp of Engineers has to approve the use of the wetlands for a detention basin. The City applied to the Corp for approval over a year ago, but still has not heard back regarding this issue. The second is that some members of the Farmington Greens HOA have sued the City because the conservation easement (wetlands) being used for the detention basin is in their subdivision; the City has taken this conservation easement over from Farmington Greens and manages the conservation easement, but the lawsuit contends that the City is in violation of the easement. As a result, the original phasing plan for Phase III included nine more units, but because there is question as to whether the permanent detention basin will ever be built, the applicant has proposed that the temporary detention basin remain until that time that the permanent basin can be used. If the permanent basin doesn't come to fruition, the temporary basin will become permanent. On the other hand, if the temporary detention basin can be replaced, and the storm-water is allowed to be conveyed across the D&RG tracks to the permanent regional facility, there will be a Phase IV with 9 additional units, as shown on the preliminary plat and project master plan. The temporary basin has been shown by the applicant to be sized large enough that it will hold storm-water from Phases I, II, and III. However, before submitting an application for Phase IV, the applicant will need to receive Corp approval to construct the permanent detention basin, and receive approval to convey water across the D&RG tracks.

Phase III is a purely single family project, unlike the first two phases, which had a mix of townhomes, condos, and single family residential, and is a continuation of Phase I along Rio Grande Avenue. Section 11-28-104(3) of the Zoning Ordinance that regulates the block size in mixed use districts specifies that a block face in the RMU zone cannot exceed 600 feet and that the total perimeter cannot exceed 2000 feet. When looking at the single family residential homes along Rio Grande together with Phase I, the proposal exceeded the requirement significantly. As a solution, the applicant worked with staff and is using the language for the ordinance to meet the block face requirement, it states:

"Block faces may be defined by any of the street types, including pedestrian walkways that are dedicated public rights of way or easements, with the exception of alleys. However, if a pedestrian walkway is used to define a block of the maximum size then the right of way for the walkway must be equal to that of the neighborhood (local) road."

The right of way width of a neighborhood (local) road in the RMU zone is 28', and the applicant has provided a 30' right-of-way between Lots 316, 317, 318 and Lots 319, 320, 321. This brings both Phases I and III into conformance with the ordinance.

Suggested Motion:

Move that the Planning Commission approve the final plat for the proposed Phase III of the Avenues at the Station subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Subject to all public improvement drawings, grading and drainage plans, being reviewed and approved by members of the DRC;
2. Prior to making application for Phase IV, the applicant must provide a permanent detention basin for the entire project west of the UTA right-of-way (the D&RG trail), and said detention basin must be approved by the US Army Corp of Engineers;
3. The applicant must meet all requirements by UTA to convey storm-water through their right-of-way west to a permanent site on City property.

Findings for Approval:

1. The property is identified as mixed-use on the General Plan, and the proposed final plat is consistent with that designation.
2. The DRC has reviewed the plan and the last significant unresolved issues which may impact the overall layout of the plan are set forth as conditions of approval.
3. The proposed final plat is consistent with the regulating and other street, block size, and building form standards in the ordinance.
4. Specific to the final plat only, and the recommended conditions of approval, the plan complies with all Zoning and Subdivision Ordinance requirements, and other appropriate regulations.
5. The PMP was approved concurrently to Preliminary Plat on 11-14-2013, and the final plat is consistent with the PMP.
6. The placement of public improvements in relation to gas lines which traverse the property have been approved by the City Engineer, public works, Central Davis Sewer and shall be acceptable to the respective gas companies, which acceptance has been received by the City in writing.
7. The applicant has entered into a development agreement as part of Phase I regarding the temporary detention basin, and the applicant has provided calculations showing that this temporary detention basin will hold enough storm-water for Phases I, II and III. They have also begun work, in coordination with the City Engineer to obtain Corp approval for the permanent detention basin west of the D&RG trail.
8. Although the phasing plan has changed as a result of the temporary detention basin remaining, the overall layout is consistent with the approved PMP and preliminary plat.

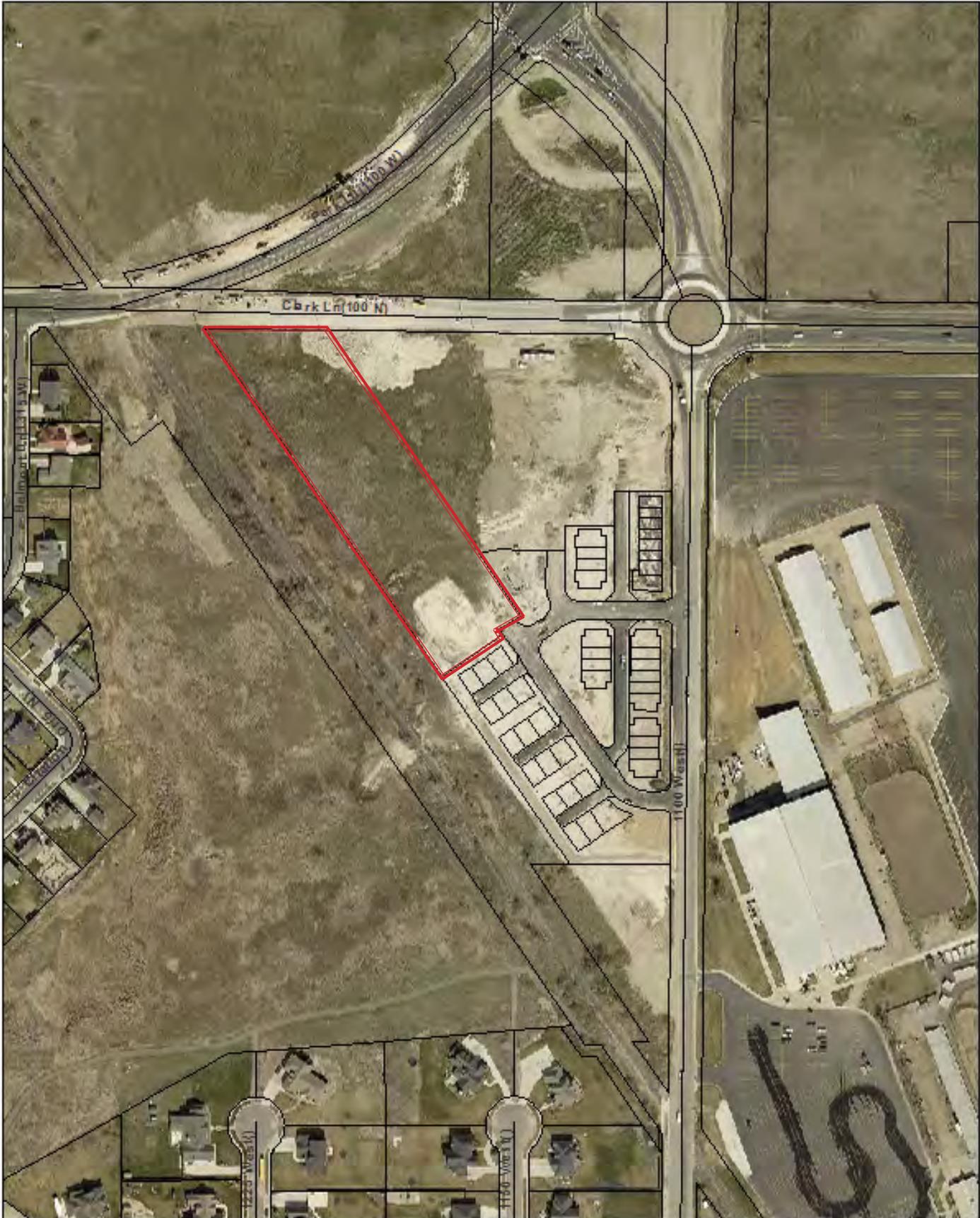
Supplemental Information

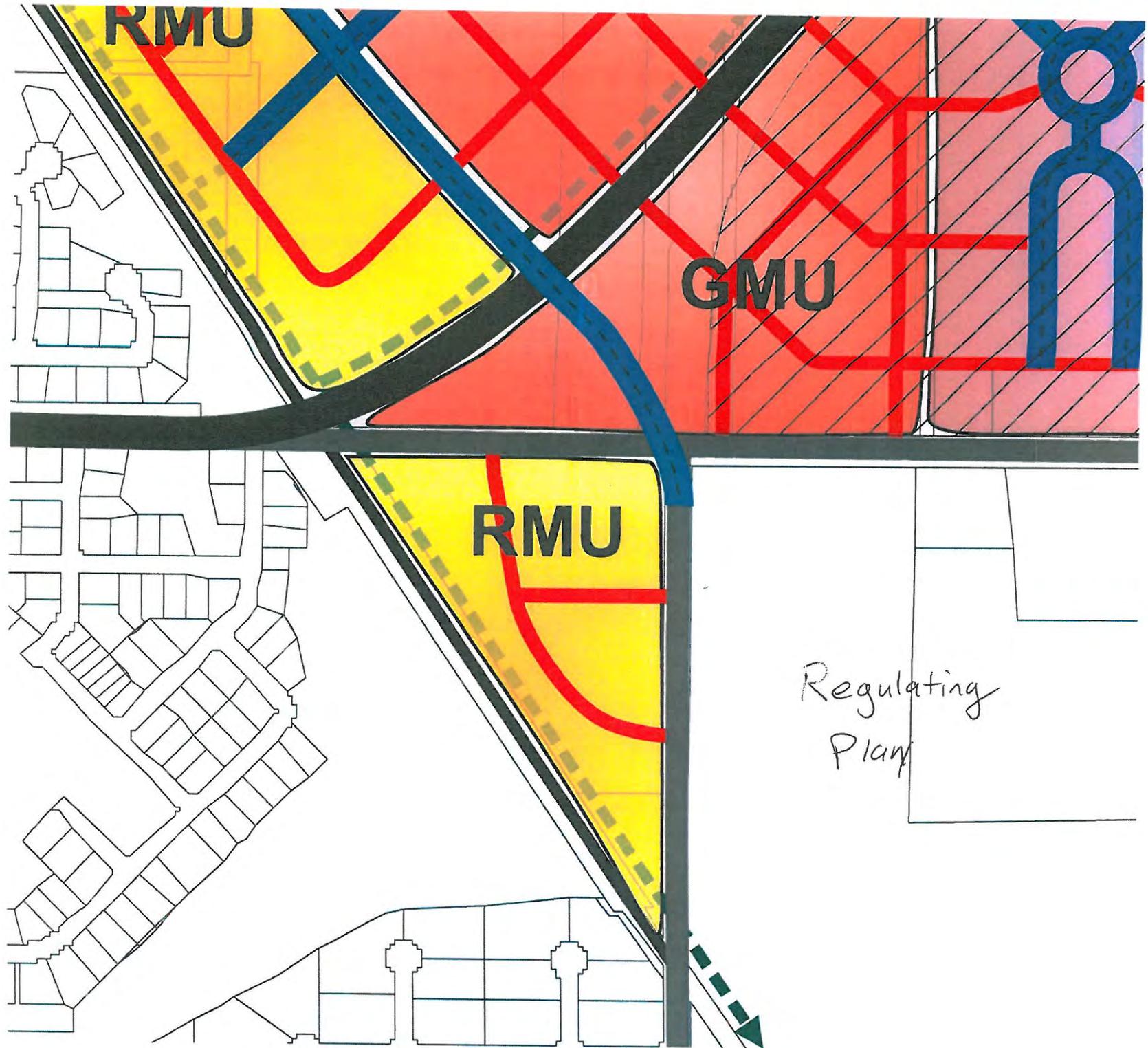
1. Vicinity Map
2. Zoning Map / Regulating Plan
3. Final Plat
4. Regulating Plan
5. Section 11-28-104(3) of the Zoning Ordinance

Applicable Ordinances

1. Title 12, Chapter 6 – Major Subdivisions.
2. Title 12, Chapter 7 – General Requirements for All Subdivisions
3. Title 11, Chapter 18 – Mixed Use Districts.

Farmington City





RMU

GMU

RMU

*Regulating
Plan*

SITE TABULATION

TOTAL SITE:	527,668 SF	12.11 ACRES	100%
BUILDINGS:	140,062 SF	3.22 ACRES	26.5%
HARDSCAPE:	182,661 SF	4.19 ACRES	34.6%
OPEN SPACE:	204,945 SF	4.70 ACRES	38.8%

DWELLING UNIT TABULATION

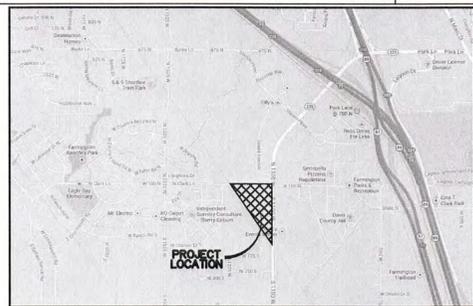
SINGLE FAMILY LOTS	45
TOWNHOME UNITS	47
MIXED USE UNITS	34
TOTAL UNITS	126
DENSITY	10.40 UNITS/AC

PARKING

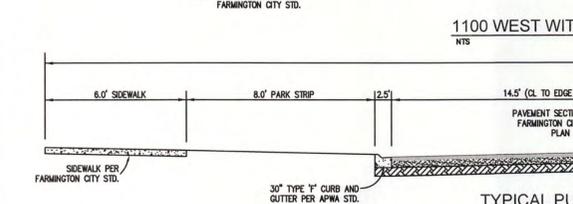
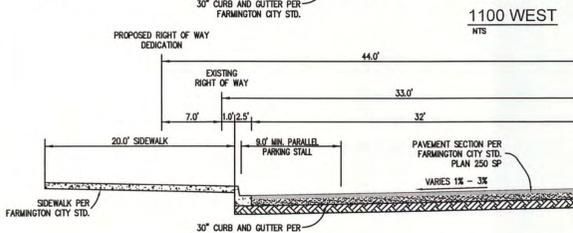
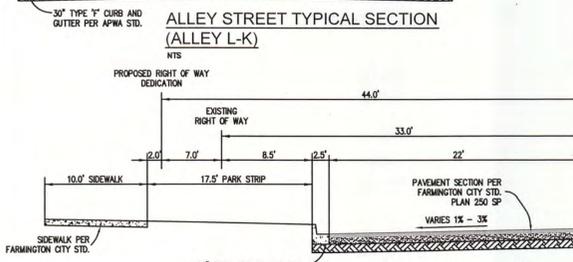
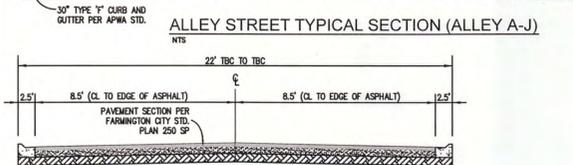
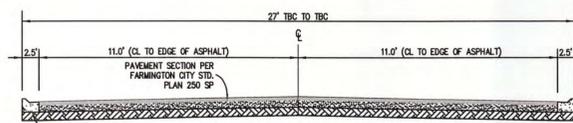
PARKING REQUIRED:	
2 STALLS PER HOUSEHOLD	252 STALLS
GUEST PARKING IS 1 STALL PER 4 HOUSEHOLDS	32 STALLS
TOTAL REQUIRED:	284 STALLS

PARKING PROVIDED:	
GARAGE	235 STALLS
OPEN DRIVEWAY (IN FRONT OF TOWNHOME & MIXED USE UNITS) ON STREET PARKING (WITHIN THE PROJECT AREA)	53 STALLS
ON STREET PARKING (1100 WEST PARALLEL PKG)	21 STALLS
TOTAL PROVIDED:	309 STALLS

⑩ ON-STREET PARKING COUNT (TYPICAL)



VICINITY MAP



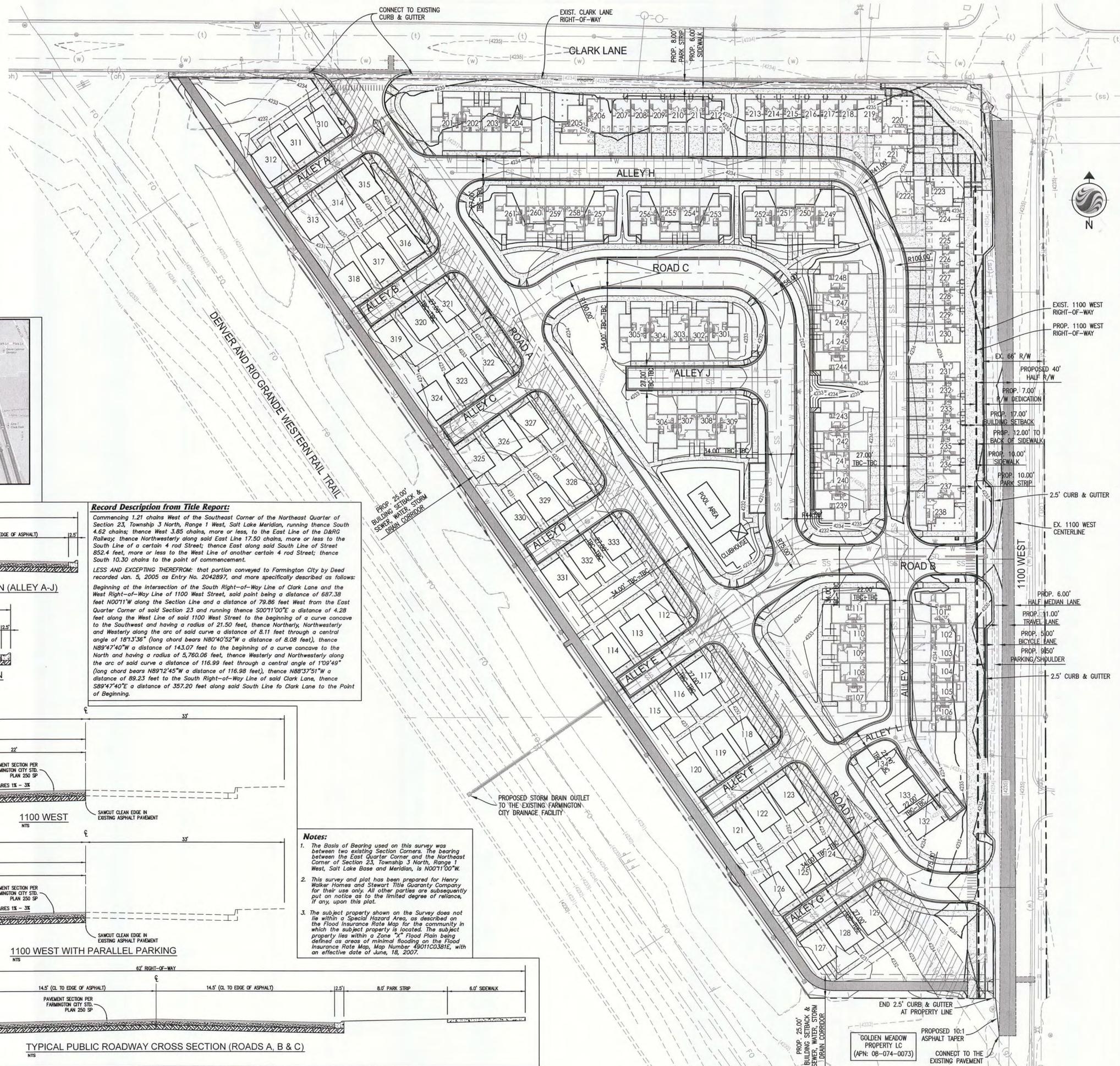
Record Description from Title Report:

Commencing 1.21 chains West of the Southeast Corner of the Northeast Quarter of Section 23, Township 3 North, Range 1 West, Salt Lake Meridian, running thence South 4.62 chains; thence West 3.85 chains, more or less, to the East Line of the D&RG Railway; thence Northwesterly along said East Line 17.50 chains, more or less to the South Line of a certain 4 rod Street; thence East along said South Line of Street 852.4 feet, more or less to the West Line of another certain 4 rod Street; thence South 10.30 chains to the point of commencement.

LESS AND EXCEPTING THEREFROM: that portion conveyed to Farmington City by Deed recorded Jan. 5, 2005 as Entry No. 2042897, and more specifically described as follows: Beginning at the Intersection of the South Right-of-Way Line of Clark Lane and the West Right-of-Way Line of 1100 West Street, said point being a distance of 687.38 feet N00°11'W along the Section Line and a distance of 79.86 feet West from the East Quarter Corner of said Section 23 and running thence S00°11'00"E a distance of 4.28 feet along the West Line of said 1100 West Street to the beginning of a curve concave to the Southwest and having a radius of 21.50 feet, thence Northerly, Northwesterly and Westerly along the arc of said curve a distance of 8.11 feet through a central angle of 187°3'36" (long chord bears N80°40'52"W a distance of 8.08 feet), thence N89°47'40"W a distance of 143.07 feet to the beginning of a curve concave to the North and having a radius of 5,760.06 feet, thence Westerly and Northwesterly along the arc of said curve a distance of 116.99 feet through a central angle of 1°03'49" (long chord bears N89°12'45"W a distance of 116.98 feet), thence N88°37'51"W a distance of 89.23 feet to the South Right-of-Way Line of said Clark Lane, thence S89°47'40"E a distance of 357.20 feet along said South Line to Clark Lane to the Point of Beginning.

Notes:

- The Basis of Bearing used on this survey was between two existing Section Corners. The bearing between the East Quarter Corner and the Northeast Corner of Section 23, Township 3 North, Range 1 West, Salt Lake Base and Meridian, is N00°11'00"W.
- This survey and plat has been prepared for Henry Walker Homes and Stewart Title Guaranty Company for their use only. All other parties are subsequently put on notice as to the limited degree of reliance, if any, upon this plat.
- The subject property shown on the Survey does not lie within a Special Hazard Area, as described on the Flood Insurance Rate Map for the community in which the subject property is located. The subject property lies within a Zone "X" Flood Plain, being defined as areas of minimal flooding on the Flood Insurance Rate Map, Map Number 49011C0381E, with an effective date of June, 18, 2007.



Stantec

Stantec Consulting Services Inc.
3995 South 700 East, Suite 300
Salt Lake City UT U.S.A.
84107
Tel. 801.261.0090
Fax. 801.266.1671
www.stantec.com

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Consultants

Legend

SS	SANITARY SEWER LINE
(SS)	EXISTING SANITARY SEWER
⊙	SANITARY SEWER MANHOLE
W	CULINARY WATER LINE
W	CULINARY WATER SERVICE AND METER CONNECTION
FP	BUILDING FIRE PROTECTION LINE CONNECTIONS
(W)	EXISTING WATER LINE
⊙	WATER VALVE, TEE & BEND
⊙	FIRE HYDRANT
⊙	EXISTING FIRE HYDRANT
IRR	PRESSURIZED IRRIGATION LINES
⊙	SANITARY SEWER SERVICE CONNECTION & CLEANOUT
⊙	EXISTING STORM DRAINS
SD	PROPOSED STORM DRAIN LINES
⊙	PROPOSED YARD DRAIN CLEANOUTS, YARD DRAIN INLETS, SWALE/PARKING LOT CATCH BASINS, SINGLE GRATE HOODED INLETS, SINGLE GRATE COMBINATIONS BOXES, STANDARD CLEANOUTS
→	SWALE ALIGNMENTS & DIRECTION OF FLOW
4447	PROPOSED 1" CONTOURS
(4447)	EXISTING 1" CONTOURS
—	ROADWAY CENTERLINES

Notes

Revision	By	Appd.	YY.MM.DD	
1	PRELIMINARY SUBMITTAL	SDJ	JRJ	13.11.01
Issued		By	Appd.	YY.MM.DD

File Name: 01130c-002pre-plot.dwg SDJ JRJ EKW 13.11.01

Permit-Seal Dwn. Chkd. Dagn. YY.MM.DD



Client/Project

HENRY WALKER HOMES
500 NORTH MARKETPLACE DRIVE, SUITE 201
CENTERVILLE, UTAH 84014

THE AVENUES AT STATION PARK

Farmington, Utah

Title

PRELIMINARY PLAT
(NOT FOR CONSTRUCTION)

Project No. 186201130 Scale 1"=50'

Drawing No. C-002 Sheet of Revision

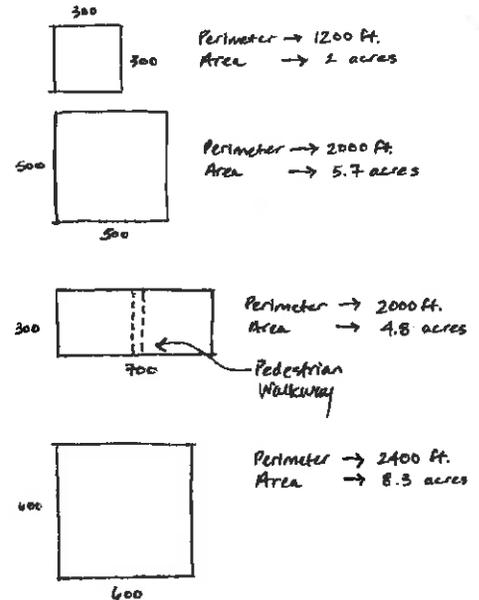
C-002

of

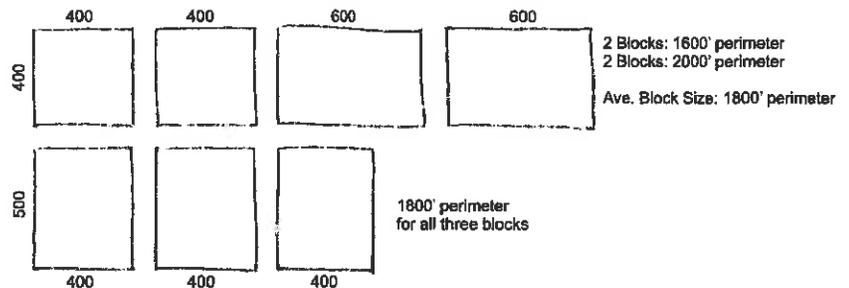
(3) Street Network Design

The street network, street standards, and street type hierarchy form the basis of the Regulating Plan. The street network is designed to provide connectivity and adaptability throughout the mixed-use districts as the area develops over time. New development shall follow the street network design; however, if minor realignments are necessary due to environmental and/or physical conditions they will be evaluated during the Development Plan Review process. Major alternative alignments or flexibility with the street network design may be proposed through the Project Master Plan process, provided that the following provisions are met:

- a. **Maximum Block Size** – The maximum perimeter of any block may not exceed 2000 feet in the residential, general, and transit mixed-use districts, and 2400 feet in the open space and office mixed-use districts. Each block face may not exceed 600 feet. Block faces may be defined by any of the street types, including pedestrian walkways that are dedicated public rights of way or easements, with the exception of alleys. However, if a pedestrian walkway is used to define a block of the maximum size then the right of way for the walkway must be equal to that of the neighborhood (local) road.



- b. **Average Block Size** – The average perimeter of all blocks within a planned development area shall not exceed 1,600 feet for residential, general, and transit mixed-use districts, and 2400 feet for the open space and office mixed-use districts. If a planned development area includes multiple districts the average block size may fall between 1,600 feet and 2,400 feet.





Planning Commission Staff Report July 7, 2016

Item 4: Preliminary Plat for the Silver Hollow Conservation Subdivision

Public Hearing:	No
Application No.:	S-7-16
Property Address:	1505 North 1500 West
General Plan Designation:	LDR (Low Density Residential) and "PPR" (Public/Private Recreation Open Space and/or Parks Very Low Density)
Zoning Designation:	LR – Large Residential
Area:	5.0 Acres
Number of Lots:	11
Property Owner:	Jerod and Sharon Jeppson
Applicant:	Nick Mingo – Ivory Development

Request: *Applicant is requesting a recommendation for preliminary plat approval for the proposed Silver Hollow Conservation Subdivision.*

Background Information

The Jeppson property was annexed into the city in 2013 and the Silverleaf Subdivision received final plat approval to build 9 lots on the property, not including the parcel where Jerrod Jeppson's home sits. However, sometime after final plat was approved, Jerrod decided to find another developer to complete the project, and this time, the lot with his home would be further subdivided, creating two additional lots; the existing home is proposed to be demolished. Nick Mingo and Ivory Homes is now proposing the Silver Hollow Subdivision that mirrors the approved Silverleaf Subdivision with the exception of Lots 5 and 6 which is where the existing house is; with the two additional lots, the total proposed lot count is 11. Similar to what was proposed with the Silverleaf Subdivision, the Silver Hollow Subdivision is a conservation subdivision, and the 15% open space requirement would be met through a trail easement connecting the subdivision with 1500 West along the existing private drive. This private drive currently accesses two homes and will remain as it currently exists, it now has a public access easement recorded over the top of it so that people can better access 1500 West from points north and west.

Because this proposed subdivision has not deviated from the approved Silverleaf Subdivision significantly, staff felt it prudent for the applicant to begin at preliminary plat. Additionally, the DRC has already reviewed and vetted the Silverleaf Subdivision plat and improvement drawings, so there weren't many issues that arose that hadn't already been addressed as part of the original review. One thing that this application addressed that the previous application did not was the moving of a Central Davis

Sewer trunk-line on the west end of the property along George Clark's property; this allows for better access by Central Davis and a subsequent sewer easement with manhole access has been accounted for through the design; however, there are some details with those sewer manholes that must be addressed.

Another change from the last submission is that the eastern boundary line has been moved from their current alignment; this cannot be done without a plat amendment of Oakridge Farms Subdivision occurring first, because the boundary adjustment will move that subdivision's boundaries and State Law (through LUDMA) requires a plat amendment.

Davis County Flood Control previously required that all storm water be detained in the storm water detention basin on the eastside of the property before discharging into Haight Creek. The City Engineer and public works staff have expressed a desire that the project be allowed to discharge directly into the creek, because maintaining the detention basin, the associated storm drain line and easement, and the manholes will be difficult because of the slope of the site. Since the time of the original Silverleaf Subdivision, a new County Flood Control manager has taken over and staff would like the applicant to pursue the possibility of discharging into the creek directly.

At the June 9th Planning Commission, Ivory Homes presented preliminary plat for the proposed Silver Hollow Conservation Subdivision (the Jerrod Jeppson property). The Planning Commission voted to table review of the preliminary plat to give staff and the applicant the necessary time to determine the ownership of the private drive/proposed trail, and whether a waiver or TDR may be preferable instead of the trail (as part of the applicant's 15% open space requirement). There was concern expressed by the Commission that having a pedestrian access on a private drive could create conflicts in use. Beyond that, the commissioners were comfortable with the proposal. Staff did review the ownership details of the property in question and the related public access easement; the trail easement (in favor of Farmington City) was recorded on May 8, 2016 and the property was deeded over to Jeff Jeppson and the Rumseys shortly thereafter.

Additionally, staff was directed "to obtain direction from the City Attorney as to what it means that a trail easement was recorded over a public access easement." After researching both the title report and all relevant information at the County Recorder's office, staff could not find where a public access easement for the Rumsey and Jeff Jeppson property was ever recorded over the private drive, but at the time of the completion of this staff report, the City Attorney was still reviewing the title report. At the meeting tonight, staff will have more information and direction from the City Attorney.

As was reported to the Planning Commission at the June 23rd meeting, staff approached the City Council on June 21st to see whether they would be open to vacating the trail easement or not. The City Council overwhelmingly voted to keep the easement. However, the applicant was also directed to find an alternative way to obtain the 15% open space without the trail; the applicant has done so and the proposal has been included for your review. The alternative shows the conservation land abutting Haight Creek (not including the floodplain) and still providing a sewer/trail access easement to the private drive to meet the 15% open space requirement.

This item has not been posted as a public hearing as the Planning Commission noted "since the item was tabled that the public hearing will remain closed." As per the ordinance, if the layout changes significantly, the Planning Commission chair may determine if the item will be a public hearing, but the

preliminary plat has not changed at all as the same plan is being presented tonight that was presented at the June 9th meeting.

Suggested Motion:

Move that the Planning Commission approve the preliminary plat of the Silver Hollow Conservation Subdivision as shown, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide the 15% through a public access (trail) easement, and that public access easement shall be shown on the final plat;
2. The applicant shall satisfy the requirements of Central Davis Sewer, including the dedication of easements, design of manholes, and relocation of the sewer trunk-line prior to consideration of Final Plat;
3. The property owner shall extend and dedicate the right-of-way to the northerly boundary of the project/plat in the event the George Clark property is developed;
4. Public improvement drawings, including but not limited to, a grading and drainage plan, shall be reviewed and approved by the Farmington City Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water.

Findings:

1. The LDR (Low Density Residential) designation of the General Plan allows up to 4 dwelling units/acre. The proposed subdivision is at approximately 3 dwelling units per acre and is consistent with the General Plan threshold.
2. The project is consistent with the Conservation Subdivision standards for an LR zone.
3. The applicant has worked through the issues raised by the DRC with the original Silverleaf Subdivision.
4. An open space requirement is being met through a trail easement that connects the Silverwood Subdivisions and southern Kaysville with 1500 West; currently, those residents have to walk out of the way to the Frontage Road to get to 1500 West, which is an important connection to points north and east.

Supplemental Information

1. Vicinity Map
2. Preliminary Plat
3. Silverleaf Preliminary Plat – Approved 2013
4. Alternative 15% Open Space Plan

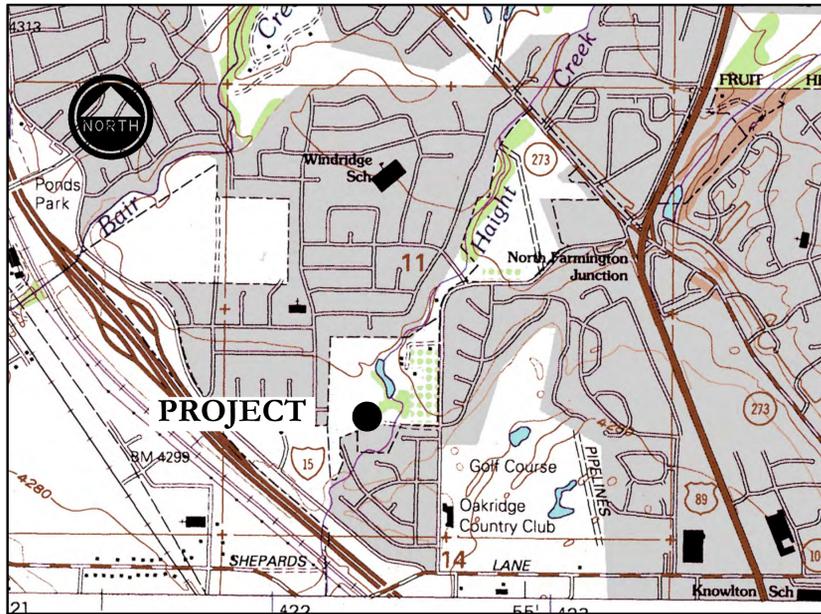
Applicable Ordinances

1. Title 12, Chapter 6 – Major Subdivisions
2. Title 11, Chapter 11 – Single Family Residential
3. Title 11, Chapter 12 – Conservation Subdivision Development Standards

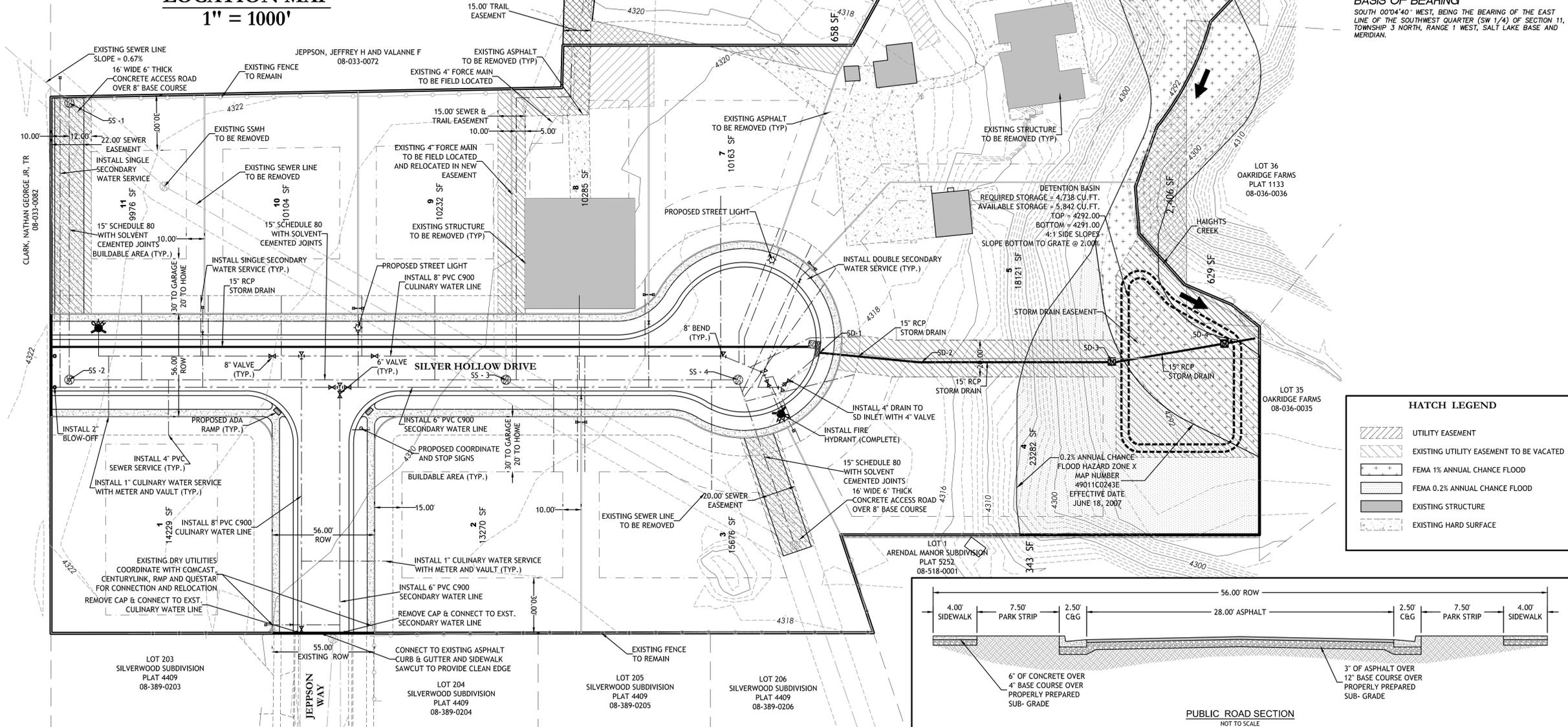
Farmington City



PRELIMINARY PLAT - NOT TO BE RECORDED



LOCATION MAP
1" = 1000'

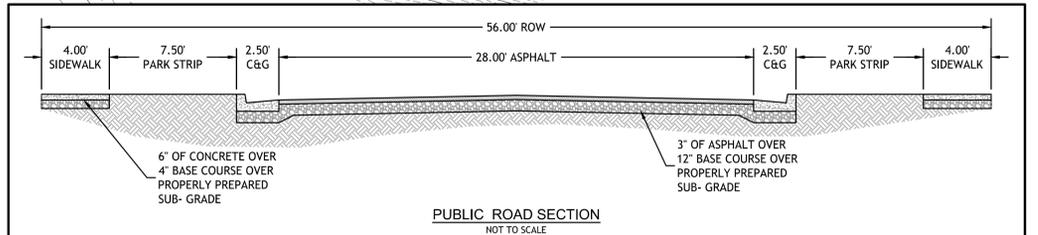


AS SURVEYED LEGAL DESCRIPTION
 COMMENCING AT THE CENTER OF SECTION 11 BEING A FOUND 3" DAVIS COUNTY BRASS CAP IN CONCRETE. THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) NORTH 89°43'09" WEST 1128.50 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 1023.13 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PLAT MAP TITLED "SILVERWOOD SUBDIVISION" RECORDED AS PLAT 4409, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE, SAID NORTHEAST CORNER BEING A FOUND REBAR AND CAP STAMPED "BYRD"; SAID POINT ALSO BEING THE POINT OF BEGINNING;
 THENCE EAST 292.01 FEET TO A POINT ON THE WEST LINE OF PARCEL 08-033-0072 AS DEFINED IN THAT CERTAIN WARRANTY DEED, RECORDED NOVEMBER 13, 1992, AS ENTRY 1002180, BOOK 1554 AT PAGE 491, ON FILE AT THE DAVIS COUNTY, UTAH RECORDER'S OFFICE, THENCE ALONG SAID WEST LINE SOUTH 01°02'17" EAST 279.44 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 08-033-0072; THENCE ALONG THE SOUTH LINE OF SAID PARCEL SOUTH 88°26'00" EAST 23.17 FEET; THENCE DEPARTING SAID SOUTH LINE SOUTH 158.84 FEET; THENCE SOUTH 61°09'14" EAST 251.76 FEET TO THE SUBDIVISION LINE OF THAT CERTAIN PLAT MAP TITLED "OAKRIDGE FARMS" RECORDED AS PLAT 1133, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE; THENCE THE NEXT TWO (2) CALLS ALONG SAID SUBDIVISION LINE: 1) SOUTH 21°50'00" WEST 108.55 FEET; 2) WEST 139.00 FEET; THENCE DEPARTING SAID SUBDIVISION LINE NORTH 46°34'06" WEST 38.95 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE NORTHWESTERLY TO AND ALONG THE CENTERLINE OF AN EXISTING CREEK 64.73 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 163.42 FEET (RADIUS BEARS NORTH 15°46'12" EAST) WITH A CENTRAL ANGLE OF 22°41'36", CHORD BEARS NORTH 62°53'00" WEST 64.30 FEET; THENCE THE NEXT FIVE (5) CALLS ALONG THE CENTERLINE OF SAID EXISTING CREEK: 1) NORTH 70°07'52" WEST 34.75 FEET; 2) SOUTH 85°21'55" WEST 25.70 FEET; 3) SOUTH 47°58'36" WEST 37.11 FEET; 4) SOUTH 23°03'37" WEST 28.09 FEET; 5) SOUTH 38°26'50" WEST 19.33 FEET TO A POINT ON THE SUBDIVISION LINE OF SAID OAKRIDGE FARMS; THENCE ALONG SAID SUBDIVISION LINE WEST 113.30 FEET; THENCE DEPARTING SAID SUBDIVISION LINE NORTH 229.09 FEET; THENCE SOUTH 71°28'00" WEST 56.27 FEET TO THE SUBDIVISION LINE OF THAT CERTAIN PLAT MAP TITLED "SILVERWOOD SUBDIVISION", RECORDED AS PLAT 4409, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE; THENCE ALONG SAID SUBDIVISION LINE NORTH 00°02'28" WEST 449.89 FEET TO THE POINT OF BEGINNING.
 CONTAINS 217,982 SQUARE FEET OR 5.004 ACRES.

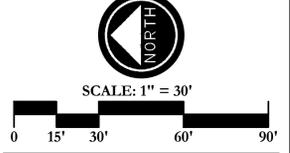
BASIS OF BEARING
 SOUTH 00°04'40" WEST, BEING THE BEARING OF THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.

HATCH LEGEND

	UTILITY EASEMENT
	EXISTING UTILITY EASEMENT TO BE VACATED
	FEMA 1% ANNUAL CHANCE FLOOD
	FEMA 0.2% ANNUAL CHANCE FLOOD
	EXISTING STRUCTURE
	EXISTING HARD SURFACE



PO Box 522056 Salt Lake City, UT 84152-2056
 (801) 201-7494 www.edmllc.net



DEVELOPER:
 Ivory Development
 978 East Woodoak Lane
 Salt Lake City, UT 84117
 801-747-7000

- NOTES:**
- All sanitary sewer improvements shall conform with the standards and specifications of Central Davis Sewer District.
 - All culinary water improvements shall conform with the standards and specifications of Farmington City.
 - All secondary water improvements shall conform with the standards and specifications of Benchland Irrigation.
 - All improvements in the public right of way shall conform with the standards and specifications of Farmington City.
 - All private improvements shall conform to APWA standards and specifications.
 - Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.

- SITE NOTES**
- The existing zone is Residential.
 - There are no parcels within this project intended for open space or recreation.
 - There are no parcels in this project intended for community use.
 - This project is expected to be completed in one phase.
 - There are no improvements expected beyond the boundaries of this subdivision unless specifically shown hereon.
 - The average lot size is 16,704 SF and the minimum lot size is 9,976 SF.
 - Front yard setback is 20' to home and 30' to garage.
 - Rear setback is 30' to all points of structure.
 - Side yard setback is 10'
 - Corner side yard setback is 15'



Silver Hollow
 1505 North 1500 West
 Preliminary Plat

PROJECT:	1603
DRAWN BY:	NMM
REVIEWED BY:	NMM
REVISIONS:	
No. DATE	REMARKS

DATE: May 25, 2016
 SHEET NUMBER: **O-1**

C:\Users\Nick\Desktop\Nick Mingo\Projects\Silver Hollow Drawings\6 Preliminary Plat.dwg

SILVERLEAF SUBDIVISION A CONSERVATION SUBDIVISION A PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN FARMINGTON CITY, DAVIS COUNTY, UTAH

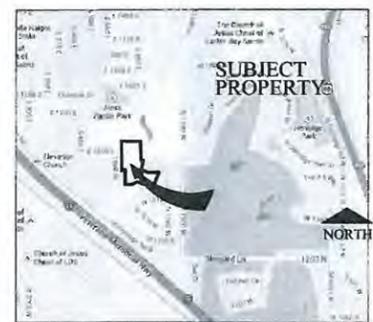
DEVELOPER
NORM DAHLE
MCD-3 LLC
PO BOX 17941
SALT LAKE CITY, UT 84117
PH: 801-608-5119

LINE TABLE

LINE	BEARING	LENGTH
L1	N 89°58'27" W	10.43
L2	WEST	20.00
L3	N 03°21'21" W	27.09
L4	N 03°39'43" E	40.05
L5	N 38°17'48" E	15.63
L6	S 71°07'54" E	23.17

NOTES:
1. ZONING IS PROPOSED TO BE CHANGED TO RESIDENTIAL IN A CONSERVATION SUBDIVISION.
2. FLOOD ZONE INFORMATION IS FROM MAP NUMBER 4901LC0243E.

VICINITY MAP

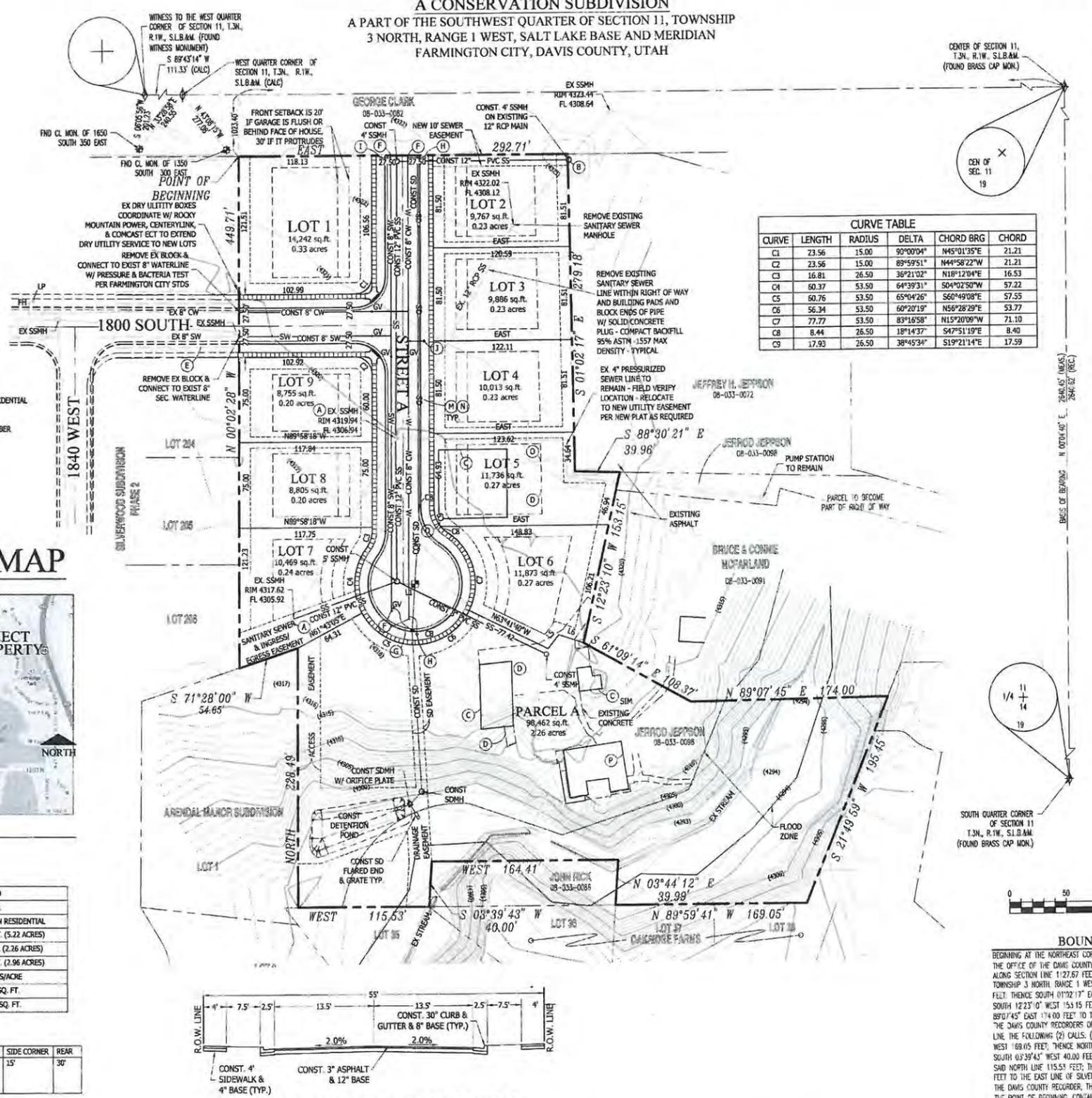


VICINITY MAP NTS

NUMBER OF LOTS	9
PARCELS	1
ZONE	CONSERVATION RESIDENTIAL
TOTAL AREA	227,346 SQ. FT. (5.22 ACRES)
PARCEL AREA	98,462 SQ. FT. (2.26 ACRES)
LOT AREA	128,884 SQ. FT. (2.96 ACRES)
LOTS PER ACRE	3.0 LOTS/ACRE
MIN. LOT AREA	8,755 SQ. FT.
AVG. LOT AREA	10,616 SQ. FT.

SETBACKS

FRONT	SIDE	SIDE CORNER	REAR
20' OR 30', 20' IF GARAGE IS FLUSH OR BEHIND FACE, 30' IF GARAGE PROTRUDES.	10'	15'	30'



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BRG	CHORD
C1	23.56	15.00	90°00'04"	N45°01'35"E	21.21
C2	23.56	15.00	89°59'51"	N44°58'22"W	21.21
C3	16.81	26.50	36°21'02"	N18°12'04"E	16.53
C4	60.37	53.50	64°39'31"	S04°02'50"W	57.22
C5	60.37	53.50	65°04'26"	S6°49'08"E	57.55
C6	56.34	53.50	60°20'19"	N56°28'29"E	53.77
C7	77.77	53.50	83°16'58"	N15°20'09"W	71.10
C8	8.44	26.50	18°14'37"	S47°51'19"E	8.40
C9	17.93	26.50	38°45'34"	S19°21'14"E	17.39

KEYED NOTES

- (A) CORE NEW SEWER LINE(S) INTO EXISTING SEWER MANHOLE BASE. CHIP BASE DOWN & REPAIR SMOOTH CONTOURED FLOW LINES PER FARMINGTON CITY REQUIREMENTS. GROUT PREVIOUS OPENINGS CLOSED W/ CONCRETE.
- (B) CONSTRUCT 5" SANITARY SEWER MANHOLE ON EXISTING 12" RCP MAIN LINE PER FARMINGTON CITY STANDARDS.
- (C) REMOVE EXISTING BARN AS DIRECTED BY THE OWNER. REMOVE EXISTING FLATWORK, FOOTINGS & FOUNDATIONS. BACKFILL W/ GRANULAR BORROW COMPACTED TO 95% MODIFIED PROCTOR ASTM-1557. FINISHED W/ 6" TOP SOIL MIN. FROM STREET GRUBBINGS.
- (D) REMOVE EXISTING DRIVEWAY PAVEMENT & BASE MATERIAL AS DIRECTED BY THE OWNER. STOCKPILE BASE MATERIAL FOR USE IN NEW ROADWAY. DISPOSE OF PAVEMENT MATERIAL AT LANDFILL. BACKFILL W/ GRANULAR BORROW COMPACTED TO 95% MODIFIED PROCTOR ASTM-1557. FINISHED W/ 6" TOP SOIL MIN. FROM STREET GRUBBINGS.
- (E) EX GAS LINE COORDINATE W/ QUESTAR GAS TO EXTEND DRY UTILITY SERVICE TO NEW LOTS.
- (F) CONST PLUG & BLOCK
- (G) CONST 2" SW DRAIN LINE TO CATCH BASIN
- (H) CONST 1" CW BLOWOFF
- (I) CONST TEMPORARY 1" SW BLOWOFF
- (J) CONST FIRE HYDRANT ASSEMBLY COMPLETE
- (K) CONST 1" HDPE SDR9 PW TUBING CW SERVICE LATERAL. SEE ITEM "M" FOR ADDITIONAL INFORMATION
- (L) CONST 1.5" HDPE SDR9 TUBING SW SERVICE LATERAL
- (M) CONST 3/4" HDPE SDR9 PW TUBING CW SERVICE LATERAL W/ TRACER WIRE & 3/4" WATER METER, METER SETTER, METER BOX, AND LID PER FARMINGTON CITY STANDARDS & SPECIFICATIONS
- (N) CONST 4" SDR35 PVC SANITARY SEWER LATERAL PER FARMINGTON CITY STANDARDS & SPECIFICATIONS. CONNECT TO MAIN LINE W/ PREFORMED WYE @ 10/2, 4" SPOOL, AND 45° ELBOW
- (O) REMOVE & DISPOSE OF EXISTING FENCE LINE AS DIRECTED BY THE OWNER
- (P) EXISTING HOME

Rainfall Data

Storm Duration (min.)	10 Year Intensity (in/hr)	100 Year Intensity (in/hr)
15	2.26	4.51
30	1.52	3.04
60	0.94	1.83
360	0.25	0.41
720	0.16	0.24
1440	0.10	0.14

10 Year Detention (0.2cfs per acre discharge)

Area C	3.48 Acres			
Time (min)	Intensity (in/hr)	Runoff (cfs)	Discharge	Required Storage
15	2.26	2,548	626	1,922
30	1.52	3,428	1,253	2,175 <<<
60	0.94	4,239	2,506	1,734
360	0.25	6,765	15,034	0
720	0.16	8,659	30,067	0
1440	0.10	10,824	60,134	0

Orifice Calculations
Orifice Equation $Q = C_d A (2gh)^{0.5}$

Acres	3.48
Desired Outflow	0.70 cfs
Detention Overflow Elevation	2.15 ft
Orifice Elevation	0 ft
h	2.15 ft
C _d	0.62 square shoulder orifice required
Calculated Orifice Area	13.74 in ²
Calculated Orifice Diameter	4.18 in

USE 4" DIA ORIFICE

LEGEND

- NOT ALL ITEMS IN THE LEGEND MAY BE APPLICABLE
- BOUNDARY LINE
 - STREET RIGHT-OF-WAY LINE
 - CENTERLINE
 - ADJACENT PROPERTY LINE
 - EASEMENT LINE
 - NEW STORM DRAIN
 - NEW SANITARY SEWER
 - NEW CULINARY WATERLINE
 - EX OVERHEAD POWER LINE
 - EX STORM DRAIN
 - EX SANITARY SEWER
 - EX TELEPHONE LINE
 - EX GAS LINE
 - EX CULINARY WATERLINE
 - EX FENCE
 - PHASE BOUNDARY
 - NEW DRAINAGE SWALE
 - EG CONTOUR MAJOR (4250)
 - EG CONTOUR MINOR (4250)
 - FG CONTOUR MAJOR (4250)
 - FG CONTOUR MINOR (4250)
 - ASPHALT SAWCUT
 - EXIST. CONC. C&G OR SIDEWALK
 - EXISTING ASPHALT PAVEMENT
 - CONST. CONC. C&G PER X-SECTION
 - SEAL COAT TO COVER WORK DAMAGE
 - CONST ASPHALT - SEE STREET PROFILE
 - OVERLAY ASPHALT
 - SEE STREET PROFILE

BENCHMARK

BENCHMARK: SOUTH QUARTER CORNER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 WEST, S.L.B.M., ELEVATION = 4302.20

PINNACLE
Engineering & Land Surveying, Inc.
Layton • West Bountiful • Mount Pleasant • St. George
Phone: (801) 773-1910
Fax: (801) 773-1925

SILVERLEAF SUBDIVISION
PRELIMINARY PLAT - NOT TO BE RECORDED
FOR: JEROD JEFFERSON
APPROXIMATELY 1550 N 1700 W
FARMINGTON, UT
06-036A

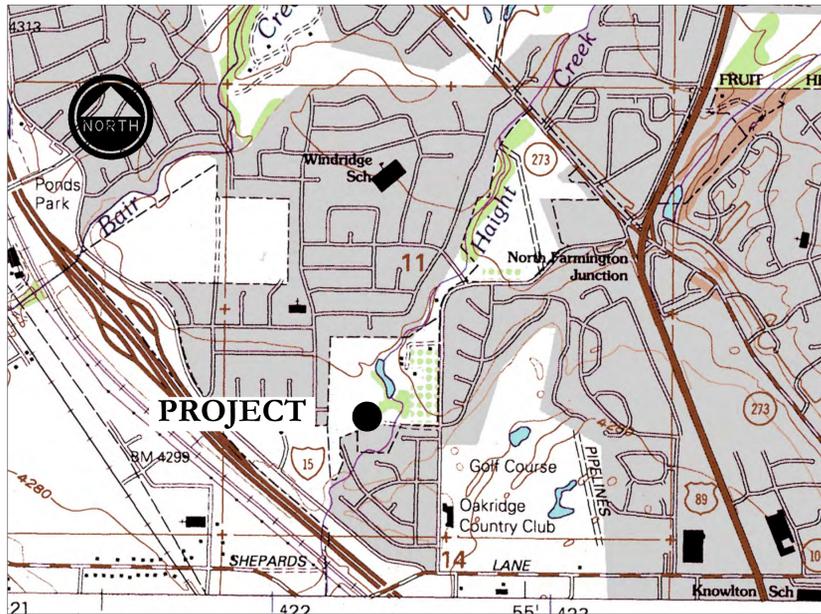


CALL BLUESTAKES
@ 1-800-662-4111
AT LEAST 48 HOURS
PRIOR TO CONSTRUCTION
ANY CONSTRUCTION

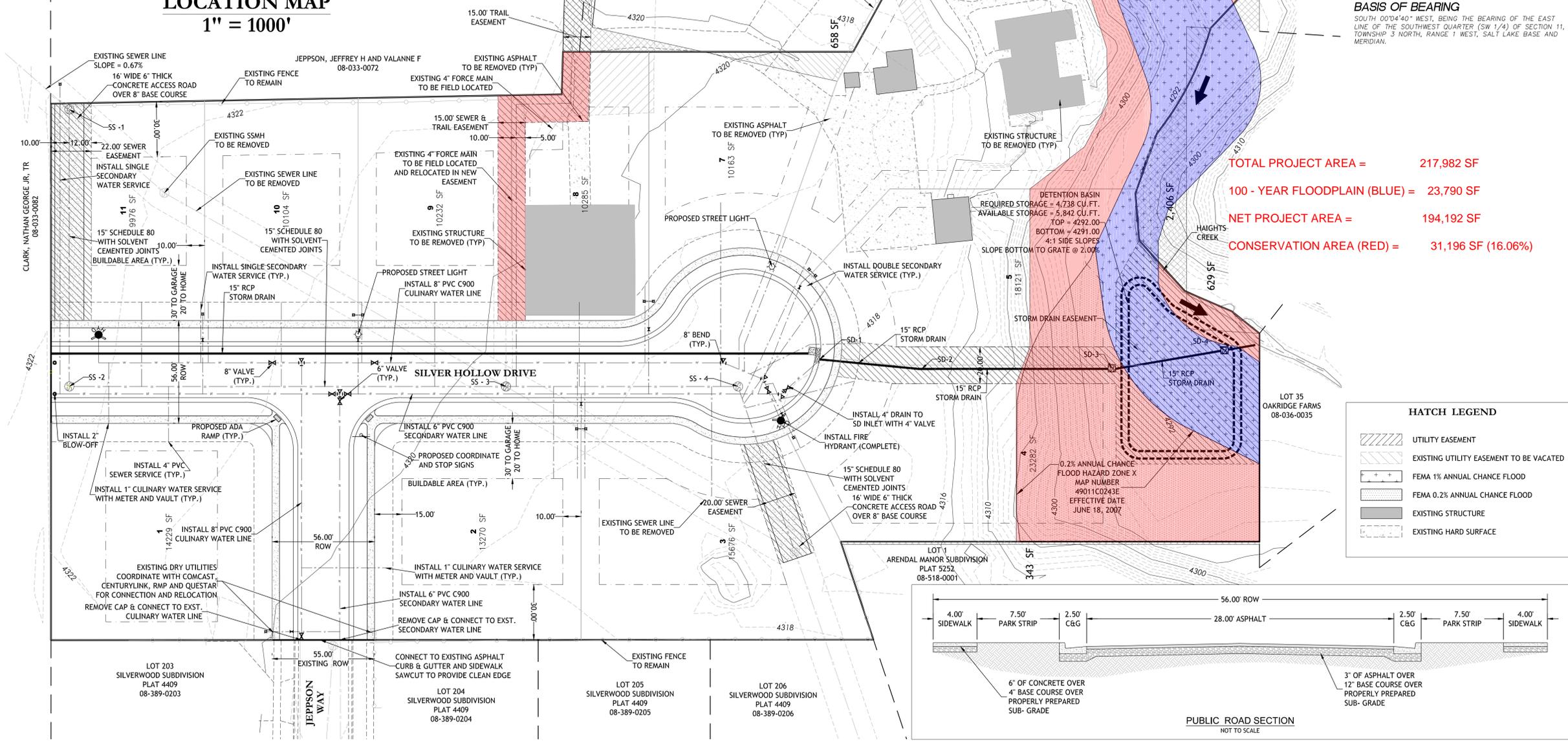
DATE	REVISION
01/20/10	DATE
02/20/14	DATE
03/20/14	DATE
03/20/14	DATE

SHEET 1 OF 1

PRELIMINARY PLAT - NOT TO BE RECORDED



LOCATION MAP
1" = 1000'



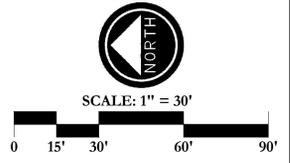
TOTAL PROJECT AREA = 217,982 SF
 100 - YEAR FLOODPLAIN (BLUE) = 23,790 SF
 NET PROJECT AREA = 194,192 SF
 CONSERVATION AREA (RED) = 31,196 SF (16.06%)

AS SURVEYED LEGAL DESCRIPTION
 COMMENCING AT THE CENTER OF SECTION 11 BEING A FOUND 3" DAVIS COUNTY BRASS CAP IN CONCRETE. THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) NORTH 89°43'09" WEST 1128.50 FEET; THENCE DEPARTING SAID NORTH LINE SOUTH 1023.13 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PLAT MAP TITLED "SILVERWOOD SUBDIVISION", RECORDED AS PLAT 4409, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE, SAID NORTHEAST CORNER BEING A FOUND REBAR AND CAP STAMPED "BYRD"; SAID POINT ALSO BEING THE POINT OF BEGINNING;
 THENCE EAST 292.01 FEET TO A POINT ON THE WEST LINE OF PARCEL 08-033-0072 AS DEFINED IN THAT CERTAIN WARRANTY DEED, RECORDED NOVEMBER 13, 1992, AS ENTRY 1002180, BOOK 1554 AT PAGE 491, ON FILE AT THE DAVIS COUNTY, UTAH RECORDER'S OFFICE, THENCE ALONG SAID WEST LINE SOUTH 01°02'17" EAST 279.44 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 08-033-0072; THENCE ALONG THE SOUTH LINE OF SAID PARCEL SOUTH 88°26'00" EAST 23.17 FEET; THENCE DEPARTING SAID SOUTH LINE SOUTH 158.84 FEET; THENCE SOUTH 61°09'14" EAST 251.76 FEET TO THE SUBDIVISION LINE OF THAT CERTAIN PLAT MAP TITLED "OAKRIDGE FARMS", RECORDED AS PLAT 1133, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE; THENCE THE NEXT TWO (2) CALLS ALONG SAID SUBDIVISION LINE: 1) SOUTH 21°50'00" WEST 108.55 FEET; 2) WEST 139.00 FEET; THENCE DEPARTING SAID SUBDIVISION LINE NORTH 46°34'06" WEST 38.95 FEET TO THE BEGINNING OF A NON-TANGENT CURVE; THENCE NORTHWESTERLY TO AND ALONG THE CENTERLINE OF AN EXISTING CREEK 64.73 FEET ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 163.42 FEET (RADIUS BEARS NORTH 15°46'12" EAST) WITH A CENTRAL ANGLE OF 22°41'36", CHORD BEARS NORTH 62°53'00" WEST 64.30 FEET; THENCE THE NEXT FIVE (5) CALLS ALONG THE CENTERLINE OF SAID EXISTING CREEK: 1) NORTH 70°07'52" WEST 34.75 FEET; 2) SOUTH 85°21'55" WEST 25.70 FEET; 3) SOUTH 47°58'36" WEST 37.11 FEET; 4) SOUTH 23°03'37" WEST 28.09 FEET; 5) SOUTH 38°26'50" WEST 19.33 FEET TO A POINT ON THE SUBDIVISION LINE OF SAID OAKRIDGE FARMS; THENCE ALONG SAID SUBDIVISION LINE WEST 113.30 FEET; THENCE DEPARTING SAID SUBDIVISION LINE NORTH 229.09 FEET; THENCE SOUTH 71°28'00" WEST 56.27 FEET TO THE SUBDIVISION LINE OF THAT CERTAIN PLAT MAP TITLED "SILVERWOOD SUBDIVISION", RECORDED AS PLAT 4409, ON FILE AT THE DAVIS COUNTY RECORDER'S OFFICE; THENCE ALONG SAID SUBDIVISION LINE NORTH 00°02'28" WEST 449.89 FEET TO THE POINT OF BEGINNING.
 CONTAINS 217,982 SQUARE FEET OR 5.004 ACRES.

BASIS OF BEARING
 SOUTH 00°04'40" WEST, BEING THE BEARING OF THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN.



PO Box 522056 Salt Lake City, UT 84152-2056
 (801) 201-7494 www.edmlc.net



DEVELOPER:
 Ivory Republic
 978 East Woodoak Lane
 Salt Lake City, UT 84117
 801-747-7000

- NOTES:**
- All sanitary sewer improvements shall conform with the standards and specifications of Central Davis Sewer District.
 - All culinary water improvements shall conform with the standards and specifications of Farmington City.
 - All secondary water improvements shall conform with the standards and specifications of Benchland Irrigation.
 - All improvements in the public right of way shall conform with the standards and specifications of Farmington City.
 - All private improvements shall conform to APWA standards and specifications.
 - Contractor to field locate and verify the horizontal and vertical location of all utilities prior to beginning work.
- SITE NOTES**
- The existing zone is Residential.
 - There are no parcels within this project intended for open space or recreation.
 - There are no parcels in this project intended for community use.
 - This project is expected to be completed in one phase.
 - There are no improvements expected beyond the boundaries of this subdivision unless specifically shown hereon.
 - The average lot size is 16,704 SF and the minimum lot size is 9,976 SF.
 - Front yard setback is 20' to home and 30' to garage.
 - Rear setback is 30' to all points of structure.
 - Side yard setback is 10'
 - Corner side yard setback is 15'



Silver Hollow
 1505 North 1500 West
 Preliminary Plat

PROJECT: 1603
DRAWN BY: NMM
REVIEWED BY: NMM
REVISIONS:
 No. DATE REMARKS

DATE: May 25, 2016
SHEET NUMBER:
O-1

CU Users (Nick) Drawings (Nick Mingo) Project Silver Hollow Drawings (Preliminary Plat)



Planning Commission Staff Report July 7, 2016

Item 5: Miscellaneous Zoning and Subdivision Ordinance Amendments

Public Hearing:	Yes
Application No.:	ZT-4-16
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 and Subdivision Ordinances.*

Background Information

The updates to the Farmington City Ordinance included with this proposal are as follows: **a)** Amending Section 11-3-045, requiring a public hearing for special exceptions; **b)** Adding language to Section 11-17-070(4)(d) specifying that no fee will be required to appear before the Planning Commission for a height increase of an accessory building in the OTR zone, as in other residential zones; **c)** Broadening Sections 11-13-030, 11-15-030, and 11-26-040, to include “temporary uses” as a conditional use in the Multi-Family, Light Manufacturing and Business, and Business Residential zones; **d)** Removing language from Section 12-7-030(10)(a) of the Subdivision Ordinance that restricts the allowance of flag lots in a platted subdivision; **e)** Amending Section 11-35-103(1) adding language clarifying the allowable number of external employees of home occupations.

a) Amending Section 11-3-045, requiring a public hearing for special exceptions.

Currently there is no requirement for special exceptions, as found in Title 11 Chapter 3 Section 045, to be public hearings; the ordinance states that a special exception needs to be reviewed by the Planning Commission at a public meeting. Since all Planning Commission meetings are public and noticed as such, this criteria is met any time a special exception application comes before the Planning Commission. However, staff feels that more should be done in regards to the noticing requirement, and feels that requiring this item to be a public hearing at a publicly held Planning Commission meeting is more prudent. As such, all of the normal noticing requirements of other public hearings such as conditional uses, subdivision applications, and site plan approvals would now apply to a special exception; these requirements being a 300’ mailing to all surrounding residents and the posting of a

sandwich board on the subject property describing the impending hearing. Staff is recommending that the section be amended to the following:

11-3-045 Special Exceptions

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

-
- (b) After the application is determined to be complete, the Zoning Administrator shall schedule a public ~~hearing meeting~~ before the Planning Commission. Notice of public hearings shall be given as required by law and according to policies established by the Commission. The Planning Commission shall take action on the application within a reasonable time after the filing of a complete application.
- (i) A staff report evaluating the application shall be prepared by the Zoning Administrator.
- (ii) The Planning Commission shall hold a public ~~hearing meeting~~ and thereafter shall approve, approve with conditions or deny the application pursuant to the standards set forth in Section 11-3-045(5) below. Any conditions of approval shall be limited to conditions needed to conform to the special exception to approval standards.
- (iii) After the Planning Commission makes a decision, the Zoning Administrator shall give the applicant a written notice of the decision.
- (iv) A record of all special exceptions shall be maintained in the office of the Zoning Administrator.

b) Adding language to Section 11-17-070(4)(d) specifying that no fee will be required to appear before the Planning Commission for a height increase of an accessory building in the OTR zone, as in other residential zones.

Chapters 10, 11, and 13 of the Zoning Ordinance, regulating the Agriculture, Single Family, and Multi-Family Residential Zones respectively, all have language requiring that any height increase to a detached accessory building go through a conditional use permit, and that no fee shall be charged for such an application. The only residential zone that does not have the language of “no fee shall be assessed for such an application” is the OTR zone; the proposed zone text amendment addresses this oversight through the following:

11-17-070 New Construction Design Guidelines.

- (4) Building Height.
 - (a) New building height should be similar to those found historically in the vicinity, and shall not exceed twenty-seven (27) feet height;
 - (b) No dwelling structure shall contain less than one (1) story;
 - (c) Except as otherwise provided herein, the height of a new addition shall be equal to or less than that of the original building;
 - (d) Accessory buildings or structures shall be subordinate in height to the main building and shall not exceed 15 feet in height unless approved by the Planning Commission after a review of a conditional use application filed by the property owner. No fee shall be assessed for such application.

c) Broadening Sections 11-13-030, 11-15-030, and 11-26-040, to include “temporary uses” as a conditional use in the Business Residential, Light Manufacturing & Business, and Multi-Family Residential zones.

Temporary uses are regulated in Section 11-28-120 of the Zoning Ordinance; this section is quite extensive. However, there are zones throughout the City that do not specify whether temporary uses are allowed; so while the governing ordinance does make specific allowances for different types of temporary uses based on whether the underlying zone is residential or commercial, the multi-family and business residential zones do not currently allow for temporary uses, and likewise, the Light Manufacturing and Business zone does not either. By amending these three sections of the Zoning Ordinance, this oversight will be rectified and these three zones will allow for temporary uses through a conditional use permit. By allowing these temporary uses as conditional uses, the City still has protective measures in place through Section 11-28-120. For instance, a fireworks stand or shaved ice shack would not be allowed in a residential zone, including the downtown zone designation of BR, but an agriculture sales stand, or a temporary office in a model home for a new subdivision could be.

The amendment would clean these discrepancies up as follows:

MULTIPLE FAMILY RESIDENTIAL ZONES (R-2, R-4, AND R-8)

11-13-030 Conditional Uses.

The following are conditional uses in multiple-family residential zones. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Apartment dwelling group;
- (2) Class B animals;
- (3) Class D animals;
- (4) Day-care center;
- (5) Dwelling, Accessory (only in the R-2 zone);
- (6) Dwellings, three family (R-4 and R-8 zones only);
- (7) Dwellings, four family (R-4 and R-8 zones only);
- (8) Dwellings, five to eight family in R-8 zones only (may exceed density standard established by Section 11-13-104 as approved by the Planning Commission up to a maximum density of fifteen (15) dwelling units per acre);
- (9) Greenhouses, private with no retail sales;
- (10) Home occupations as identified in Section 11-35-104 of this Title;
- (11) Professional offices (except in R-2 zones);
- (12) Private school or hospital;
- (13) Public uses;
- (14) Public utility installations (except lines and rights-of-way);
- (15) Quasi-public uses;
- (16) Residential facilities for the elderly;
- (17) Residential facilities for the handicapped; and
- (18) Secondary dwelling unit;
- (19) Temporary Uses.

BUSINESS/RESIDENTIAL ZONE (BR)

11-15-030 Conditional Uses

The following are conditional uses in the BR Zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Athletic/fitness center;
- (2) Business and professional offices;
- (3) Class "A" beer outlet;
- (4) Convenience store (sale of grocery items, non-prescription drugs, and/or gasoline from building with less than five thousand (5,000) square feet gross floor area);
- (5) Day care, pre-school, that are not home occupations;
- (6) Fast food establishments, attached (walk-in service only, no exterior walk-up or vehicle drive-thru service);
- (7) Financial institutions, excluding non-chartered financial institutions, as defined in Section 11-2-020 of this Title;
- (8) Funeral Home;
- (9) Greenhouse/garden center (retail or wholesale);
- (10) Hotels, motels, and bed & breakfasts all not to exceed 5,000 square feet in size;
- (11) Museums;
- (12) Neighborhood grocery (grocery store not exceeding fifteen thousand (15,000) square feet in gross floor area);
- (13) Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair styling, pharmacy, art supply/gallery, craft store, photo-copy center, etc.);
- (14) Pet store or pet grooming establishment;
- (15) Public and quasi-public uses except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer;
- (16) Reception Center;
- (17) Residential facility for the elderly;
- (18) Residential facility for the disabled;
- (19) Restaurant (traditional sit-down);
- (20) Small Auto Dealership;
- (21) Mixed Use Development as defined in Section 11-18-102 of this title;

(22) Temporary Uses as set forth in Section 11-28-120(h)(1) of this Title.

LIGHT MANUFACTURING & BUSINESS ZONE (LM&B)

11-26-040 Conditional Uses.

The following are conditional uses in the LM&B Zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

- (1) Any development which includes multiple buildings or is proposed on a site which is over one (1) acre in size;
- (2) Accessory Living Quarters;
- (3) Automotive Equipment and Accessories Sales;
- (4) Automotive Service and Maintenance Centers;
- (5) Automotive and Vehicle Sales;
- (6) Contractor Yards;
- (7) Dry Cleaning and Laundry Facilities;
- (8) Golf courses and/or related recreation uses;
- (9) Handicraft Manufacturing;
- (10) Light Manufacturing, Compounding and Processing, Assembling or Packaging of the following products:
 - (a) Beverages,
 - (b) Electric appliances and electronic instruments,
 - (c) Pharmaceutical or biological products,
 - (d) Food, except yeast, vinegar or rendering of fat,
 - (e) Scientific instruments,
 - (f) Signs, including electric and open,
 - (g) Wearing apparel,
 - (h) Automotive parts and accessories,
 - (i) Lumber and wood products,
 - (j) Rubber and plastic products, and
 - (k) Roof tile products;

- (11) Lumber and Building Material, Sales;
- (12) Mini-Warehousing/Self-Storage;
- (13) Outcall Services as defined and conducted in accordance with the City Business Regulations and Zoning Ordinances regarding sexually-oriented businesses are permitted in this zone;
- (14) Planned Commercial Development;
- (15) Printing/Publishing;
- (16) Public Utilities;
- (17) Retail uses compatible with area; and
- (18) Sexually-Oriented Businesses as defined and conducted in accordance with the City Business Regulations and Zoning Ordinances regarding sexually-oriented businesses;
- (19) Temporary Uses.

d) Removing language from Section 12-7-030(10)(a) of the Subdivision Ordinance that restricts the allowance of flag lots in a platted subdivision.

When the City amended the Subdivision Chapter to create stricter regulations for the creation of flag lots, the intent was never to make the creation of a flag lot in a recorded subdivision (through a plat amendment) prohibited. The language was cobbled together from other cities' ordinances and altered to fit Farmington's needs, but staff missed the last part of the sentence from 12-7-030(10)(a) of the Subdivision Ordinance which reads: "flag lots are prohibited if the proposed flag lot will...re-subdivide an existing lot or lots in a recorded subdivision." The way the ordinance is currently written will greatly hinder the possibility for in-fill development in the future for property owners wishing to split their long and narrow lots in a recorded subdivision. In such a case, the applicant would still need to go through both a subdivision application process and a plat amendment; these both bring with them particular checks where denial by the City Council is allowed if a flag lot does not make sense to re-subdivide a parcel in a recorded subdivision; staff feels that not even allowing the City Council to review such a proposal is far too limiting in its scope.

12-7-030 Lots.

(10) Flag lots may be approved by the Planning Commission and the City Council and are prohibited except to reasonably utilize an irregularly shaped parcel, to reasonably utilize land with severe topography, to provide for the protection of significant natural or environmentally sensitive areas, or to allow a property owner reasonable use and benefit of a parcel of land not otherwise developable.

- (a) General Requirements. The creation of a flag lot is a subdivision, therefore all applicable subdivision ordinances, standards and regulations apply. Flag lots are for single family residential dwellings only and are prohibited if the proposed flag lot will increase the number of access points onto a major thoroughfare or re-subdivide an existing lot or lots in a recorded subdivision.

e) Amending Section 11-35-103(1) adding language clarifying the allowable number of external employees of home occupations.

Staff has always interpreted Section 11-35-103(1) of the Zoning Ordinance to allow for one additional, un-related employee in a home occupation *at any one time*. But a literal reading of the ordinance would only allow for one unrelated employee total. Staff feels that limiting the one additional unrelated employee to one person, instead of one person at any one time is too stringent and allowances should be made for several part time employees to work in a home occupation, so long as the number never exceeds more than one extra employee at once.

For instance, if a resident is running a hair salon out of their home, as a home occupation, and that business owner had an extra cutting station, the way the ordinance currently reads would prevent them from having more than one, part-time unrelated employee using that station. So to really utilize that station, the business owner would have to either hire someone to use that station full time or let it sit empty for part of the time. If that business owner wished to hire several part-time employees with compatible schedules, it makes sense that the business owner would be able to do so.

Staff is requesting that Section 11-35-103(1) be amended to make the requirement more flexible as follows:

11-35-103 Conditions.

Each home occupation shall comply with all of the following conditions:

- (1) Only family members related by blood, marriage, or adoption who are bona fide residents of the dwelling unit shall be employed on said premises except that one (1) additional person may be employed at any one time as a secretary, computer operator, apprentice, or helper where there are no more than five (5) family members engaged in the home occupation.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the proposed amendments to the Zoning and Subdivision Ordinances as set forth in the July 7, 2016 staff report.

Findings:

- a. Requiring Special Exceptions to be public hearings gives the Planning Commission a chance to hear from affected neighbors, receive input on considerations that may influence their decision, and negotiate the means to

mitigate negative impacts that will benefit the City, applicant, and adjacent property owners.

- b. Adding language specifying that prohibits charging a fee will bring the OTR zone into consistency with the other residential zones in the City.
- c. Broadening the scope of where Temporary Uses are allowed actually gives the City greater control through Section 11-28-120 of the Zoning Ordinance, and allows for the proper delegation of residential and commercial Temporary Uses to those zones where they are intended to be.
- d. Removing the prohibition of flag lots in recorded subdivisions will allow for greater in-fill opportunities and flexibility in the future, especially as it relates to the utilization of oddly shaped lots, such as narrow and deep lots, or lots with severe topography.
- e. Broadening the requirement of one unrelated employee total to one unrelated employee at any one time gives Home Occupation proprietors greater flexibility with their businesses.

Applicable Ordinances

1. Title 11, Chapter 3 – Planning Commission
2. Title 11, Chapter 13 – Multiple Family Residential Zones
3. Title 11, Chapter 15 – Business/Residential Zone (BR)
4. Title 11, Chapter 17 – Original Townsite Residential (OTR)
5. Title 11, Chapter 26 – Light Manufacturing and Business (LM&B)
6. Title 11, Chapter 28 – Supplementary and Qualifying Regulations
7. Title 11, Chapter 35—Home Occupations
8. Title 12, Chapter 7 – General Requirements for all Subdivisions