

**FARMINGTON CITY  
PLANNING COMMISSION**

August 17, 2023

---

**WORK SESSION**

*Present:* Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Tyler Turner, and Mike Plaizier. *Staff:* Community Development Director David Petersen, Planning Director Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. *Excused:* Commissioners Samuel Barlow; and Alternates Clay Monroe and Alan Monson.

Planning Director **Lyle Gibson** provided an update/training on the new roads, all subdivisions, and what a build out would look like when the current projects are completed. The Utah Department of Transportation (UDOT) is busy with some of the biggest projects around including U.S. Highway 89, the West Davis Corridor (WDC) interchange to Shepard Lane, and the widening of Interstate 15. WDC is getting a lot of paving lately. The US 89 project is done, and staging areas are being cleaned up. Traffic now bogs down starting in the South Weber/Uintah area, but things are in the works to start a project there years in the future. Funding, designs, and concepts are being started to help the back-up there.

WDC update: utility work is done, retaining walls and underground items have been completed. Bridges, pavement, and sound walls are what is left. Pavement on the south end is getting completed. They are on pace to open the summer of 2024, less than a year from now. Farmington gets one new interchange at 950 North. There is a future, unfunded connection at 1525 West. For now, it is only an overpass with no accesses. UDOT is retaining enough land to build future accesses. Styrofoam (geofoam) blocks are being used to construct a flyover overpass. One square foot of this material can hold over 400 tons. It has to be light because of the potential effect it can have on the nearby railroad. Until 1525 comes in, the options for West Farmington are 950, Parrish, or Park Lane. There is not one by Glover that is accessible.

Community Development Director **Dave Petersen** said Legacy Parkway gets light traffic compared to I-15. Traffic on WDC may be lighter than Legacy Parkway, according to traffic models. When planning for Legacy Parkway in the 1990s, the first phase was to connect to the rest stop in Kaysville and be very close in proximity to other roads. Packing roads and a railroad closely together causes potential problems if there was a toxic spill. Right before Pages Lane off I-15, there was once a tanker spill that closed both lanes of I-15 down for over 24 hours. In order to get to Ogden from Salt Lake, traffic had to go through Henefer and Coalville. It was a big disruption. They needed U.S. 89 traffic to justify construction of other roadways. When WDC came along, Farmington's plan was not to disrupt west neighborhoods. There was a lot of political pressure to follow another option. A pinch point that could never be expanded was some of the issue. That is when West Farmington residents started protesting en mass.

The City Council has never been the same since. There used to be four Councilmembers from the east side with a token member from the west side. It shook up the balance of power, as residents were younger on the west side and didn't vote the same as residents on the east. Now, for the last decade, four of the Councilmembers live on the west side. Currently, the mayor lives on the west side as well. The City spent over \$500,000 fighting the alignment that disrupted West Farmington. It was the only city fighting the idea of a WDC. The City Council reluctantly went with UDOT in the end. At the time, 50% of Davis County workforce commuted outside the county to work in Salt Lake County while 3% of Salt Lake County residents left their county to go to work and 13% of Weber County residents left their county.

**Gibson** said UDOT is working on I-15 from I-84 to Farmington, where they plan to add additional lanes. It is more than five years out. They have decided not to do an interchange at Glovers Lane. That was a win from those residents he has heard from. Starting next year is a full I-15 interchange at Shepard Lane. That will lead to improvements at Park Lane including pedestrian access, bridge structure, etc. Shepard Lane has to be fully finished before they do any Park Lane improvements. He is not sure the timeframe of that because costs have increased since their initial projections.

950 North is a joint project between Farmington and Kaysville, managed by Kaysville. It should be completed by spring of 2024. It will get motorists on and off both WDC and I-15, going to Sunset Drive and then eventually Angel Street. The existing Shepard Lane bridge will be demolished. Stack is grubbing and clearing their site for construction of an office building.

The City is also working on Main Street between Park and Shepard, as it doesn't have any sidewalks, gutters, and curbs on that section. They will be using federal grants, but due to inflation, there is a budget shortfall to finish this project. It stays a two-lane road and could be happening next year. Developers will be doing Lagoon Drive north of the Mercedes dealership and the Chevron, making the connection up into Shepard Parkway.

Lagoon's billboard recently went down. By summer 2024, that flyway will be finished. **Petersen** said the landscaping of the trail near both Legacy and the West Davis Corridor will be maintained by Davis County Public Works. The water and spigots weren't designed

for each City to take over landscaping, and the cities didn't have it in their budgets either. By the time an interlocal agreement had been signed, the trees along the trail had died. Since Shepard and Park Lane are the minimum distance apart that the federal government will allow, another lane of I-15 will be added. This distance will qualify for a sound wall.

**Gibson** addressed the agenda involving the subdivision off State Street where there are two existing homes on the property. The applicant is proposing a Planned Unit Development to overlay the typical standards of the Original Townsite Residential (OTR) zone in order to preserve the homes. The base is six lots, but the applicant is proposing eight using the PUD, getting bonus density for an open space conservation easement. Allowing for a 20% bonus, Staff recommended a bonus of one unit, not two, for a total of seven. A historic preservation component may help the applicant get one more lot, at the City's discretion.

Applicant **Blake Bastion** addressed the Commission. He plans to coordinate with his neighbor to use a little bit of their property to meet the seven-lot base. The neighbor could be landlocked without that, and they would eventually like a building lot for their son. The Commission gets discretion to decide if multiple homes being preserved merits additional bonus lots. Both homes are eligible for the National Register of Historic Places, one being built in 1901 and the other in 1906. He plans to fix up those homes and sale them at a lower value, so that they would add to the affordability of Farmington. They may cost \$400,000 to \$500,000. One could perhaps cost less.

**Gibson** said if the Commission is fine with granting the applicant two bonus lots due to historic preservation and affordable housing, they could vote to approve that. Staff's recommendation was to allow seven units, only granting one bonus lot, since **Gibson** doesn't feel like this is moderate-income housing. Otherwise, the Commission could table it and allow the applicant to come back with a different proposal. **Bastion** said the other alternative is that he demolishes the old homes and develops five lots.

## REGULAR SESSION

**Present:** Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Tyler Turner, and Mike Plaizier. **Staff:** Community Development Director David Petersen, Planning Director Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioners Samuel Barlow; and Alternates Clay Monroe and Alan Monson.

Chair Erin Christensen opened the meeting at 7:02 PM.

## SPECIAL EXCEPTION APPLICATION – public hearing

**Item #1 Christine Elegante – Applicant is requesting a special exception approval to exceed the standard height allowance for a fence, located at 2134 Pheasant Place, in the AE (Agricultural Estates) zone.**

City Planner/GIS Specialist **Shannon Hansell** presented this agenda item. The applicant is requesting a special exception to exceed the maximum fence height of 8 feet as prescribed by FCC 11-28-140:

*11-28-140: FENCES: A. Side, Rear Yards: No fence, wall, hedge or similar device shall be constructed or placed in any required side or rear yard in a residential zone in excess of eight feet (8') in height. Where a retaining wall is reasonable and necessary and is located on a property line separating two (2) lots, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.*

The applicant wishes to construct a 12-foot tall fence of chain-link or other netting around the back and side yards of their property. These yards are directly adjacent to 950 North, a minor collector road, which will connect the West Davis Highway to Farmington, Kaysville, and Interstate 15. As a collector, it is anticipated that 950 North will handle high volumes of traffic. The applicant has a private basketball court in their back yard, and would like to construct the 12-foot tall fence as a better barrier between their yard and the road.

For private multipurpose sport courts, the ordinance allows a property owner to request to exceed the 8 foot maximum fence height, with the approval of a special exception from the Planning Commission:

*11-28-060 C: Private Multipurpose Sports Courts: Private multipurpose sports courts, tennis courts or other similar playing surfaces, shall be set back at least five feet (5') from the rear and side property lines, fifteen feet (15') from the side corner property line, at least thirty feet (30') from the front property line, and shall be at least twenty feet (20') from any*

*neighboring dwelling. Any deviation from the above setbacks or fence standards contained in this title shall require a special exception (no fee shall be assessed for such application). No lighting may be installed in connection with the multipurpose sports court, tennis court or other similar playing surface which shall throw any direct rays beyond the property lines on which it is constructed. (Ord. 1997-26, 6-4-1997; amd. Ord. 2011-10, 5-17-2011; Ord. 2015-25, 8-4-2015; Ord. 2021-01, 1-19-2021)*

In considering the Special Exception, FCC 11-3-045 E identifies the standards of review:

*11-3-045 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.*

**Mike Plaizier** questioned the basketball court to see if it was legal or non-conforming, as the ordinance calls for 15 feet from the side corner lot and 5 feet from the rear. **Hansell** said a building permit is not required for a basketball court, so it is possible this was put in without consulting the City. It is not currently meeting the ordinance. **Gibson** said the nonconforming use of the basketball court does not have an effect on a fence height, which is in the purview of the Commission tonight. Concrete can be poured up to the property line. Staff may need to follow up with the resident to see if there are issues that need to be reconciled. **Hansell** said the applicant must consult with any Homeowner's Association (HOA), and the City doesn't get involved with that, as it would be a private agreement between property owners. The City doesn't have any fence aesthetic requirements in this zone. They only have those in the Original Townsite Residential (OTR) zone downtown. They meet all other fence standards.

Applicant **Christine Elegante** (2134 Pheasant Place, Farmington, Utah) addressed the Commission via Zoom. They are looking at putting a sport court fencing with poles and netting or chain link along the back 30 feet next to 950, and 15 feet next to the neighbors. The 30 feet is about a third of their back property line. They have other neighbors who have sports court enclosures, and their next step is consulting with their HOA. The vinyl fence that is currently there was there when they first built their home, and was installed by the HOA. The netting would be something that could be put up and down, as there are high winds in the area. But the poles would stay stationary.

**Erin Christensen** opened and closed the public hearing at 7:12 pm due to no comment received. She said it seems to improve safety rather than be a detriment. It is a big fence, but there doesn't seem to be anyone complaining about it. The fence will keep stray balls from entering the roadway.

#### **MOTION**

**Tyler Turner** made a motion that the Planning Commission approve the special exception for an additional 4 feet to the maximum rear and side yard fence height of 8 feet, for a total of 12 feet, for the property at 2134 Pheasant Place, subject to all applicable Farmington City development standards and ordinances, and the condition that the applicant receive a building permit for the fence.

#### **Findings for Approval 1-3:**

1. A taller fence would presumably prevent basketballs or other sport equipment from entering the 950 North Right of Way, contributing to a safer roadway.
2. With an approved building permit, it is reasonable to assume that the extra fence height will not be detrimental to the health, safety, or general welfare of persons residing or working the vicinity, or injurious to property or improvements in vicinity.
3. The property is of sufficient size to accommodate the special exception.

**Supplemental Information 1-2:**

1. Vicinity Map
2. Information from applicant

Larry Steinhorst seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Tyler Turner	X Aye _____ Nay

**Item #2 US Bank – Applicant is requesting special exception approval to determine the appropriate stacking ratio for the proposed US Bank stand-alone drive up ATM at the property located at approximately 164 N. University Ave. TABLED FROM PREVIOUS MEETING – NO PUBLIC HEARING.**

Hansell presented this agenda item. US Bank is nearing the end of the site plan process for a planned branch location at 115 N. University Avenue, on the corner of Clark Lane and University Avenue. The US Bank would like to build an offsite Automated Teller Machine (ATM) just up the street at approximately 164 N. University Avenue. This would remove approximately 11 spaces from the CenterCal Station Park area.

11-32-040 includes the requirement for stacking spaces for a drive-in facility stating that drive-in facilities are required to have sufficient stacking space to store four cars, not including the vehicle at the pick-up window. US Bank is requesting that number be reduced to stacking for three cars, not including vehicles at the ATM. 11-32-040 also states that the Planning Commission may establish a minimum parking space requirement if the proposed use is not most nearly similar. In this case, the most similar use is drive-in facilities with service windows. The proposed use does not require any employees and will not have service windows. Because of this, Staff believes it is appropriate for the Planning Commission to determine the required stacking ratio for this use.

The Planning Commission reviewed and tabled this request for the first time on July 13, 2023. Since, the applicant has submitted a new traffic study. The main questions that the Commission had concerned the following:

1. Why is the drive-up ATM needed, as it would be in addition to the two walk-up ATMs in the branch building approximately 200 feet away?
  - a. Response from Kimley-Horn: *“The exterior branch walk-up ATM will have 24/7 access, while the interior walk-up ATM and exterior drive-thru motor bank would only be accessible during regular branch hours. The exterior walk-up ATM is not a preferred customer touchpoint during non-business branch hours, even with 24-hour exterior access. Customers prefer the safety of remaining in their vehicles; as such, US Bank is trying to provide the drive-up ATM service for their customers and other citizens. The bank feels that the proposed drive-up ATM, independent from the branch, would provide better visibility and safety for its users. The drive-up ATM would be highly visible and not present any security obstructions for the user. With dedicated lighting, the drive-up ATM would also provide safe usage during late evening usage.”*
2. If a drive-up ATM is needed, why couldn't it be accommodated on site with the US Bank branch?
  - a. Response from Kimley-Horn: *“The branch will only be providing motor bank access, as their branch prototype does not allow for a drive-up ATM.”*
3. The traffic study provided at the July 13 meeting did not clearly address the Commission’s concerns.
  - a. **Updated traffic study included as Supplemental Information #3**

Michael Villarreal with Flite Banking Centers (8955 Katy Freeway, Houston, Texas) said US Bank contracts out Flite Banking Centers to build their drive-up ATMs across many states. They have contracted with Kimley-Horn civil engineers for site development. They have provided a new traffic study that has more local-specific information. It shows number of transactions per hour for specific days of the week. Average transaction time for each cash withdrawal is 1.5 minutes. There should not be prolonged or habitual stacking at this site. US Bank is the ground lessor for the branch as well as the drive-up ATM location. The branch location has only a walk-up exterior ATM, not a drive-up ATM. All banks are trying to deploy more drive-up ATMs for both convenience and safety. These are preferred to exterior walk-up ATMs. There are three ATMs in question: one inside the branch, one walk-up ATM outside

the branch, and one drive-up ATM 250 feet away. Since this drive-up ATM is so close to a branch, he predicts its usage would be below average.

**Frank Adams** questioned why the branch would not include a drive-up ATM, and it takes up 50 parking spaces in an area that gets regularly compact with parking. **Villarreal** said the lot is not large enough for multiple drive-up lines. **Gibson** said the property surrounding the branch location belongs to a different land owner, University of Utah Health Care. CenterCal owns the land where the branch and ATM drive-up is proposed. The proposal is to have enough spaces for one car to be using the ATM while two cars sit in the queue. **Hansell** said the code contemplates stacking for drive-up restaurants, where cars are stacked for longer than they would be for a cash withdrawal. That is why this is being brought before the Commission.

Commissioners are concerned about traffic flow in this area, especially because the peak hours for Station Park and ATM patrons would be the same. This is taking up prime parking during peak hours. Although there is 174 feet between the drive-up ATM and University Avenue where more cars can queue, Commissioners are concerned what extra queueing will do to nearby parking that is always in demand.

**Hansell** said this is actually a parking determination question for the Commission, not necessarily a special exception. This is a permitted use. If the Commission denied this request because they want more room for stacking, the applicant could return with an alternate design that would meet code. Therefore it would be a permitted use and it would not come back to the Commission. **Villarreal** said the code requires five-car stacking for a drive-through restaurant, but Farmington lacks a code that specifically addresses stacking for a drive-up ATM. This is why the Commission has input on this.

**Michael Brant** (1220 Marshall Street NE, Minneapolis, Minnesota), a design architect with RSP Architects, addressed the Commission via Zoom. They designed the branch across the street. There are two lanes: a transactional one nearest the building and another one, which is the bypass lane. There is not a drive-up ATM because the parcel is not big enough. If it had been big enough, there would have been three lanes: a transaction lane, an ATM lane, and a bypass lane. There is a pond to the west and hospital parking to the north.

**Christensen** clarified that the question before the Commission is not if they want an ATM on that corner, because it is a permitted use. The question is if they have enough space for cars to be there. If not, the alternative is they will come up with a larger space that takes up more Station Park parking.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission approve the proposed stacking and queueing layout for the proposed offsite US Bank drive up, subject to all applicable Farmington City development standards and ordinances.

**Findings for Approval 1-2:**

1. The traffic study provided by the applicant submits evidence that the proposed plan is sufficient.
2. The removal of 11 parking spaces has not been opposed by Station Park CenterCal and makes little to no impact on the parking ratios for the property.

**Supplemental Information 1-3:**

1. Vicinity Map
2. Conceptual site plan
3. Project memorandum
  - a. Traffic study

**Larry Steinhorst** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	____ Aye ___X___ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Mike Plaizier	____ Aye ___X___ Nay
Commissioner Tyler Turner	X Aye _____ Nay

The motion passed 4 – 2.

**SUBDIVISION – public hearing**

**Item #3 Blake Bastian – Applicant is requesting recommendation for Preliminary Planned Unit Development (PUD) Master Plan and Schematic subdivision plan for the proposed Gatrell Gardens Subdivision, which will consist of eight lots (including two existing homes) on 2 acres of property, located at 37 and 79 North 100 West and a portion of 184 W. State Street, in the OTR zone (S-5-23).**

Gibson presented this item. The subject property which consists of 2 acres accessed from 100 West Street just north of State Street currently includes two homes. The owner of the two homes, **Blake Bastian**, has been in coordination with the neighbor to the west, the **Fadel** family, about collaboration with them to get access and include more acreage in the proposal.

The applicant has provided a yield plan indicating the potential development of the property with six lots if it were to be developed using standard street and lot dimensions. Rather than pursue this configuration, the applicant is looking to preserve the existing two homes along 100 West Street. The homes facing 100 West are on the Farmington City Historic Sites List. In order to preserve these two homes and to provide more flexibility in how the property is developed, the applicant is looking for approval of a PUD subdivision. This first step is the schematic plan and Preliminary PUD Master Plan consideration. The Planning Commission is tasked with making a recommendation to the City Council regarding the request, and a final determination would be made by the City Council.

Per Farmington City Municipal Code (FMC) 11-27-010, the purpose of the PUD is “...to promote flexibility in site design, to achieve, for example, the clustering of buildings, the mixture of housing types, and the combining of housing with supplementary uses such as commercial centers, business parks or other multiple use centers, etc. This chapter is also intended to promote better design of residential developments through the use of design professionals. It is further intended that a planned unit development will provide for more open space, more public amenities, and the preservation of natural features such as floodplains and steep slopes that would not be possible under traditional development techniques...” FMC 11-27-120 states that “smaller planned unit developments are encouraged in the older historical parts of the City in order to use lot interiors where unique conditions may exist.”

FMC 11-27-070 below indicates the items that the Planning Commission should consider to determine if the proposal is more appropriate than a standard subdivision.

**11-27-070: PRELIMINARY PUD MASTER PLAN REVIEW BY PLANNING COMMISSION:**

The Planning Commission shall review the application for approval of a planned unit development designation and the preliminary PUD Master Plan at a public hearing. The Planning Commission shall either recommend the City Council approve the application and plan as presented, recommend the City Council approve it subject to certain conditions, table the application pending receipt of required materials, data, studies and information, or recommend the City Council disapprove it. Any recommendation for approval of the preliminary PUD Master Plan shall be made only after the Planning Commission makes the following findings:

A. **Layout:** The proposed layout will provide a more pleasant and attractive living environment than a conventional development established under the strict applications of the provisions of the underlying zones. The Planning Commission shall consider the architectural design of the buildings and their relationship on the site and their relationship to development beyond the boundaries of the proposed planned unit development. The Planning Commission shall consider the landscaping and screening as related to the several uses within the proposed planned unit development and as a means of its integration into its surroundings.

B. **Consideration Of Adjacent Property:** The proposed planned unit development will create no detriment to property adjacent to the planned unit development and to this end the Planning Commission may require that the uses of least intensity or greatest compatibility be arranged around the boundaries of the project. The Planning Commission may require that yard and height requirements for the adjacent zone apply on the periphery of the planned unit development.

C. **Efficient Use Of Land:** The proposed planned unit development will provide more efficient use of the land and more usable open space than a conventional development permitted in the underlying zone. The Planning Commission shall consider the residential density of the proposed development and its distribution.

D. **Compensation For Increased Density:** The increased density allowed within the planned unit development will be compensated by better site design and by the provision of increased amenities, common open space and recreational facilities. To ensure this requirement is achieved, site plans and other plans should be prepared by design professionals.

E. **Hazards Not Increased; Recommendations:** Any variation allowed from the development standards of the underlying zone will not increase hazards to the health, safety or general welfare of the residents of the proposed planned unit development. Based on its action on the preliminary PUD Master Plan, the Planning Commission shall make recommendations to the City Council. A

recommendation for approval of the preliminary PUD Master Plan shall also include a list of recommendations for deviation from the requirements of the underlying zone requirements.

The applicant has provided a plan indicating a private drive that enters from 100 West to five smaller lots on the eastern portion of the subdivision. The homes would be accessed from a lane designed as a turnaround for emergency services. Further, the lane stubs to what is identified as Lot 8, which would be established as a larger lot that would be built on at a future date. The Development Review Committee (DRC) has reviewed the proposal and at the schematic level, it can work as proposed from a technical standpoint. As proposed, the historic homes would remain on their own lots while the smaller new homes would be surrounded by common area.

While the yield plan indicates a potential of six lots using the conventional standards, the applicant is requesting that the preservation of the two existing homes on site meet the "some other public benefit" provision of FMC 11-17-035 in lieu of moderate-income housing units. The applicant is also requesting that the City consider additional lots for this preservation effort. This provision does not place a cap on the number of additional lots, so the applicant has the right to ask for consideration of the two extra lots identified. Moderate-income housing could also be seen as "some other public benefit." A baseline for consideration of added density may be a reference to the common open space density bonus from 11-27-120 identified below.

"Every planned unit development shall provide usable common open space, accessible to all lots or units, of not less than ten percent (10%) of the net area (gross area less constrained or sensitive lands), in single-family planned unit developments. . . ." [Section 11-27-120 G 1. of Chapter 27 of the Zoning Ordinance (the PUD chapter)]. The common area includes 6,700 square feet in Open Space Parcel A and 8,600 square feet in Open Space Parcel B, for a total of 15,300 square feet of open space, or 17% open space. While the proposal meets the 10% requirements, the preservation of the historic homes may also be allowed in lieu of open space requirements for a PUD per 11-27-120 (G)(2)(a). The applicant has provided a detail indicating what is expected to occur with trees on site. However, the implementation of open space even with the historic preservation is relevant in consideration of additional units. Under a standard open space type subdivision where 20% of the property is designated as open space, the development may merit a 20% density bonus. In this case, that would bump the project from the six units identified in the yield plan to 7.2, or seven units.

The applicant proposes to remove the existing fencing around the perimeter and replace it with a 6-foot vinyl privacy fence. The creation of a private drive with the proposed lot sizes and common area configuration may be accomplished through the Planned Unit Development (PUD) process, but at the sole discretion of the City, as it is a legislative act.

Provision permitting consideration of "additional lots:"

**11-17-035: MODERATE INCOME HOUSING:**

A. Minimum Requirement: Subdividers must provide or set aside lots (or dwelling units at the option of the City) equal in number to at least ten percent (10%) of the total number of lots approved for the subdivision for moderate income housing subject to entering into an agreement with the City; unless, at the sole discretion of, and by agreement with the City, the subdivider provides:

1. Open space; or
2. A fee in lieu thereof determined in consideration of factors set forth in Section 11-28-270 of this Title; or
3. Some other public benefit; or
4. A combination of 1, 2, and 3 above.

B. Exemption: Subdivisions resulting in two (2) or fewer additional lots are exempt from the minimum moderate-income housing requirements of this Section.

C. Additional Lots: The City may approve additional lots than what is conventionally allowed in the underlying zone as an incentive to a subdivider to provide moderate income housing.

The following has been included for reference in consideration of the proposed lot sizes and setbacks identified in the schematic plat. The PUD allows the City to approve deviations from these standards.

The proposed development includes yards of 10 feet or larger around the perimeter, except for the existing home on Lot 1, which would remain at just over 3 feet from the north property line. Yards between new homes are 15 feet total.

**11-17-040: MINIMUM LOT AND SETBACK STANDARDS:**

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in the OTR Zone:

Zone	Lot Area	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
OTR	10,000 square feet for each single-family	85'	95'	30'	10'	20'	30'

Commissioners pointed out that the provided elevations showed garages exposed to the street, which may not be allowed in the OTR zone. **Gibson** said it would be beyond the normal allowed percentage of 33% garage to frontage. Community Development Director **Petersen** said the Farmington Historic Preservation Commission has not reviewed these specific homes, and have not given a recommendation regarding their preservation. The age of the homes makes them eligible for the National Register, but age is only one factor. Recently two homes in the City were found not eligible for the National Register, even though they were over 50 years old.

**Gibson** said under a normal scenario, a developer would level at least one of the existing homes to make way for a total of six lots based on existing zoning (in the absence of a PUD). The typical PUD subdivision has a 10% open space minimum. A preserved historic home could be in lieu of the 10%. In this case, the applicant has both 17% open space and preservation of two historic homes, for which he is asking for bonus density. **Gibson** said his opinion is that the open space should be used as private yards rather than common area.

Applicant **Blake Bastian** (7689 S. 1750 E., South Weber, Utah) said the sample elevations are of other homes developed in a PUD-type development and have yard space that is limited common space and recorded fence lines. This would mean use of the common space is limited to the person living there, but it also meets the open space requirements of the City. It is maintained as limited common space by the HOA. He is trying to provide as much as possible to get the bonus density. The fences could be included with the house or not. It feels like your own space, but it belongs to the whole development. This would provide new construction in a low-inventory market. Keeping the older homes would allow provision of homes selling at a lower price point, around \$300,000 to \$500,000. New construction would sell for \$800,000 to \$900,000. Neighbors living nearby are in support of the proposal. There are quite a few rental properties nearby, and the applicant didn't speak with those owners. This was designed not to cut off **Fadel's** access to a future building lot. They approached Lagoon to the north, but Lagoon was not interested in development there. **Fadel** has signed an affidavit agreeing to the proposed layout. The **Fadels** understand their lot could not be further subdivided. **Bastian** has developed other properties in the OTR zone before, so he is familiar with the requirements. The pad sites would accommodate 2,000 to 4,000 square foot homes. This is geared to patio homes, or one-level living with basements, all without having to maintain yards. The two existing homes are each on approximately 10,000 square foot lots. The homes have tenants in them now. Without the **Fadel's** property, the applicant would only have 1.5 acres, which would further limit him. He hasn't even looked into the fee in lieu option to get bonus density.

**Gibson** said there is an option in the ordinance that instead of deed restricting a unit, the applicant would pay cash to the City that they earmark for moderate-income housing in other areas. **Bastian** said he is not excited about deed-restricted lots, as it sets up the future land owner for frustration. He has sold Elite Craft Homes in Farmington before, and plans to sell this development to them. Three-car garages are important to today's buyers, and the applicant wanted to know if the Commission was open to an exception for the garages. Limiting the lots to seven instead of eight would cause the prices of the lots/homes to increase.

**Erin Christensen** opened the public hearing at 8:40 PM.

**Jeff Gregson** (94 N. 100 W., Farmington, Utah) said he moved to the neighborhood where this is being proposed 24 years ago. He asked the applicant if he talked to the homeowners or the renters in the neighborhood. Many of the surrounding homes are rentals, and only six are owner-occupied. He feels there are a lot of neighbors who oppose what has been presented. He said he's concerned things as proposed are not consistent the OTR. His 1854 home is one of the original pioneer homes in the area, and he has had to take care that his home remained consistent with the OTR. His road is used by motorists to get off State Street when it is busy, and this will add to the traffic. He wants more due diligence with the OTR, specifically new construction guidelines including setbacks and orientations that are in harmony with surrounding homes. It will first be built for profit, but the buildings will remain decades later, and it should be done right.



**Tanner Forbush** (80 N. 100 W., Farmington, Utah) has lived directly across the street from the proposed site for almost 30 years. When he moved in, he was told he had to have a certain amount of frontage on that property to build a home. He has completely remodeled his home, abiding by all regulations including frontage, outbuildings, etc. He has made sure he was compliant with the OTR Zone. Mr. Bastian has not spoken to him about this project. This project goes against everything the neighborhood stands for. This will increase the traffic in the area, especially when motorists are trying to get around the traffic light on Main and State Streets. Neighbors have worried about losing this open space for years.

**Amanda Klakis** (128 W. State Street, Farmington, Utah) said her husband has been a resident of Farmington for more than 40 years. She moved to Farmington from Salt Lake City. She tore down her home two years ago and rebuilt it with the OTR and historical preservation of the home in mind. This property is an eyesore and has been for a long time. The rental properties have not been maintained, and she sees them from the back of her house. Everyone is out for profit today, and she would rather look at new, maintained homes. She would like to have her 70-year-old mother live in one of these homes very near her.

**Cindy Ellis** (72 W. State Street, Farmington, Utah) lives around the corner from this site. She has done development work in Cedar City. This is a 1.5-acre development with a lot on the end. She is disappointed that there is no room for gardens in this development called "Gatrell Gardens." It is very compact and not creative. We need to stick to the original OTR and the neighbors are not fans of high density.

**Erin Christensen** closed the public hearing at 8:55 pm.

**Petersen** said there are a few options for giving the applicant bonus density. One is open space, and on a 2-acre lot, there is not room for much open space. That may need to go on the shelf. Another is preserving homes of a historical nature. One was built in 1880 and the other in 1889. There are not many 19<sup>th</sup> century homes left in Farmington. People speak of the charm of downtown. Is it worth the additional density to preserve the historic homes? They have the right to demolish the old homes to put new homes there.

**Christensen** said they do have the right to subdivide it under the current zoning. The OTR standards could still be applied in this PUD. Putting the PUD overlay on it allows deviations from the underlying standards. She lives in the OTR and she very much wants to maintain the standards. The two homes aren't the most charming of downtown homes, but they are worth preserving.

**Adams** said the homes don't add much to the neighborhood there, and he doesn't feel they are worth saving. This development would change the character of the whole neighborhood. They look like big townhomes. He is not sure downtown is the place to address the housing crisis and density issues. He would like to see the neighborhood preserved. The number of trees are slated to be taken out will change the look. He likes the access back to the Fadel's property.

Commissioner **Mike Plaizier** said it technically meets open space, but it is not really open space. He is concerned the proposed elevations don't look like the surrounding homes. Not enough is known about the historic homes, and he would like to get the Historic Preservation Commission's assessment on if they are worth saving. More needs to be known about the final agreement with the Fadel's. He also wants to know what the applicant has in mind for freshening up the historic homes.

**Petersen** said the two historic homes can be put on the Commission's August 28, 2023, agenda, asking for their input on both the homes and the layout. The lots would have to be wider for the garage doors to meet the standards. I-15 widening may interfere with preserving some historic homes.

Commissioner **Turner** said there are too many variables right now, especially with the Fadel's. He would like to table this for a lot more information, including from the Historic Preservation Commission.

Applicant **Bastian** said the trees are garbage trees that have grown along fence lines, and they are not the beautiful trees found on Main Street. The municipal code of the OTR says smaller PUDs are preferred to make the best use of interior lots. The proposal does this, as well as eliminates land locking a neighbor.

**Petersen** said because of the square block shape (not rectangular) in downtown Farmington, the lots are deep and very large, with the average size of 14,000 square feet. Some property owners have been sitting on their land with awkward interiors for generations. There is still a lot of generational ownership in Old Town.

Commissioner **Larry Steinhorst** said the entitlement is five lots, and the proposal is seven lots, which is two additional lots. The give is preserving the historic homes to get two extra lots. He would like only one bonus lot. **Christensen** agreed, saying she is in favor of less density as well. She said a deed restriction would not be possible, and the applicant may want to explore the fee in lieu option. Commissioners want more functionality than the proposed shared common space. Updated elevations that meet the OTR standards need to be provided. There are concerns about snow removal and emergency responses on the hammerhead dead end. **Gibson** said the Development Review Committee (DRC) has already looked at this from a technical standpoint, and at this point they are satisfied. **Adams** said he is not a fan of Homeowner’s Associations (HOAs), and simpler is better. He would like to have the applicant provide some guidance such as bylaws explaining how the proposed open space would work. **Gibson** said as a City, they can’t force owner-occupancy, although it is always a concern.

**MOTION:**

**Frank Adams** made a motion that the Planning Commission table the Preliminary PUD Master Plan and Schematic Subdivision plan for the proposed Gatrell PUD Subdivision to be brought back at the discretion of the applicant through the Planning Department.

**Conditions 1-8:**

1. Staff communicate with the Historical Society to get feedback before the next meeting. They will provide some input to the status of the historic homes.
2. An update with the **Fadels** and their willingness to go along with the plan that uses their property.
3. Impose OTR requirements on any development, with items only waived individually and specifically.
4. Provide better elevations on proposed homes.
5. What the applicant plans to do with the old homes, if they are going to renovate them and bring them up to date, providing costs estimates if possible.
6. Applicant look into the options if they lost one lot.
7. Applicant explore a fee in lieu of open space.
8. Applicant’s proposals for HOAs and rent restrictions for affordable and/or moderate housing.

**Tyler Turner** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Tyler Turner	X Aye _____ Nay

**CONDITIONAL USE APPLICATION – public hearing**

**Item #4 Tauni Frampton – Applicant is requesting conditional use approval related to the design of a proposed new single-family home located on 0.43 acres at 68 East 400 North in the OTR zone (C-9-23)**

**Petersen** presented this agenda item. The applicant desires to replace an existing home, which is a resource on the City’s historic sites list (and is eligible for the National Register of Historic Places), with a new home (see supplementary information in Staff Report). They have done a good job with the front porch. They have a situation with their garage width. The lot is 111 feet wide; the house is 87 feet wide; and the garage can’t comprise more than 33% of the face of the home. However, it is larger than 33% as proposed. In some cases, side-entrance garages that do not face the street have not counted toward that percentage. A zone text change to this effect is in an upcoming agenda item. To do a side-entry garage, you need to have at least 24 feet for the car to pull out and enter into traffic. To do a side-entry garage, a wide lot is needed. The applicant is trying to make this home fit in with the neighborhood by setting it way back. The Ellis home west of this lot at 44 East has a wide driveway. Commissioners discussed the definition of scale, considering architectural effects to reduce the appearance of large scale.

The property is zoned OTR, and Section 11-17-070 D., subparagraph 2, of the Zoning Ordinance states:

New buildings and additions shall appear similar in scale to the scale that is established in the block or in the general vicinity. Subdivide larger masses into smaller "modules" that are similar in size to buildings seen traditionally. The area of a new construction or addition shall be equal to or less than that of the main dwelling or original building unless otherwise approved by the planning commission as a conditional use.

**Applicant Tauni Frampton** (1541 Sweetwater Lane, Farmington, Utah) grew up in Fruit Heights and has always loved Farmington’s Main Street. She and her husband have done everything they could to meet the OTR standards including the porch and the setback. The proposed home is bigger than what is there currently. The footprint of the house is 3,890 square feet on a 18,830 square foot lot. It is a large lot. The tree on far east side of the park strip would need to be removed for this proposal. Some of the other trees would need cleaning up and pruning, which requires special permission. They had a tenant in the house until the end of July, and now the home is vacant. The construction timeline is finishing in June of next year, 10 months from now. She would like to start construction right away. If she took down one tree, she plans to replace it by planting a new one.

**Bryan Rogers** (1186 W. 1520 N., Clinton, Utah), contractor for the project, addressed the Commission. The old trees have lifted up a significant amount of sidewalk with their roots. He doesn’t like the full-grown trees that are there.

Commissioners said they would like to keep as many trees as possible on site. **Petersen** said the surrounding homes are set back 21 and 27 feet, while the proposed home is set back 42 feet.

**Erin Christensen** opened and closed the public hearing at 10:02 pm due to no comments.

Commissioners said that it is a beautiful design, but it may not be to scale compared to other nearby homes. The Commission received positive feedback from neighbors. Neighbors are excited for it because the design fits the neighborhood. **Petersen** suggested dropping proposed Condition 1, as the City Attorney doesn’t think it is needed. The Condition read: The City Council must approve an amendment to the OTR garage standards to allow attached garages to exceed front face percentage (%) standards if such garages are side loaded.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission grant conditional use approval for the new home request subject to all applicable Farmington City development standards and ordinances, and the following **Conditions 1-2:**

1. Place smaller ornamental trees along the west side of the driveway to soften the mass and scale of the single-family home, and its driveway.
2. The width of the driveway at the sidewalk must not be greater than 30 feet.

**Findings 1-4:**

1. The applicant has already taken steps to mitigate the larger mass and scale of the proposed single-family home by increasing the front set back from approximately 21 feet to approximately 42 feet. [Note: the approximate front setback distance of the existing homes on the same side of the block between Main Street and 100 East is 27 feet].
2. The 111.75 foot wide lot easily accommodates the 87 foot wide home. [Note: the minimum OTR lot width standard is a range between 70 and 85 feet.]
3. The zone text amendment referenced as a condition to the motion will enable the proposed configuration of the garage.
4. The approximate widths of the home and driveway located adjacent to the south side of the Frampton property are 78 feet and 34 feet, which is comparable to the applicant’s request.

**Supplemental Information 1-3:**

1. Vicinity Map
2. Photo of Existing Home
3. Information from applicant

**Larry Steinhorst** seconded the motion, which was unanimously approved.

Chair Erin Christensen	<input type="checkbox"/> Aye <input checked="" type="checkbox"/> Nay
Vice Chair John David Mortensen	X Aye <input type="checkbox"/> Nay
Commissioner Larry Steinhorst	X Aye <input type="checkbox"/> Nay
Commissioner Frank Adams	X Aye <input type="checkbox"/> Nay
Commissioner Mike Plaizier	X Aye <input type="checkbox"/> Nay
Commissioner Tyler Turner	X Aye <input type="checkbox"/> Nay

Motion passed 5 – 1. The Conditional Use is granted.

**ZONE TEXT AMENDMENTS – public hearings**

**Item #5 Farmington City – Applicant is requesting Additional text and amendments to Section 11-28-140: FENCES, and Section 11-18-160: OPEN STORAGE IN RESIDENTIAL ZONES of Chapter 11-28: SUPPLEMENTARY AND QUALIFYING REGULATIONS, of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider matching requirements in residential zoning districts to residential developments in other zones. (ZT-11-23)**

**Item #6 Farmington City – Applicant is requesting Additional text and amendments to Section 11-17-050: ACCESSORY BUILDINGS AND STRUCTURES (INCLUDING ATTACHED OR DETACHED GARAGES), of Chapter 11-17: ORIGINAL TOWNSITE RESIDENTIAL ZONE (OTR), of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider changes to the percent of garage that may occupy the front plain of a home. (ZT-13-23)**

**Item #7 Farmington City – Applicant is requesting amendments to Chapter 11-30: FOOTHILL DEVELOPMENT STANDARDS, of the Farmington City ZONING REGULATIONS. The proposed amendments are to reconfigure/modify the foothill ordinance review and approval process consistent with the Subdivision and Zoning Ordinances, add some architectural design standards, emphasize the no-build standards of steep slope areas, and to implement other miscellaneous changes. (ZT-14-23)**

**MOTION**

Tyler Turner made a motion to move that the Planning Commission continue items 5, 6 and 7 as listed above to the next meeting dated September 7, 2023.

Larry Steinhorst seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Tyler Turner	X Aye _____ Nay

**OTHER BUSINESS**

**Item #8 Miscellaneous, correspondence, etc.**

a. Minutes Approval August 3, 2023

i. Frank Adams made a motion to approve the minutes as listed above. Larry Steinhorst seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Tyler Turner	X Aye _____ Nay

b. City Council Report 08.15.2023

i. Gibson provided a report on the August 15, 2023, City Council meeting. Truth in Taxation was the only item and was approved by Council.

**ADJOURNMENT**

Tyler Turner made a motion to adjourn at 10:21 pm.

  
Chair, Erin Christensen