



Farmington City Planning Commission

November 15, 2018



AGENDA
PLANNING COMMISSION MEETING
November 15, 2018

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. Brock Johnston – Applicant is requesting final plat approval for a one lot subdivision (3.59 acres) located at approximately 575 South 650 West in an AE (Agriculture Estates) zone. (S-25-18)

OTHER

4. Utah First Federal Credit Union (Public Hearing) – Applicant is requesting approval for a special exception for a drive-up window in conjunction with a proposed credit union located at the southwest corner of Park Lane and 1100 West Street in a GMU (General Mixed Use) zone. (SP-4-18).
5. Miscellaneous, correspondence, other, etc.
6. 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 October 12, 2018

David Petersen
Community Development Director

**FARMINGTON CITY
PLANNING COMMISSION MEETING
November 1, 2018**

STUDY SESSION

Present: Chair Kent Hinckley, Commissioners Connie Deianni, Russ Workman, Amy Shumway, Rulon Homer, Shawn Beus, Community Development Director Dave Petersen and Recording Secretary Tacy Stine. Commissioner Roger Child was excused.

Item #1 Minutes

SUBDIVISION

Item #2. Farmington Square LLC and Park Lane Commons LLC– Applicant is requesting minor plat approval for the Park Lane Commons Parcel B Amended subdivision consisting of 4 lots on approximately 3 acres located on the northeast corner of Station Parkway and Grand Ave. in a TMU (Transit Mixed Use) zone. (S-19-18)

Dave Petersen said it's a subdivision plat, going by Park Lane Commons Parcel B Amended. All the lots have a 501 or 502 series, now being called phase 5. He said it's a simple four lot subdivision, consistent with the project master plan. It will accommodate the buildings shown on the project master plan. He said they are taking parcel B and making it phase 5.

Item #3. Red Barn Farms (Public Hearing) – Applicant is requesting approval for a metes and bounds subdivision of property (lot split) regarding approximately 6.81 acres located at about 1250 West Burke Lane in an OMU (Office Mixed Use) zone. (S-28-18)

Dave Petersen said it's the Red Barn Farms lot split by metes and bounds. It's zoned OMU. He said what the applicant wants to do is consistent with the project master plan. They want to do an office use. He said the City hasn't received an application yet. He said metes and bounds have to go to the Planning Commission. They are a subdivision, so it has to be a public hearing. He said notice was given. Amy Shumway asked where they're planning to do the trail to Legacy. Dave Petersen said right on the property line.

CONDITIONAL USE PERMIT

Item #4. Allie Dahl (Public Hearing) – Applicant is requesting conditional use permit approval for a preschool as a home occupation on property located at approximately 1004 W Deer Clover Street in an AE (Agriculture Estates) Zone. (C-10-18)

Dave Petersen said it's for a preschool across the street from Canyon Creek Elementary. He said the applicant wants to have between 8-16 kids.

OTHER

Motion to Adjourn

REGULAR SESSION

***Present:** Chair Kent Hinckley, Commissioners Connie Deianni, Amy Shumway, Russ Workman, Rulon Homer, Shawn Beus, Community Development Director Dave Petersen and Recording Secretary Tacy Stine. Commissioner Roger Child was excused.*

Item #1. Minutes

Shawn Beus made a motion to approve the Minutes from the October 18, 2018 Planning Commission meeting. **Connie Deianni** seconded the motion, which was unanimously approved.

SUBDIVISION

Item #2. Farmington Square LLC and Park Lane Commons LLC– Applicant is requesting minor plat approval for the Park Lane Commons Parcel B Amended subdivision consisting of 4 lots on approximately 3 acres located on the northeast corner of Station Parkway and Grand Ave. in a TMU (Transit Mixed Use) zone. (S-19-18)

Dave Petersen said it's a four lot subdivision. It's called a minor subdivision because there is no dedication of right of way. He said even if there is a one lot subdivision, if there's a dedication of right of way it becomes a major subdivision. He said minor subdivisions can't exceed 9 lots, so this application qualifies. In a minor subdivision the preliminary and final plat are rolled into one. He said the applicant already received their schematic plan approval via an approved Project Master Plan and they are ready to go. He said staff recommends the Planning Commission approve by deleting conditions 2 and 4.

Scott Harwood, 33 Shadow Breeze Rd., Kaysville, said this is almost fully built out as far as public improvements. He said they are fine with the conditions. He mentioned the sidewalk on the back of two lots on Broadway and said they would probably post a bond for it instead of construct a sidewalk because they have buildings that will be built there and would have to tear up the sidewalk. He said when those two lots go they can put the sidewalk in. He said the lots are fully improved and ready to go.

Motion:

Connie Deianni made a motion that the Planning Commission approve the minor plat subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The applicant must obtain approval from the City Council to amend Parcel B of the Park Lane Commons subdivision plat to provide for the minor subdivision.
2. The applicant shall construct a sidewalk on the west side of Broadway, or post a bond acceptable to the City to ensure the construction thereof prior to or concurrent with the recordation of the final plat.
3. Final improvement drawings, including the plat, for the subdivision must be stamped approved by the City Engineer upon review and approval of the City's Development Review Committee (DRC).

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval:

1. A plat amendment is required because the minor plat changes the existing Park Lane Commons subdivision plat.
2. The City approved a Project Master Plan (PMP) for Park Lane Commons which was included as part of a supplemental development agreement between the applicant and the City dated June 23, 2014. The minor plat, sidewalks, and public access easements, are consistent with the PMP (and Farmington City standards) and will accommodate the development anticipated for this site.
3. The reciprocal access easement is consistent with what was contemplated during the review and approval process for the Residences at Station Parkway, which residential development abuts the north side of the plat, and is consistent with the PMP for Park Lane Commons.
4. The subdivision is consistent with the Farmington City General Plan.

Item #3. Red Barn Farms (Public Hearing) – Applicant is requesting approval for a metes and bounds subdivision of property (lot split) regarding approximately 6.81 acres located at about 1250 West Burke Lane in an OMU (Office Mixed Use) zone. (S-28-18)

Dave Petersen said it's in the same vicinity and encompassed in the same project master plan. It's a metes and bounds subdivision, but not a platted subdivision. He already has the zoning, but is requesting approval to create a parcel. The applicant wants to create a lot out from the red barn lot to enable him to sell the lot and market it to potential tenants. He said the City Engineer would like to have a review of the survey before it's recorded. **Russ Workman** asked if there's any change of configuration that will drive road design differently than the master plan anticipated. **Dave Petersen** said no. He said they have seen some concepts about an office building that could go there that meets their form base code. He said the City is okay with doing the metes and bounds subdivision at this time because at site plan they have the opportunity to do a full review of everything—the position of the buildings, utilities, improvements. He said the nice thing about a metes and bounds subdivision is that boundary adjustments can happen quickly.

Scott Harwood, 33 Shadow Breeze Rd., Kaysville, said this was the first step in getting the transaction moving forward. He said they would probably have the schematic plan tomorrow to start looking at building configurations and elevations. He said this allows them to get moving.

Shawn Beus asked how it ties into the Red Barn development. **Scott Harwood** said the Red Barn development is a life skills academy school, working to get students back into society, learning how to get a job and write a resume. He said the community has really embraced what's happening. During the day students are out working. He said it's been an awesome giveback. It's a nonprofit, trying to help kids get back on their feet that have struggled with addiction. He said the group they are wanting to bring in does business consulting and they do a lot of work with families. He said they would like to tie in what they're doing out there with the students and families that have struggled through life and potentially open up and start teaching family workshops. The group they're working to bring in does exactly that.

Amy Shumway asked if the trail connection is intended to wrap to Legacy. **Scott Harwood** said yes, that the trail system is important to all of them. He said they don't own the property on the other side of Red Barn Lane, but he thinks whoever comes in there will build a portion of the trail along the creek. He said he thinks the trail will continue along the creek and eventually connect to the D&RG trail then head north to Shepherd Lane. **Amy Shumway** asked if there was a trail easement. **Scott Harwood** said it was a condition of the building permit. **Dave Petersen** said it may be part of the 2014 P&P agreement.

Kent Hinckley opened the public hearing at 7:19 p.m.

(No comments were received at this time.)

Kent Hinckley closed the public hearing at 7:19 p.m.

Commissioners deliberation.

Rulon Homer said he supports what they're doing.

Shawn Beus said he thinks it's an important first step to the rest of the development of the north Station area and the transition to the rest of the Class A office space that's planned there.

Motion:

Rulon Homer made a motion that the Planning Commission approve the two lot subdivision as requested by metes and bounds subject to all applicable Farmington City development standards and ordinances and the applicant shall provide for City review, and thereafter record, a stamped survey legal description of the new parcels.

Shawn Beus seconded the motion, which was unanimously approved.

Findings for Approval:

1. The lot split will enable future office development consistent with the General Plan.
2. Office development in this area meets the intent of the project master plan for Park Lane Commons.
3. Details and standards related to public and private infrastructure for any proposed development will be required by the City in conjunction with a future site plan application for the site(s).

CONDITIONAL USE PERMIT

Item #4. Allie Dahl (Public Hearing) – Applicant is requesting conditional use permit approval for a preschool as a home occupation on property located at approximately 1004 W Deer Clover Street in an AE (Agriculture Estates) Zone. (C-10-18)

Dave Petersen said the location is on Deer Clover Street, across the street from Canyon Creek Elementary. He said the background information references 11-35-104, which states that anything over eight students and not to exceed sixteen needs a conditional use permit and must come to the Planning Commission, which is what the applicant is proposing to do. He said any home occupation has to follow the basic standards. The most area allowed for a sign is a 12X12 inch sign in the window. A preschool also has to be licensed and regulated by the state.

Allie Dahl, 1004 W Deer Clover St., Farmington, said she wants to start a preschool. She wants to do the preschool to earn extra money, and she loves spending time with kids that age.

Russ Workman referenced the timing in regards to the elementary school across the street. He said the time of parents dropping kids off and picking them up looks okay, but it doesn't solve the problem if she were to change the times in the future. He thinks having an extra condition dealing with

drop offs and pickups would solve it. **Allie Dahl** said the times chosen were in between kindergarten drop off and pick up.

Connie Deianni expressed concern about the preschool parents using the turnaround at the elementary school. She asked if it would be a problem or how she would control that. **Allie Dahl** said it happens all the time anyway. She said she could give parents a recommended exit route heading west on Deer Clover Street for pickup and drop off, then to turn north on the next street or on 1100 West. She said if parents do that they will avoid all school traffic and where the majority of kids cross the street.

Rulon Homer asked if **Allie Dahl** has a basement or where she is going to hold preschool. **Allie Dahl** responded that there is a basement. She said the area the kids will be in is about 658 square feet. **Rulon Homer** asked if the kids would go outside. **Allie Dahl** said they would stay inside. **Kent Hinckley** asked if state licensing would require a fence for the children to be able to play outside. **Allie Dahl** stated that is correct.

Connie Deianni again brought up the traffic and how it might affect neighbors. **Allie Dahl** said she could add a route in the Policies and Procedures directing parents on which way to enter and exit.

Kent Hinckley opened the public hearing at 7:35 p.m.

(No comments were received at this time.)

Kent Hinckley closed the public hearing at 7:36 p.m.

Kent Hinckley said he wanted to note that in the letter **Allie Dahl** brought in it stated she had the names of four neighbors all approving of what is being proposed.

Dave Petersen said he noted three possible conditions that could be added that the Planning Commission talked about. First, a routing plan must be implemented. Second, beginning and ending times must not occur at the same time as the elementary school drop off and pickup times. Third, if the yard is ever used it must be fenced.

Motion:

Connie Deianni made a motion that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The preschool cannot have more than 16 students at one time.
2. The applicant develop and communicate a routing plan for egress into the preschool.
3. That class times not conflict with drop off and pickup times at the elementary school across the street.
4. That the yard be fenced if it's going to be used for the preschool children.
5. That the applicant meet state licensing requirements for preschool.

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
3. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
4. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.

ADJOURNMENT

Motion:

At 7:39 p.m. **Rulon Homer** made a motion to adjourn the meeting, which was unanimously approved.

Kent Hinckley
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 discuss the Farmington Creek Trail and 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, November 13, 2018, 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

PUBLIC HEARINGS:

7:05 Ordinance Adopting the North Station Community Reinvestment Area 1 (CRA1) Project Area Plan

7:10 Ordinance Adopting the North Station Community Reinvestment Area 2 (CRA2) Project Area Plan

7:15 Rezone of 19.24 acres located at the northeast corner of Burke Lane and 1525 West to OMU

Minute motion adjourning to the Redevelopment Agency meeting.

(See RDA Agenda)

8:00 Resolution Granting Consent to the Farmington City Redevelopment Agency to Receive Tax Increment for the Farmington North Station Community Reinvestment Area 1 (CRA1)

8:05 Resolution Granting Consent to the Farmington City Redevelopment Agency to Receive Tax Increment for the Farmington North Station Community Reinvestment Area 2 (CRA2)

8:10 Schematic Subdivision Creekside Manor

NEW BUSINESS:

8:20 Ordinance Amending Provisions of the City Code relating to the Use of Public Rights of Way and Franchise Agreements (Title 9 Chapter 4)

SUMMARY ACTION:

(Items listed are considered routine in nature and will be voted on in mass unless pulled for separate discussion)

8:30 Minute Motion Approving Summary Action List

1. Franchise Agreement with First Digital Telecom
2. Approval of Minutes from November 13, 2018
3. UTA Shuttle Service Agreement
4. Park Lane Commons Parcel B Plat Amendment
5. Resolution Amending the Consolidated Fee Schedule related to Pool Rentals
6. Surplus Property - Trailer

DISCUSSION ITEMS:

8:35 ISO

GOVERNING BODY REPORTS:

8:50 City Manager Report

1. Building Activity Report for September

8:55 Mayor Talbot & City Council Reports

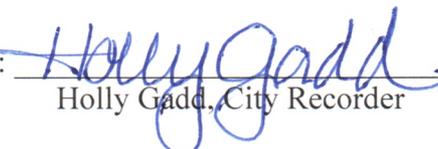
ADJOURN

CLOSED SESSION

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

DATED this 8th day of November, 2018.

FARMINGTON CITY CORPORATION

By:  _____
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 November 15, 2018

Item 4: Special Exception for Utah First Credit Union Drive-Thru

Public Hearing:	Yes
Application No.:	SP-4-18
Property Address:	SW Corner of Park Lane and 1100 West
General Plan Designation:	TMU (Transportation Mixed Use)
Zoning Designation:	GMU (General Mixed Use)
Area:	2.25 Acres
Number of Lots:	1
Property Owner:	Utah First Federal Credit Union
Agent:	Utah First Federal Credit Union

Request: *Applicant is requesting a special exception of a drive-thru for a financial institution in the GMU zone [note: this is not a request for site plan approval].*

Background Information

On May 16, 2017 the City Council approved a zone text amendment to Chapter 18 allowing for financial institutions in the GMU zone to have drive-up windows through special exception, as set forth in Section 11-3-045 of the Zoning Ordinance, which has been attached in its entirety.

According to Section 11-3-045: *"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."* A special exception, therefore is to be treated similarly to a conditional use, and must be a public hearing. The approval standards, as set forth in Section E specify that:

"Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the city as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception."

Of specific concern is the location and design of the drive-thru, whether the drive-thru is being properly screened, and other related matters as found in Chapter 18, which includes several ancillary issues including the required building frontage in the build-to-range for a building on a principal street in the mixed use district, and whether the proposed site plan meets that requirement.

The City's Site Plan and Architectural Review Committee (SPARC) met on October 29th to discuss this project. Additionally, it is within the Planning Commission's purview to consider applying conditions that ensure the drive-thru windows conform to the intent and purpose of Chapter 18, which is stated as follows:

"The regulating plan, mixed use districts, plan review and development standards and guidelines are enacted to provide and encourage a compatible mix of uses, rather than a separation of uses, that is consistent with the objectives of the Farmington City general plan. Flexibility in design and the uses allowed is provided to encourage a diversity of uses that can respond to market forces while being consistent with a design that promotes a transit and pedestrian oriented pattern of development."

At question is whether the drive-up windows encourage a pedestrian oriented pattern of development, and if not, what reasonable conditions can be applied to ensure that any adverse effects from the drive-thru to pedestrians be mitigated. Staff has included a condition for approval that addresses proper screening for this property.

Suggested Motion:

Move that the Planning Commission approve the special exception, subject to all applicable Farmington City ordinances and development standards, and the applicant shall screen the drive-thru with sufficient plantings and/or a screen between it and the sidewalk.

Findings for Approval:

1. The SPARC reviewed the site plan and had no concerns with the drive-thru.
2. A drive-thru is an essential part of any modern day financial institution, and in order for Utah First Credit Union to realize its full potential, and service its customers, a drive-thru is necessary.
3. The applicant has met with staff and revised their site plan to not only conform to the Zoning Ordinance, but to make future development to the south more efficient.

Supplemental Information

1. Vicinity Map
2. Utah First CU Site Plan
3. Utah First CU Elevations
4. Section 11-3-045 of the Zoning Ordinance

Applicable Ordinances

1. Title 11, Chapter 3 – Planning Commission
2. Title 11, Chapter 18 – Mixed Use Districts

Farmington City Information

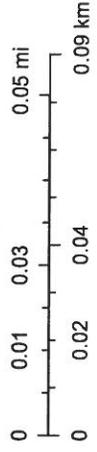


11/8/2018, 3:59:40 PM

--- Farmington City Boundary
 □ Parcels

Address Points

1:2,257



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus
 Farmington City
 Microsoft |

REFERENCE NOTES

- 1. NOT USED
- 2. NOT USED

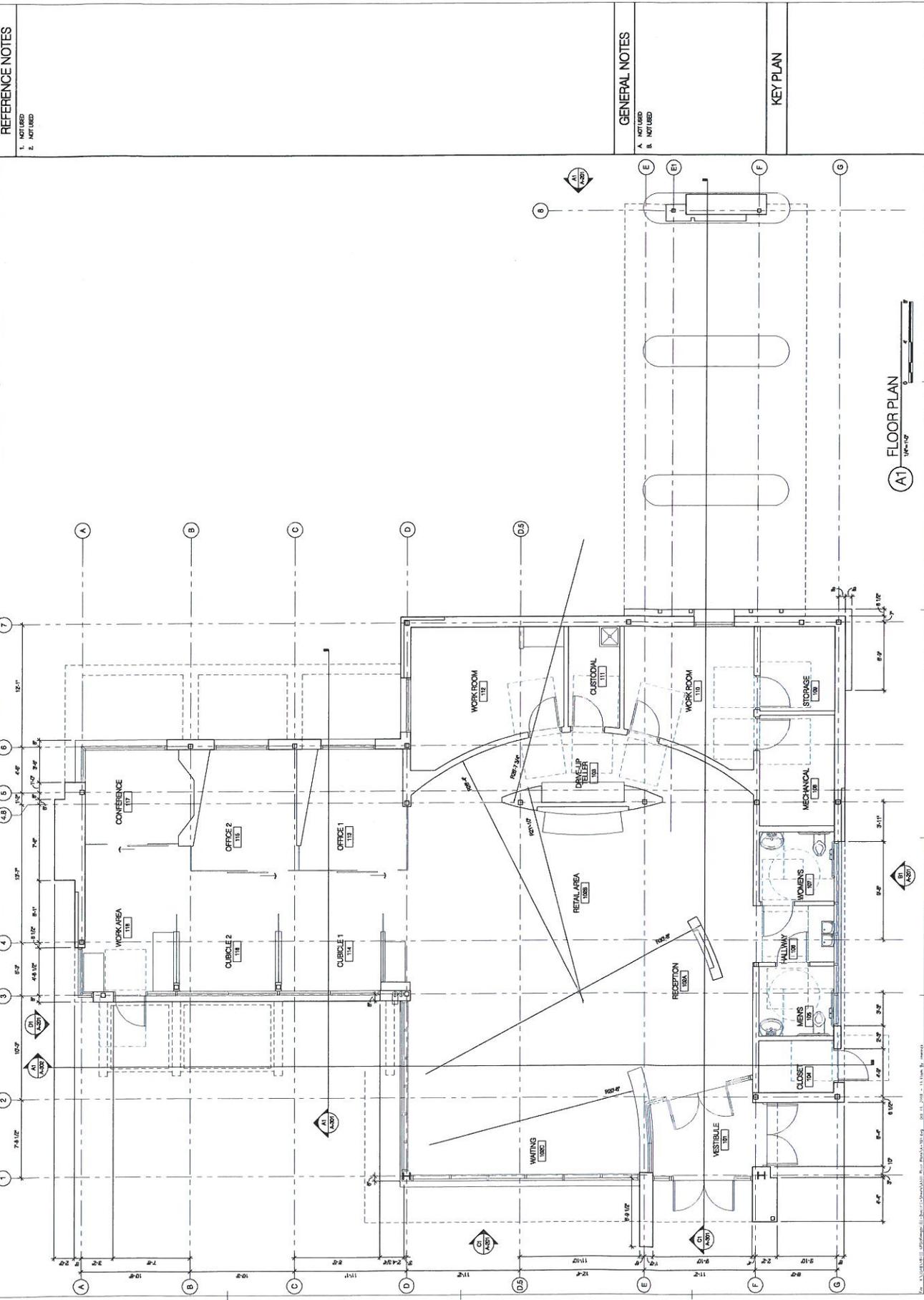
GENERAL NOTES

- A. NOT USED
- B. NOT USED

KEY PLAN

FLOOR PLAN

A-101



FFKR ARCHITECTS
730 Pacific Avenue - Salt Lake City, Utah 84104
O 801.521.6186 • FFKR.COM



Utah First Credit Union
Farmington, UT
DESIGN DEVELOPMENT

PROJECT 7 10122
DATE 04/20/14
DESIGNER FFKR/CSB

File: A:\10122\10122.dwg Plot: 10122\10122.dwg Date: 04/20/14 11:15am

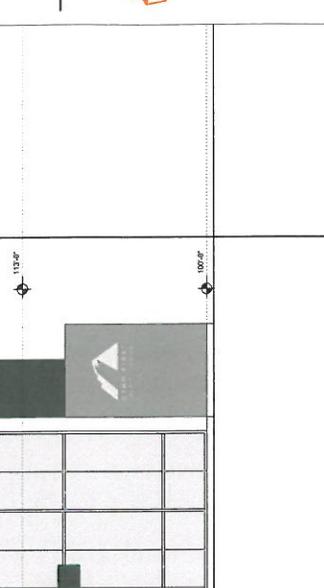


UTAH FIRST CREDIT UNION - FARMINGTON
FARMINGTON, UTAH
OCTOBER 18, 2018



FFKR ARCHITECTS

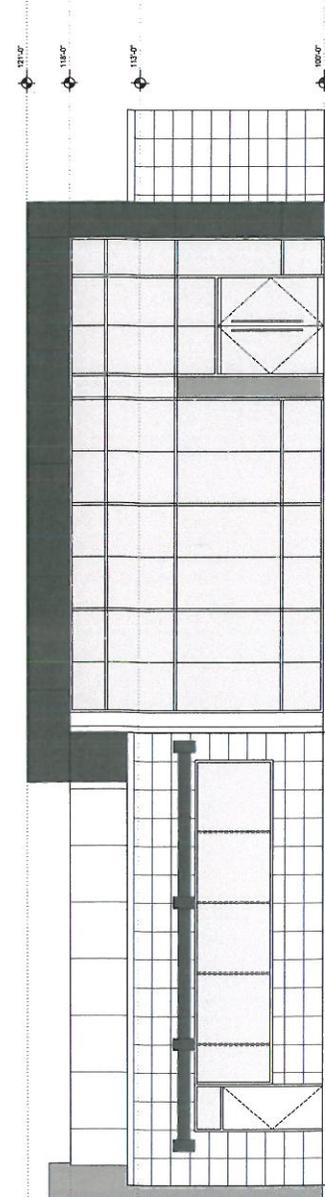
- REFERENCE NOTES**
1. CONCRETE FOUNDATION
 2. 3000 PSI ALL DIMENSION FOUNDATION
 3. 20x27 ALUMINUM VENER PANELS (EM-1) FINISH IN
 4. 20x27 ALUMINUM VENER PANELS (EM-1) FINISH IN
 5. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 6. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 7. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 8. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 9. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 10. ALUMINUM WINDOW FRAMING (EM-1) FINISH IN
 11. STEEL CANTILEVER BEAM W/ ALUMINUM COVER, DARK
 12. 1" ACQUIT TRANSLUCENT PANEL, WALL, 100% CUSTOM
 13. FRAMELESS GLASS ENTRY DOOR
 14. SPANDREL GLASS PANEL



(C1) BUILDING ELEVATION - NORTHWEST
1/4"=1'-0"

- GENERAL NOTES**
- A. NOT USED
 - B. NOT USED

KEY PLAN



(A1) BUILDING ELEVATION - NORTHEAST
1/4"=1'-0"

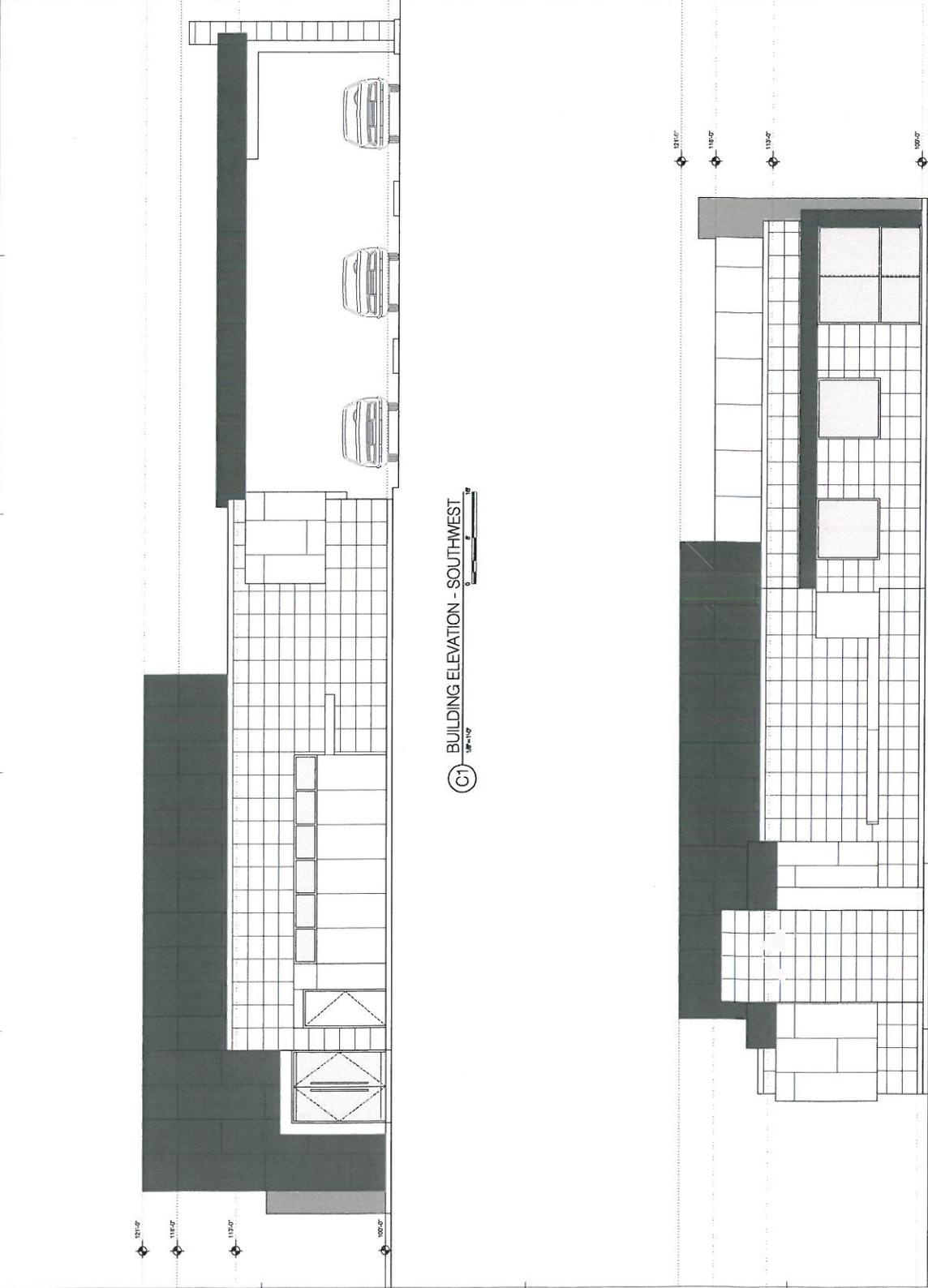
REFERENCE NOTES

1. CONCRETE FOUNDATION
2. SCHED 40 I BEAM TO FOUNDATION
3. 2x10 W/ MASCHERY BEET PANELS (S&H), FINISH IN 1/2" GROUT
4. TRIM (BASE S&H) - SOLID W/AN 6/8 SQUARE
5. ALUMINUM WINDOW FRAMING (S&H) - DARK BRONZE
6. EXTERIOR CLADDING (S&H); CHARCOAL GRAY
7. ALUMINUM COMPOSITE PANELS (S&H); INSULATED
8. PRE-FINISHED METAL, CAP FLUSH W/ COLOR TO MATCH CLADDING
9. ALUMINUM TRIMMED GLAZED SHED; DARK BRONZE
10. STEEL CHANNEL BEAM W/ ALUMINUM COVER; DARK BRONZE
11. BACKLIT TRANSLUCENT PANEL WALL; SPOT LIGHTS
12. FRAMELESS GLASS ENTRY DOOR
13. FRAMELESS GLASS ENTRY DOOR
14. SPANDREL GLASS PANEL

GENERAL NOTES

- A. NOT USED
- B. NOT USED

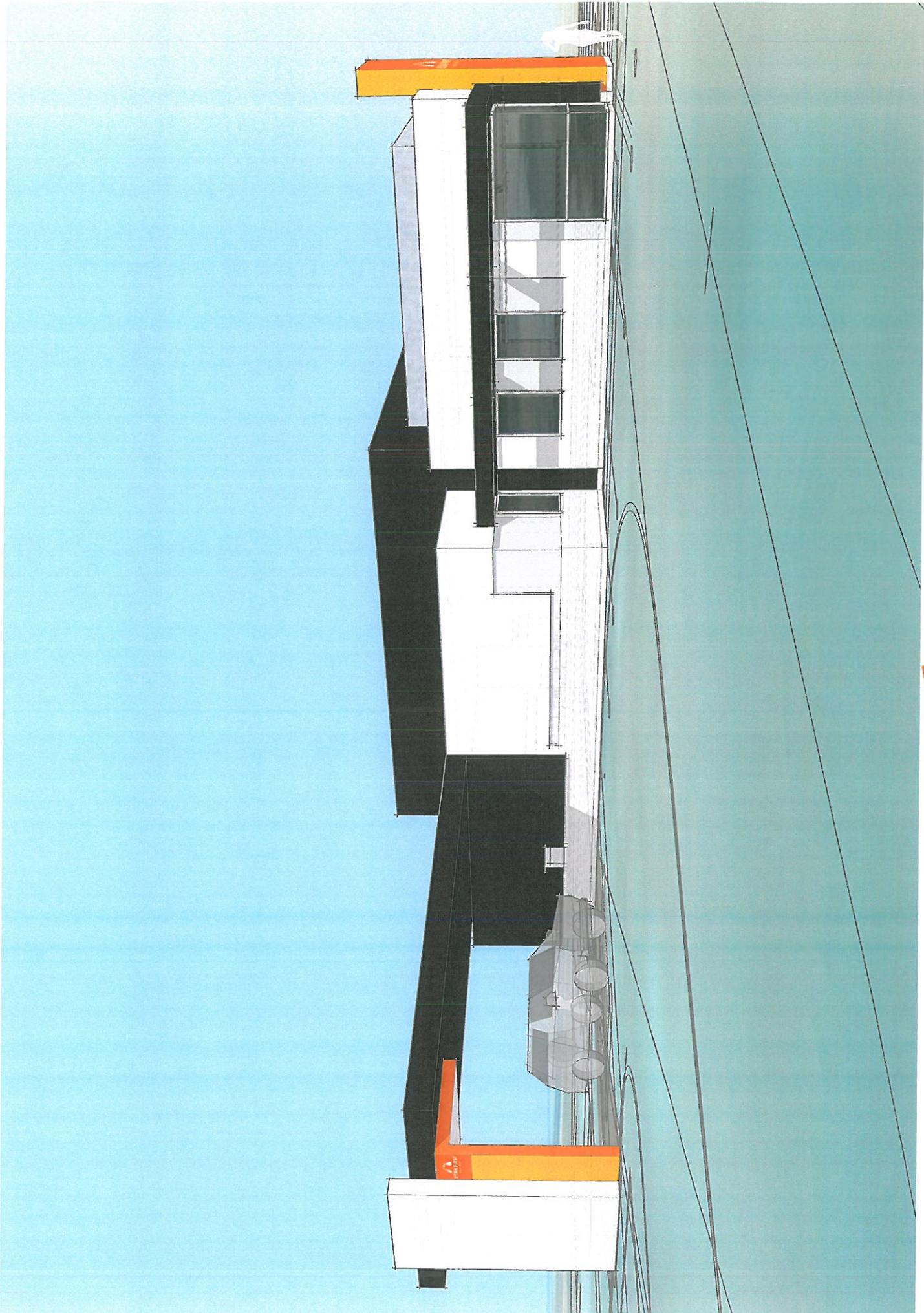
KEY PLAN



(C1) BUILDING ELEVATION - SOUTHWEST
 1/8" = 1'-0"

(A1) BUILDING ELEVATION - SOUTHEAST
 1/8" = 1'-0"

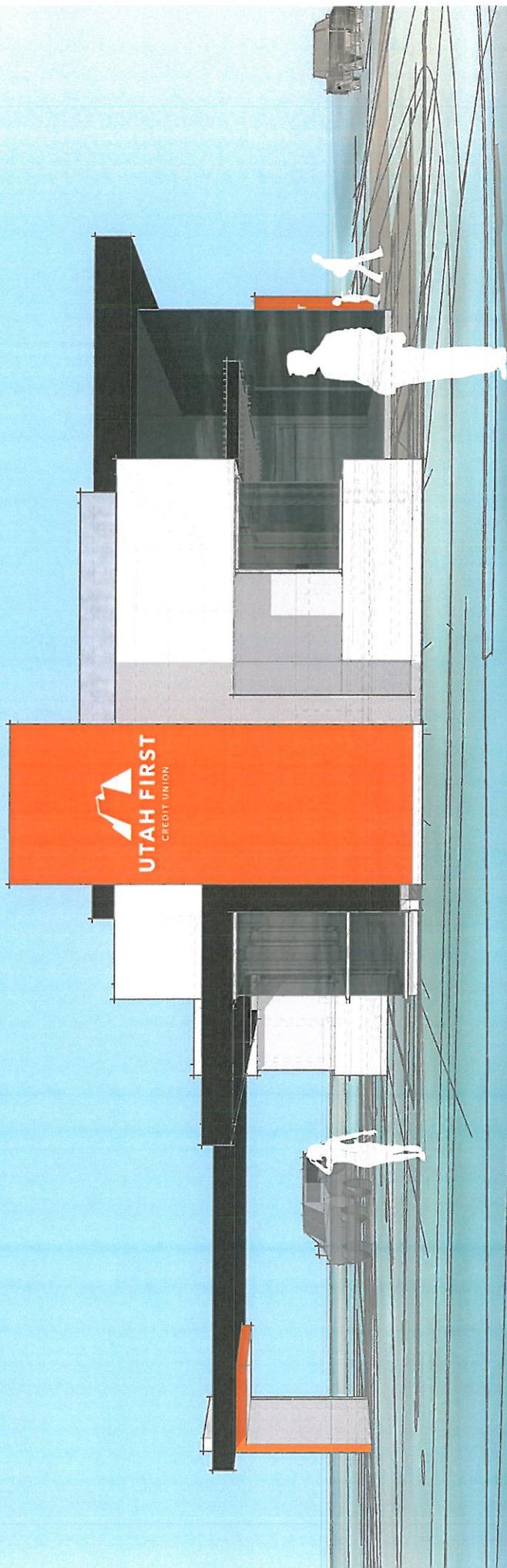
FFKR ARCHITECTS, 730 Pacific Avenue, Salt Lake City, Utah 84104. 801.521.6166. FFKR.COM

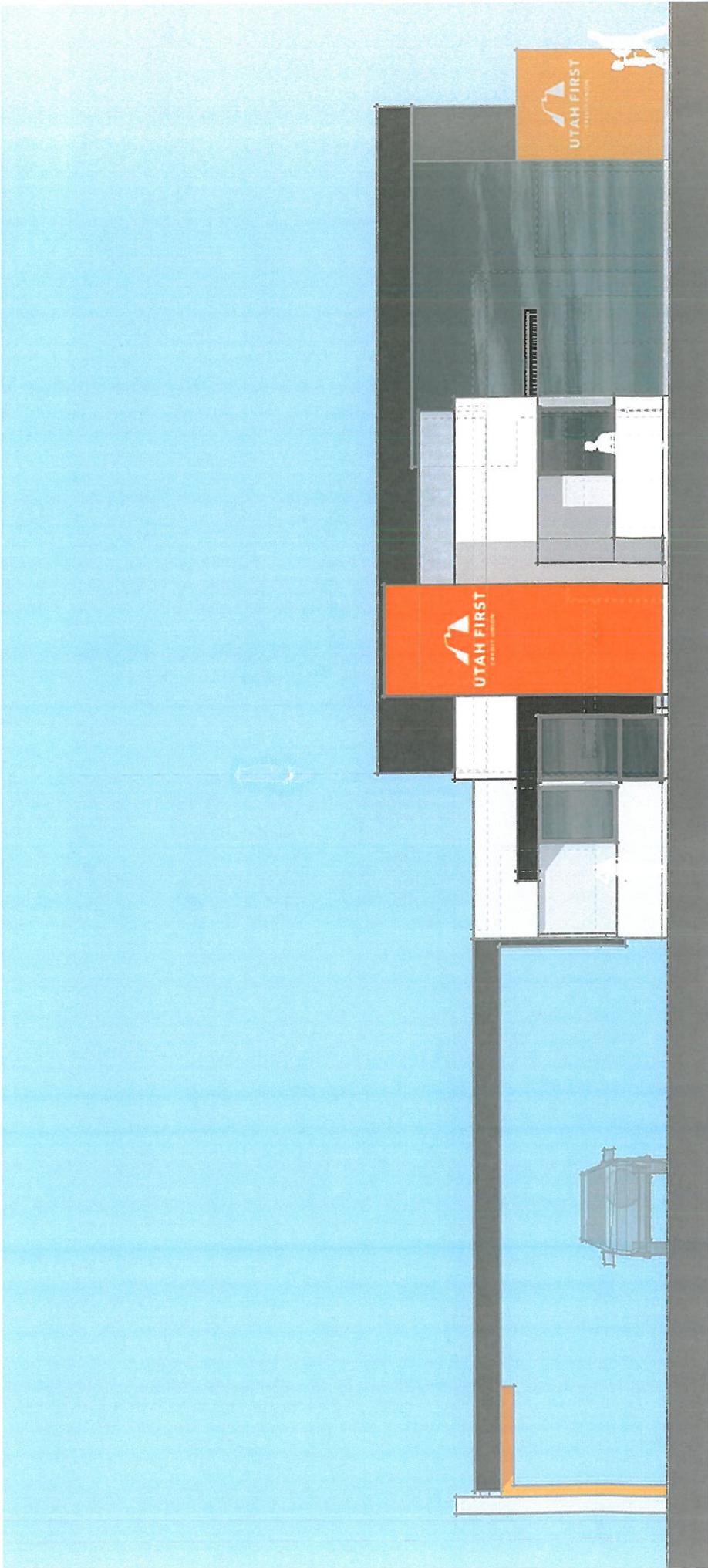


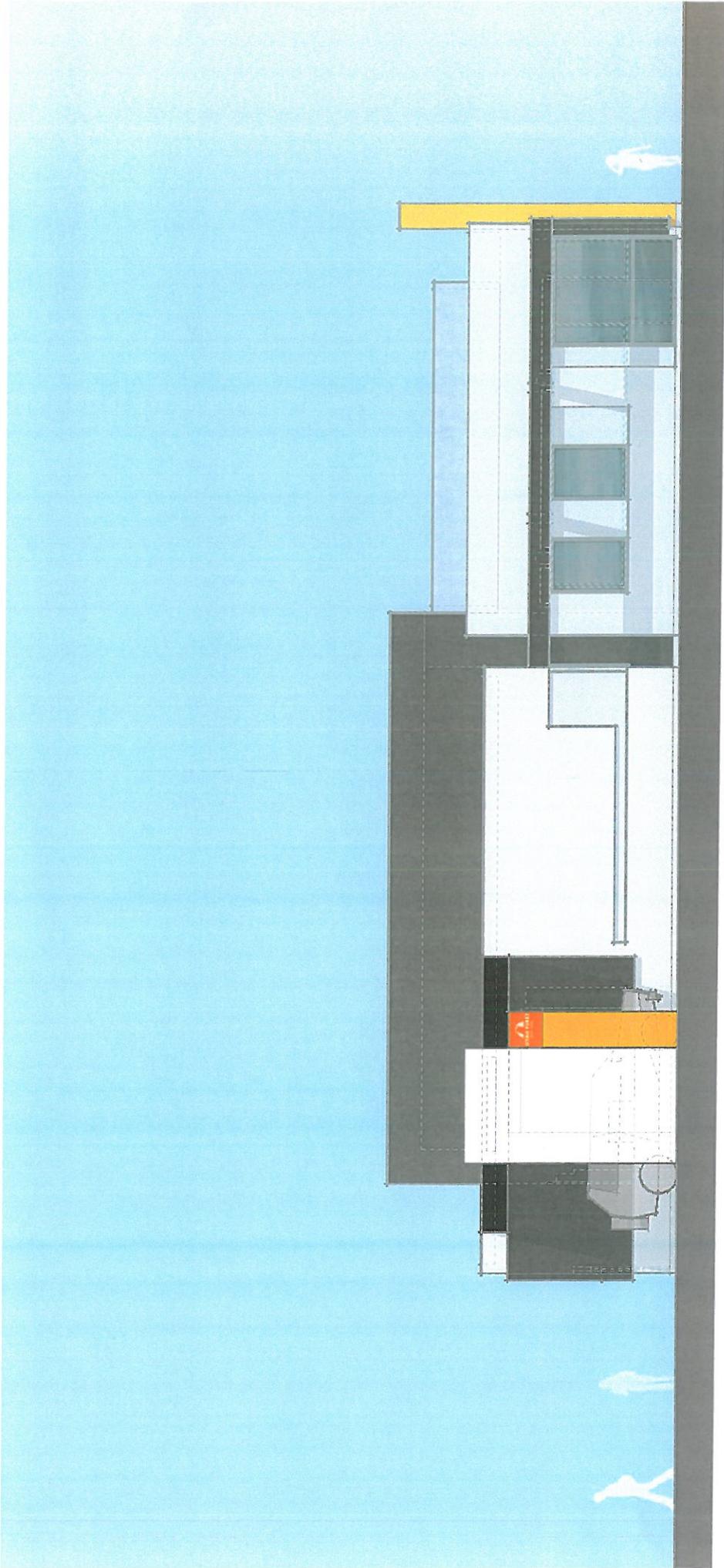
RST CREDIT UNION - FARMINGTON
ON, UTAH
2018

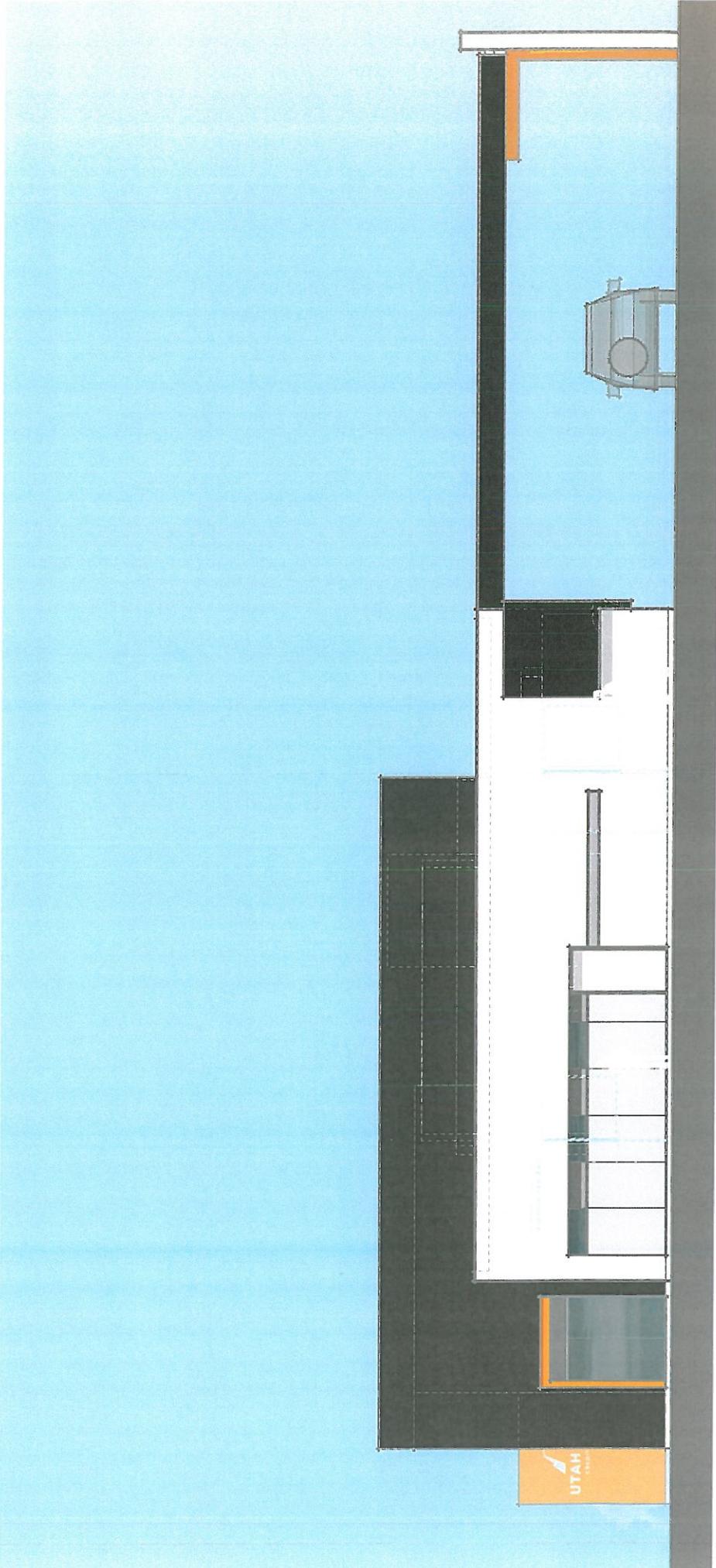


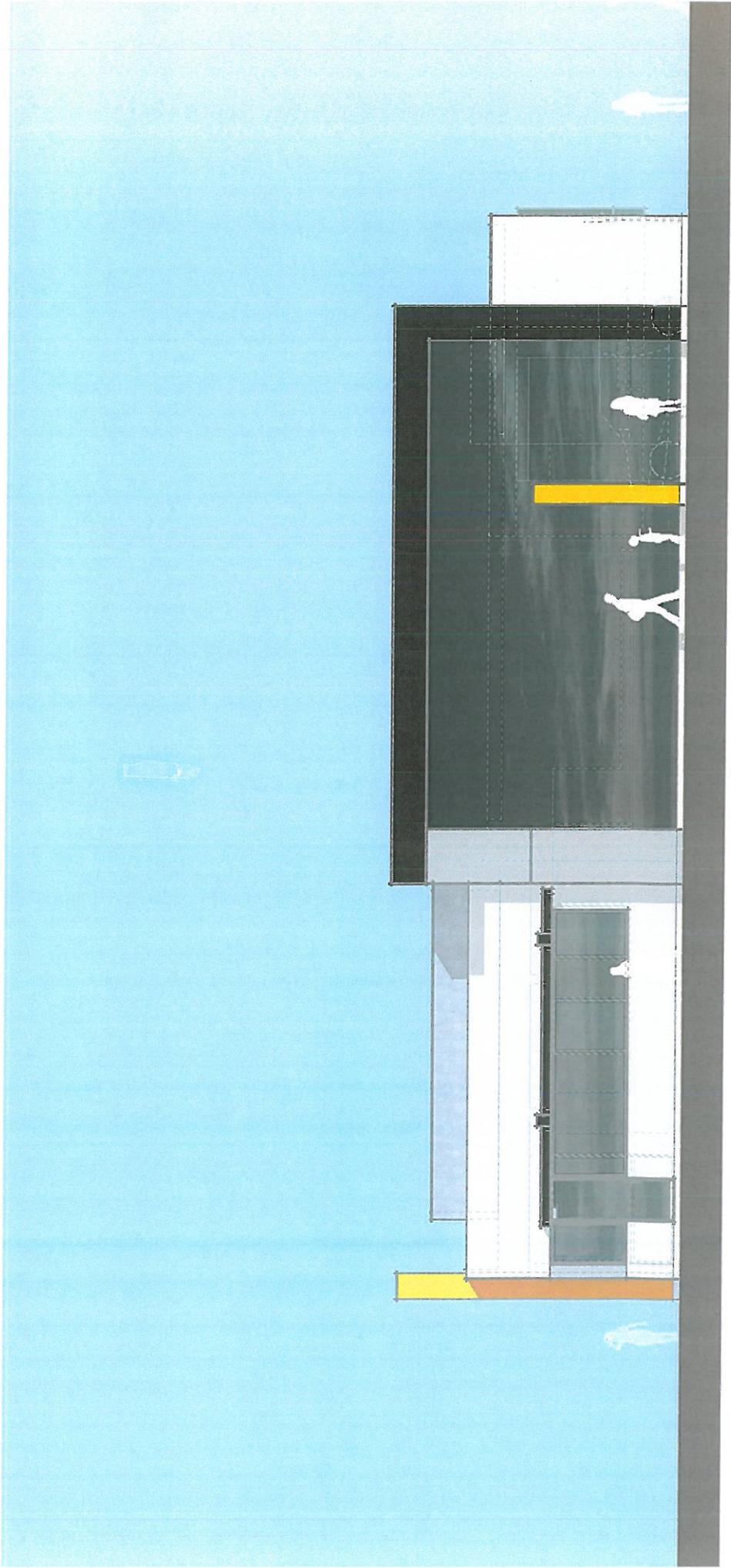
FFKR ARCHIT











11-3-045: SPECIAL EXCEPTIONS:

- A. 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 this title; or a transfer of development right (TDR), or rights, established because of blight which results in an additional lot, or lots, or a dwelling unit, or units; 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 reuse 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. Authority: When expressly provided for under the provisions of this title, the Planning Commission is authorized to approve special exceptions to the provisions of this title in accordance with the terms and provisions set forth in this section.
- C. Initiation: A property owner, or the owner's agent, may request a special exception to the provisions of this title in accordance with the procedures set forth herein.
- D. Procedure: An application for a special exception shall be considered and processed as follows:
1. A complete application shall be submitted to the Zoning Administrator in a form established by the City along with any fee established by the City's fee schedule. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any.
 - b. The address and parcel identification of the subject property.
 - c. The zone, zone boundaries and present use of the subject property.
 - d. A complete description of the proposed special exception.
 - e. A plot plan showing the following:
 - (1) Applicant's name;
 - (2) Site address;
 - (3) Property boundaries and dimensions;
 - (4) Layout of existing and proposed buildings, parking, landscaping and utilities; and
 - (5) Adjoining property lines and uses within one hundred feet (100') of the subject property.
 - f. Such other and further information or documentation as the Zoning Administrator may deem necessary for a full and proper consideration and disposition of a particular application.

2. After the application is determined to be complete, the Zoning Administrator shall schedule a public hearing 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.
3. A staff report evaluating the application shall be prepared by the Zoning Administrator.
4. The Planning Commission shall hold a public hearing and thereafter shall approve, approve with conditions or deny the application pursuant to the standards set forth in subsection E of this section. Any conditions of approval shall be limited to conditions needed to conform to the special exception to approval standards.
5. After the Planning Commission makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
6. A record of all special exceptions shall be maintained in the Office of the Zoning Administrator. (Ord. 2018-11, 3-6-2018)

E. Approval Standards: The following standards shall apply to the approval of a special exception:

1. Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the City as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception.
2. The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:
 - a. Will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
 - b. Will not create unreasonable traffic hazards;
 - c. Is located on a lot or parcel of sufficient size to accommodate the special exception.

F. Effect Of Approval: A special exception shall not authorize the establishment of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any approvals or permits that may be required by this title or other applicable provisions of this Code.

G. Amendments: The procedure for amending a special exception shall be the same as the original procedure set forth in this section.

H. Expiration: Subject to an extension of time, a special exception which is not exercised within one hundred eighty (180) days shall expire and have no further force or effect. (Ord. 2002-48, 12-11-