FARMINGTON

HISTORIC BEGINNINGS • 1847

Farmington City Planning Commission

December 1, 2016

FARMINGTON CITY

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM MELLOR
CORY RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

AGENDA
PLANNING COMMISSION MEETING
December 1, 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

CONDITIONAL USE PERMIT

3. Mike Wagstaff / Chris McRoberts (Public Hearing) – Applicant is requesting conditional use permit approval for a residential facility for the disabled on 5.07 acres of property located at 235 South 200 East in an R-2 (Multiple Family Residential) zone. (C-14-16)

OTHER

4. Miscellaneous, correspondence, etc.
    a. Tree Preservation Plan – Symphony Homes – Rock Creek Subdivision
    b. Other

5. 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 November 23, 2016

Eric Anderson
City Planner

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FARMINGTON CITY
PLANNING COMMISSION MEETING
November 17, 2016

STUDY SESSION

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

Item #3. Nick Mingo / Ivory Homes – Requesting final plat approval for the Silver Hollow Conservation Subdivision

David Petersen said the applicant is moving forward as proposed during preliminary plat. He reminded the Commission about the waiver of open space that was approved for the trail over the private drive access during preliminary plat. The Planning Commission felt the applicant should provide something in addition to the trail; however, the City Council felt the trail was adequate.

Item #4. Jerry Preston / Elite Craft Homes – Requesting a recommendation for schematic plan and preliminary PUD master plan approval for the Dorene Smith PUD Subdivision

David Petersen said this property is 165' wide with the historic home located in the middle of the lot. He said there is another dwelling on the lot, as well as an old shed. **David Petersen** said the home located on the property is historic. **Jerry Preston** showed the property owner and the City how he could obtain three lots conventionally with the use of a cul-de-sac. Since he demonstrated that he could obtain three lots conventionally, he then proposed a PUD in order to seek for deviations from the Ordinance in hopes of preserving and restoring the historic home.

The applicant is proposing a private drive with a sidewalk at back of curb and a turnaround at its end on Lot 3 to allow for fire truck access since the home does not have "frontage" on it. **David Petersen** said the Fire Marshall is comfortable with the turnaround. **Rebecca Wayment** asked who would maintain the private drive. **David Petersen** said the applicant would create a small HOA to maintain the private drive.

Item #5. Jonathan Hughes and Chase Freebairn / Ivory Homes – Requesting a recommendation for General Land Use Plan Amendment from DR (Development Restricted, Very Low Density, and/or Agriculture Open Space) to RRD (Rural Residential Density) designation

David Petersen said this item will be an update/discussion and not an action item. He suggested that Item #6 be considered prior to this item; however, a motion must be made in order to do so.

Item #6. Miscellaneous: a) Street-Cross Section Modification – Symphony Homes – Rock Creek Subdivision

David Petersen said **Larry Haugen** received preliminary plat approval for a 25-lot subdivision in 2010. The City owned a portion of ROW on the lower road (600 N.). By development agreement, the

City agreed, among other things, to vacate the ROW to the applicant if plans were followed; however, the applicant agreed to landscape it.

Symphony Homes now has this project under contract. When reviewing the lots, there is a steep ridge along the back of some properties, which will restrict homes from being built on those lots. Symphony Homes is asking for the private lane to service Lots 14 and 15.

Symphony Homes would like to create a project similar to The Grove subdivision in preserving the trees and not having sidewalks. **David Petersen** said The Grove has been a successful project.

REGULAR SESSION

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

Item #1. Minutes

Heather Barnum made a motion to approve the Minutes from the November 3, 2016 Planning Commission meeting. **Bret Gallacher** seconded the motion, which was unanimously approved.

Item #2. City Council Report

David Petersen gave a report from the November 15, 2016 City Council meeting. **David Petersen** said the first three agenda items discussed were regarding the Special Assessment Area (SAA). He said it seems that the City may not have the 60% of residents needed to agree to the SAA in order to pass the approval of it; however, the City still needs to obtain bids for the 650 W. street-cross section. **David Petersen** said the City may still call on extension agreements in full. Of the 53 current extension agreements, 70% of those agreements have to do an asphalt tie-in; however, many residents have said they do not think they are bound to do so. **David Petersen** pointed out that many residents most likely would be paying more than if the SAA is approved; however, the amount may not be as much as previously thought as the City may be receiving a sidewalk grant to help cover the cost of the sidewalks. **David Petersen** said under the proposed SAA, the City offered residents a ten-year payback, but that will not be an option if the SAA is not approved.

SUBDIVISION

Item #3. Nick Mingo / Ivory Homes – Applicant is requesting final 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)

Eric Anderson said this application was previously proposed as the Silver Leaf Subdivision by Norm Dahle; however, Ivory Homes took it over approximately 9 months ago. Ivory Homes previously obtained preliminary plat approval for the project. During the preliminary plat, there was some discussion regarding the trail access and access easement being placed over a private drive; however, the City Council did approve the waiver to allow the trail access to be located on the private drive. **Eric Anderson** said all other outstanding issues have been addressed, except for the sewer district

requirements. A condition to the motion has been included that the applicant will satisfy Central Davis Sewer District's requirements. He also said since the trail easement has been approved and counted toward the applicant's open space requirement, a condition to the motion has been included to ensure that takes place on the recorded plat. **Eric Anderson** said staff is recommending approval of this item.

Nick Mingo, 978 E. Wood Oak Lane, Salt Lake City, said they have reviewed all proposed conditions to the motion, and agree to those conditions.

The commissioners did not have any further discussion on the item.

Motion:

Heather Barnum made a motion that the Planning Commission approve the final 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 recorded 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 recordation;
3. Public improvement drawings, including but not limited to, a grading and drainage plan, shall be reviewed and approved by the Farmington City Public Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water.

Dan Rogers seconded the motion, which was unanimously approved.

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.

Item #4. Jerry Preston / Elite Craft Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan and preliminary PUD master plan approval for the Dorene Smith PUD Subdivision consisting of 3 lots on .84 acres of property located at 244 East 100 North in an OTR-F (Original Townsite Residential – Foothill) zone. (S-17-16)

Eric Anderson said the applicant is proposing a 3-lot minor subdivision on the late Dorene Smith's property in the OTR zone. He said the applicant wants to restore the existing home in the front, located on the proposed Lot 1, but demolish the two buildings in the back on the proposed Lots 2 and 3. He said the lot sizes match the OTR zone requirements of 10,000 sq. ft. The applicant is proposing to do

a private drive to access Lots 2 and 3, but in order to have a private drive, the applicant must go through the PUD process in order to obtain approval for it.

The application being considered tonight is a recommendation for schematic plan approval and approval of the preliminary PUD master plan. **Eric Anderson** said all of staff's issues have been addressed, but that the applicant needs to work with the Fire Marshall to determine if the private drive needs a turn-around or hammerhead design for easier fire truck access. He said the application meets all standards for the zone and the PUD chapter. Staff is recommending approval of this item.

Bret Gallacher asked if the Planning Commission is ok to approve the schematic plan prior to seeing the plans for a fire truck turn-around. **Eric Anderson** said a condition to the motion states that the plans will be shown at the next phase of the approval process.

Cam Preston, 14 Canyon Way, said they are working with the Fire Department to work out details of the fire truck turn-around. **Rebecca Wayment** asked if the historic home will remain, and what the other two buildings are that to be demolished. **Cam Preston** said yes, they plan to restore the existing historic home. He said one of the other two buildings is a small barn that was converted into a rental and the other is like a covered stable. He said both buildings are not historic, are very run down, and are not usable. **Eric Anderson** pointed out that the existing home was one of the first homes in Farmington. He also reminded the Commission that, per the Ordinance, an applicant can preserve a historic home in lieu of the open space requirement for a PUD.

Rebecca Wayment opened the public hearing at 7:19 p.m.

John Bradshaw, 259 E. 100 N., said he lives across the street from the property. He said he is looking forward to having something other than a "junk yard" and a neglected property across the street from where he lives. He feels the proposed plan will be an asset to the neighborhood and is excited for its development.

Tiffany Trump, 251 E. 100 E., said she lives adjacent to the back of the property. She wanted to come and hear the proposed plans for the property as she had concerns that there might be multifamily house built. She said she would like to see single-family homes built on the property.

Rebecca Wayment closed the public hearing at 7:22 p.m.

Rebecca Wayment asked for confirmation that single-family homes are being proposed for Lots 2 and 3. **Eric Anderson** said multi-family units, like duplexes, four-plexes, etc., are not allowed in the OTR zone. The applicant is proposing single-family homes on the other two lots.

Dan Rogers said he feels the proposed plans will be an improvement for the neighborhood, and that it seems this is a good plan for the property. He also said he feels the applicant, Jerry Preston, will do a great job improving the historic home as he has done elsewhere in the City.

Motion:

Dan Rogers made a motion that the Planning Commission recommend that the City Council approve the proposed schematic plan and preliminary PUD master plan for the Dorene Smith PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall receive a waiver for any applicable PUD requirements as found in Chapter 27 of the Zoning Ordinance through a vote of not less than four (4) members of the City Council;
2. The applicant shall show either a cul-de-sac or a hammer head turnaround at the end of the private street;
3. Lot 3 shall have a minimum of 35' of frontage on the private street.

Alex Leeman seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed subdivision will match the densities of the surrounding neighborhood.
2. The proposed schematic plan submittal is consistent with all necessary requirements for a minor subdivision as found in Chapter 5 of the City's Subdivision Ordinance.
3. The proposed PUD master plan is consistent with the intent of the PUD ordinance as found in Chapter 17 of the Zoning Ordinance, including but not limited to the preservation of an existing historic home in lieu of the open space requirement.
4. Because the proposed subdivision is in the OTR zone, the applicant will need to meet the standards for new construction as set-forth in 11-17-070 of the Zoning Ordinance at the time of building permits. Additionally, compliance with the above cited section will meet and exceed the PUD design standards as set forth in Section 11-27-120(h)(3) of the Zoning Ordinance because the standards in the OTR zone are more specific and more stringent for new construction.

REARRANGING OF AGENDA ITEMS

Motion:

Heather Barnum made a motion that the Planning Commission move Item #6 (Street-Cross Section Modification) to Item #5, and move Item #5 (General Land Use Plan Amendment) to Item #6. **Dan Rogers** seconded the motion, which was unanimously approved.

OTHER

Item #5. Miscellaneous: a) Street-Cross Section Modification – Symphony Homes – Rock Creek Subdivision

Eric Anderson said Symphony Homes has taken over the Rock Mills Estates subdivision from Larry Haugen, but needs to modify the street-cross section before plans can be completed. In 2010, Larry Haugen proposed the Rock Mills Estates, but some of the lots are likely not buildable due to the topography of the land. The applicant is proposing to change the roads slightly to allow for narrower streets. Doing so will allow that every lot can be built on. **Eric Anderson** said the applicant is proposing something similar to The Grove Subdivision across the streets. The Grove Subdivision has narrower streets, no sidewalks, and preserved many mature trees on site. He said the applicant has worked with the Fire Marshall, and a 3-point turnaround fire truck access has been provided and approved by the Fire Marshall.

Heather Barnum said that the condition to the motion states that the applicant preserve as many trees as possible, but she feels it is too subjective. She asked if the Commission can put a percentage of the amount of trees they hope to be preserved, or if there is another way to ensure as many trees as possible will remain. **David Petersen** suggested that the applicant could show tree

groupings that they hope to preserve on the final plat. **Heather Barnum** said she feels it may be too late in the approval process to present the tree groupings at final plat.

David Petersen said the Commission could table the item until the applicant presents the tree groupings for approval. **Heather Barnum** asked the commissioners what they felt was an acceptable "loss" of trees for this area. **Alex Leeman** said he does not feel comfortable stating a specific "loss" number or even a percentage of trees that should remain as he does not feel every tree is created equal. He said he feels the mature trees will enhance the value of the applicant's lots, and it would be in their favor to keeps as many as possible. He feels putting a requirement may force the applicant to keep a "lesser" tree in order to meet the requirement. **Rebecca Wayment** said she would still like to see the tree group prior to final plat. **Heather Barnum** agreed; she said since the Commission may not be requiring sidewalks, she feels tree preservation is the tradeoff. If the trees are not preserved, she feels it would not be a fair trade. **David Petersen** clarified that the asphalt width is the same even though sidewalks are not included. **Eric Anderson** also added that some areas of the project will have sidewalk on one side of the road.

Russellell Wilson, 526 N. 400 W., said they have been working on this project for a while. He said there have been concerns about preserving the mature trees; however, they have the same concerns. He showed the Commission the areas where they are most concerned with preserving the trees on the aerial map, but said he is happy to provide more details on the plans as to which trees are to be preserved and which are to be removed. He said they plan to keep the mature trees as it will greatly enhance the community, as well as provide privacy for property owners. **Russell Wilson** said they are requesting a modification for the street-cross section to address the significant slope of the property. He said the modification will allow deeper lots so the homes will not have to be located so close to the slope.

Heather Barnum asked the applicant when they felt they would be prepared to show the tree grouping plan to the Commission. **Russell Wilson** said he could submit it prior to the final plat.

David Petersen said the City Council meets on December 6, 2016; their following meeting will be on January 3, 2017. **David Petersen** said the applicant could bring the updated plan to the December 1, 2016 Planning Commission meeting so it could be reviewed and still be presented to the City Council on December 6th.

Alex Leeman asked if all existing structures, including Haugen's Auto, will be demolished as part of this project. **Russell Wilson** said yes, but that there are not any historic properties located there. **David Petersen** pointed out the adjacent properties that are not part of the project and that will remain.

Heather Barnum asked if the Commissioners should refer to their request as the "Tree Plan" in the motion. **Eric Anderson** suggested the commissioners refer to it as the "Tree Preservation Plan."

Alex Leeman said that he is comfortable with the applicant providing the Tree Preservation Plan to staff to review, and staff could then present it during a study session to the Commission. **Heather Barnum** expressed concern that if the commissioners do not like the plan, the street-cross section modification has already been recommended for approval to the City Council. **David Petersen** said if the commissioners do not like the plan, staff can let the City Council know that the Planning Commission has changed their recommendation.

Alex Leeman said he is concerned that the Commission has never had a tree plan item on any previous agendas. He said multiple applicants have been approved for various projects without discussing the trees. He is concerned that this applicant, however, is seeking a modification, which will

help preserve mature trees, and the Commission is holding them back to see a full tree preservation plan. **Bret Gallacher** said he feels requesting this will let the applicant know the commissioners are concerned and will be reviewing; he feels the applicant will do what they can to preserve as much as possible. **Rebecca Wayment** said she has seen where the motion requested that the applicant preserve "as many trees as possible," and the applicant cleared everything. She said she feels asking the applicant to show the tree groupings, the house placements, etc. will ensure more preservation. **Dan Rogers** also suggested the commissioners walk The Grove subdivision. He said what is being proposed is similar to that project. He said walking the subdivision would give the commissioners a better sense of the look of this project.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council approve the proposed street cross-section modification for the Rock Mill Estates Subdivision as shown on the attached plan, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide a snow removal easement on the side of the road, and this easement shall appear on the plat;
2. Symphony Homes will supply to staff a tree preservation plan that the Planning Commission will be able to review and consider on the December 1, 2016 Planning Commission meeting.

Alex Leeman seconded the motion, which was unanimously approved.

Findings:

1. The proposed street-cross section modification will allow the applicant to improve upon the already approved preliminary plat for this property by creating a superior layout where the buildable area is maximized and the placement of houses is improved.
2. The proposed modification will allow the applicant to preserve many of the mature trees within the proposed subdivision.
3. The proposed subdivision is being modeled after The Grove, which has been a very successful project with no sidewalk and tree-lined narrow streets.

GENERAL PLAN AMENDMENT

Item #5. Jonathan Hughes and Chase Freebairn / Ivory Homes – Applicants are requesting a recommendation for General Land Use Plan Amendment of 31.79 acres of property located at approximately 600 South 1525 West from DR (Development Restricted, Very Low Density, and/or Agriculture Open Space) to RRD (Rural Residential Density) designation. (Z-2-16)

David Petersen referenced his email correspondence with Ivory Homes. In that correspondence, he explained that the General Land Use Plan map of the General Plan provides text that contains "greater information for each area which supersedes [the] map." **David Petersen** said that text provides additional reasons as to why specific properties are located in the designated "DR" (Development Restrictions, Very Low Density, and/or Agriculture, Open Space) area.

David Petersen said he took the plan the applicant provided staff on the 4218 line. He said he drew by hand and numbered the parcels that were located between the "old" and the "new" 4218 lines.

David Petersen then presented a proposed matrix listing 16 subcategories for the General Plan Goals, Objectives, and Policies. He reviewed each of these subcategories as outlined below:

OPEN SPACE

David Petersen said as outlined in the General Plan, there are 9 things that should be preserved in the City's open space. He said most properties located in that area have grasslands. He also listed which properties touch stream channels, corridors or an actual stream. He reviewed these channels and corridors on the aerial map. **David Petersen** said he does not qualify as a wildlife expert; however, he listed the properties where he has seen bald eagle nests and properties that abut the lake. He also said all properties are qualified as farmland, except for a smaller lot where a home is located. **David Petersen** also reviewed the notes for the Open Space, which references the General Plan's goal that the City complete an open space study to determine what should be preserved. **David Petersen** noted that this requirement has been done to a certain extent.

PUBLIC FACILITIES/RECREATION

David Petersen said if any property touched a trail, it was noted on the proposed matrix. He said there are many properties that may have storm drainage constraints, as there are ongoing issues with small detention ponds versus larger detention ponds. Sometimes developers use the small ponds to address their storm water; however, such ponds are onerous for the City to maintain. The City requires storm water to be piped in many circumstances. When the new elementary school was being built, the School District tried to obtain approval to pipe the storm water on the property owned by the DWR, but they were not granted approval to do so. If the demarcation line is moved, storm water placement may be a problem as the City anticipates possible pushback from related agencies. **David Petersen** said the City has not yet reviewed the possibility of sanitary sewer lines; however, there are very few properties along the 4218 line without ejector pumps. CDSD's policy is 150 homes before the approval of an ejector pump; however, that may take multiple property owners to reach 150 homes, so sewer is a big constraint. **David Petersen** said there are not any constraints with the culinary water and transportation.

FLOOD PLAIN/WETLANDS

David Petersen said almost all properties located near the 4218 line are located in the flood plain and wetlands. He said he used the old wetland study that Baseline Data completed during the approval of Legacy Highway, and a study UDOT did for the West Davis Corridor (WDC).

AGRICULTURE

David Petersen read the note, that states, "The General Plan indicates that land below what the PC and the CC thought was the 4218 line should be preserved as agriculture, very low density, or open space. It appears that any "flood plain" reasons for the 4218 line are not referenced in the text of the General Plan nor its land use map."

RESIDENTIAL & TDR

David Petersen said a TDR could be completed for property in the DR area; however, Bruce Bassett has been the only one approved property for it.

David Petersen said the 16 categories discussed do not have anything to do with the location of the 4218 line. With regards to a wildlife study, **David Petersen** said his contact is more of a plant

consultant, and not a wildlife consultant. He said he is being referred to a wildlife consultant, but that the funds for one must be approved by the City Council. He said it could be an item for the City Council's next meeting on December 6th. **David Petersen** asked the commissioners if they have enough information to make a decision or if they want to wait for a wildlife study to be completed, as discussed in a previous meeting.

Bret Gallacher said he appreciates all that **David Petersen** went through to put the matrix together; however, he feels it may still be subjective. **Alex Leeman** asked the commissioners if they feel the category totals on the matrix are enough to amend the General Plan. **Dan Rogers** said he has been "wrestling" with the change and wondered if addressing individual properties would be a better solution than moving the entire DR line. **David Petersen** said the line could be left as is, and each property could be addressed as the property owners come in. **Dan Rogers** said each property could be determined if it meets criteria to warrant a change based on the 16 presented categories. **Bret Gallacher** asked how the criteria would be determined. He wondered if the property in question would need to reach a certain percentage on the categories or if some categories would have more weight than other categories. **Heather Barnum** expressed concern that some properties may not have wildlife located on it at this time, but the property may have wildlife coming over it. She feels a wildlife consultant would be able to advise the Commission on the matter. She said she is concerned with the totality of the system, and not just individual property owners. She said she feels the General Plan's original intent is the preservation of the comprehensive open space system, and maintaining an appropriate amount of buffer to preserve it. She said she feels it would be helpful to have more information regarding the entire system.

Alex Leeman pointed out that if the Commission were to use the categories listed on the matrix as the criteria for approval, the previously discussed Rock Mills Estate subdivision would not have been approved.

Rebecca Wayment said Farmington has changed a lot in her lifetime. She said it feels nice to preserve space, but feels it is important to preserve space that's worth preserving. She said she does not like "spot development," and feels all categories should be weighted equally. **Dan Rogers** said he would prefer not to move the overall line, except on a few properties at this time. **Rebecca Wayment** said she feels approaching the line with that approach will result in all developers coming in and asking for a waiver or variance. She said she feels that could be a "slippery slope." **Alex Leeman** said the nice thing about the 4218 line was that it was an objective criterion. **Bret Gallacher** pointed out that the Commission has since learned it was false criteria as the line location was erroneously placed. **Alex Leeman** said he does not feel a study will provide any additional information that the Commission will need. **David Petersen** said he feels there cannot be any other way to make the decision objective, except the sewer. He said CDSD already knows where the injector pumps are located and where they can go.

David Petersen said although a comprehensive open space study has not been done, it has been completed to a certain degree. He said in 1999, prior to the creation of Chapter 12, the DR area was being reviewed. He said there were approximately 75 homes located in West Farmington at that time. He said governing bodies at the time tried to qualify what they wanted as open space, and tried to quantify it, although it was a subjective decision, through text. He said the Commission is now at a crossroads to preserve what the forbearers were trying to preserve.

Heather Barnum asked what determination the Commission is to make at the next step. **David Petersen** said the Commission is to make a recommendation to deny, approve, or table the item. He reminded the commissioners that the item before them is to amend the DR line for parcel 2, and not the entire line. **David Petersen** said he does not feel obtaining a wildlife study will make a big difference in the overall decision because of the other categories discussed. **Heather Barnum** asked if he feels that

way regarding the entire DR area, or for this specific lot. **Eric Anderson** said the wildlife study would be addressing one category of 16. **David Petersen** said he feels the commissioners could move forward on a decision without it. **Heather Barnum** said she would still like the study completed, as this application is not the only one that will come before the City. **Alex Leeman** expressed concern with the cost of the study and the usefulness of it as he does not feel there will be any endangered animals found in the area. **Heather Barnum** said the governing body felt the study was important in 2004, and if the study is not financially burdensome, she feels it could provide useful information for future decisions.

Heather Barnum said she feels, based on the provided matrix, that she could make a decision tonight. She said the matrix does not change her original opinion, but reinforces her opinion on recommending a denial. She said she would still like an open space study reviewing the entire system as she feels it would be beneficial for this Planning Commission as well as future Planning Commissions. **Heather Barnum** said she would like the study completed, but only if it is not burdensome to the taxpayer. **Dan Rogers** asked if **Heather Barnum** feels completing the study will take out the subjectivity of the decision. **Heather Barnum** said she feels the only objectivity in the decision is the flood plain and the sanitary sewer constraints; however, a property owner can still request to be removed from the flood plain.

Dan Rogers said he is sympathetic to the landowner that wants to develop his property, but feels there must be a motivating reason to change. He feels the line should be left as is, and when the final determination for the new flood plain area is resolved, the Planning Commission can then make an objective decision regarding the DR line.

Alex Leeman expressed concern that, as a Planning Commission, there is a fear about the "domino effect." He said he feels if an individual property owner comes in and makes a good argument about why the Planning Commission should move the line, then he feels it is ok to do so. He said he feels it is the Planning Commission's responsibility to hear these arguments and make a decision without the fear of the "domino effect." **Rebecca Wayment** said she feels what **Alex Leeman** described is "spot zoning," where a change is made if a good argument is presented, but a change is not made if the argument is not sufficient. She said she feels in the end, what is left may not be what is wanted or intended. **Alex Leeman** said he feels refusing to approve a rezone because of fear of the future is an arbitrary decision. **Eric Anderson** pointed out that this is not a rezone. He said the decision made does set a precedence. He said if the only reason for the DR area is the 4218 line, then everyone could use that same argument to amend it; however, there are 16 criterion that matter. **Eric Anderson** said he feels if an amendment is going to take place to the General Plan, there should be additional reasons besides the erroneous location of the 4218 line.

Heather Barnum asked staff if there is a proposed motion before the Commission. **David Petersen** said there was no motion crafted as this could have been listed as a discussion item. He said staff is looking for a recommendation on how to move forward.

Heather Barnum said she would like a wildlife study to be completed for the entire area. **Rebecca Wayment** said she would also like the study to be completed; however, she does not feel the recommendation should be held up for the completion of the study. **Dan Rogers** agreed, but asked if **Rebecca Wayment** is in favor of recommending approval of the General Plan amendment being presented tonight. **Rebecca Wayment** clarified that she is in favor of requesting a wildlife study, but not changing the DR area as is being proposed by the applicant.

David Petersen asked the commissioners if they are prepared to make a recommendation on the item at the next meeting. The commissioners agreed. **David Petersen** discussed timing of the upcoming Planning Commission and City Council meetings. Staff is anticipating the December 1, 2016

Planning Commission meeting as being lengthy, so staff is making an effort to "clear the agenda." In discussing all options, staff, the commissioners and the applicant determined the item will be presented at the December 15, 2016 Planning Commission meeting.

ADJOURNMENT

Motion:

At 8:50 p.m., **Heather Barnum** made a motion to adjourn the meeting, which was unanimously approved.

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Rebecca Wayment
Chair, Farmington City Planning Commission

Planning Commission Staff Report
December 1, 2016

Item 3: Conditional Use Permit Approval for a Residential Facility for the Disabled

Public Hearing:	Yes
Application No.:	C-14-16
Property Address:	235 South 200 East
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	R-2 (Multiple Family Residential)
Area:	5.07
Number of Lots:	1
Property Owner:	Garff and Kim Cannon
Agent:	Chris McRoberts and Mike Wagstaff

Request: *Conditional use approval for a residential facility for the disabled.*

Background Information

The applicant is requesting conditional use approval to repurpose an existing home for a residential treatment facility. The purpose is to serve individuals with mental health issues and learning/cognitive disabilities. In the R-2 zone, covered by Chapter 13 of the Zoning Ordinance, "Residential facilities for the handicapped" are listed as a conditional use. As a land use, the proposal complies with the zoning ordinance, is situated on a large 5-acre lot, the home is setback from the street, and the access is off of a state highway which was built to accommodate high volumes of traffic. Because the proposed use is to repurpose an existing home, site plan approval is not required. Staff feels that this property is an ideal location for the proposed use. Additionally, the narrative provided by the applicant describes that the number of residents will be limited to 16; this is set forth in State Code (*Utah Code Ann., § 10-9-103(m), as amended*) for residential neighborhoods, determined as a means of "reasonable accommodation" for this type of use.

At the Planning Commission meeting held on November 3rd, the item was tabled and a statement from the attorney read as follows: "Concerns have been raised regarding the compliance of our ordinances with the current federal law and it has been recommended that we continue this item to allow the City's legal counsel the opportunity to review our ordinances to assure that the applicant is being treated fairly in the consideration of this application." In the meantime, staff, including the City Attorney met with the applicant and it was determined that because a public hearing had been noticed (as is required by the City Ordinance) that we would need to hold a public hearing, and that the applicant would work

with staff to determine what reasonable accommodations the City would make to best meet State and Federal statutes.

Suggested Motion

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

1. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
2. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building and fire codes;
3. The applicant will provide any parking necessary for additional employees as set forth in Section 11-32-104 of the Zoning Ordinance regarding residential uses.

Supplemental Information

1. Vicinity/Aerial Map
2. Narrative Description of Proposed Use from Applicant

Applicable Ordinances

1. Title 11, Chapter 8 – Conditional Uses
2. Title 11, Chapter 13 – Multiple Family Residential Zones

Farmington City

Tuesday, February 24, 2009 10:44:54 AM
M:\Projects\Current\BaseMap.mxd

0 65 130 260 390 Feet

Date: October 19, 2016

Farmington City Conditional Use Application

Summary for Conditional Use Application for Property Located at 235 S 200 E

Our aim is to use take advantage of the secluded nature of the large home located on the 5.07 acres located at 235 South 200 East, Farmington and operate a residential treatment. We anticipate housing between 10 and 16 adult residents/guests. The facility will not be locked and guests will be free to come and go. Guests will be individuals with mental health problems and various learning, cognitive, and other disabilities. We may also house some staff on the premise. Operationally, we anticipate somewhere between 10 and 12 staff members working with our guests during business hours. We will have psychotherapy, occupational therapy, physical therapy and medication management services available for the clients on site. Clients will also participate in various off campus activities on a daily basis.

Planning Commission Staff Report
December 1, 2016

Misc.: Tree Preservation Plan for Rock Mill Estates Subdivision

Public Hearing:	No
Application No.:	N/A
Property Address:	16 West 600 North
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	LR-F (Large Residential – Foothill) & OTR (Original Townsite Residential)
Area:	Approx. 12 Acres
Number of Lots:	N/A
Applicant:	Russell Wilson – Symphony Homes
Agent:	Russell Wilson – Symphony Homes

Consideration of Tree Preservation Plan for Rock Mill Estates.

Background Information:

At the November 17th Planning Commission meeting, Symphony Homes proposed a street cross-section modification request for the Rock Mill Estates Subdivision. As part of this proposal, the Planning Commission amended the suggested Condition 2 from: "The applicant will preserve as many trees as possible" to "The applicant shall provide a tree preservation plan to be reviewed and considered by the Planning Commission prior to City Council consideration of the item." As a result, the applicant has provided a Tree Preservation Plan for the Rock Mill Estates, which is attached.

Suggested Motion:

Move that the Planning Commission approve the proposed Tree Preservation Plan for the Rock Mill Estates Subdivision as shown on the attached plan, subject to all applicable Farmington City ordinances and development standards.

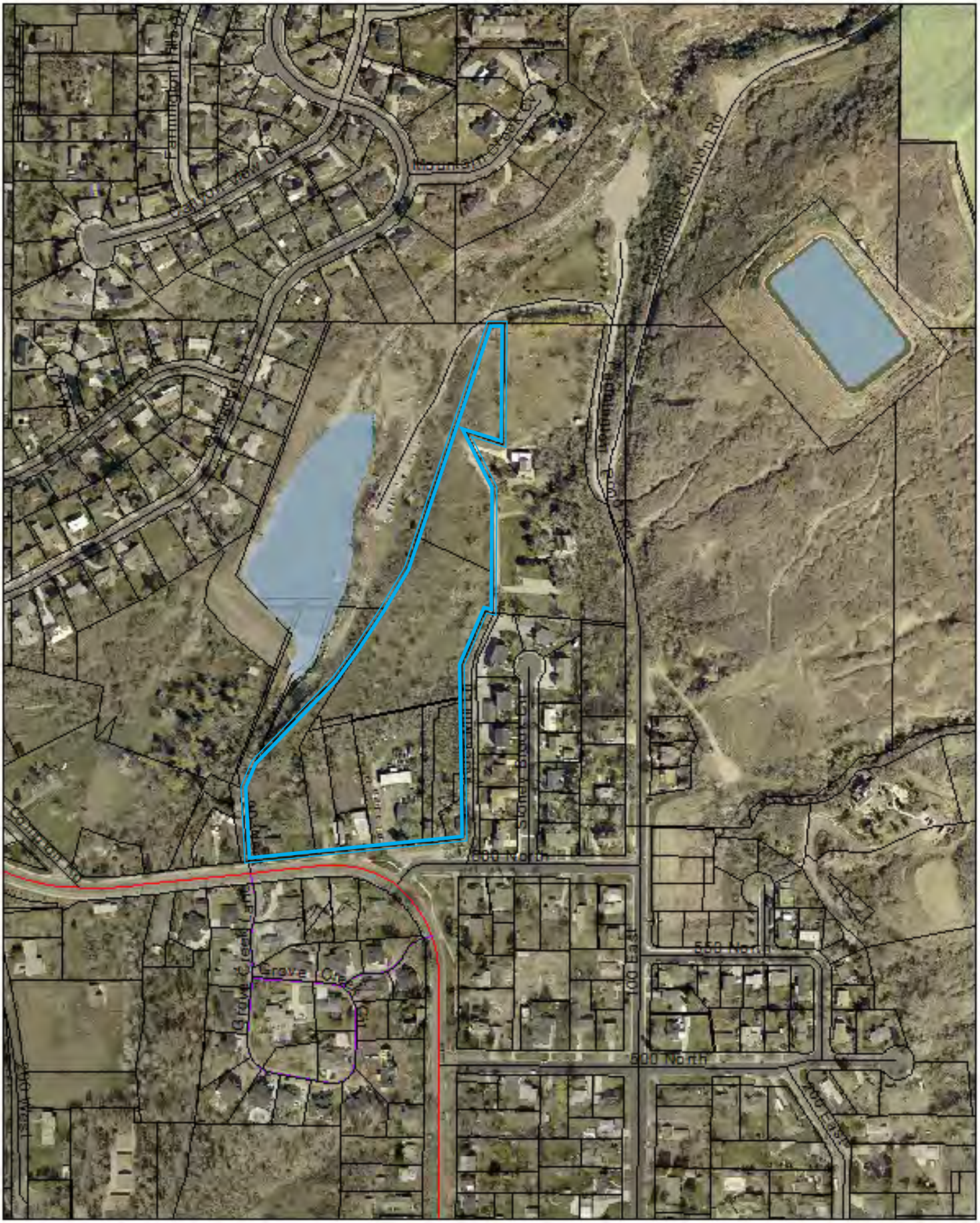
Finding:

1. The proposed Tree Preservation Plan preserves as many mature trees as possible.

Supplemental Information

1. Vicinity Map
2. Subdivision Plan with Proposed Street Cross-Sections
3. Tree Preservation Plan

Farmington City


Farmington Hills Dr
Mountain View Dr
Mountain View Cir
Canyon Rd
Sidney Brook Cir
600 North
500 North
100 East
Grove Creek Lane
Grove Cir
Grove Cir
Grove Cir

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VICINITY MAP

SCALE: NONE

ZONE LR-F

FRONT SETBACK: 25'
SIDE SETBACK: 10' MIN., 22' TOTAL
SIDE CORNER SETBACK: 20'
REAR SETBACK: 30'

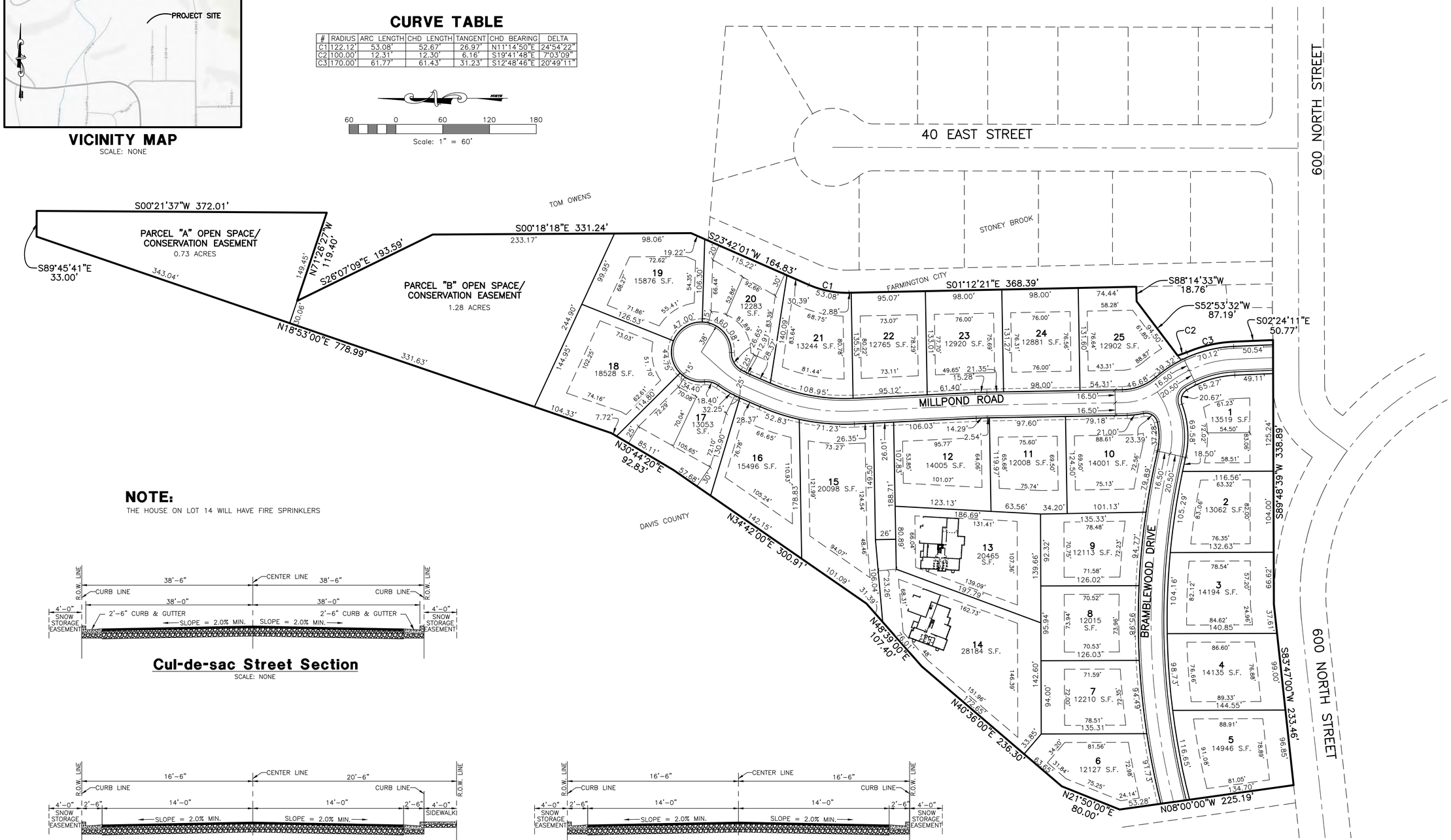
CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	122.12'	53.08'	52.67'	26.97'	N11°14'50"E	24°54'22"
C2	100.00'	12.31'	12.30'	6.16'	S19°41'48"E	7°03'09"
C3	170.00'	61.77'	61.43'	31.23'	S12°48'46"E	20°49'11"

NORTH

60 0 60 120 180

Scale: 1" = 60'

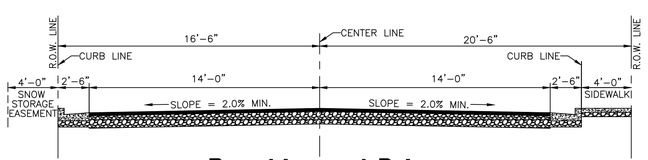


NOTE:

THE HOUSE ON LOT 14 WILL HAVE FIRE SPRINKLERS

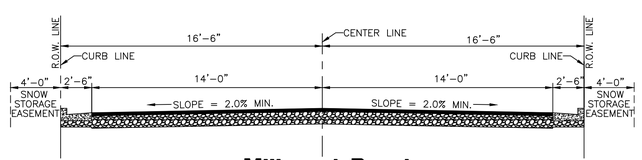
Cul-de-sac Street Section

SCALE: NONE



Bramblewood Drive

SCALE: NONE



Millpond Road

SCALE: NONE

DEVELOPER:

Symphony Homes
526 North 400 West
North Salt Lake, UT 84054
(801) 298-8555

Rock Mill Estates Subdivision

Farmington City, Davis County, Utah

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 5160 S. 1500 W., RIVERDALE, UTAH 84405, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

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LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS

DATE	DESCRIPTION

Rock Mill Estates Subdivision
PART OF THE SW 1/4 OF SECTION 8, T.3N., R.1E., S.L.B. & M., U.S. SURVEY
FARMINGTON CITY, DAVIS COUNTY, UTAH

Site Plan

Project Info.
Engineer: N. Reeve
Designer: C. Cave
Begin Date: MAY 4, 2015
Name: ROCK MILL ESTATES
Number: 1864-68

Sheet 1 of 1 Sheets

Reeve & Associates, Inc. - Solutions You Can Build On

Reeve & Associates, Inc. - Solutions You Can Build On

VICINITY MAP

SCALE: NONE

ZONE LR-F

FRONT SETBACK: 25'
SIDE SETBACK: 10' MIN., 22' TOTAL
SIDE CORNER SETBACK: 20'
REAR SETBACK: 30'

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NORTH

60 0 60 120 180

Scale: 1" = 60'

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FARMINGTON CITY, DAVIS COUNTY, UTAH

Tree Preservation Plan

Project Info.
Engineer: N. Reeve
Designer: C. Cave
Begin Date: MAY 4, 2015
Name: ROCK MILL ESTATES
Number: 1864-68

Sheet 1 of 1 Sheets

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