



FARMINGTON CITY

PLANNING COMMISSION

October 19, 2023



FARMINGTON

MORE TIME FOR LIVING

PLANNING COMMISSION MEETING NOTICE AND AGENDA

Thursday October 19, 2023

Notice is given that Farmington City Planning Commission will hold a regular meeting at City Hall 160 South Main, Farmington, Utah.

A work session and training will be held at **6:30 PM** prior to the **regular session which will begin at 7:00 PM** in the Council Chambers.

The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website at farmington.utah.gov.

Any emailed comments for the listed public hearings, should be sent to crowe@farmington.utah.gov by 5 p.m. on the day listed above.

SPECIAL EXCEPTION APPLICATION – public hearing

1. Richard and Susan Allart – Applicant is requesting a special exception approval to exceed the standard height allowance for a detached building, located at 138 E 500 N, in the OTR (Original Townsite Residential) zone.

ZONE TEXT AMENDMENTS – public hearing on item 2 only

2. Farmington City – Applicant is requesting additional text and amendments Title 11: ZONING REGULATIONS. The proposed amendments are to remove financial institutions as a permitted or conditional use in zoning districts where currently permitted. While amendments to the referenced section of code are being considered, applications for financial institutions within these sections are not entitled to approval per Utah Code 10-9a-509 (1)(ii)(B).
3. Farmington City – Applicant is requesting additional text and amendment to Chapter 11-30: FOOTHILL DEVELOPMENT STANDARDS, and 11-2 DEFINITIONS of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider and clarify, among other things, what can be built in areas with steep slopes. (ZT-14-23) Continued from the 9.7.23 meeting. (continued)
4. Farmington City – Applicant is requesting additional text and amendment to Title 12: SUBDIVISION REGULATIONS. The proposed amendments are in response to requirements from the State of Utah to remove the requirement for concept/schematic reviews on conventional subdivisions and to establish an appeal process as outlined by the State. The amendments further clarify submittal requirements and the review process. (continued)

OTHER BUSINESS

5. Miscellaneous, correspondence, etc.
 - a. Minutes Approval 10.05.2023
 - b. City Council Report 10.17.2023
 - c. Other

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to act 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.

CERTIFICATE OF POSTING I hereby certify that the above notice and agenda were posted at Farmington City Hall, the State Public Notice website, the city website www.farmington.utah.gov, and emailed to media representatives on October 17, 2023.

Carly Rowe, Planning Secretary



Farmington City Planning Commission Staff Report October 19, 2023

Item 1: Special Exception – Accessory Building Height

Public Hearing: No
Application No.: M-12-23
Applicant: Richard and Susan Allart
Address: 138 E. 500 N.
Zone: OTR

Request: *City Staff is proposing a change to the text of Chapter 30 and Chapter 2 of the Zoning Ordinance to reorganize/ 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.*

Background Information

The Allarts own the home at the subject property as well as the adjacent property to the west on the corner. They have been working with the city for some time to consider a vacation of a portion of the 500 N right of way which has previously been approved by the city council. With this they will pursue a boundary adjustment between their properties which will create a space for an accessory structure or detached garage west of their home at 158 E. 500 N.

The OTR zone states that all garages are considered as a permitted use so most components of their proposal fall under the purview of the Planning Department for review and consideration. One element however has become apparent needing consideration of the Planning Commission. Per FMC 11-17-070 (E)(4), Accessory buildings shall be subordinate in height to the main building and shall not exceed 15 ft. in height unless approved by the Planning Commission after a review of a special exception application.

The proposed garage is 23 ft. 4 in. from finish grade to the highest point of the roof. As height is measured per Farmington City ordinance, the actual measured height is the wall height plus half of the height of the roof structure, in this case the building includes an 11 ft. 6 in. wall plus an additional 5 ft. 11 in. of roof for a total height of 17 ft. 5 in. This height exceeds the 15 ft. allowed by the zone, but is within the range allowed through the special exception process.

Additionally, the previously referenced section of ordinance states that the detached garage building must be subordinate in height to the main unless the planning commission approves a special exception. Because of the architecture of the main building, which has shorter primary walls and a very tall steep roof pitch, the buildings measurement by city code is only approximately 14 ft. 10 in. This is less than the detached garage is proposed. The estimated height to the peak of the roof is actually approximately 21 ft. 2 in. which is similar to, but also still slightly shorter than the proposed

garage. It is the opinion of staff that due to the elevation drop from east to west on the property, that the buildings will have a similar height at the peak and it is within the Planning Commission's purview to be able to grant the detached garage to be taller than the home.

The applicant has provided details showing their evolution of the building over time to try and work with the height allowances of the ordinance.

There may be some remaining modifications to final details of the site or building to ensure compliance with other components of the city's ordinance within the purview of staff before construction.

11-17-050: ACCESSORY BUILDINGS AND STRUCTURES (INCLUDING ATTACHED OR DETACHED GARAGES):

E. Building Height:

4. Accessory buildings or structures shall be subordinate in height to the main building and shall not exceed fifteen feet (15') in height unless approved by the planning commission after a review of a special exception application filed by the property owner.

Suggested Motion

Move the Planning Commission approve the requested special exception to allow for the building height of the detached garage to be a maximum of 18 ft. and to exceed the height of the main dwelling.

Findings:

1. The proposed height is within the purview of the Planning Commission.
2. The applicant has made efforts to make the building work with the architecture of the site and still meet the functional desires for their property.
3. Though by definition and measurement the detached garage may be taller than the main building, based on topography on site the total physical height to the peak of each building will be very similar.

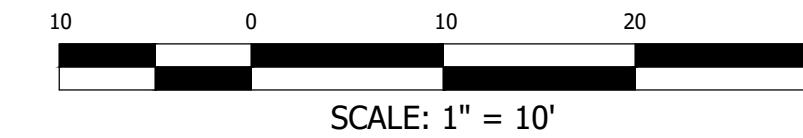
Supplemental Information

1. Vicinity Map
2. Site Plan
3. Elevations of proposed garage.
4. Photos of existing home.

138 E 500 N

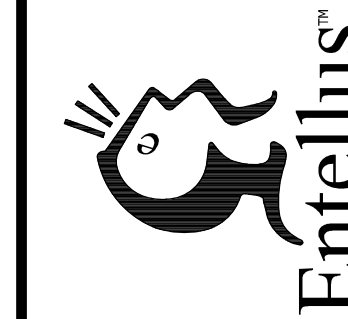


500 N & 100 E



SITE PLAN GENERAL NOTES

- DUST, MUD AND EROSION SHALL BE CONTROLLED BY WHATEVER MEANS NECESSARY, AND THE ROADWAY SHALL BE KEPT FREE OF MUD AND DERBIES AT ALL TIMES.
- BUILDER/OWNER SHALL SECURE AN EXCAVATION PERMIT PRIOR TO DOING ANY WORK IN THE PUBLIC RIGHT OF WAY. TRAFFIC PLAN, BONDING AND INSURANCE WILL BE REQUIRED.
- PROVIDE FINISH GRADING AWAY FROM THE HOUSE ON ALL SIDES AT A MINIMUM OF 6" IN FIRST 10' HORIZONTAL SLOPE IN LANDSCAPED AREAS. THEN MAINTAIN 2% MIN. HORIZONTAL SLOPE IN GRADE THEREAFTER TO APPROVED DRAINAGE AREAS.
- IF RETAINING WALLS ARE REQUIRED, A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN UTAH, SHALL INSPECT AND APPROVE ANY RETAINING WALL THAT IS HIGHER THAN 4' FROM BOTTOM FINISH GRADE TO TOP OF WALL, ONCE CONSTRUCTED.
- PROVIDE ON SITE RETENTION OF ALL STORM WATER RUN OFF, BY WHATEVER MEANS NECESSARY DURING CONSTRUCTION.
- SHOULD GROUND WATER BE INCURRED DURING EXCAVATION, A QUALIFIED SOILS ENGINEER SHALL BE RETAINED TO DESIGN AND APPROVE A CONTINUOUS FRENCH DRAIN AT FOUNDATION ON SITE.
- MAINTAIN NATURAL EXISTING GRADE AT REAR AND SIDES OF LOT WHERE POSSIBLE TO RETAIN STORM WATER NO RUNOFF ONTO ADJACENT PROPERTIES.



**PRELIMINARY
NOT FOR
CONSTRUCTION**

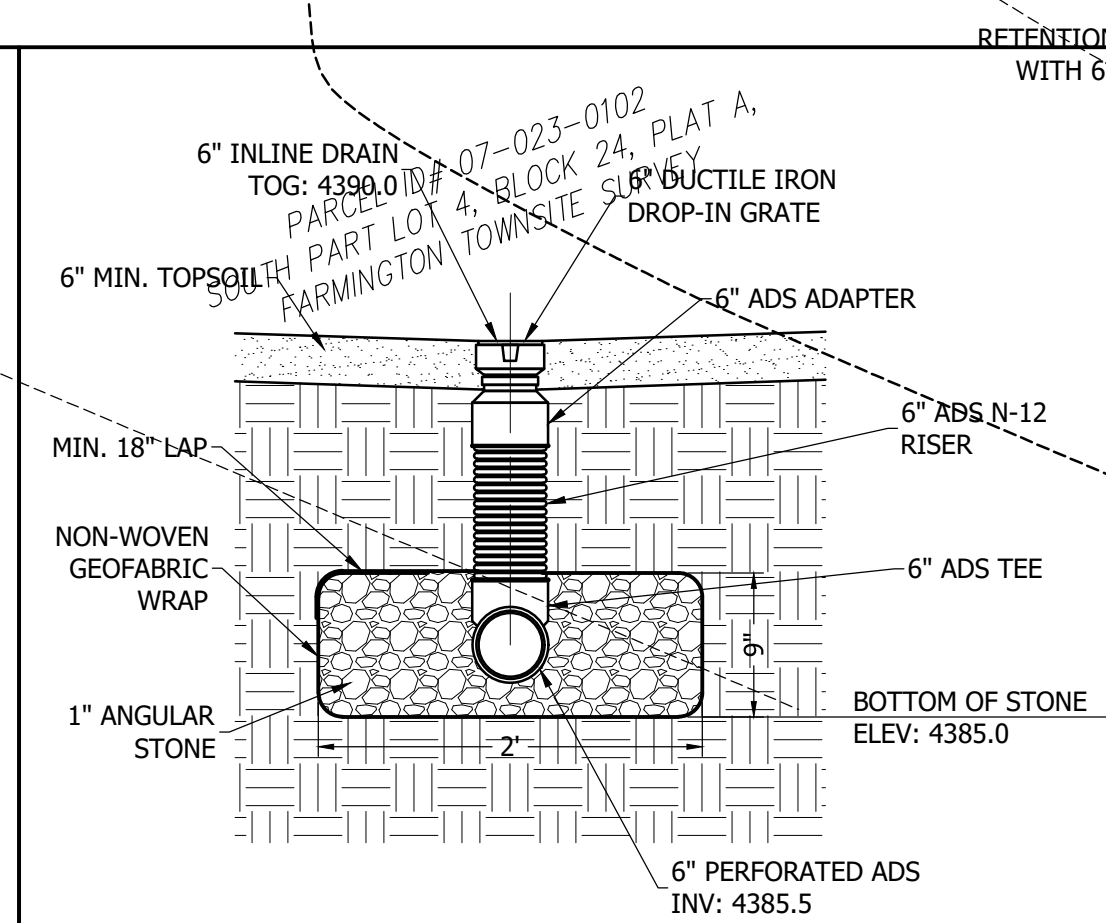
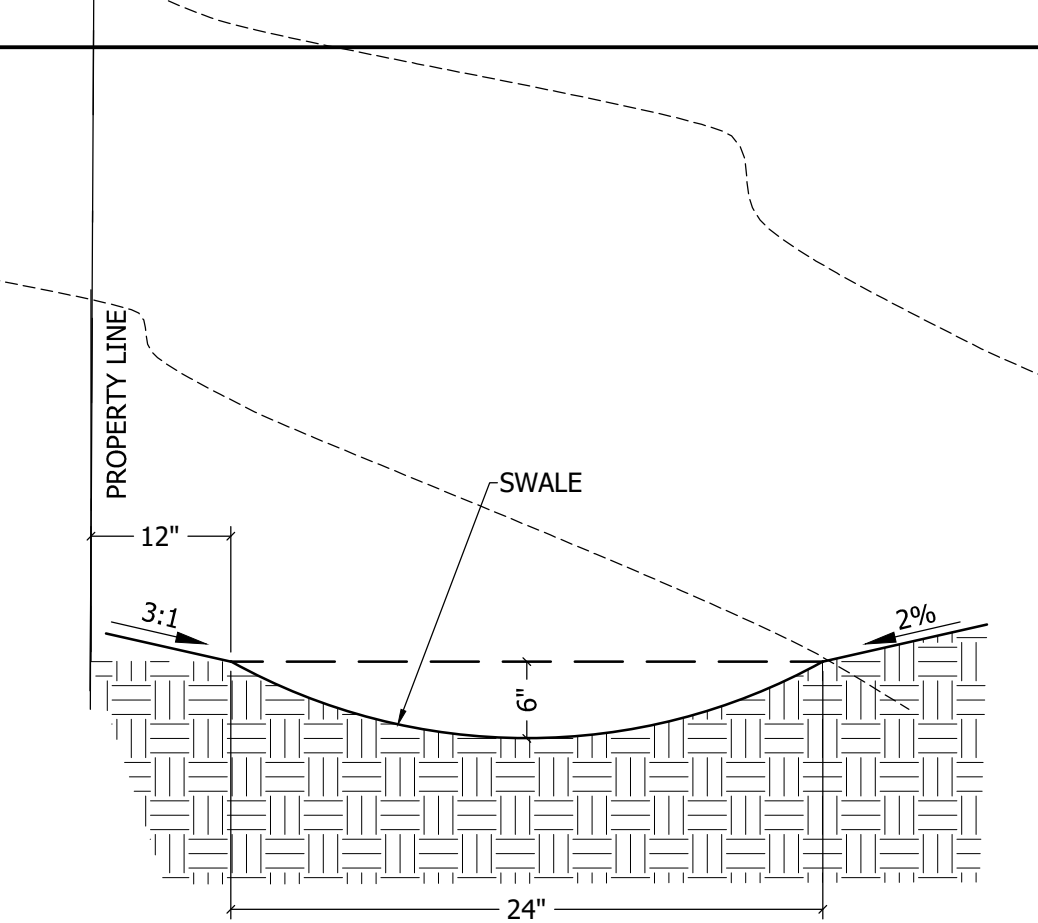
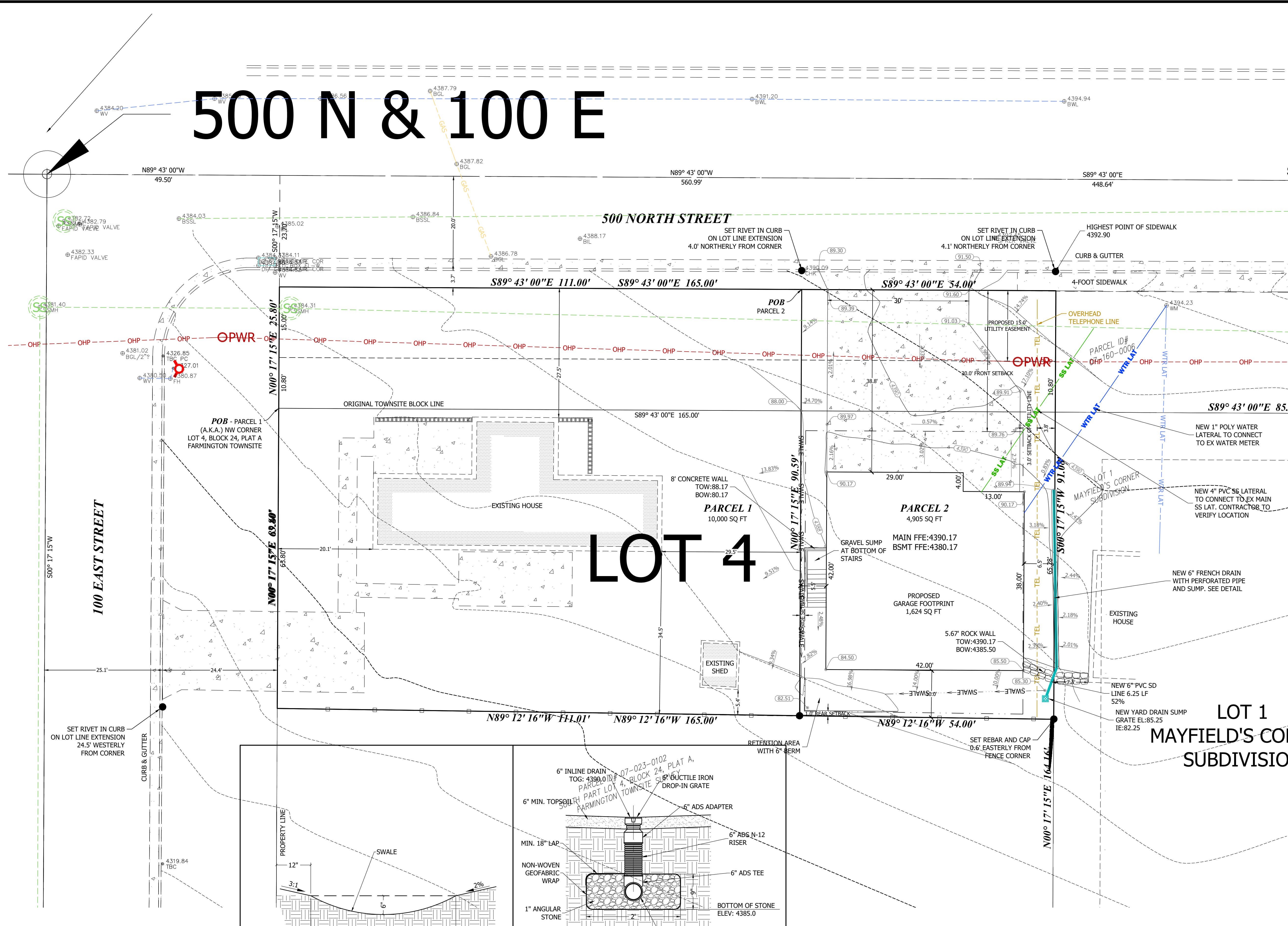
KEITH SALMON

ALLIANT RESIDENCE
496 NORTH 100 EAST STREET
PART OF LOT 4, BLOCK 24, PLAT 4, FARMINGTON TOWNSHIP SURVEY
LOCATED IN THE SW 1/4 OF SECTION 18, T.3N., R.1E., S.L.B.&M.
FARMINGTON CITY, DAVIS COUNTY, UTAH

DRAWN:
APPROVED:
PROJECT #: 1969003
SITE PLAN 1969003.dwg

C400

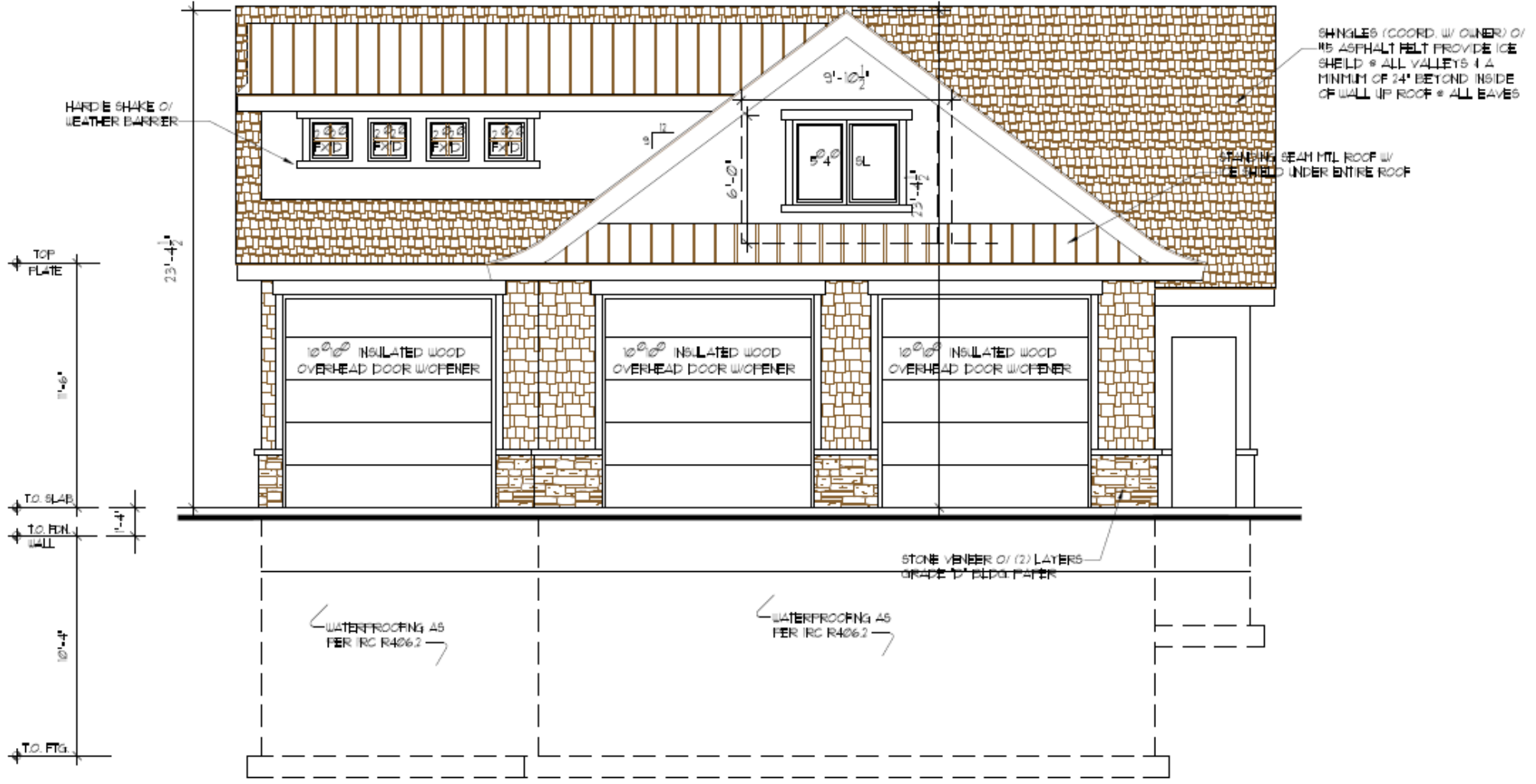
1470 South 600 West
Woods Cross, UT 84010
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www.Entellus.com



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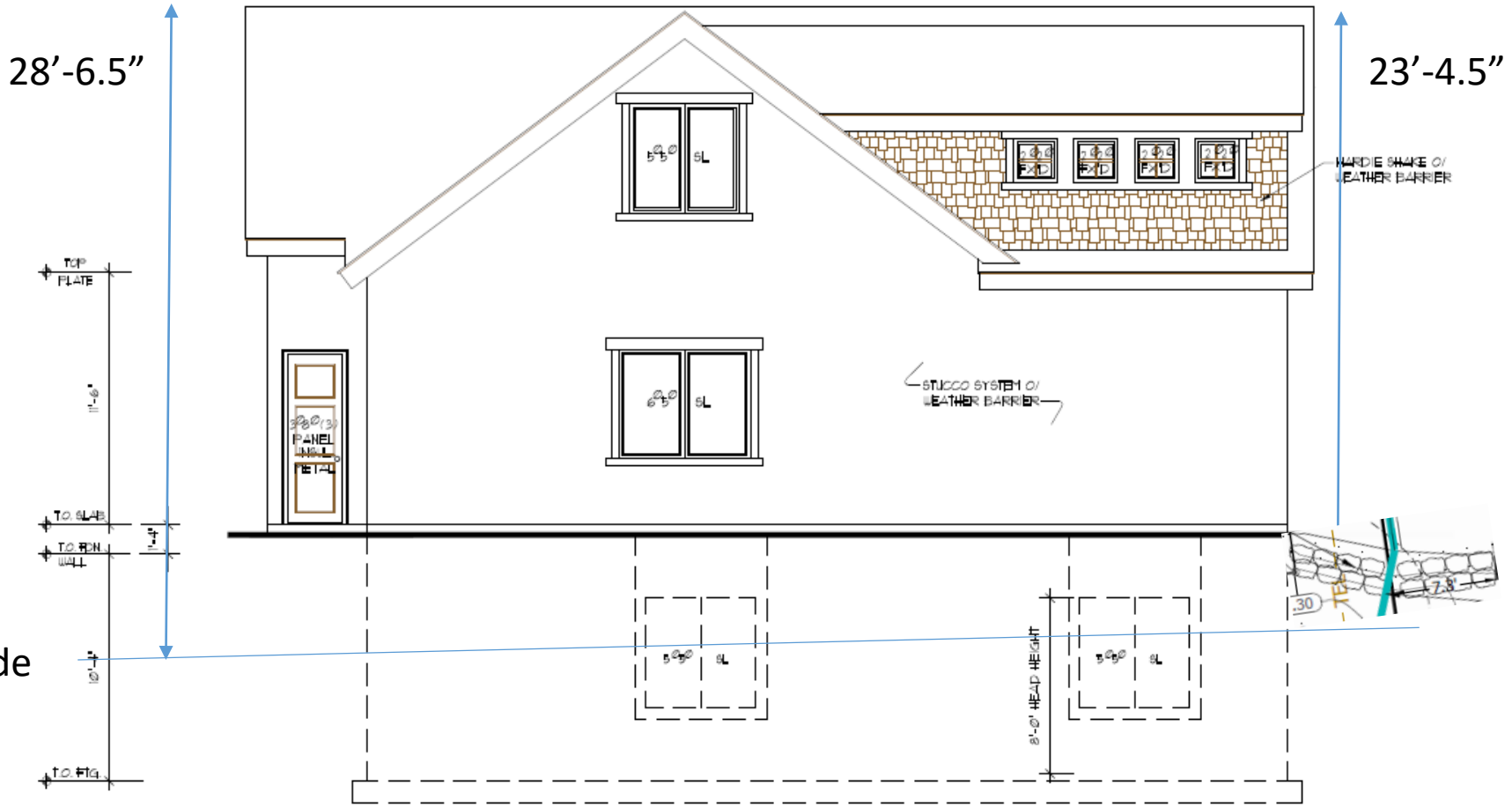


FRONT ELEVATION

SCALE: 1/4" = 1'-0"

SHINGLES (COORD. W/ OWNER) OR
1/2" ASPHALT FELT PROVIDE ICE
SHIELD * ALL VALLEYS 4" Δ
MINIMUM OF 24" BEYOND INSIDE
OF WALL UP ROOF * ALL EAVES

SCALE: 1/4" = 1'-0"

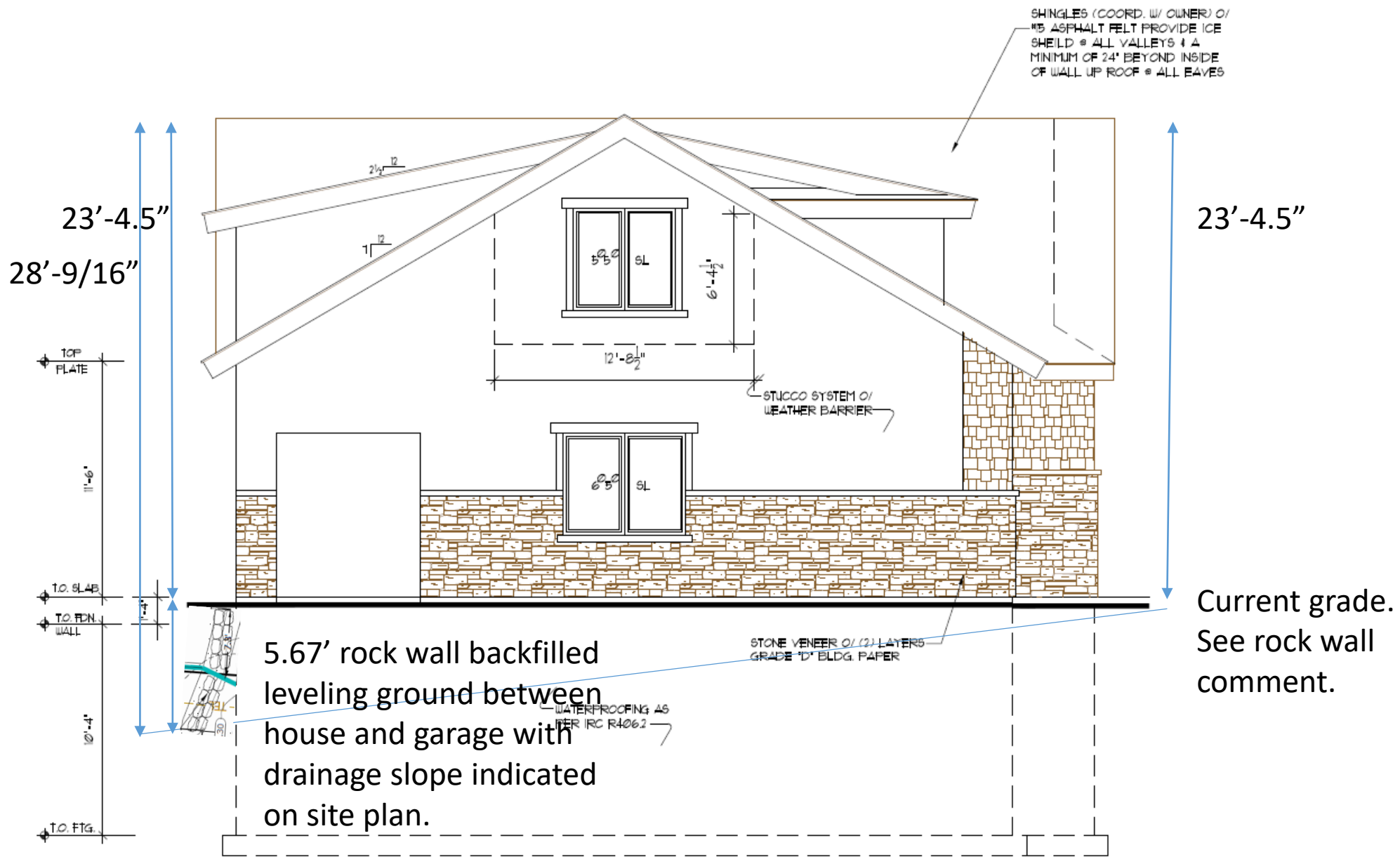


Finished grade

REAR ELEVATION

SCALE: 1/4" = 1'-0"

Rock retaining wall
between house
and garage.

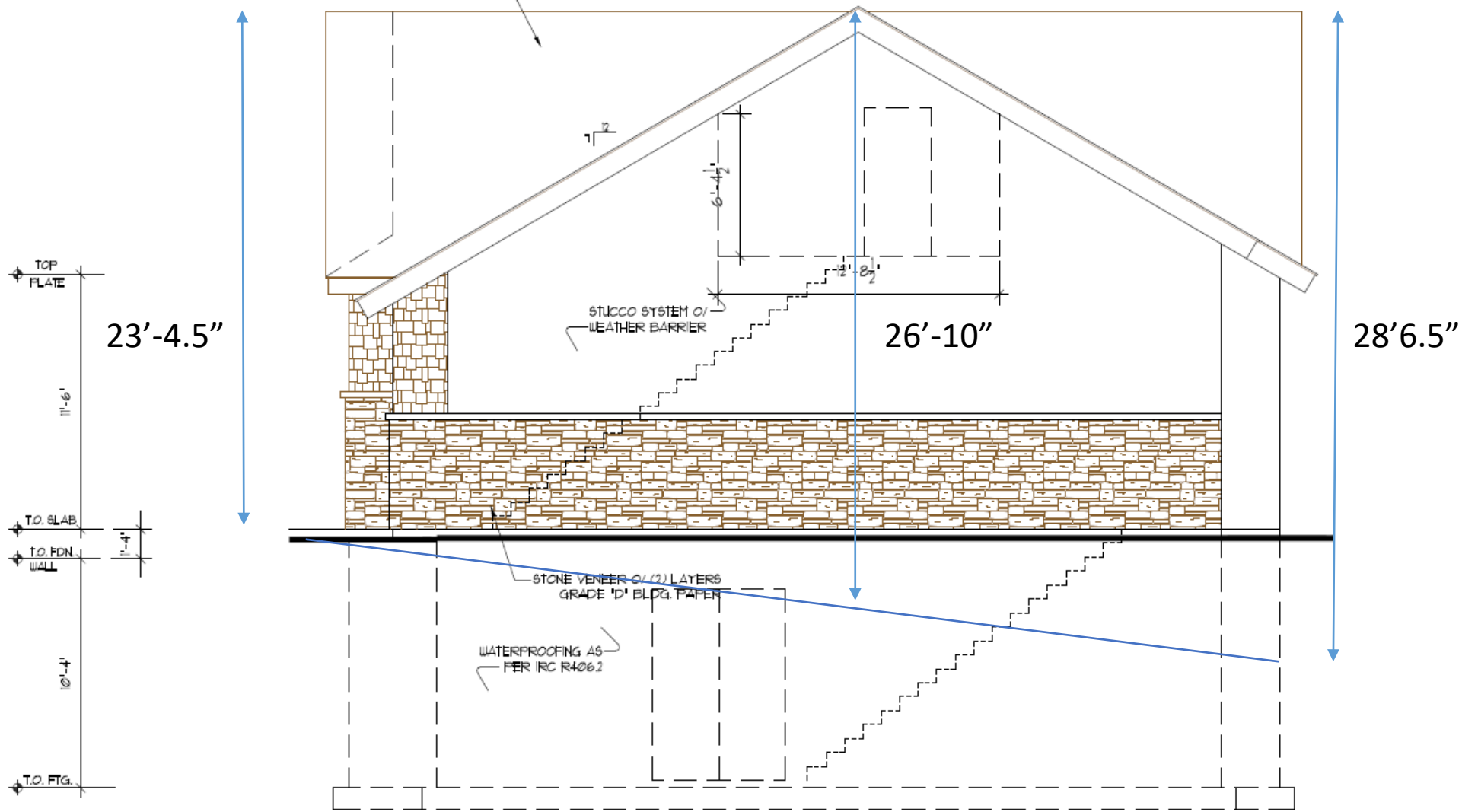


LEFT ELEVATION

SCALE: 1/4" = 1'-0"

SHINGLES (COORD. W/ OWNER) O/
 #15 ASPHALT FELT PROVIDE ICE
 SHIELD @ ALL VALLEYS & A
 MINIMUM OF 24" BEYOND INSIDE
 OF WALL UP ROOF @ ALL EAVES

TO FTG.



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

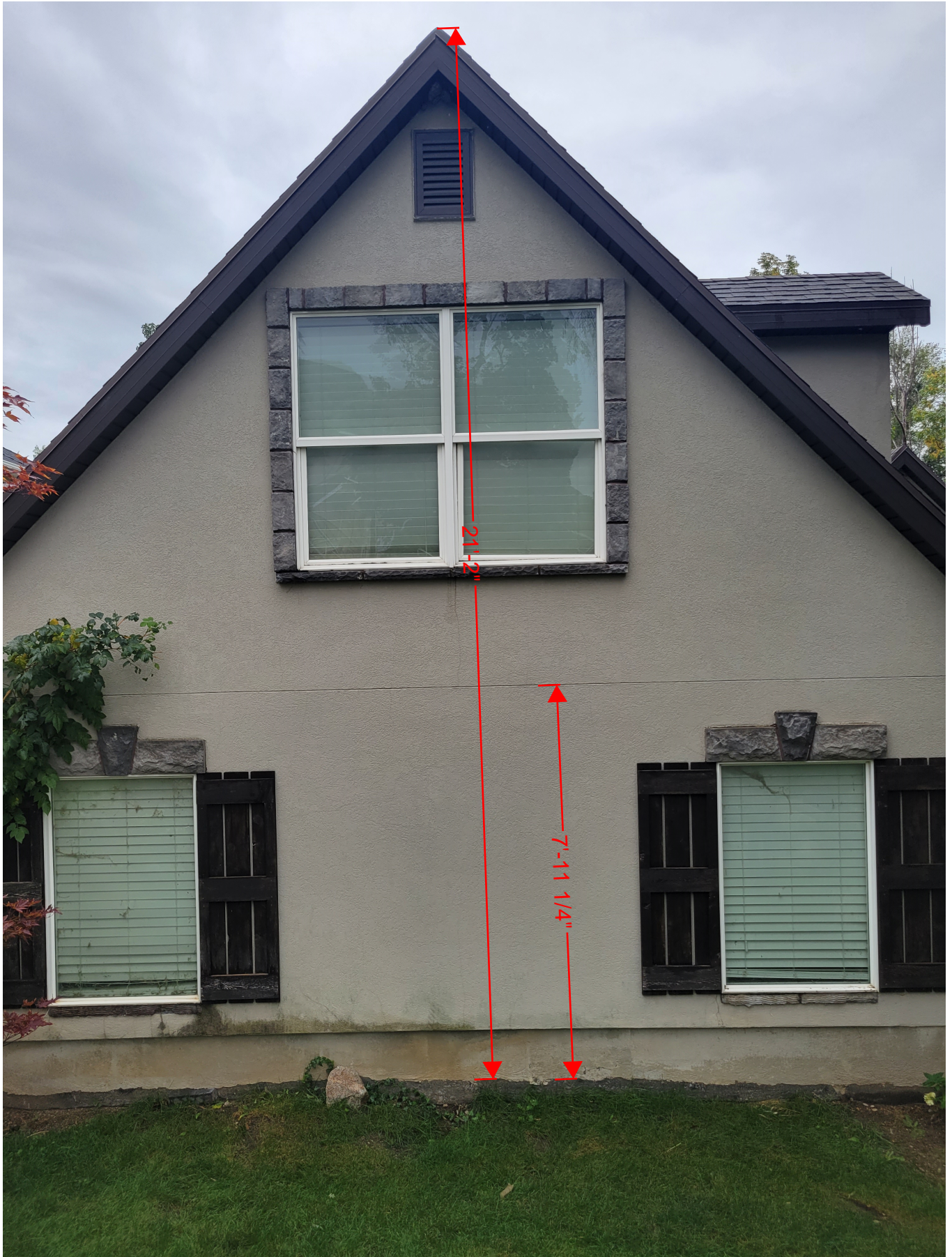


FRONT ELEVATION

Prior garage plan with 12/12 roofline with a height of 25'-2"



Current garage plan with adjusted 9/12 roof pitch reducing the garage height to 23'-4-1/2"















Farmington City Planning Commission Staff Report October 19, 2023

Item 2: Zone Text Amendments to remove financial institutions as an allowed use in zoning districts where currently permitted.

Public Hearing: Yes
Application No.: ZT-19-23
Applicant: Farmington City

Request: *The proposed amendments are in response to concerns regarding the proliferation of financial institutions throughout the city and in particular on prime commercial corners.*

Background Information

After seeing multiple applications for the construction of financial institutions on key corners on the city, the proposed ordinance is being proposed to at least for the time being put a halt on new construction of these institutions.

Recent applications:

US Bank – University Ave and Clark Lane – GMU zone
Key Bank – Market Street and Station Parkway – GMU zone

Existing institutions:

Utah First CU: 1100 West and Park Lane – GMU zone
Mountain America CU: Cabelas Drive and Station Parkway – GMU zone
Bank of America: Cabelas Drive and Station Parkway – GMU zone
Chase Bank: Station Parkway and Clark Lane – TMU zone
US Bank: Inside Smith’s – C zone
Wells Fargo: 12 W State Street - BR zone
Goldenwest CU: Lagoon Drive and 675 North – CMU zone
Horizon CU: 200 S and 200 W – BP zone
America First CU: inside Harmon’s Grocery Store – TMU zone
Zion’s Bank: Main Street and Somerset Street

Suggested Motion

Move the Planning Commission recommend the enclosed ordinance to the Farmington city council.

Supplemental Information

1. Draft Changes to Title 11

Draft changes to Title 11

Chapter 14 – Business Park Zone (BP)

11-14-030: CONDITIONAL USES:

The following are conditional uses in the BP zone. No other conditional uses are allowed, except as provided by subsection [11-4-050F](#) of this title:

- Any development which includes multiple buildings or is proposed on a site which is over one acre in size.
- Athletic or tennis club.
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- ~~Financial institutions.~~
- Light manufacturing uses (fabrication, assembly, treatment or packaging operations conducted in a totally enclosed building using previously prepared materials).
- Outside storage.
- Public and quasi-public uses, other than administrative offices, developed on an undeveloped site (excluding those not specifically listed as a permitted or conditional use) and material additions or modifications on a developed site.
- Public utility substations, wireless transmission towers, except as specified in section [11-28-190](#) of this title, generating plants, pumping stations and buildings.
- Restaurants (traditional sit down only).
- Storage/warehousing, as an accessory use, as necessary to maintain a principal use.
- Temporary uses.
- Uses customarily accessory to a listed conditional use.

Business/Residential Zone (BR)

11-15-030: CONDITIONAL USES:

The following are conditional uses in the BR Zone. No other conditional uses are allowed, except as provided by subsection [11-4-050F](#) of this title:

- Athletic/fitness center.
- Business and professional offices.
- Convenience store (sale of grocery items, nonprescription drugs and/or gasoline from building with less than 5,000 square feet gross floor area).
- Daycare, preschool, that are not home occupations.
- Fast food establishments, attached (walk in service only, no exterior walk up or vehicle drive-through service).
- ~~Financial institutions, excluding nonchartered financial institutions, as defined in section [11-2-020](#) of this title.~~
- Funeral home.
- Greenhouse/garden center (retail or wholesale).
- Hotels, motels and bed and breakfasts, all not to exceed five thousand (5,000) square feet in size.
- Mixed use development, as defined in section [11-18-030](#) of this title.
- Museums.
- Neighborhood grocery (grocery store not exceeding 15,000 square feet in gross floor area).

- Neighborhood service establishments (low impact retail and service uses, such as bakery, bookstore, dry cleaning, hairstyling, pharmacy, art supply/gallery, craft store, photocopy center, etc.).
- Pet store or pet grooming establishment.
- Public and quasi-public uses, except the following prohibited uses: correctional/detention facilities, halfway houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities, including those which may allow or require that clients stay overnight or longer.
- Reception center.
- Residential facility for the elderly.
- Restaurant (traditional sit down).
- Small auto dealership.
- Temporary uses as set forth in subsection [11-28-120H1](#) of this title.

General Commercial Zone (C)

11-16-020: PERMITTED USES:

The following are permitted uses in the C zone. No other permitted uses are allowed, except as provided by subsection [11-4-050F](#) of this title:

- Agriculture.
- Business and professional offices.
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- Commercial testing laboratories.
- Data processing services.
- Fast food establishments, attached (walk in service only, no exterior walk up or vehicle drive-through service).
- ~~Financial institutions.~~
- Funeral home.
- Neighborhood service establishments (low impact retail and service uses, such as bakery, bookstore, dry cleaning, hairstyling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).
- Printing/publishing services.
- Public or quasi-public administrative offices in an existing building (excluding portable/temporary buildings).
- Public park.
- Public utility lines and rights of way.
- Research and development activities.
- Research services.
- Seasonal fruit/produce vendor stands.
- Signs complying with provisions of the sign ordinance.
- Uses customarily accessory to a listed permitted use.

Mixed Use Districts:

11-18-050: USES:

A. Uses allowed in the TOD area are identified in table 18.3, "Allowable Land Uses", of this section. A development parcel may have more than one main building or dwelling, however each main building shall have its own zone lot.

B. More than one permitted use may be located on a development parcel and within a building (refer to "mixed use" and "development parcel", as defined herein).

TABLE 18.3

ALLOWABLE LAND USES

Key to allowable uses:

P - Permitted

N - Not permitted

<i>Mixed Use Districts</i>							
<i>OS</i>	<i>RMU</i>	<i>OMU</i>	<i>GMU</i>	<i>TMU</i>			
			<i>Mixed Use Districts</i>				
			<i>OS</i>	<i>RMU</i>	<i>OMU</i>	<i>GMU</i>	<i>TMU</i>
Commercial:							
Financial institutions (with the exception of nondepository institutions)			N	N	P⁺	P⁺	P

Restrictions:

1. Drive up window/drop off lane (including a porte-cochere) allowed only with special exception review by the Planning Commission as set forth in section [11-3-045](#) of this title, as to use, and not fixed dimensional standards; however, in the case of a lodging, the planning commission may approve variations from the standards of 11-18-160 including permission to allow off-street parking between the building and a secondary street by review of a special exception. For any use not listed as P¹, drive-up windows are expressly prohibited. No additional curb cut shall be added to accommodate the drive up/drop off lane.

Commercial Mixed Use zone (CMU)

11-19-040: ALLOWABLE USES:

The CMU zone provides for a broad variety of land uses. The purpose of the CMU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in a CMU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses, and will be determined through the review and approval of either a planned unit development pursuant to chapter 27 of this title, or as a planned center development pursuant to the conditional use permit process. Among the uses that may be considered for approval in the CMU zone as part of a planned center development are the following:

- Agriculture.
- Athletic or tennis club.
- Bed and breakfasts.
- Business and professional offices.
- Class A auto sales.
- Class A self-storage.
- Commercial complex (commercial center), with a maximum floor area of eighty thousand (80,000) square feet for any single tenant.
- Commercial indoor recreation (movie theater, video arcade, bowling alley, etc.).
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- Commercial testing laboratories.
- Convenience store (sale of grocery items, nonprescription drugs and/or gasoline from building with less than 5,000 square feet gross floor area).
- Data processing services.
- Daycare/preschool center.
- Department store.
- Dwelling, multiple-family (minimum density: 5 units per acre; maximum density: 14 units per acre).
- Fast food, detached, with drive-through.
- ~~Financial institutions.~~
- Funeral home.
- Greenhouse/garden center (retail or wholesale).
- Hotels and motels.
- Medical clinics, offices and outpatient surgical facilities.
- Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry cleaning, hair styling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).
- Printing/publishing services.
- Private school or hospital.
- Public and quasi-public uses, except the following prohibited uses: correctional/detention facilities, halfway houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer.
- Public park.

- Reception center.
- Research services and development activities.
- Restaurants (traditional sit down).
- Specialty retail stores.
- Temporary uses.
- Uses customarily accessory to a listed allowable use.
- Veterinary hospital (no outdoor kennels).

Neighborhood Mixed Use zone (NMU)

11-20-040: ALLOWED USES:

The NMU zone provides for a broad variety of land uses. The purpose of the NMU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in an NMU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses, and will be determined through the review and approval of either a planned unit development pursuant to chapter 27 of this title, or as a planned center development pursuant to the conditional use permit process.

A. Specified: Among the uses that may be considered for approval as part of a planned center development are the following:

Agriculture.

Athletic or tennis club.

Bed and breakfasts.

Business and professional offices.

Church, temple, synagogue or other place of worship.

Convenience store (sale of grocery items, nonprescription drugs, no gasoline sales).

Daycare, preschool.

Dwellings, multiple-family with no more than four (4) units.

~~Financial institutions.~~

Fitness center.

Funeral home.

Home occupations as identified in section [11-35-040](#) of this title.

Medical or dental clinic.

Neighborhood grocery.

Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry cleaning, hairstyling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).

Nursing home, convalescent center.

Pet store or pet grooming establishment.

Private school.

Public or quasi-public uses, material additions or modifications on a developed site.

Reception center.

Research services.

Residential facilities for the disabled.

Residential facilities for the elderly.

Restaurant.

Single-family dwellings.

Temporary uses.

Two-family dwellings.

Uses customarily accessory to a listed conditional use.



Farmington City Planning Commission Staff Report October 19, 2023

Item 3: Zone Text Amendments regarding Foothill Development Standards

Public Hearing: No
Application No.: ZT-14-23
Applicant: Farmington City

Request: *City Staff is proposing a change to the text of Chapter 30 and Chapter 2 of the Zoning Ordinance to reorganize/ 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.*

Background Information

On August, 17, the Planning Commission continued this agenda item, including the public hearing, to September 7, 2023. Moreover, the notice for the public hearing was re-posted to include amendments to Chapter 2 of the Zoning Ordinance (as well as Chapter 30). At the September 7th meeting the Commission tabled consideration to allow time for each member to submit review comments; thereafter, staff incorporated their input and presented it at the October 5th meeting. The discussion at that meeting resulted in the following:

[Note: these items are addressed in the attached draft document dated October 19, 2023].

- i. Typos. Staff corrected the two or three typos identified at the meeting.
- ii. Larry's Comments. A staff response in *red* italics is after each item. Where applicable, Larry's comments are included in "green" in the latest marked-up draft (see attached).

1-Punctuation, remove comma after "a"
"A tract, lot or parcel of land intended to be used as a, residential, commercial, public, quasi-public, utility or other building site."

Done (Page 4)

2-Spelling, remove F from FDavis
"previously been permitted by the federal government, the State, FDavis County or, Farmington City"

Done (Page 5)

3-Clarify. Not clear what "un-platted, lots, parcels" is.

“Development of individual ~~un-platted residential~~, lots, ~~parcels~~ located in an approved subdivision”

Done (Page 5)

4a- Discuss. why limit fences to 20% slopes?

See “B” below

4b- Is the intent that fences be built only on land that is 20% slope after grading and excavation (not before)? *No* If it was greater than 20% but graded down to less than 20% it seems that a fence could be built there. *Correct*

(11-30-040.H.3) “All fences and walls shall be located on useable land and in areas less than twenty percent (20%) slope before and after grading and excavation [note: grading and excavation is not allowed in areas with slopes over 30%].”

5-Paragraph could be broken into two, first part is about fills or cuts, second part is about walls. Or move to the paragraph on Retaining walls.

(11-30-060.B.10) “The maximum vertical height of all cuts or fills shall be 10 feet. Fills for slumps or other natural depressions may exceed 10 feet with City approval. A series of wall retaining the same hillside within thirty (30) horizontal feet of each other shall be considered one (1) wall.”

Done (Page 15)

6- Should “planning commission” here also be changed to “City”? *Yes*

(11-30-060.G.8) “Variations of the street design standards developed to solve special foothill visual and functional problems may be presented to the planning commission for consideration. “

Done, it is moved to the paragraph on retaining walls (Page 19)

7-in 11.30.070 the question should be answered and either added or removed.

(11-30-070) “C. Should we require fencing requirements?”

Done (Page 20) Also see “B” below

- A. Usable Land. Should the City rename the term “USABLE LAND” to “BUILDABLE LAND”? **See page 4** (BTW: Although this question was raised, commissioners had no strong feelings one way or the other on this issue). Staff recommends keeping the term “useable” because 1) one may interpret “buildable” as limited to any activity requiring a building permit, whereas “useable” means any land disturbance regardless--and it may be a better term to protect the foothill area overall; and 2) “buildable” may have a broader colloquial meaning for most people, whereas “useable” is the City’s term.
- B. Fences. Fences may be approved in areas with slopes between 20% and 30% if approved as a special exception. See Section 11-30-040 H. 3. (**page 7**)
- C. Solar Orientation. Section 11-30-050 C. 2. E. related to “Solar Orientation” is crossed out. **See page 9.**

Background Information from Previous Staff Reports

Recent applications of the City’s decades old foothill development standards revealed that Chapter 30 of the Zoning Ordinance can be a better document. City staff welcomes improvements to this part of the City code. Major changes (see enclosed “marked up” copy) for Planning Commission consideration include, among other things:

- Review and approval procedures, which are no longer at the end of the Chapter, are more consistent with the City’s subdivision, PUD, and site plan review processes; moreover, the review and approval body related to foothill standards is also now consistent with other City processes.
- Required reports and plan provisions are now part of the review and approval procedures instead of imbedded here and there with development standards.
- Development standards are not encumbered by items that are not development standards.
- There is a new section related to “Architectural Design” (similar to what is found in other municipalities) for Planning Commission and City Council consideration.

The proposed reorganization of the Chapter is summarized in the table below:

Chapter 30 Reorganization Summary		
Section	Existing	Proposed
11-30-010	Purpose	Purpose
11-30-020	Definitions	Definitions
11-30-030	Scope and Application	Scope and Application
11-30-040	Density, Lot Size, Width And Characteristics	Density, Lot Size, Set Back , Width And Characteristics
11-30-050	Required Plans And Development Standards	Review And Approval Procedure, And Required Reports and Plans
11-30-060	Bonding Requirements	Development Standards
11-30-070	Review And Approval Procedure	Architectural Design
11-30-080	N/A	Bonding Requirements

Suggested Motion

Move the Planning Commission recommend that the City approve the zone text changes as proposed.

Findings:

1. The changes better implement the purpose of the foothill standards set forth in Section 11-30-010;

2. The amendment makes Chapter 30 more user friendly because no longer does and applicant, or staff, have to “hunt” for required reports and plan intermixed here and there with review and approval procedures, and vice versa, but the two sections are now separate.
3. References as to who approves what plans are now consistent with the underlying zone, state law, and other sections of the City code.
4. The changes improve the definition and standards related to “Useable Land”.
5. The updates to Chapter 30 include language from ordinances in other communities which improve the final document.
6. As per Section 11-6-020 D. of the Zoning Ordinance, the proposed amendments are: a) reasonably necessary; b) in the public interest; and c) consistent with the city general plan and are harmony with the objectives and purpose of Title 11.

Supplemental Information

1. Draft Changes to Chapter 2 and Chapter 30 of the Zoning Ordinance—Marked Up Copy, 10.19.23.

CHAPTER 2
DEFINITIONS

SECTION:

11-2-010: General

11-2-020: Definitions Of Words And Terms

11-2-010: GENERAL:

For the purposes of this title, the following terms and words and their derivations shall have the meaning as given herein. When not inconsistent with the context, words used in the present tense include the future; words in the singular number include the plural; and the plural, the singular. The word "shall" is always mandatory. Words not included herein or in the building code shall be given their usual meaning as found in the English dictionary, unless the context of the words clearly indicates a different meaning. (Ord. 1991-21, 4-21-1991)

11-2-020: DEFINITIONS OF WORDS AND TERMS:

ACCESSORY BUILDING, ~~STRUCTURE, OR USE~~: A building, **structure**, or use ~~clearly~~ incidental, customarily appropriate, and subordinate to the main use of the building or property.

CHAPTER 30
FOOTHILL DEVELOPMENT STANDARDS

SECTION:

11-30-010: Purpose

11-30-020: Definitions

11-30-030: Scope And Application

11-30-040: Density, Lot Size, **Set Back**, ~~Width~~ And Characteristics

11-30-050: Review And Approval Procedures, And Required Reports and Plans

~~11-30-0560: Required Plans And Development Standards~~

11-30-070: Architectural Design

11-30-0680: Bonding Requirements

~~11-30-070: Review And Approval Procedure~~

11-30-010: PURPOSE:

A. The city council of Farmington City, Utah, deems that in order to preserve the peace, health, safety and welfare, and promote the best interest of the inhabitants of Farmington City, that this chapter be enacted to provide standards, guidelines and criteria for minimizing flooding, erosion and other environmental hazards in designated foothill areas of the city. In addition, these standards are intended to protect the natural scenic character of the foothills, and those areas of the foothills which are not suitable for development, while ensuring the efficient expenditure of public funds.

B. The standards, guidelines and criteria established by this chapter are further intended to:

1. Minimize grading and earthwork and ensure grading which will eliminate sharp angles at the top and at the toe of cut and fill slopes, both with respect to building sites and to road cross-sections.
2. Protect the public from natural hazards of stormwater runoff and erosion.
3. Minimize the threat and consequential damage of fire in foothill areas.
4. Preserve natural features, wildlife habitat and open space.
5. Retain trees and other native vegetation (except in those cases where a high fire hazard results) which stabilizes steep hillsides, retains moisture, prevents erosion and enhances the beauty of the natural landscape.
6. Implement early temporary or permanent planting of vegetation, or both, wherever appropriate to maintain necessary cut and fill slopes, stabilizing them by plant roots and concealing the raw soil from view.
7. Preserve public access to mountain areas and natural drainage channels.
8. Retain natural features, such as drainage channels, streams, ridgelines, rock outcroppings and vegetation.
9. Preserve and enhance visual and environmental quality; place greater regard for the view of the foothills as well as the view from the foothills.
10. Ensure an adequate transportation system for the total foothill area in compliance with the approved street plans of the city. Street design should, insofar as

possible, be compatible with existing topography by minimizing cuts, fills or other visible scars.

11. Encourage a variety of development, designs and concepts compatible with the natural terrain of the foothill areas which will preserve open space and the natural landscape.

12. Enable lot layouts and structure designs which will aid the objective of reducing excavation and natural topographic disturbance.

13. Establish land use management criteria that will encourage protection of natural elements while allowing a harmonious and satisfying residential environment.

C. To achieve the intent of this chapter, it is recommended that professionals, qualified in each of the disciplines addressed herein, be utilized to stimulate creative and appropriate designs in the foothill area. (Ord. 1993-17, 4-21-1993)

11-30-020: DEFINITIONS:

Terms used in this chapter are defined as set forth below and are in addition to those defined in chapter 2 of this title. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive.

ALL WEATHER SURFACE: A concrete or asphalt surface.

AVERAGE SLOPE: Means and is determined by the use of the following formula:

$$S = \frac{.00229(I)(L)}{A}$$

S = Average slope of the site before development or construction.

.00229 = The conversion factor of square feet to acres.

I = Contour interval in feet of the topographic mapping.

L = Summation of the length of all contour lines in feet.

A = Total number of acres in the slope district.

A. The average slope may be calculated by other means which are acceptable to the city engineer and planning commission.

B. In the determination of the average slope of a slope district, the area (A) in the formula above ~~need~~ shall not include the area of lands having a greater slope than thirty percent (30%). ~~If such areas are excluded, their acreage shall not be included as part of the total area of the development site for purposes of determining the number of dwelling sites allowed, but may be included with individual building lots.~~

DEVELOPMENT ACRES, GROSS: The **entire** total area of the development, to include all transportation land or other nonresidential uses.

DEVELOPMENT ACRES, NET: The gross acreage less transportation land and open space.

DEVELOPMENT SITE: The total perimeters of:

- A. A subdivision, as defined in the Farmington City subdivision ordinance.
- B. A planned unit development, as defined in this title.
- C. A tract, lot, or parcel of land intended to be used as a **residential**, commercial, public, quasi-public, utility or other building site.

IMPERVIOUS MATERIALS: Matter which is impenetrable by moisture.

INSTITUTIONAL BUILDINGS: Means and shall include churches, schools, hospitals, public and quasi-public buildings.

OFF SITE: Any area or improvement within public rights of way ~~or public utility easements~~, or outside the boundaries of the development.

ON SITE: Any area or improvement on private property.

OPEN SPACE: That space designated as undevelopable or as common open space areas used for visual relief or recreational purposes.

SLOPE DISTRICT: An area of at least three (3) acres where the area that is the development site is ten (10) acres or more and a minimum of one acre if the development site is less than ten (10) acres. The term "slope district" describes areas within a development site (or the entire development site if it qualifies under the definition) which are distinguishable as areas of consistent topography. Slope districts are classified by the following breakdown:

- 0 - 12.0 percent
- 12.1 - 20.0 percent
- 20.1 - 30.0 percent
- Over 30 percent

TRANSPORTATION LAND: Land used for automobile, bicycle or pedestrian circulation.

UNDERLYING ZONE: The zone in which the parcel lies on the Farmington City zoning map.

- A.** USABLE LAND: Land included within a lot, no part of which has a slope exceeding thirty percent (30%). **This space may be no less than fifty feet (50') in width at any given point. This usable area must be undisturbed or virgin slope. Certain limited foothill areas may be considered as either natural or man-made "anomalies" such as gravel pit operations, fire break roads, secondary water pipelines, culinary water facilities, public service provider improvements and related roads, or other artificial disturbances based upon size, location, and history of slope having previously been permitted by the federal government, the State,**

~~¶Davis County or~~, Farmington City, or other public entity, and may be included within the usable area as may be determined by the City. All main buildings, and accessory buildings and structures (including retaining walls, fences and walls), shall be built on useable land only.

VEGETATION: Orchards, trees, shrubs, lawn, grass and perennial growth, and those plants native to the site. (Ord. 1993-17, 4-21-1993)

11-30-030: SCOPE AND APPLICATION:

A. The provisions of this chapter shall apply to all lands in Farmington City that lie within the area designated with zones having a suffix "F" on the official zoning map of Farmington City.

B. This chapter makes additional provisions to those set forth in the subdivision ordinance and other chapters of this title (the zoning ordinance). In the event of conflict, the more restrictive provisions shall apply.

C. Detailed reports and plans are required in the following sections of this chapter which must be approved by the city before any construction, excavation, and grading will be permitted in foothill zones.

D. Development of individual un-platted lots and parcels, or platted residential lots, and parcels located in an approved subdivision, shall comply with conditions, standards and requirements established through the site plan and/or subdivision approval process. ~~Site specific plans, necessary to achieve the purpose of this chapter, may also be required for residential lots which are not located in a recorded subdivision.~~ (Ord. 1993-17, 4-21-1993)

11-30-040: DENSITY, LOT SIZE, SET BACK, WIDTH AND CHARACTERISTICS:

A. Scope: ~~The City planning commission and city council~~ shall approve the overall density of any development site based on the subdivision plans and/or site plans as provided for in this chapter.

B. Residential Density: The maximum density for each gross development acre in residential subdivisions or planned unit developments shall be determined by reference to the following table and the underlying zone:

Slope District Average Slope (%)	Maximum Density Dwelling Units/Gross Acre
0 - 12.0	4.0
12.1 - 20.0	2.8
20.1 - 30.0	1.6

More than 30.0

No development allowed.

C. Planned Unit Developments: The maximum density with respect to dwelling units per gross acre shall be the same in a PUD as in any other single-family subdivision. However, at the discretion of the city, density bonuses may still be approved as outlined in the PUD chapter of this title.

D. Lot Size Conditions: When lot lines cross slope district boundaries, the lot size will be determined by the average slope of the usable land within the building lot. The ~~City planning commission~~ may require larger lots than the minimum depending upon the natural conditions (slope, vegetation, soils, etc.) of the site to assure each lot contains a suitable building site.

F. Front Yard Setback. The minimum front yard setback in the Foothill Overlay Zone may be reduced by the Zoning Administrator during the site plan review process to not less than 20 feet, provided the average slope of the lot exceeds 20% and as recommended by the City Engineer.

E. Maximum Impervious Material Coverage: The maximum impervious material coverage that shall be allowable on residential lots shall be thirty five percent (35%) of the total lot area or five thousand (5,000) square feet, whichever is smaller, including the main building, accessory buildings, patios and driveways, ~~but the maximum impervious material coverage may exceed thirty five percent (35%) or five thousand (5,000) square feet if the city council approves it after receiving the recommendation and approval of the planning commission.~~

G. Maximum Impervious Material Exception. The maximum allowable impervious material coverage of a lot may be allowed to exceed 5, 000 square feet as a special exception subject to the process set forth in Chapter 3 of this Title and upon a recommendation of the City Engineer and the approval of the applicable land use authority for the subject application (i.e. subdivision, site plan, or building permit).

Any applicant seeking a special exception to exceed 5, 000 square feet of impervious material coverage per lot shall be required to provide on-site detention/retention as required by local or state statutes and appropriately sized outflow orifice plates for the additional impervious area (over 5, 000 square feet) in accordance with City Engineer recommended detention/retention volume calculations for a 100-year storm event. The applicant shall be required to provide engineered drawings and specifications for the proposed detention/retention and drainage to qualify for the exception. Upon acceptance and approval of the engineering documents, the applicant shall enter into a maintenance agreement, as deemed acceptable by the City. Such maintenance agreement shall be recorded against the subject property as a condition of granting an increase impervious material allowance. For purposes of calculating the permissible lot coverage percentage, lot areas that exceed 30% slope shall be excluded and shall not be used in calculating the allowable impervious coverage area.

H. Usable Land:

1. ~~Single-family d~~Dwellings, other buildings and structures, including retaining walls, fences, and walls, shall be located only upon areas constituting usable land, which area shall be fully contiguous and shall be at least five thousand (5,000) square feet in size. The ~~City planning commission~~ may require usable areas larger than five thousand (5,000) square feet to ensure that dwellings, other buildings and structures, including retaining walls, fences, and walls, can be located acceptable distances from geological hazards.

2. All accessory buildings, structures, and uses, including retaining walls, shall be located upon usable land.

B. 3. All fences and walls shall be located on useable land and in areas less than twenty percent (20%) slope before and after grading and excavation [note: grading and excavation is not allowed in areas with slopes over 30%]. Fences may be approved in areas with slopes between twenty and thirty percent (20% to 30%) if approved as a special exception.

4. As defined above, the slope of usable land shall be thirty percent (30%) or less. Areas with slopes districts of over thirty percent (30%) shall be:

a. Placed in permanent open space, maintained by a responsible legal entity, such as a homeowners' association; or

b. Platted with adjacent approved building lots with an open space easement, or platted into building lots with an open space easement, each of which contains adequate usable land.

c. Subject to such other proposals that may be prepared by the developer and approved by the ~~City planning commission~~. (Ord. 1993-17, 4-21-1993)

5. Grading, land disturbance and/or excavation of an area with slopes less than thirty percent (30%) is allowed, but only upon, or after, the issuance of a building permit by the City for a main building. Grading, land disturbance and/or excavation of areas with slopes thirty percent (30%) or greater is prohibited unless it is for streets and ways provided herein, and in the case of private driveways may only be allowed upon the issuance of a building permit by the City for a main building.

11-30-050 REVIEW AND APPROVAL PROCEDURES, AND REQUIRED REPORTS AND PLANS

A. Subdivisions, Planned Unit Developments (PUD's), building permits, and site plan proposals for subdivision, PUDs, or site plan development within the Foothill Overlay Zone shall comply with all provisions regarding the same as set forth in the Subdivision Ordinance and the Zoning Ordinance.

B. Schematic Approval. In addition to the requirements set forth in the Subdivision Ordinance and the Zoning Ordinance, proposals for schematic approval of a subdivision, PUD, or Site Plan within the Foothill Overlay Zone shall include the following:

1. Location of the proposed Planned Unit Development, Subdivision, or Site Plan, with identification of abutting streets.
2. A slope district map reflecting existing slope conditions prior to development at a scale of 1" = 100' and an estimate of the average slope of the proposed development.
3. A topographic contour map, tied to a land base survey, delineating areas within the development site with slopes of less than 10%, areas between 10% and 20%, areas between 21% and 30%, and areas greater than 30%, shall be designated topographic contours at two-foot intervals for slopes up to 20%- and five-foot intervals for slopes greater than 20%.
4. The total acreage of the site, number of lots and proposed total density and slope district density for residential developments.
5. The location and approximate size of the proposed lots and/or site.
6. A general street location, width, and grade of all proposed streets and radius of any cul-de-sac.
7. Location of known hazards (i.e., faults, drainage, rock fall, landslide, slump, etc.).
8. Soil type and general description of soil types to a depth of five feet.
9. Existing vegetation-type map.

C. Preliminary Approval. In addition to the information as required for preliminary plat approval under the Subdivision Ordinance, proposals for preliminary approval of a subdivision, Planned Unit Development, or site plan in the Foothill Overlay Zone shall be required to include the reports and plans as set forth in the sub-paragraphs of this section. All reports and plans submitted herein, shall be prepared by persons or firms either licensed to practice their specialty or expertise in the State of Utah, if such license for practice is required, or by one having demonstrable expertise in such field of practice if such license is not required.

In addition to meeting the standards set forth in this chapter, the Subdivision Ordinance, and Zoning Ordinance, and the reports and plans below, proposals for preliminary approval shall be consistent with remaining development standards in this Chapter. Notwithstanding the results of preliminary consideration, final approval may result

in less lots, a revised street configuration, modified usable areas, etc. In the event this occurs, the results of final approval shall prevail over preliminary approval.

1. Soil Characteristics Report: The soil report shall be prepared by a civil engineer specializing in soil mechanics and licensed by the state of Utah and shall be based upon adequate test borings and excavations. This report shall contain data regarding the nature, distribution and strength of soils within the project area to a depth of ten feet (10'). The soil report shall include, but not limited to:

- a. Unified classification of all soils encountered on the site with an estimate of their susceptibility to erosion, liquid limit, shrink-swell potential and general suitability for development.
- b. A statement as to whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered and an estimate of the normal highest elevation of the season high groundwater table.
- c. Flood history and potential.
- d. Proximity to known floodplains and drainage channels.
- e. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements.
- f. Topographic contours.
- g. Soil reports must be current unless approved otherwise by the City Engineer.

2. Vegetation and Revegetation Plan: This plan shall include a slope stabilization and revegetation report which shall include, but not be limited to:

- a. Location and identification of existing vegetation;
- b. The vegetation to be removed and the method of disposal.
- c. The vegetation to be planted.
- d. Maintenance and irrigation plan consistent with landscape plan standards set forth in Chapter 7 of this Title.
- e. Slope stabilization measures to be installed while new vegetation is being established, including, among other things, erosion control blankets;
- f. Analysis of the environmental effects of such operations including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.
- g. Topsoil stockpile areas will be designated.

C.

~~e.—Solar orientation is recommended for review.~~

3. Geology Report: A geology report shall be prepared by a geotechnical engineer licensed by the state of Utah. A geologic map shall accompany the report. Mapping shall reflect careful attention to the rock composition, structural elements and surface and subsurface distribution of the earth materials exposed or inferred within both bedrock and surficial deposits. A clear distinction shall be made between observed and inferred features and/or relationships. The geology report shall include the following information, including but not limited to:

a. Habitable structures may not be built within a minimum of 50 feet of a center line of a zone of deformation with respect to known active faults. The City may reduce the required setback provided herein from faults that are determined to be secondary, or a lesser significant classified deformation area, upon receiving recommendation from the City Engineer and based upon a geotechnical/geologic report submitted by the applicant. In no event shall the fault line setback be reduced to less than 30 feet from the center line of the fault or zone of deformation. If reduction is approved, a plat note and delineation of the fault line and deformation area shall be provided on the subdivision plat. The City may also require a notice of geologic hazard and/or a waiver of liability agreement to be provided by the applicant in a form acceptable to the City. The zone of deformation is defined as area of variable width adjacent to a fault where it is determined that ground rupture is likely to occur. A greater setback may be required by the City where deemed necessary to protect public health and safety. Off-site improvement design will be reviewed and approved or denied by the City Engineer.

b. Definition of any zones of deformation with respect to active faults and other mass movements of soil and rock.

c. Identification of natural and manmade anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of the site.

d. Location of the depth to bedrock and geological evaluation if bedrock is within ten feet (10') of the surface.

e. Written recommendations for construction of proposed structures or public improvements to minimize or avoid impacts of potential geologic hazards.

f. Flood erosion potential and/or deposition soil material potential if floodways exist on the property.

g. Determination of ground water characteristics.

4. Grading, Drainage, and Erosion Control Plan: The area of the watershed shall be used to determine the amount of storm water runoff generated before and after construction. A drainage and erosion control plan shall be prepared by a professional engineer licensed by the state of Utah. The plan shall be sufficient to determine the erosion control measures necessary to prevent soil loss during construction and after project completion. The plan shall include a stormwater management, erosion control

and grading details describing the methods by which surface water, natural drainages, flooding, erosion and sedimentation loss will be controlled during and after construction. In addition, developments in which the total area is over one acre shall submit a plan for erosion and sediment control which is consistent with current federal NPDES regulations. In a phased development, the area of all phases shall be used to compute the total area and the NPDES plan shall be prepared and submitted with the first phase of development. The plan shall include, but not be limited to, the following information:

a. The "rational method", or other stormwater computation method as approved by the city engineer, shall be used in computing runoff. The basic formula for the "rational method" is:

$Q = CIA$ in which:

Q = Runoff in cubic feet per second (cfs)

C = Coefficient of runoff or the portion of stormwater that runs off a given area. The following are typical examples of land use ranges for C value. The actual C value used shall be approved by the city engineer:

Industrial and commercial .80 - .90

Residential .30 - .40

Parks .15 - .25

Agricultural .10 - .20

I = Average rainfall intensity, based on Davis County data for the Farmington City area, during time of concentration for 100-year return period in inches per hour. The time of concentration shall be defined as the time required for water to flow from the highest to the lowest points of the drainage basin under consideration.

A = Drainage area in acres.

b. Maps of the development site shall be provided by the developer to the City Engineer defining the boundaries of any 100-year flood plain and the limits of the watershed.

c. The grading plan shall show present topography to include elevations, lines and grades including the location and depth of all proposed fills and cuts of the finished earth surfaces using a contour interval of five feet or less. Access or haul road location, treatment and maintenance requirements shall be included. All cuts and fills shall be designed and constructed in such a way that they produce the minimum disturbance to the natural grade and character of the foothill area.

d. An appropriate scale shall be used which most clearly presents the proposed action.

e. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.

f. All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and any other water management or soil erosion control measures shall be shown. Calculations shall employ predictions of soil loss sheet erosion using the Universal Soil Loss Equation or appropriate equivalent. Equations should include factors of:

1. Rainfall intensity and energy
2. Soil erodibility
3. Land slope and length of slope or topography
4. Condition of the soil surface and land management practices in use
5. Surface cover; grass, woodland, crops, pavements, etc.
6. Methods intended to be employed to control increased erosion during construction phase.

g. The plan shall show existing details and contours at two foot (2') contour intervals where terrain will not be modified and proposed details and contours at two foot (2') intervals where terrain modifications are proposed.

h. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.

i. Grading plans shall include slope district maps for the development site. Two (2) maps shall be prepared. The first shall represent the predevelopment slope districts and the second shall represent post development slope districts.

j. Analysis of the environmental effects of such operations, including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.

D. Final Approval. To ensure proper development of subdivisions, PUD's site plans within the Foothill Overlay Zone and compliance with foothill standards, final approval shall be required by the City. Final approval shall include the information required in the Subdivision Ordinance, Zoning Ordinance, and any other requirements imposed by the City as required to meet applicable provisions of this Chapter. Final approval shall include, along with improvement drawings, spot elevations on all site and/or lot corners or contour grading plans of all lot frontages. The City may require the staking of lots, or a site, to ensure compliance with development standards.

E. Building Permits. Proposals for approval of main buildings, accessory buildings and structures, including retaining walls, fences, and walls, upon a lot or parcel within the Foothill Overlay Zone shall be required to file a site plan drawn to a scale of at least 1" to 10' which site plan shall meet the standards of the Zoning Ordinance and show lot lines, existing and proposed contours at two-foot intervals, location of proposed main building, accessory buildings and structures, including retaining walls, etc., walks, driveways, patio areas, and vegetative, drainage, and erosion controls. Site plans shall be reviewed and approved by the

Zoning Administrator and City Engineer, and/or their designees. Additional reports as set forth herein may be required by the Zoning Administrator and reviewed by the City for approval when deemed appropriate by the Zoning Administrator.

F. Approval Condition. No grading, construction, or development shall be conducted within the Foothill Overlay Zone and no building permit shall be issued until final plat approval has been granted by the City Council for subdivision or PUD development and/or until final site plan approval has been granted by the City for a main building on a parcel and/or lot within the Foothill Overlay Zone. The approved site plan for a main building on a parcel and/or lot shall be attached to the building permit for the same.

11-30-060: DEVELOPMENT STANDARDS:

The development standards and provisions set forth in this Section shall be required in connection with all building and construction in the Foothill Overlay Zone, and schematic, preliminary, and final approval where applicable. ~~The planning commission shall require the following reports and plans to be provided by the applicant. All reports and plans submitted herein, and shall be met~~ prepared by persons or firms licensed or certified to practice their specialty in the state of Utah, if the required expertise is in their field of practice:

A. Drainage And Erosion Control Plan: ~~A drainage and erosion control plan shall be prepared by a professional engineer licensed by the state of Utah. The plan shall be sufficient to determine the erosion control measures necessary to prevent soil loss during construction and after project completion. The plan shall include a stormwater management, erosion control and grading details describing the methods by which surface water, natural drainages, flooding, erosion and sedimentation loss will be controlled during and after construction. In addition, developments in which the total area is over one acre shall submit a plan for erosion and sediment control which is consistent with current federal NPDES regulations. In a phased development, the area of all phases shall be used to compute the total area and the NPDES plan shall be prepared and submitted with the first phase of development. The plan shall include the following information:~~

~~1. The "rational method", or other stormwater computation method as approved by the city engineer, shall be used in computing runoff. The basic formula for the "rational method" is:~~

~~$Q = CIA$ in which:~~

~~Q = Runoff in cubic feet per second (cfs)~~

~~C = Coefficient of runoff or the portion of stormwater that runs off a given area. The following are typical examples of land use ranges for C value. The actual C value used shall be approved by the city engineer:~~

~~Industrial and commercial .80 – .90~~

~~Residential .30-.40~~

~~Parks .15-.25~~

~~Agricultural .10-.20~~

~~I = Average rainfall intensity, based on Davis County data for the Farmington City area, during time of concentration for 10-year return period in inches per hour. The time of concentration shall be defined as the time required for water to flow from the highest to the lowest points of the drainage basin under consideration.~~

~~A = Drainage area in acres.~~

1. Lots shall be arranged so as to ensure adequate setbacks from drainage channels. The flow from a 100-year storm shall be the basis for calculating setbacks. No dwelling shall be allowed within the 100-year floodplain. **All structures shall comply with Chapter 31 Flood Damage Prevention.**

2. Erosion control measures on the development site shall be required to minimize the increased solids loading in runoff from such areas during and after construction. All erosion prevention devices, detention ponds and stormwater facilities shall be constructed ~~as part of the first facility improvements on the development site and~~ according to the following standards:

a. Such facilities shall be designed so as to detain safely and adequately the maximum expected stormwater runoff for a 100-year storm for a sufficient length of time so as to prevent flooding and erosion during stormwater runoff flow periods.

b. The existing natural drainage system shall be utilized to the extent possible in its natural state.

c. Where drainage channels are required, wide shallow swales lined with appropriate vegetation shall be used instead of cutting narrow, deep drainage ditches.

d. Flow retarding devices, such as detention ponds, shall be used where practical to minimize increases in runoff volume and peak flow rate due to development.

3. Water from natural drainage channels shall be allowed to continue through the development site.

B. Grading, **cuts, and fills**: ~~A grading plan shall be prepared by qualified professionals licensed by the state of Utah and shall comply with the following standards:~~

~~1. The grading plan shall show present topography and proposed modifications to include elevations, lines and grades including the location and depth of all proposed cuts and fills of the finished earth surfaces. All cuts and fills shall be designed and constructed in such a way that they produce the minimum disturbance to the natural grade and character of the foothill area.~~

~~2. The plan shall show existing details and contours at two foot (2') contour intervals where terrain will not be modified and proposed details and contours at two foot (2') intervals where terrain modifications are proposed. The plan shall be drawn at a scale of one inch equals twenty feet (1" = 20').~~

~~3. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.~~

~~4. Grading plans shall include slope district maps for the development site. Two (2) maps shall be prepared. The first shall represent the predevelopment slope districts and the second shall represent postdevelopment slope districts.~~

~~5. Topsoil stockpile areas shall be designated.~~

6. The developer is responsible for interim stabilization of all disturbed areas during the period of construction to prevent off site erosion effects, and for final stabilization once construction is completed. Lot owners or homeowners' associations are responsible for stabilization of building sites and lots upon taking possession of such.

7. All ~~permanent~~ fills **slopes** shall be constructed to prevent settlement, sliding or erosion damage to streets, curbs, gutters, sidewalks or buildings.

8. All cuts and fills **and degrees of compaction** shall comply with standards of the international building code **and all applicable Construction Codes**.

9. The top and bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at least ~~five (5)~~ **three (3)** horizontal feet from property lines or public right of way lines.

~~10. The maximum vertical height of all cuts or fills shall be 10 feet. Fills for slumps or other natural depressions may exceed 10 feet with City approval. A series of wall retaining the same hillside within thirty (30) horizontal feet of each other shall be considered one (1) wall.~~

~~10. Grading of the lot or parcel which is related to creation of the primary building site or construction of the structure shall not extend more than thirty feet (30'), horizontally, in front, to the rear, or to the side of the proposed structure, unless a greater distance is approved by the planning commission upon a showing by the developer that a greater distance will not be contrary to the purposes of this chapter.~~

10. All structures except retaining walls or soil stabilization improvements shall have a setback from the crest of the fill or base of the cut of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be a part of the dwelling unit.

11. Retaining walls shall be used to retain existing slope or graded slope as may be approved by the City Engineer. The height of necessary and approved retaining walls shall be a maximum of eight feet. Extensive "rear yard" retaining walls built for the purpose of leveling a yard by backfilling, are expressly prohibited. The maximum vertical height of all cuts or fills

shall be 10 feet. Fills for slumps or other natural depressions may exceed 10 feet with City approval. A series of wall retaining the same hillside within thirty (30) horizontal feet of each other shall be considered one (1) wall.

12. Excess cut material resulting from road construction or utility installation shall be removed from the site. Access or haul road location, treatment and maintenance requirements shall be designated on the grading plan. Where permanent roads or roadbeds are to be used during construction and stormwater inlets have already been installed, they shall be protected to prevent sediment from entering the stormwater system. If temporary haul roads are proposed, the plan shall include a description of the method for controlling erosion and dust during the period of the road's operation and restoration of the area once hauling is completed.

~~13. Analysis of the environmental effects of such operations, including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.~~

13. All repair measures for disturbed areas shall be made not later than thirty (30) days after the disturbance is made, except revegetation which shall take place at the earliest planting season thereafter.

C. **Vegetation and** Revegetation Plan: ~~The revegetation plan shall include a slope stabilization and revegetation report which shall include:~~

~~1. Location and identification of existing vegetation;~~

1. ~~The vegetation to be removed and the method of disposal.~~ **Vegetation shall be removed only when absolutely necessary (e.g., for the construction of buildings, roads and filled areas), as approved by the City Engineer.**

2. All areas of the development site cleared of natural vegetation in the course of construction shall be replanted with vegetation possessing erosion control characteristics at least equal to the natural vegetation which was removed;

3. The vegetation to be planted, **or** new plantings, shall be protected with mulch material and fertilized in conjunction with a planting and watering schedule.

4. Persons or firms having expertise in the practice of revegetation (i.e., licensed landscape architects or nurserymen) shall supervise the planning and installation of revegetation cover for the total development site; **and**

~~6. Slope stabilization measures to be installed while new vegetation is being established; and~~

5. All revegetation of disturbed areas shall be made not later than thirty (30) days after the disturbance is made or at the earliest planting season thereafter.

D. Geology: ~~A geology report shall be prepared by a geotechnical engineer licensed by the state of Utah. A geologic map shall accompany the report. Mapping shall reflect careful attention to the rock composition, structural elements and surface and subsurface distribution of the earth materials exposed or inferred within both bedrock and surficial~~

deposits. A clear distinction shall be made between observed and inferred features and/or relationships. The geology report shall include the following information:

~~1. Definition of any zones of deformation with respect to active faults and other mass movements of soil and rock.~~

~~2. No habitable structures or off-site improvements shall be built on any identified major or minor secondary faults.~~

~~3. Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of the site.~~

~~4. No structures or off-site improvements shall be allowed on any area known to be an active landslide area, verified by the City Engineer or State Geologist.~~

~~5. Problems associated with development on or near perched groundwater and shallow groundwater must be mitigated.~~

~~6. No structures shall be allowed in any rockfall zone. Off site improvements may be allowed through special exception approval by the planning commission, if the danger is mitigated.~~

~~7. Location of the depth to bedrock if bedrock is within ten feet (10') of the surface.~~

~~8. Written recommendations for construction of proposed structures or public improvements to minimize or avoid impacts of potential geologic hazards.~~

~~9. Flood erosion and/or deposition potential if floodways exist on the property.~~

~~E. Soil Characteristics Report: The soil report shall be prepared by a civil engineer specializing in soil mechanics and licensed by the state of Utah and shall be based upon adequate test borings and excavations. This report shall contain data regarding the nature, distribution and strength of soils within the project area to a depth of ten feet (10'). The soil report shall include:~~

~~1. Unified classification of all soils encountered on the site with an estimate of their susceptibility to erosion, liquid limit, shrink-swell potential and general suitability for development.~~

~~2. A statement as to whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered and an estimate of the normal highest elevation of the season high groundwater table.~~

~~3. Flood history and potential proximity to known floodplains and drainage channels.~~

~~4. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements.~~

F. Fire Protection:

1. All developed areas, **including individual lots and parcels**, shall have an approved water supply which meets minimum firefighting requirements.

2. **All water, sewer and utilities must be installed in accordance with the Subdivision Ordinance.**

3. Each development site proposal and building permit for private lots, flag lots, and where the front setback is greater than fifty feet (50'), shall be reviewed by the Farmington City fire department to determine whether it complies with the international fire code **and applicable Construction codes, but not limited to, provisions regarding Access Roadways for Fire Apparatus** in reference to, **among other things**, required vertical driveway clearance. Developments which do not, will be disapproved.

G. Streets And Ways:

1. The street standards and specifications of Farmington City shall apply to all developments, except where conditions related to proper development of foothill areas necessitate altering these standards as described below and elsewhere in this chapter.

2. Streets, roadways and private accessways shall follow as nearly as possible the natural terrain. Roads and other vehicular routes shall not cross property having a slope greater than thirty percent (30%) unless, after review by the **City planning commission**, it is determined that:

a. Appropriate engineering measures, consistent with the purpose of this chapter, can be taken to minimize the impact of cuts and fills; and

b. The environment and aesthetics of the area will not be significantly affected.

3. The following table lists standard improvements with established standards. The exceptions listed may be specifically approved by the city council only after careful review of each individual application ~~and after receiving a recommendation from the planning commission:~~

Improvement	Established Standard	Maximum Exception
Collector road width	66 60 foot right of way	50 foot right of way
Cul-de-sac right of way	50 foot radius	46 foot radius
Horizontal curve	250 foot minimum radius for 30 miles per hour design speed	125 foot minimum radius for 25 miles per hour design speed
Local-Minor road width	56 50 foot right of way	42 foot right of way
Road grade	10% on collector streets 12% on local streets	12% on collector streets 14% on local streets (maximum length of street segments at increased grades shall be specifically

		approved by the city council)
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4. The developer shall dedicate to the city a slope easement for any cut or fill slope created by construction of a street in the foothill overlay zone which is not contained within the public right of way.

5. Points of access shall be provided to all developed and nondeveloped areas for emergency firefighting equipment. Driveways shall not exceed a slope of fourteen percent (14%) and shall have direct access to a public street, **unless such direct access (not the slope) is approved otherwise as set forth in Chapter 32 of the Zoning Ordinance.**

6. Development sites which are located near canyon trails will provide reasonable access to those trails. Parking areas may be required by the ~~City planning commission~~ at trailheads.

7. The impervious surface for streets and ways within the gross development site shall not exceed twenty percent (20%).

8. Variations of the street design standards developed to solve special foothill visual and functional problems may be presented to the ~~City planning commission~~ for consideration. Examples of such variations may be the use of split roadways or one-way streets for short sections in steeply sloped areas without intersections to avoid deep cuts, also, modifications of surface drainage for curb, gutter and sidewalk design and other innovative designs may be considered in foothill developments.

H. On Site Development: The developer, or in the case of single- family and two-family dwellings, the owner, shall be fully responsible for making all improvements in accordance with the approved plans. The property owner shall be responsible for maintaining all improvements made in accordance with the site development approval. (Ord. 1993-17, 4-21-1993; amd. Ord. 2005-11, 4-6-2005; 2016 Code; Ord. 2022-8, 1-18-2022)

11-30-070: ARCHITECTURAL DESIGN:

For non-conventional subdivisions, the City may require the following:

A. The design of buildings proposed for construction in the Foothill Overlay Zone is encouraged to be visually compatible with the natural beauty of the foothills and canyon areas. The use of building materials in colors that will blend harmoniously with the natural settings is suggested.

B. The City may review the design and comment on the specified exterior materials and colors for all structures other than single-family dwellings. Prohibition of cedar shake roofing materials, the installation of chimney screens and sprinkling systems, as well as other fire protection

measures may be required by the City as may be recommended by the Farmington City Fire Department.

C. ~~Should we requires fencing requirements?~~

11-30-0860: BONDING REQUIREMENTS:

The developer or lot owner may be required to guarantee the completion of revegetation projects, the stabilization of grading sites, construction of stormwater runoff facilities, and other requirements of this section by submitting to the city a bond in a form acceptable to the city attorney. If such bond is required, it shall be calculated and administered as set forth in section 12-6-160 of this code. (Ord. 1993-17, 4-21-1993)

11-30-070: REVIEW AND APPROVAL PROCEDURE:

~~—A. Subdivision Applications: Subdivision applications in designated foothill areas shall be reviewed according to procedures established in the Farmington City subdivision ordinance.~~

~~—B. Planned Unit Developments: Planned unit development (PUD) applications in designated foothill areas shall be reviewed according to procedures established in the Farmington City subdivision ordinance and shall also comply with additional standards contained in the PUD chapter of this title.~~

~~—C. Conditional Use Applications: Conditional use applications in designated foothill areas shall be reviewed according to procedures and standards established in the conditional use and/or site development chapters of this title.~~

~~—D. Permitted Uses: Permitted uses in designated foothill areas shall be reviewed according to procedures and standards established in the site development chapter of this title. (Ord. 1993-17, 4-21-1993)~~



Farmington City Planning Commission Staff Report October 19, 2023

Item 4: Zone Text Amendments regarding the Subdivision Process

Public Hearing: No - (Public hearing was held at the 10/5/2023 meeting)
Application No.: ZT-12-23
Applicant: Farmington City

Request: *The proposed amendments are in response to requirements from the State of Utah to remove the requirement for concept/schematic reviews on conventional subdivisions and to establish an appeal process as outlined by the State. The amendments further clarify submittal requirements and the review process. This item was tabled during the 10/5/23 meeting.*

Background Information

During the 2023 Utah State Legislative Session, a new law was passed in the form of [SB174](#) which required cities throughout the state comply with certain provisions related to how subdivisions are reviewed and approved. The bill's requirements are directed at residential subdivisions, however, to provide consistency in processes followed in Farmington City, the proposed text changes included with this report impact all subdivisions.

Included with this report is a summary sheet of what SB174 requires from the Utah League of Cities and Towns.

In brief, there are 2 types of subdivisions that are generally considered in Farmington City.

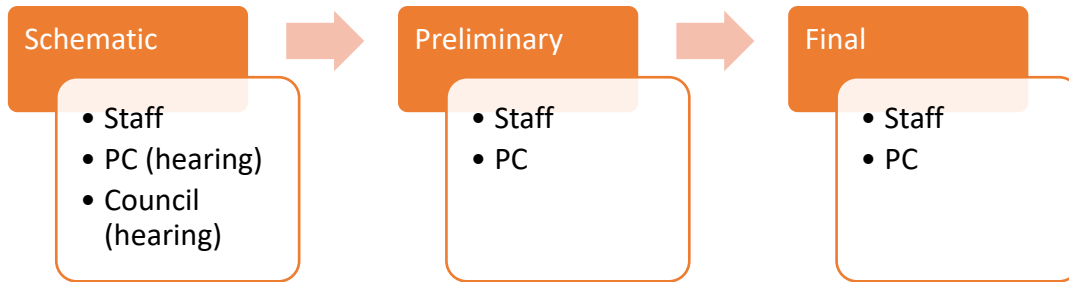
1. **Conventional Subdivision:** a subdivision which meets the zoning requirements without any deviation from development standards or any variation from what is identified by the zoning as conventional lots. This type of subdivision approval and review is entirely administrative. Verifying whether or not it meets the zoning and does not have legislative discretion.
2. **Planned Unit Development (PUD) / Conservation Subdivision / Alternate Lot Size Subdivision / Project Master Plan (PMP):** these subdivisions all include elements of legislative discretion meaning that the city does not have to approve the requests or project as proposed and the regulations for development of the subdivision are most often memorialized in a Development Agreement (DA) with the city or on occasion through conditions imposed as part of a motion by the City Council.

It is the recommendation of City Staff that all conventional subdivisions, whether residential or commercial follow the same process and that all other subdivisions requiring legislative discretion follow a different but similar process. In the public review side, the key distinction between the 2 processes is that the schematic step is required for consideration of a development looking for legislative discretion and will involve the city council. The similarities between the processes as that the Preliminary Plat is the final step in public meetings and city staff is over final approval.

A visual comparison of the proposed changes follows:

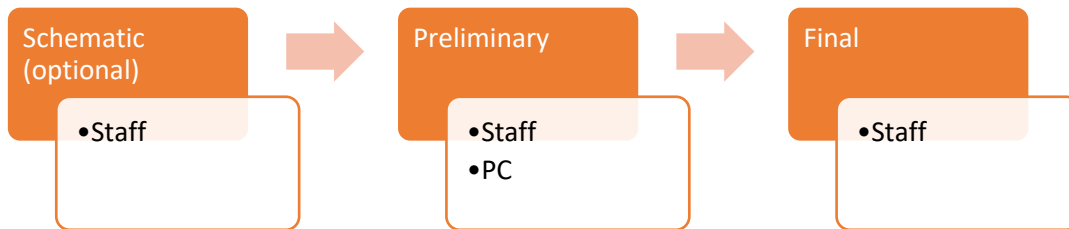
Conventional Subdivisions

Current Process



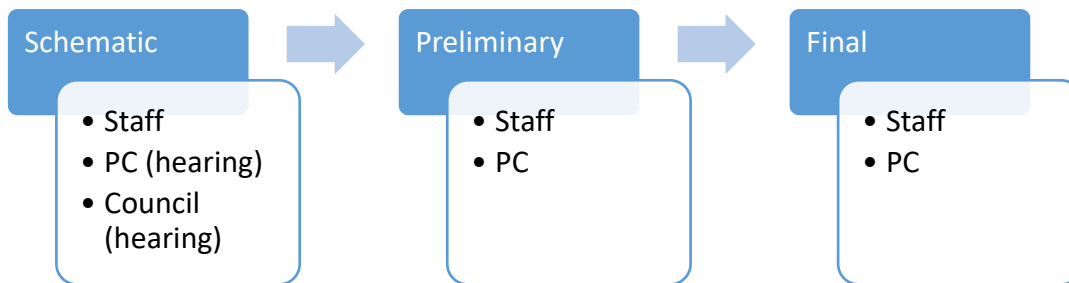
Required Process – Single Family/Two Family/Townhomes

Staff recommendation would include Conventional Commercial and Multi-family subdivisions.

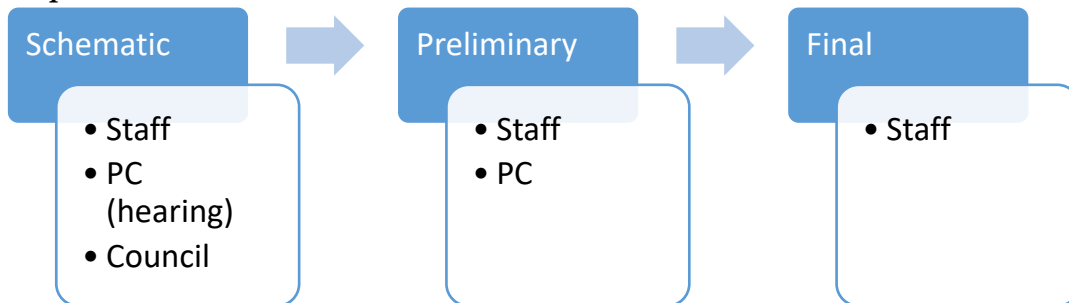


PUD / Conservation Subdivisions / Alternate Lot Size / PMP (DAs)

Current Process



Proposed Process



Included with this report are forms to help demonstrate the process an applicant can anticipate with the current and proposed process change. The actual form is not an item under the purview of the council or commission for approval, but may be helpful in understanding how the ordinances are applied. Staff is working to move away from a paper form and is trying to implement a digital submittal and review process.

The latest ordinance draft in this report includes comments from planning staff, the City Engineer, and the City Attorney. Application forms in any format will then be altered to fulfill what is required by the ordinance.

To ensure these updates meet the implementation timeframe required by the State, staff is encouraging that the Planning Commission table the item after an introduction at this initial hearing and be prepared to vote on a formal recommendation during the 2nd meeting in October. This will give time for recommendations and input from both the Commission and Council in an effort to adopt final changes by the end of the year.

Update:

Comments from the Planning Commission during the 10/5/2023 meeting are included below. These items have been addressed or included in the current ordinance draft as indicated.

Clarify – denied or approved at 4 reviews? If they can't fix deficiencies after 4 reviews, is it automatic approval or denial? (Depending on who the land use authority is, they would have the chance to formally deny or approve the application. If deficiencies aren't addressed within the limit of review cycles it would be denied – 12-6-130 (C) last sentence)

Does PC review constitute a review? For example, does tabling a project constitute a review? (This is not clear in statute. Staff can continue working with the City Attorney to verify. As written the ordinance assumes that the DRC has 4 chances to review before sending to PC for decision. PC would then approve or deny rather than table. Unless applicant consents to tabling item, appeal process would be next option if desired.)

Does quality of application info come into play at optional schematic review? (Staff will maintain a list of items requested at schematic review. For applications which aren't required to submit this, we will not be able to force them to fully submit the desired details. The quality and amount of feedback that an applicant can receive will be based on the quality or amount of information provided at schematic review and can help an applicant with better direction moving forward.)

Public hearing at prelim plat – optional? What's the point in PH or even PC review at conventional? (A public hearing is important primarily when opinion and policy is under consideration. For administrative actions where something is simply being reviewed for compliance with existing rules, a hearing can be ineffective or even problematic. For this reason, the proposed process does not include a hearing on conventional subdivisions. 12-1-060 proposes staff as the authority for conventional single-family and two-family dwellings.)

Designate a land use authority in the ordinance. – (Updated 12-1-060 to clarify this and added definitions)

DAs – how does the Planning Commission communicate their conditions/changes effectively? For example, PC can do conditions in their recommendation that are not implemented by the CC in the DA, what happens to those conditions? What is the point of PC review of DA/PMP/PUD etc. at that point? (Conditions in this case are an addition to or a variation from the established regulations or standards for a subdivision and are legislative in nature. As such the PC will give recommendations on legislative items or additional or modified rules which the City Council which is the elected legislative body may choose to implement those recommendations or not.)

Boilerplate of all DAs should include all conditions (past, current or future?) made by the CC and/or PC. (Staff can include all conditions for consideration in a template DA from past projects on upcoming proposals. Reports will also likely include a DA which has been modified from that template as the proposed agreement as negotiated or modified by the developer and staff being recommended to the PC. The PC can then recommend changes to the agreement for the consideration of the City Council.)

All notices should include that there will be only one public hearing in a project's process. (Staff will include this language in future notices)

Additional submittal requirements have been added based on comments from the city engineer.

Suggested Motion

Move the Planning Commission recommend approval of the included subdivision ordinance text amendments to the City Council.

Findings:

1. The proposed changes will bring the city ordinances into compliance with processes mandated by the State of Utah.
2. The proposed text amendments clarify when steps are optional and when processes are required based on different application types.
3. The proposed changes will help clarify which items must be submitted during the process for a complete application and clarifies the review process for both city staff and applicants.
4. As proposed, the process considered by the text amendments will keep legislative decisions in the hands of the legislative body and keep more technical or administrative issues with administrative bodies for review and consideration.

Supplemental Information

1. Draft Changes to Title 12: Subdivisions

12-1-040: DEFINITIONS:

Conventional Subdivision: Any subdivision which meets all development standards adopted by ordinances and all minimum lot size and frontage requirements identified by the applicable zoning district.

Non-Conventional Subdivision: Any subdivision which involves 1 or more of the following processes or considerations:

- a. Planned Unit Development (PUD),
- b. Conservation Subdivision,
- c. Subdivision which includes ~~or~~ alternative lot sizes and frontages, or which deviates from development standards for public improvements,
- d. Subdivision which includes Commercial, Industrial, or Multifamily Development
- e. Any subdivision requiring a Project Master Plan (PMP) or similar approval memorialized by a development agreement. ~~For subdivisions~~

12-1-060: GENERAL RESPONSIBILITIES:

A. Subdivider: The subdivider shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The city shall process said plats in accordance with the regulations set forth herein. The subdivider shall not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until the necessary approvals as outlined herein have been obtained.

B. Planning Department: The planning department shall review the plats for design; for conformity to the master plan and to the zoning ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title. The Community Development Director or designee shall be the land use authority as it pertains to preliminary and final plat for conventional subdivisions creating lots for single-family and two-family dwellings. The Community Development Director or designee shall also serve as the land use authority for all final subdivision plats and subdivisions by metes and bounds.

C. Other Agencies: Plats of proposed subdivisions may be referred by the planning department to such city departments and special districts, governmental boards, bureaus, utility companies and other agencies which will provide public and private facilities and services to the subdivision for their information and comment. The planning department shall decide which agencies to refer proposed subdivision plats to. ~~Subdividers shall be responsible for distributing plans to and coordinating the comments received from all public and private entities.~~

D. Public Works And Engineer: The public works department and city engineer shall make comments as to engineering requirements for street widths, grades, alignments and flood control, whether the proposed public improvements are consistent with this title and other applicable ordinances and shall be responsible for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with transportation planning in the planning department.

E. Planning Commission: The planning commission shall act as an advisory agency to the city council as set forth herein. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the master plan and zoning ordinance, and other pertinent documents. The planning commission shall recommend approval, approval with conditions, or disapproval of schematic plans when applicable, and minor plats to the city council. The planning commission shall act as the land use authority and

has final jurisdiction in the approval of ~~subdivisions by metes and bounds,~~ preliminary plats for non-conventional subdivisions and final subdivision plats.

F. City Attorney: The city attorney shall verify, prior to recordation of a plat, that the form of the final plat is correct and acceptable, that the subdivider dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report submitted by the subdivider.

G. City Manager: The city manager acts as liaison between the planning commission, planning department staff, and the city council. Prior to preliminary approval for a subdivision, the city manager may review the proposed plat and receive written comments from the city council on the plat. The comments may then be forwarded to the planning commission for evaluation. Upon final approval by the planning commission, the plat will be sent to the city manager who will present it to the city council.

H. City Council: The city council has final jurisdiction as the land use authority in the approval of schematic plans when applicable, and minor subdivision plats, and the establishment of requirements and design standards for public improvements by ordinance or development agreement, and the acceptance of lands and public improvements that may be proposed for dedication, and shall consider appeals regarding the administration of this title as provided herein.

CHAPTER 3 SCHEMATIC PLAN

SECTION:

12-3-010: Schematic Plan

12-3-020: Staff Cannot Bind City

12-3-030: Vested Rights

12-3-040: Submission

12-3-050: Notification

12-3-060: Review By The Planning Commission

12-3-070: Approval By The City Council

12-3-080: Expiration Of Schematic Plan Approval

12-3-010: SCHEMATIC PLAN:

- B. A schematic plan shall be required of all subdividers pursuing the following:
- a. Planned Unit Development (PUD),
 - b. Conservation Subdivision,
 - c. Subdivision which includes ~~or~~ alternative lot sizes and frontages, or which deviates from development standards for public improvements,
 - d. Subdivision which includes Commercial, Industrial, or Multifamily Development
 - e. Any subdivision requiring a Project Master Plan (PMP) or similar approval memorialized by a development agreement. ~~For subdivisions~~
- C. Subdivisions which meet conventional lot size and frontage requirements and which follow the development standards for public improvements may request a Schematic plan review by staff if desired.
- D. ~~This Schematic plan review~~ provides the subdivider with an opportunity to consult with and receive assistance from the city regarding the regulations and design requirements applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat. The schematic plan should be based on an accurate survey showing boundaries, topography, important physical features, adjacent properties and the sketch of the proposed subdivision.
- A.E. The applicant or applicant's duly authorized agent shall submit an application to the city planning department for ~~schematic~~ Schematic plan approval and at the same time, the applicant shall pay an application fee as provided in the city's consolidated fee schedule. (Ord. 2000-13, 4-19-2000)

12-3-020: STAFF CANNOT BIND CITY:

The optional schematic plan review for a standard subdivision does not vest the developer with any rights to approval for a proposed subdivision nor do comments submitted by city staff bind the staff, Planning Commission, or City Council on future decisions. ~~The schematics~~ Schematic plan ~~requirement~~ review is designed to provide the subdivider with helpful information and suggestions before the expense and time involved in preparing a preliminary plat is incurred, ~~or to provide exhibits for development agreements associated with certain applications.~~ However,

~~only the land use authority for the specific land use application only the city council~~ may bind the city. For zoning applications and development agreements, and only the city manager and planning commission can make official recommendations to the city council. ~~City employees and all other officers of the city act in advisory capacity to the city council and have no authority to make binding decisions or to make authoritative representations, approvals or determinations.~~ Employees and officers of the city may make recommendations, suggestions, and dispense information regarding city ordinances and the master plan, but such comments shall in no way whatsoever be binding on the city. (Ord. 2000-13, 4-19-2000)

12-3-030: VESTED RIGHTS:

Submission of a schematic plan shall in no way confer any vested rights upon the subdivider. Vested rights may attach only upon the filing of a subdivision plan ~~under chapter 4, 5, 6 or 7 of this title~~ only as memorialized by a development agreement which has been approved by the City Council, and the subdivision being able to meet the requirements of this title and other applicable ordinances at the time of the application. However, if there is a compelling, countervailing public interest or the city has initiated proceedings to amend this title or other applicable ordinances at the time of the application, then there shall be no vested rights. (Ord. 2000-13, 4-19-2000)

12-3-040: SUBMISSION:

A. Requirements: The subdivider ~~undergoing a~~ Schematic plan review shall submit ~~documentation as required by the applicable application form two (2) copies~~ of the proposed schematic plan to the city planning department. The planning department will determine if the ~~appropriate plan is submitted, if the~~ application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, ~~and the subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgment.~~

B. Items Included: The proposed schematic plan shall include the following items: (Ord. 2006-28, 4-19-2006)

1. The proposed name of the subdivision.
2. A subdivision yield plan pursuant to title 11, chapter 12 of this code if a conservation subdivision or a planned unit development is proposed by the applicant.
3. A vicinity plan showing significant natural and manmade features on the site and within five hundred feet (500') of any portion of it; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than five feet (5'); and north arrow.
4. A proposed lot and street layout.
5. A description of the type of culinary and irrigation water system(s) proposed; also, documentation of water rights and secondary water shares.
6. A description of the size and location of sanitary sewer and stormwater drain lines and subsurface drainage.
7. A description of those portions of the property which are included in the most recent flood insurance rate maps prepared by FEMA.
8. The total acreage of the entire tract proposed for subdivision.

9. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any. (Ord. 2000-13, 4-19-2000)

12-3-050: NOTIFICATION:

A. Distribution Of Plan: The ~~subdivider, upon receipt of the letter of acknowledgment, planning department, after confirming receipt of a complete application,~~ shall distribute copies of the plan to such government departments and other agencies or advisors as in the opinion of the department ~~and the planning commission~~ may contribute to a decision in the best interest of the public. (Ord. 2006-28, 4-19-2006)

B. Notice Of Planning Commission Review: When a Schematic Review is required in connection with an application identified in 12-3-010.(A), ~~¶~~the planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the planning commission will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

~~—C.— Notice Of City Council Review: The planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the city council will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision. (Ord. 2000-13, 4-19-2000)~~

12-3-060: REVIEW BY THE PLANNING COMMISSION:

A. Scope Of Review: When a Schematic Review is required in connection with an application identified in 12-3-010.(A), ~~A~~at the time and place specified in the written notice described in section 12-3-050 of this chapter, the planning commission shall review the submitted schematic plan and check compliance with the city master plan, zoning ordinance, this title, and other appropriate regulations. The planning commission may recommend approval or denial to the city council, and shall make findings regarding the submitted schematic plan, specifying any inadequacy in the information submitted, noncompliance with city regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the planning commission to evaluate the proposed subdivision and in making a recommendation to the city council.

B. Additional Information: The planning commission may require additional information, data or studies to be provided to the planning commission by the subdivider for the overall development before any recommendation is given by the planning commission to the city council and the planning commission may include requirements for the overall development as part of its findings on the concept plan. (Ord. 2000-13, 4-19-2000)

12-3-070: APPROVAL BY THE CITY COUNCIL:

A. Scope Of Approval: When a Schematic Review is required in connection with an application identified in 12-3-010.(A), ~~A~~after receiving a recommendation from the planning commission, together with any information related thereto ~~and at the time and place specified in the written notice described in section 12-3-050 of this chapter,~~ the city council may grant or deny schematic plan approval for the proposed subdivision and may adopt, amend or reject any of the findings made by the planning commission regarding the submitted concept plan.

B. Denial: If the city council denies schematic plan approval, no further review of the proposed subdivision shall be made by the city council, and a new ~~schematic plan~~ submittal shall be required to reinitiate the subdivision process.

C. Limitation Of Approval: Granting of schematic plan approval by the city council shall not constitute an absolute approval or disapproval of the proposed subdivision, but is intended to give the subdivider general guidance as to the requirements and constraints for subdivider's proposed subdivision within the city. (Ord. 2000-13, 4-19-2000)

~~12-3-080: EXPIRATION OF SCHEMATIC PLAN APPROVAL:~~

~~Once schematic plan approval has been granted, the subdivider may apply for preliminary plat approval consistent with the schematic plan. If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the city. (Ord. 2000-13, 4-19-2000)~~

CHAPTER 5 MINOR SUBDIVISIONS

SECTION:

[12-5-010](#): Purpose

[12-5-020](#): Requirements For Minor Subdivisions

[12-5-030](#): Applicability

[12-5-040](#): Schematic Plan **Required**

[12-5-050](#): Minor Subdivision Application

[12-5-060](#): Planning Department Review

[12-5-070](#): Planning Commission Action

[12-5-080](#): Expiration Of Final Approval

[12-5-090](#): Bond Agreement

[12-5-100](#): Plat Requirements

[12-5-110](#): Recording Of Plat

12-5-010: PURPOSE:

The intent of this chapter is to provide an efficient review process for minor subdivisions. Minor subdivisions include those developments of less than ten (10) lots which also meet the requirements set forth herein. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined. (Ord. 1999-06, 2-3-1999)

12-5-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:

A subdivider of property located within Farmington City may submit an application for a minor subdivision; provided, that the property to be subdivided meets the following conditions:

- A. Less than ten (10) lots shall be created in the subdivision;
- B. The subdivision shall not require the dedication of any land for public streets or other public purposes;
- C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The subdivider shall be required to complete any public improvements on an existing street which are not in place at the time the application to develop a minor subdivision is made. Such improvements shall include any necessary storm drainage facilities, high back curb, gutter, sidewalk and/or asphalt paving;
- D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan;
- E. The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;
- F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the zoning ordinance; and

G. Utility easements shall be dedicated. (Ord. 1999-06, 2-3-1999)

12-5-030: APPLICABILITY:

The procedures set forth in this chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions to the contrary. (Ord. 1999-06, 2-3-1999)

12-5-040: SCHEMATIC PLAN-REQUIRED:

Prior to filing a minor subdivision application, all subdividers of proposed minor subdivisions within Farmington City ~~shall be required to complete a~~ have the option of requesting a schematic Schematic plan review by staff as set forth in this title. (Ord. 1999-06, 2-3-1999)

12-5-050: MINOR SUBDIVISION APPLICATION:

All subdividers of proposed minor subdivisions within Farmington City shall submit a minor subdivision application to the city planner on a form approved by the city. The application shall include ~~one reproducible copy and two (2) prints~~ documentation as requested on the application form of a plat meeting the requirements of section 12-5-100 of this chapter. If public improvements, as specified within this chapter, are required, the application shall be accompanied by improvement drawings for such improvements. The city planner may also, upon advice from the city engineer, require that a soil report meeting the requirements set forth in section 12-6-040 of this title be provided. At the time the application is submitted, the subdivider shall pay the appropriate application fee as set forth in the city's consolidated fee schedule. The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the ~~subdivider planning department~~ shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgment. (Ord. 2006-28, 4-19-2006)

12-5-060: PLANNING DEPARTMENT REVIEW:

Within ~~a reasonable time~~ 15 business days after receipt of a minor subdivision application, comments from review of submitted items shall be returned to the applicant to complete a review cycle. Comment must be resolved or justified in detail by the applicant to commence a new review cycle. If after 4 complete review cycles all comments have not been adequately addressed by the applicant, the application shall be consider denied. Upon -and comments and/or approval from all appropriate reviewing entities, the planning department shall include the application on the planning commission agenda and prepare a report on the application's compliance with the general plan, city ordinances, rules and regulations. The subdivider's application and the report of the city planning department shall then be presented to the planning commission. (Ord. 2006-28, 4-19-2006)

12-5-070: PLANNING COMMISSION ACTION:

A. Scope Of Action: Within a reasonable time following the receipt of an approval from all appropriate reviewing entities, of an application for minor subdivision approval from the planning department, the planning commission shall act thereon. The planning commission shall assure that the plat is in conformity with the requirements of this chapter and title, other applicable ordinances or regulations, and any conditions of approval deemed necessary by the planning commission. If the planning commission finds that the proposed plat complies with the requirements of this title ~~and that it is satisfied with the plat of the subdivision~~, it shall approve or approve with conditions the minor plat subdivision.

B. Disapproval: If the planning commission determines that the proposed plat is not in conformity with the ordinances of the city ~~or any reasonable conditions imposed~~, it shall not approve the plat, specifying the reasons for such disapproval. The Planning Commission may, at its discretion, notify the applicant of the deficiencies and give the applicant the opportunity to correct those deficiencies at a subsequent meeting. If a proposed plat is disapproved by the planning commission, no further plat shall be submitted and a new minor subdivision application shall be required to initiate minor subdivision approval, including the payment of the required fee. (Ord. 2016-07, 2-16-2016)

12-5-080: EXPIRATION OF FINAL APPROVAL:

If the plat is not recorded within ~~six-twelve (612)~~ months from the date of planning commission approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the city manager. The subdivider must petition for an extension, prior to the expiration of the original ~~six-twelve (612)~~ months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, park fees, flood control fees, as well as the amounts the city uses to estimate bonds to insure completion of improvements have increased, the city manager may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting the extension. (Ord. 2016-07, 2-16-2016)

12-5-090: BOND AGREEMENT:

~~In the event~~ public improvements are required within the subdivision, the subdivider shall comply with the bond requirements of section 12-6-160 of this title. (Ord. 1999-06, 2-3-1999)

12-5-100: PLAT REQUIRED DOCUMENTS: **SUBDIVISION PLAT**

A. Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:

1. The boundaries, courses and dimensions of the parcels of ground to be subdivided;
2. The number, temporary address and length and width of the blocks and lots intended for sale;
3. Existing right of way and easement grants of record for underground facilities, as defined in Utah Code Annotated section 54-8a-2, and for other utility facilities;
4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
5. A certification from the surveyor preparing the plat; and
6. Signatures from owners or operators of all underground facilities and utility providers approving of the plat and the dedication of the required easements thereon.

B. Additional Requirements: In addition to the plat requirements of subsection A of this section, the ~~planning commission and city council~~ may require that the plat comply with any of the requirements set forth in section 12-6-110 of this title. (Ord. 1999-06, 2-3-1999)

IMPROVEMENT DRAWINGS:

1. Utility drawings
2. Grading and drainage drawing

3. Site plan

4. Any other documentation deemed necessary by the city engineer from 12-6-030.

12-5-110: RECORDING OF PLAT:

Upon approval of a minor subdivision application under this chapter, and approval of a proposed plat prepared in accordance with this chapter, the subdivider shall provide the city with a current title report to be reviewed by the city attorney. A "current title report" is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. Once title to the property has been approved by the city attorney, the approved plat shall be signed by the city council and may then be recorded with the Davis County recorder's office. (Ord. 1999-06, 2-3-1999)

CHAPTER 6 MAJOR SUBDIVISIONS

SECTION:

- [12-6-010](#): Preliminary Plat; Purpose
- [12-6-020](#): Application And Fees
- [12-6-030](#): Preliminary Plat; Preparation And Required Information
- [12-6-040](#): Soil Report
- [12-6-050](#): Evaluation Of Preliminary Plat
- [12-6-060](#): Planning Commission Action; Preliminary Plat
- [12-6-070](#): Notification Of Action
- [12-6-080](#): Effect Of Approval Of The Preliminary Plat
- [12-6-090](#): Final Plat; Purpose
- [12-6-100](#): Filing Deadline, Application And Fees
- [12-6-110](#): Final Plat; Preparation And Required Information
- [12-6-120](#): Data To Accompany Final Plat
- [12-6-130](#): Evaluation Of Final Plat
- [12-6-140](#): Planning Commission Action; Final Plat
- [12-6-150](#): Disapproval By The Planning Commission
- [12-6-160](#): Security Bond; Subdivider
- [12-6-170](#): Delay Agreement
- [12-6-180](#): Recording Of Plat
- [12-6-190](#): Expiration Of Final Approval

12-6-010: PRELIMINARY PLAT; PURPOSE:

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall, in all respects, be in compliance with the provisions of this title and any other applicable ordinances. (Ord. 1996-24, 6-19-1996)

12-6-020: APPLICATION AND FEES:

The subdivider of a major subdivision, shall schedule a meeting with the planning department where the city planner and city engineer or their representative will review submission requirements with the applicant, after completing the schematic plan ~~required by this title as applicable,~~ the subdivider shall then file an application for preliminary plat approval with the planning department on a form prescribed by the city, together with ~~one reproducible copy and two (2) prints of the preliminary plat~~ the documentation requested on the form. After submitting the application form and requested documentation, the submittal shall be reviewed by the city

planner and city engineer or their representative to determine if all required documentation has been provided. If all requirements for an application are met, a letter of acknowledgment will be provided by the planning department. At the same time, the subdivider shall then pay an application fee as published in the consolidated fee schedule of the city to complete the application. The planning department will determine if the appropriate plan is submitted, if the application is has been determined to be complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the subdivider-planning department shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An application has not been fully accepted by the city or deemed complete until the city issues a letter of acknowledgement and all fees have been paid. (Ord. 2006-28, 4-19-2006)

12-6-030: PRELIMINARY PLAT; PREPARATION AND REQUIRED INFORMATION:
The following shall be submitted for review and consideration of a preliminary plat:

Format and General Items

- (1) All engineering and/or surveying documents stamped by engineer or land surveyor in accordance with the procedures of the Utah State Board for Professional Registration.
- (2) The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat. (Ord. 1996-24, 6-19-1996)
- (3) A title block showing:
 - (a) Name of the subdivision.
 - (b) Type of development (residential, commercial, PUD, PRD, etc.).
 - (c) Name and address of owner of record, developer and designer.
 - (d) Name and address of engineer or land surveyor.
 - (e) Date of preparation.
 - (f) Tabulation of acres, lots, open space and units per acre.
- (4) Graphic and written scale at no more than one (1) inch equals one hundred (100) feet or as recommended by City Engineer.
- (5) North arrow.
- (6) Township and Range, section lines, and other monuments.
- (7) Vicinity map at a scale of one (1) inch equals one thousand (1,000) feet.
- (8) Topographic contour intervals of no greater than two (2) feet, unless otherwise specified by City Engineer.
- (9) Surveyed boundary of the subdivision.
- (10) Location and names of adjacent properties/property owners and platted subdivisions.
- (11) Location of zoning boundary lines within and adjacent to the proposed subdivision.
- (12) Location, height and type of existing fence lines within and contiguous to the subdivision.
- (13) Location, use, and dimensions of all existing buildings within the proposed subdivision. Indicate which buildings are to remain and which are to be removed.
- (14) Location of all proposed lots including:
 - (a) Lot dimensions.
 - (b) Lot frontage.
 - (c) Lot area (square feet).
 - (d) Building setback lines (building envelopes).
- (15) Lots consecutively numbered or lettered in alphabetical order.
- (16) Location of existing features within and contiguous to the proposed subdivision including:
 - (a) Existing public utility, drainage, and sewerage easements.
 - (b) Existing dedications.
 - (c) Deed restrictions
 - (d) Existing utilities including power lines/poles (must identify ownership of lines).

telephone, cable, gas, fiber optic, etc. Indicate whether they are to remain or be re-located. If they are to be relocated, show the proposed new location.

- (e) Irrigation ditches.
 - (f) Drain pipes, drainage channels, and culverts.
 - (g) Railroads.
 - (h) Bridges.
 - (i) Water bodies, springs or water sources within twenty-five hundred (2,500) feet.
 - (j) Wells (show and label whether the well is to remain or be abandoned - if the well is to be abandoned, add a note on the plans stating "existing well to be abandoned and capped by a certified well driller and documentation provided to Farmington City").
 - (k) Equestrian, pedestrian and bicycle trails.
- (17) Location and dimensions of any common space or open space areas including property to be set aside for parks, playgrounds, trails, or other public or private uses, with a designation of the purpose of those areas, and conditions, if any, of the dedication or reservation.
- (18) Location and extent of all cuts and fills exceeding (3) three feet anywhere on the project site and any associated retaining walls.

Roads

- (19) The location and width of all existing and proposed roads, rights-of-way, alleys, and other public ways (all main roads must comply with the Farmington City Master Transportation Plan).
- (20) Cross sections of all existing and proposed roads (include road dimensions and location of utilities within the road.)
- (21) Proposed names of all new roads.
- (22) Location of all existing and proposed curb, gutter and sidewalk within the subdivision including:
 - (a) An indication of the grades, TBC elevations.
 - (b) Flow arrows showing direction of storm water surface flows.
- (23) Location of any necessary temporary turnaround easements for emergency access on dead end roads.
- (24) Provide a circulation plan that includes information on cul-de-sac lengths, block lengths, and connectivity.
- (25) Provide road centerline elevations.
- (26) Not more than 24 units off of a single point of access and provision for future access to adjacent vacant parcels. Dead end streets shall not exceed one thousand (1,000) feet in length.
- (27) Street intersection offsets of not less than 150 feet.
- (28) Do not exceed 12% slope.
- (29) Minimum TBC slope of 0.50%.
- (30) Minimum cul-de-sac slope of 0.60%.
- (31) Cul-de-sac radius point to the property line shall measure 53.5 feet.
- (32) If adjacent to a state road specify UDOT access size and location (UDOT approval will be required at final plat).

Water

- (33) Location, type and size of existing and proposed culinary water lines (including existing lines adjacent to and/or affected by the proposed subdivision).
- (34) Water lines typically located on the north/east sides of the road.
- (35) Water lines and laterals separated 10 feet from sewer.
- (36) Water lines buried no deeper than 4 feet to top of pipe.
- (37) Show in plan and profile views. Depict any and all utility crossings.
- (38) Water lines to have a minimum vertical, edge of pipe to edge of pipe, spacing of 18 inches for all sewer and water crossings.
- (39) A note stating that all fire hydrants are to be Clow.
- (40) A note that valves are to be Mueller or Clow.
- (41) Show water meters in the park strip.
- (42) Show sizes for all water meters.
- (43) A note stating that all water meters in driveways shall be installed with a 30 inch meter box with a traffic rated lid.

- (44) Valves are placed to isolate a maximum of 15 residential lots.
- (45) Culinary water is located on the opposite side of the street from secondary water.
- (46) Fire hydrants are spaced within 300 feet of each other.
- (47) Fire hydrants are to be placed at intersections and dead end streets.
- (48) Fire hydrants are typically located on property lines on the same side of the road as the culinary water mains.

Secondary Water/Irrigation Systems

- (49) Must have a secondary water connection.
- (50) Location, type and size of existing and proposed irrigation water lines (including existing lines adjacent to and/or affected by the proposed subdivision).
- (51) Located on the opposite side of the street from culinary water.
- (52) Show in plan and profile views. Depict any and all utility crossings.
- (53) Must be reviewed and approved by the jurisdictional authority.
- (54) Secondary water meters shown in the park strip.

Irrigation Ditches

- (55) A written statement from the appropriate agency (such as irrigation companies, private land owners, etc.) regarding the effect of the proposed subdivision on any irrigation channels or ditches and any piping or other mitigation required.
- (56) The location, size and grade of any required piping for irrigation ditches as per the irrigation company requirements.

Sewer

- (57) Sewer lines typically located on the south/west sides of the road.
- (58) Location, type, rim elevation, slope and size of existing and proposed sewer lines (including existing lines adjacent to and/or affected by the proposed subdivision).
- (59) Easements for any necessary offsite water or sewer easements across privately owned land.
- (60) Sewer separated 6 feet from all other utilities except culinary water where 10 feet is required. Including all laterals.
- (61) Sewer deeper than 12 feet shall be PVC pipe Schedule 80 with solvent weld joints.
- (62) Manholes with 3 or more pipes shall be 60 inch diameter.
- (63) No acute angles allowed in relationship to changes in flow direction in manholes.
- (64) Laterals designed to connection in the upper quadrant of the sewer main.
- (65) Maximum spacing of manholes is 400 feet.
- (66) Show in plan and profile views. Depict any and all utility crossings.
- (67) Sewer lines to have a minimum vertical, edge of pipe to edge of pipe, spacing of 18 inches for all sewer and water crossings.
- (68) Sewer cleanouts are required on laterals that are 100 feet or longer, and at bends.

Drainage

- (69) Drainage system calculations and an explanatory narrative stamped and signed by a licensed engineer.
 - (a) Provide a drainage study showing calculations for the 25- and 100-year flood events.
 - (b) Size detention basins for the 100-year flood event.
 - (c) Basins must retain the 80th percentile storm.
 - (d) Design storm drain lines using the 25-year flood event.
 - (e) Show capacity and designed flow for all existing culverts, drainage swells, storm drain lines and back yard drains.
 - (f) Show high water elevation lines for basins, streams, waterways, 100-year flood inundation zone, or any area subject to flooding.
- (70) Existing and proposed storm drainage improvements including:
 - (a) Major drainage facilities, outfalls, and discharge.
 - (b) Drainage pipe locations, sizes, type, rim elevations, invert elevations, slopes, and depths.
- (71) Location of detention/retention basins with an indication that the basin(s) will include the following:
 - (a) Minimum 1-foot freeboard.
 - (b) 3:1 slopes or flatter.
 - (c) Grass covering with underground sprinkler system or xeriscaping.

- (d) Designation of the purpose and conditions, if any, of the dedication or reservation.
- (e) Information on who will be owning and maintaining the detention basins.
- (72) A written statement from the appropriate agency accepting responsibility for all surface and subsurface drainage, which is directed into channels owned, by the agency (such as irrigation companies, private land owners, etc.).
- (73) Easements for any necessary offsite and onsite drainage easements across privately owned land.
- (74) Drainage Report section describing how Low Impact Development (LID) is being incorporated into the site and how storm water quality will be improved.
- (75) Flood control and stream alteration permits
- (76) Show storm drain system in plan and profile views. Depict any and all utility crossings.
- (77) Provide a lot grading and drainage plan depicting individual lot grading with arrows.

Sensitive Lands

- (78) Identification of natural features or sensitive lands including, but not limited to:
 - (a) Wetlands.
 - (b) Floodplains, floodways and areas that would be covered in water in a 100-year storm event.
 - (c) Areas where ground water rises periodically to within two (2) feet of the surface of the ground.
 - (d) Slopes exceeding thirty (30) percent marked non-buildable.
 - (e) Vegetation areas (including name and size of all existing trees and shrubs which could be incorporated into the subdivision).
 - (f) Threatened or endangered species habitat areas.
- (79) A letter from the Army Corp of Engineers regarding any wetland areas within boundaries of the proposed plat.

Buffering

- (80) The proposed treatment of the perimeter of the development, including materials and techniques used, such as:
 - (a) Fences;
 - (b) Berms;
 - (c) Walls.
- (81) Provide a note on the preliminary plat which states that the following items will be reviewed at the time of Final Plat review (because these items will be reviewed with the final plat, please do not show them on the Preliminary Plat):
 - (a) All pipe types, specific locations & details (bends, detector tape etc.).
 - (b) Valves.
 - (c) Blowoffs including size type & protection.
 - (d) Manholes, boxes and related details.
 - (e) Water & sewer service details.
 - (f) Fire hydrant details.
 - (g) Street lights/street signs/traffic signs.
 - (h) Power line extensions & dome/transformer locations.
 - (i) Lot addresses
 - (j) Subdivision monumentation and lot corner markers.

Other Required documents

- (82) Landscaping plan for all park, open space, and common ownership areas including:
 - (a) Location, name and size of all proposed trees, shrubs, and plants.
 - (b) Indication of proposed seed mix for grass areas (previously accepted seed mixes have included: 18% "Bluestar" Kentucky Bluegrass, 19% "Marquis" Kentucky Bluegrass, 17% "Newport" Kentucky Bluegrass, 17% "Touchdown" Kentucky Bluegrass, 16% "APM" Perennial Ryegrass, 13% "Accent" Perennial Ryegrass).
 - (c) Indication of proposed irrigation facilities (underground sprinkler system).
 - (d) Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at points 35 feet in each direction from the intersection) and

an indication that no landscaping or other obstruction in excess of 3 feet above finished grade shall be allowed in the clear view area.

~~(83) A development phasing schedule (if applicable) including the sequence for each phase; approximate size in area of each phase; and, proposed phasing of construction of public improvements, recreation and common open space areas.~~

~~(84) Applicant and/or Applicant's engineer/surveyor has a copy of the latest Farmington City Design Standards and Public Improvements Specifications Manual.~~

~~(85) Applicant and/or Applicant's engineer/surveyor has reviewed Farmington City's existing and master plan utility maps (available for review at the Planning Department Office).~~

~~—A. Form: The preliminary plat shall be clearly and legibly drawn with approved waterproof drawing ink at a scale not less than one inch equaling one hundred feet (1" = 100'). The plat shall be so drawn that the top of the sheet is either north or east, whichever accommodates the drawing best. Dimensions shall be in feet and decimals thereof and bearings in degrees, minutes and seconds.~~

~~—B. Required Information: The following information shall be included on or with the preliminary plat:~~

~~—1. A vicinity sketch at a scale of not less than one thousand feet to the inch (1" = 1,000') which defines the location of the subdivision within the city;~~

~~—2. The name of the subdivision. Such subdivision names shall not duplicate or nearly duplicate the name of any subdivision in the city or in the incorporated and unincorporated area of Davis County;~~

~~—3. The name and address of the subdivider and his or her agent, if applicable;~~

~~—4. If the subdivider is represented by an agent, there shall be a statement from the recorded owner authorizing the agent to act;~~

~~—5. The name and address of the person, firm or organization preparing the preliminary plat and a statement indicating the recorded owner's permission to file the plat;~~

~~—6. The date, north point, written and graphic scales;~~

~~—7. A legal description to define the location and boundaries of the proposed subdivision;~~

~~—8. The location, names and existing widths of adjacent streets;~~

~~—9. The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land;~~

~~—10. The contours, at one foot (1') intervals, for predominant ground slopes within the subdivision between level and five percent (5%), and two foot (2') contours for predominant ground slopes within the subdivision over five percent (5%). Such contours shall be based on Davis County datum. The closest city survey monument shall be used and its elevation called out on the map. Survey monument information shall be obtained from the Davis County surveyor or city engineer;~~

~~—11. At the discretion of the city, aA grading plan showing, by appropriate graphic means, the proposed grading of the subdivision. Contours should be consistent with subsection B10 of this section. Proposed subdivisions located in the foothill zone shall comply with requirements of the Farmington City foothill development ordinance set forth in the zoning ordinance;~~

~~— 12. The location of all isolated trees worthy of preservation with a trunk diameter of four inches (4") or greater, within the boundaries of the subdivision, and the outlines of groves or orchards;~~

~~— 13. The boundaries of areas subject to 100-year flooding or stormwater overflow, as determined by the city, and the location, width and direction of flow of all watercourses, including all existing and proposed irrigation and natural runoff channels and courses. If a waterway has not been studied by FEMA then the Subdivider shall determine the areas subject to a 100-year flooding or stormwater overflow and show on the drawings and plat;~~

~~— 14. The existing use or uses of the property and the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines drawn to scale;~~

~~— 15. A statement of the present zoning and proposed use of the property, as well as proposed zoning changes, whether immediate or future;~~

~~— 16. Location and dimensions of proposed sites to be dedicated or reserved for open space or recreational use;~~

~~— 17. Any proposed lands to be reserved in private ownership for community use;~~

~~— 18. The locations, proposed names, widths and a typical cross section of curbs, gutters, sidewalks and other improvements of the proposed street and access easements;~~

~~— 19. Layout of all lots, including the average and minimum lot size, lot divisions and consecutive numbering;~~

~~— 20. Preliminary location and size of sanitary sewers, water mains, pressurized irrigation lines, and any other public or private utility;~~

~~— 21. The dimensions and locations of all existing or proposed dedications, easements and deed restrictions. These shall include easements for drainage, sewerage and public utilities;~~

~~— 22. Preliminary indication of needed storm drainage facilities with preliminary runoff calculations and location, size and outlets of the drainage system;~~

~~— 23. The location of any of the foregoing improvements which may be required to be constructed beyond the boundaries of the subdivision shall be shown on the subdivision plat or on the vicinity map as appropriate;~~

~~— 24. If it is contemplated that the development will proceed by phases, the boundaries of such phases shall be shown on the preliminary plat along with the estimated construction schedule for each phase;~~

~~— 25. The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat. (Ord. 1996-24, 6-19-1996)~~

12-6-040: SOIL REPORT:

A. Form: A soil report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the state of Utah, shall be required prior to preliminary approval of any subdivision plat. The soil report shall include, among other things, a description of the soil types and characteristics on the site, describe whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered, recommendations for road designs, slope stability studies, percolation rates, and shall identify the location of any seismic zones or flood zones on the property.

B. Investigation: If the soil report indicates the presence of critically expansive soils, high water table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water, premature deterioration of the public improvements, or which would represent a public health hazard, a soil investigation of each lot in the subdivision may be required by the city engineer. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application. (Ord. 1996-24, 6-19-1996)

12-6-050: EVALUATION OF PRELIMINARY PLAT:

The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the subdivider planning department shall distribute plans for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgement. After 15 business days from the date of a complete application~~After reviewing the plans,~~ each of the public agencies and utilities will provide the acknowledgment letter~~their review comments~~ to the subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, water and sewer improvement districts, the public works department, the city engineer and the fire department. The planning department will also provide the city manager with one full set of plans for comment and review. The subdivider shall be required to address each comment made by a reviewing entity, either modifying the plans or indicating their objection to the review comment, citing code authority for their objection. Failure to address each comment shall be grounds for rejection of the re-submission, and a subsequent review cycle may not begin until those comments are addressed. The process of accepting an application and completing a review may occur as many as 4 times. (Ord. 2006-28, 4-19-2006)

12-6-060: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:

A. Scope Of Action: Within a reasonable time after ~~the filing of a~~satisfying all applicable reviewing entities during the preliminary plat review~~preliminary plat of a subdivision and any other information required~~, the planning commission shall act thereon. If the planning commission finds that the proposed plat complies with the requirements of this chapter and that it is satisfied with the plat of the subdivision, it shall approve, or approve with conditions, the plat. If the planning commission finds that the proposed plat does not meet the requirements of this title or other applicable ordinances, it shall deny approval of such plat.

B. Findings: The planning commission may approve or deny the preliminary plat and shall make findings regarding the submitted plat, specifying any inadequacy in the information submitted, noncompliance with city regulations, inconsistencies with the schematic plan when applicable, and the need for any additional information which may assist the planning commission to evaluate the preliminary plat and in making a final determination.

C. Examination Of Plat: Upon receipt of the preliminary plat, the planning commission shall also examine the plat to determine whether the plat is consistent with the concepts set forth in the approved schematic plan when applicable and with all changes requested and all requirements imposed as conditions of acceptance. ~~In~~in the event that the preliminary plat has been altered substantially from the ~~approved~~ schematic plan approved by the City Council, at the discretion of the planning commission chair, with the recommendation of the planning department, the chair may suspend planning commission review of the preliminary plat and

require that the subdivider resubmit the plan subject to the schematic plan review process, or require a public hearing as part of the commission's consideration of preliminary plat. The chair may also defer such decisions related to schematic plan resubmittal ~~and/or~~ preliminary plat review to the planning commission for its approval. Any public hearing in consideration of a preliminary plat shall meet the notice requirements of section [12-3-050](#) of this title.

D. Substantial Change: The planning commission shall determine whether a proposed modification to an approved schematic plan is a "substantial" change. Alterations of the following types shall define a substantial change:

1. A significant change to the roadway alignment or configuration;
2. Significant changes to lot areas or lot configuration;
3. Any increase to the number of lots;
4. Any change to the configuration and amount of open space required;
5. A significant change to culinary water, sanitary sewer, or storm drain plans related to the application;
6. Any deviation from the approved schematic plan as determined by the provisions set forth in this title;
7. A modification of any other aspect of the schematic plan that would significantly change its character. (Ord. 2015-06, 2-17-2015)

12-6-070: NOTIFICATION OF ACTION:

The planning department shall notify the subdivider, in writing, of the action taken by the planning commission. One copy of the plat and accompanying conditions, if applicable, and the minutes of the planning commission meeting shall be retained in the permanent file of the planning commission. Notification of the approval of the preliminary plat shall be authorization for the subdivider to proceed with the preparation of detailed plans and specifications for the improvements required by city ordinances and the planning commission, and with the preparation of the final plat. (Ord. 1996-24, 6-19-1996)

12-6-080: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:

Approval of the preliminary plat shall in no way relieve the subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all city standards. (Ord. 1996-24, 6-19-1996)

12-6-090: FINAL PLAT; PURPOSE:

The purpose of the final plat is to require formal approval by ~~the planning commission~~ city staff before a major subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all respects ~~be in compliance~~ compliance with the provisions of this title. The final plat and improvement plans submitted shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure. Pursuant to Utah Code Annotated section 10-9a-604, as amended, the planning commission designates the planning commission chair as its agent to sign final subdivision plats. The planning commission chair shall not sign any final plat until such plat has been approved by ~~the planning commission~~ city staff in accordance with the provisions set forth herein. (Ord. 2015-06, 2-17-2015; amd. 2016 Code)

12-6-100: FILING DEADLINE, APPLICATION AND FEES:

The subdivider shall file an application for final plat approval with the community development department on a form prescribed by the city along with all documentation requested within the application form, together with one reproducible copy and prints of the final plat, . After submitting the application form and requested documentation, the submittal shall be reviewed by the city planner and city engineer or their representative to determine if all required documentation has been provided. If all requirements for an application are met, a letter of acknowledgment will be provided by the planning department. Upon receipt of the acknowledgement letter, the subdivider shall the number of which shall be determined by city staff, and all required fees. Upon receipt of all required documentation and applicable fees, the final plat application shall be considered complete and accepted by the city. The preliminary plat shall become null and void unless the subdivider submits a complete application for and obtains final plat approval for all phases encompassing the area of the preliminary plat within twelve (12) months after approval or conditional approval of the preliminary plat by the planning commission, except as otherwise provided for by written agreement with the city. This time period may be extended for up to twelve (12) months for good cause shown if the subdivider petitions the planning commission in writing for an extension prior to the expiration date of the preliminary plat together with any applicable fees. Only one extension of the preliminary plat approval may be granted. ~~In the event~~ the final plat approval expires, or the city does not grant an extension of final plat approval, or the city does not reapprove a previously approved final plat, the preliminary plat approval shall also expire, unless twelve (12) months has not lapsed from the date of its approval and/or a twelve (12) month extension of time has been granted as provided herein. (Ord. 2011-10, 5-17-2011)

12-6-110: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:

The following items shall be submitted for review and consideration of the Final Plat:

Format and General Items

(86) A title block which contains the following:

- (a) Name of the subdivision.
- (b) Type of development (residential, commercial, PUD, PRD, etc.).
- (c) Surveyor's certificate that has been signed and dated, showing the name and registration number of the surveyor responsible for making the survey.
- (d) A legal description of the subdivision boundaries that include the quarter-quarter section, section, township, range, principal median and the County of its location.
- (e) The owner's dedication that includes the dedication of all public ways or spaces. The owner's dedication shall be signed by every person having a security interest in the subdivision property, dated, and notarized and should include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.
- (f) Signature blocks prepared for the dated signatures for the following:
 - (i) City Council;
 - (ii) City Recorder;
 - (iii) City Engineer;
 - (iv) City Attorney;
 - (v) Planning Commission;
 - (vi) respective irrigation water district;
 - (vii) Central Davis Sewer District;
 - (viii) affected gas pipeline company (if applicable) (Ord. 2015-16, 5-26-2015).

(87) Graphic and written scale at no more than one (1) inch equals one hundred (100) feet or as recommended by City Engineer.

(88) The basis of bearings used and a north point.

(89) Township and Range, section lines, and other monuments.

- (90) Vicinity map on the first sheet locating the subdivision showing prominent landmarks.
- (91) The exterior boundaries of the platted areas giving lengths and bearings of the boundary lines. All subdivisions must have proper closure.
- (92) If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a 100-year flood.
- (93) Location of existing easements or right-of-way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the County's records.
- (94) Location of proposed easements including any required easements for water, sewer, drainage or irrigation, temporary turnaround easements and a ten (10) foot public utility easement shown on the front of each lot and any side or rear of a lot adjacent to a road right of way.
- (95) All lots, blocks, rights-of-way and easements (including open space) created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose. For curved boundaries the curve radius, central angle, and length of arc shall be given.
- (96) Indication of lot areas (square feet).
- (97) Lots consecutively numbered or lettered in alphabetical order.
- (98) Proposed addresses shown on each lot (corner lots should include two addresses) as obtained from Farmington City Planning Department.
- (99) All proposed new streets named or numbered in accordance with the street naming and numbering system of the City.
- (100) Location and names of adjacent properties/property owners and platted subdivisions.
- (101) Location of zoning boundary lines within and adjacent to the proposed subdivision.
- (102) Location of all existing homes or buildings within the proposed subdivision that are to remain.
- (103) All existing monuments found during the course of the survey (including a physical description such as "brass cap").
- (104) All monuments erected, corners, and other points established in the field. The monuments shall be made of brass and the legend shall indicate the diameter, length, and weight of the monuments All exterior boundary angle points of the subdivision and lot corners shall be marked in accordance with the Farmington City Design Standards and Public Improvements Specifications including brass pins in the BOC for all front property lines.
- (105) A detail diagram showing typical setbacks for a corner and interior lot and a typical 35' clear view area (sight triangle) on the corner lot.

Required Notes on the Final Plat

- (106) A notation of the distance (shown as a dimension and note on the plat) from the centerline of each existing road right-of-way (centerline of existing asphalt) to the new property line of the subdivision.
- (107) A summary of total project acreage, total acreage in lots, total number of units, total acreage of open space or other dedicated parcels, and total acreage in roads and lane miles of road.
- (108) A notation of any limited access restrictions on the lots that are affected.
- (109) If a detention pond is required, note the capacity of the pond on the final plat.
- (110) If there is no detention pond on the plat, provide a note explaining how detention is handled.
- (111) If surface drainage is to be directed onto a privately owned area for detention or retention as part of the storm drainage system, show an easement around the detention/retention area on the final plat with the following note on the easement area: "Permanent detention/retention (whichever is applicable) facility to be owned and maintained by the owners of this property not to be altered without approval by Farmington City Council and City Engineer".
- (112) If the proposed subdivision is adjacent to or in close proximity to an existing agricultural area or activity, the following note regarding the Right to Farm must be added to the Final Plat: "This area is subject to the normal everyday sounds, odors, sights, equipment, facilities, and all other aspects associated with an agricultural lifestyle. Future residents should also recognize the risks inherent with livestock."
- (113) If a temporary turnaround is required, add the following note on the final plat with reference to the turnaround: "temporary asphalt turnaround with appropriate road base, and no above ground utilities allowed in the turnaround area. A letter will be provided to the Building Division prior to issuance of a building permit for the affected lot stating that the homeowner/lot buyer is aware of the temporary

turnaround on their property and that it is to remain unaltered and no parking allowed until the City approves removal of the turnaround.”

- (114) For PRD and PUD subdivisions, note any exceptions to minimum home size requirements, setbacks, and note that all homes are required to meet the architectural requirements contained in the Development Code including product mix on home elevations.
- (115) For subdivisions with trails, a note stating that the trail location(s) must be staked and reviewed by the Parks and Planning Divisions prior to installation.
- (116) For subdivisions with common area where an HOA is involved, add the following note in the owner’s dedication area of the title block: “Pursuant to Utah Code 10-9a-604 (D), the owner(s) hereby convey all common areas shown on this plat as indicated hereon to the (insert name of HOA and their mailing address).”
- (117) A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the city for the proposed subdivision.
- (118) A note stating that only 1 culinary water meter or 1 secondary water meter shall be allowed in a driveway.
- (119) All culinary water meters located in driveways shall have a 30 inch meter box with a traffic rated lid.
- (120) Wells (show and label whether the well is to remain or be abandoned - if the well is to be abandoned, add a note on the plans stating “existing well to be abandoned and capped by a certified well driller and documentation provided to Farmington City”).

Construction Drawings

- (121) Final construction/plan & profile drawings of all required public improvements consistent with Farmington City Design Standards and Public Improvement Specifications. An engineer or land surveyor must stamp all construction drawings in accordance with the procedures of the Utah State Board for Professional Registration. Construction drawings shall include:
- (a) Each sheet shall contain a signature box for the city engineer.
 - (b) An overall public improvement plan or index sheet that includes a summary of all improvement and utility information (this sheet is used by City Staff to prepare the bond for public improvements).
 - (c) Location, pipe type (pipe type may be noted in a utility legend), and size of existing and proposed culinary and pressurized irrigation lines and associated fire hydrants, valves, and blowoffs (note where bends are required on water lines).
 - (d) Location, depth, pipe type (pipe type may be noted in a utility legend), and slope of all drainage, and sewer lines, including the location and proper spacing of all boxes, manholes and other improvements.
 - (e) A note stating that all mechanical joints require a mega lug or other approved equal joint restraint.
 - (f) Location of water and sewer service laterals for each lot including the location of the laterals in relation to each other (water laterals must be located at the center of the lot and sewer laterals 10 feet downstream from the water laterals).
 - (g) On each corner lot, add a label stating “front” to indicate which street frontage is considered the front of the lot (the front of the lot must be consistent with the location of the water and sewer service laterals).
 - (h) Details of detention basin(s) including:
 - (i) Piping and orifices.
 - (ii) A note stating that the bottom of the basin will be sloped towards the outlet.
 - (iii) Cross section of detention pond.
 - (iv) 100 year water level.
 - (v) Capacity of detention pond in cubic feet.
 - (vi) Minimum 1 foot freeboard.
 - (vii) 3:1 slopes or flatter.
 - (viii) Grass covering and underground sprinkler system or approved xeriscaping.
 - (i) If the placement of irrigation system improvements is required, show all irrigation improvements including piping, head gates, boxes, grates etc. (in conformance with letter

issued by the irrigation company) and provide a signature block for the irrigation company on all applicable construction drawing sheets.

- (j) Cross sections of all roads including pavement design, base and sub base amounts and location of utilities within the street right of way (please note that base and sub base should be shown and labeled extending 1 foot beyond the back of curb).
 - (k) All roads must have a minimum standard of 3 inches of asphalt with 12 inches or road base, unless the soils report requires a higher level of strength ratio. A note stating all concrete shall have fiber.
 - (l) Sidewalk shall be installed along the entire frontage of the property. The developer must provide sidewalk access to adjacent amenities when required by the City Engineer. This may require the installation of sidewalk off site.
 - (m) Location of proposed underground power, ditches and transformers.
 - (n) Location of existing power infrastructure and ownership.
 - (o) Location, type, and height of existing fencing and new fencing, berming or other buffering to be installed as part of the development.
 - (p) Street signs and traffic control signs.
 - (q) Show existing and proposed streetlights. Proposed streetlights are to be shown in the park strip. Street lights shall be installed at intersections and spaced at 350 feet. Streetlights are to be installed per city standards.
 - (r) Location of USPS gang box/mailbox locations (applicant must meet with a Post Office representative to determine locations).
 - (s) All other specifications, details, and references required by the Design Standards and Public Improvements Specifications and Standard Drawings.
- (122) Construction drawings are to include the following notes:
- (a) A note stating the developer will install all streetlights unless otherwise directed by the City Engineer.
 - (b) A note stating that all construction is to be done as per the latest edition of the Farmington City Design Standards and Public Improvements Specifications.
 - (c)
 - (d) A note stating that all fire hydrants are to be Clow.
 - (e) A note that valves are to be Mueller or Clow.
 - (f) A note stating that all water meters in driveways shall be installed with a 30 inch meter box with a traffic rated lid.
- (123) Landscaping plan for all park, open space, and common ownership areas including:
- (a) A table indicating the percent of the site to be landscaped.
 - (b) Planting areas with a list of the name, number and size of plants designated for each area.
 - (c) Location, name and size of all existing and proposed trees and shrubs.
 - (d) Location and sizes of proposed irrigation facilities adequate to maintain the planting areas.
 - (e) Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at points 30 feet in each direction from the intersection of the two street property lines) and an indication that no landscaping or other obstruction in excess of 3 feet above top back of curb shall be allowed in the clear view area unless otherwise approved by the City Transportation Engineer. Trees must be planted outside of the sight triangle with branches trimmed to 10 feet above the top back of curb.

Other Required Items

- (124) Long Term Stormwater Maintenance Plan and Agreement for all privately owned stormwater infrastructure.
- (125) Letters from the Utah Department of Environmental Quality regarding any proposed exceptions to requirements of R309-500 through 550

Required Items Prior to Recording of Plat

- (126) . Bonded for the project. Bond amounts are provided by Farmington City Engineering.
- (127) A final copy of any restrictive covenants (CC&Rs), reservations, or private easements.

- (128) Evidence that all property taxes are current and that roll back taxes have been paid, and that no other debts or obligations are outstanding and no liens or encumbrances are placed on the property.
- (129) If the property has been in greenbelt, verification from the title company that all roll-back taxes have been paid.
- (130) A preliminary title report covering all the property located within the subdivision. The report shall be prepared or updated within thirty (30) days of the date of recording of the Final Plat.
- (131) Warranty deed/title insurance on property dedicated to the City (open space, detention, City park property, City trails, some road dedication). Title insurance policies on each.
- (132) Prepared easements for any necessary offsite water, sewer, or drainage easements across privately owned land, or for temporary turnarounds. Farmington City requires a minimum of 20 feet on through property easements
- (133) A copy of any necessary deeds or boundary line agreements necessary for recording of the Final Plat.
- (134) Any required UDOT approvals for access, etc.
- (135) _____
- (136) An electronic (computer disc or email) copy of the proposed Final Plat and Construction Drawings in a format acceptable to the City Engineer (PDF, DGN or DXF).
- (137) During the DRC review process, the proposed property lines along existing streets must be staked for review by staff.
- (138) Prior to the pre-construction meeting, the developer will provide 6 copies of the approved set of drawings, obtained a SWPPP, bonded for the project and or obtained an excavation permit. When changes need to be made to a check set, revise the affected sheets only. All these must be completed prior to the preconstruction meeting being scheduled.

~~—A.— Requirements: The final plat shall consist of a sheet of approved mylar to the outside or trim line dimensions of nineteen inches by thirty inches (19" x 30"), and the border line of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inch (1¹/₂" on the left margin of the sheet for binding, and not less than a one-half inch (¹/₂" margin in from the outside or trim line around the other three (3) edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or east, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the mylar with approved waterproof black drawing ink. (Ord. 2010-20, 5-18-2010)~~

~~—B.— Scale: The final plat shall be drawn at a scale of not less than one inch equaling one hundred feet (1" = 100'), and the workmanship on the finished drawing shall be neat, clear and readable.~~

~~—C.— Signatures; Small Scale Vicinity Map: The plat shall be signed by all required and authorized parties and the final drawings shall contain all information set forth in this section. The location of the subdivision within the city shall be shown by a small scale vicinity map on the first sheet. (Ord. 1996-24, 6-19-1996)~~

~~—D.— Name, Unit Number: The title of each sheet of the final plat shall consist of the approved name and unit number of the subdivision in bold letters, and if applicable, the words "a Planned Unit Development (PUD)" or "a Conservation Subdivision", followed by the words "Farmington City" at the top of the sheet. (Ord. 2011-10, 5-17-2011)~~

~~—E.— Coordinates: Wherever the city engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision name and place of record, or other proper designation.~~

~~—F.— Boundary Survey: An accurate and complete boundary survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract,~~

~~and of each block, when computed from field measurements on the ground, shall close within a tolerance of one foot (1') to twenty thousand feet (20,000') of perimeter.~~

~~—G.— Monuments, Lines: The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of the beginning and ending points of curves.~~

~~—H.— Dedications, Lots: All lots, blocks and parcels offered for dedication for any purpose shall be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision with no omissions or duplications. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.~~

~~—I.— Right Of Way Lines: The plat shall show the right of way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown.~~

~~—J.— Street Names, Numbers: All streets within the subdivision shall be assigned a name. Numerical names are preferred. Streets which have an alphabetic name shall also be assigned a coordinate reference number which conforms to the numbering system adopted by the city. All numbering shall be accomplished by the city building official.~~

~~—K.— Easements: The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.~~

~~—L.— High Water Lines: If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a 100-year flood.~~

~~—M.— Boundary Identification: The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the subdivider under the direction of the city engineer. The following required monuments shall be shown on the final plat:~~

~~—1.— The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;~~

~~—2.— All right of way monuments at angle points and intersections as approved by the city engineer. (Ord. 1996-24, 6-19-1996)~~

~~—N. Identification; Certificates: The title sheet of the map shall show the name of the engineer or surveyor, the scale of the map and the number of sheets. The following certificates, acknowledgments and description shall appear on the title sheet of the final maps, and such certificates may be combined where appropriate: (Ord. 2010-20, 5-18-2010)~~

~~—1. Registered land surveyor's "certificate of survey";~~

~~—2. Owner's dedication certificate;~~

~~—3. Notary public's acknowledgment for each signature on the plat;~~

~~—4. A description of all property being subdivided with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the county and commence from section corners of known location, bearing and distance. The description shall also include reference to any vacated area with the vacation ordinance number indicated; (Ord. 1996-24, 6-19-1996)~~

~~—5. Blocks for authorized signatures of the planning commission, city engineer, respective irrigation water district, Central Davis sewer district, city attorney and city council shall be provided along the bottom or right side of the plat. A block for the Davis County recorder shall be provided in the lower right corner of the plat. Additionally, for any plat that has gas pipelines traversing its boundaries, the plat shall have a signature block for each affected gas pipeline company. (Ord. 2015-16, 5-26-2015)~~

~~—6. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law, by this title or by the city attorney;~~

~~—7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the city attorney. A "current" title report is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.~~

~~—O. Soil Report: A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the city for the proposed subdivision in accordance with the provisions of this title.~~

~~—P. Land Reserved In Private Ownership: When a subdivision contains lands which are reserved in private ownership for community use, the subdivider shall submit with the final plat, the name, proposed articles of incorporation and bylaws of the owner or organization empowered to own, maintain and pay taxes on such lands.~~

~~—Q. Addresses: An address shall be placed on each lot shown on the final plat. Addresses shall conform to the established grid system for Davis County and shall include optional addresses for corner lots. (Ord. 1996-24, 6-19-1996)~~

12-6-120: DATA TO ACCOMPANY FINAL PLAT:

At the time a final plat of a subdivision is submitted to the city, the subdivider shall also submit the following documents:

A. Calculation, Traverse Sheets: Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.

B. Data, Assumptions, Computations: Design data, assumptions and computations for proper analysis in accordance with sound engineering practice, along with appropriate plan, section and profile sheets for all public improvements. (Ord. 1996-24, 6-19-1996)

12-6-130: EVALUATION OF FINAL PLAT:

A. Planning Department: The planning department will determine if the final plat submission is complete and if all the fees have been paid. If all requirements are met, ~~a letter of acknowledgment will be provided by the planning department and all fees have been been~~, and the ~~subdivider-planning department~~ shall distribute plans, ~~accompanied by the letter~~, for comment to all appropriate public and private entities.

B. Reviewing Entities: ~~Reviewing entities shall review plans within 20 calendar business days of distribution.~~ After reviewing the plans, each of the public agencies and utilities will provide the ~~acknowledgment letter~~ their review comments to the subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, water and sewer improvement districts, the public works department, the city engineer and the fire department.

C. Additional Reviews: In cases where subdivider's submission or plat is incomplete, incorrect or otherwise fails to comply with Farmington City ordinances and/or development standards as determined by the city and where such failure makes additional or repeat reviews on the part of the city engineer and/or other consultants to the city necessary, subdivider shall be required to resubmit the plans to those reviewing entities that will be affected by changes. The subdivider shall be required to address each comment made by a reviewing entity, either modifying the plans or indicating their objection to the review comment, citing code authority for their objection. Failure to address each comment shall be grounds for rejection of the re-submission, and a subsequent review cycle may not begin until those comments are addressed. Reviewing entities shall be allowed an additional 20 business days to review after each complete submittal or complete resubmittal. After reviewing the plans, each of the public agencies and utilities will provide ~~the acknowledgment letter~~ their comments to the subdivider indicating whether the plans are acceptable or need to be revised. This process shall continue for as many as 4 review cycles or until all reviewing entities have accepted the plans. Approval by all reviewing entities shall be cause for the city engineer to give final approval of a final plat application. If a developer does not address all comments identified in acknowledgement letters from reviewers by the 4th Final Plat review cycle, the application shall be denied.

~~—D.— Report To Planning Commission: Within a reasonable time after receipt of a final plat and approval or comments from all appropriate reviewing entities, the planning department shall include the final plat on the planning commission agenda and prepare a report on the plat's compliance with the general plan, city ordinances, rules and regulations. The plat and the report of the city planning department shall then be presented to the planning commission. (Ord. 2006-28, 4-19-2006)~~

12-6-140: PLANNING COMMISSION ACTION; FINAL PLAT:

~~—A.— Scope: The planning commission shall not be bound by the recommendations of the city departments or the city manager, and may set its own conditions and requirements consistent with this title.~~

~~—B.— Examination Of Plat: Upon receipt of the final plat, the planning commission shall examine the plat to determine whether the plat conforms with the preliminary plat and with all changes requested and all requirements imposed as conditions of acceptance. If the planning commission determines that the plat is in conformity with the preliminary plat, the requirements~~

~~of this title, other applicable ordinances and any reasonable conditions as recommended by the city departments, city manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.~~ (Ord. 2015-06, 2-17-2015)

~~12-6-150: DISAPPROVAL BY THE PLANNING COMMISSION:~~

~~If the planning commission determines that the final plat is not in conformity with this title or other applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval. Within one year after the planning commission has disapproved any plat, the subdivider may file with the planning department a plat altered to meet the requirements of the planning commission. No plat shall have any force or effect until the same has been approved by the planning commission.~~ (Ord. 2015-06, 2-17-2015)

12-6-160: SECURITY BOND; SUBDIVIDER:

Prior to the installation of or any work on any required public improvements, the subdivider shall enter into a security bond agreement acceptable to the city to insure completion of all public improvements required to be installed in the subdivision. The bond agreement shall be in a form and contain such provisions as approved by the city attorney. The bond agreement shall include, but not be limited to, the following:

- A. Incorporation: Incorporation by reference of the final plat and all accompanying data required herein which is used to compute the cost of the improvements by the city engineer;
- B. Completion Of Improvements: Completion of the improvements within a period of time not to exceed two (2) years from the date the bond agreement is executed;
- C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the city and according to city standards, as established by the city engineer and as specified in chapter 8 of this title;
- D. Amount: The bond amount shall be equal to one hundred twenty percent (120%) of the city engineer's estimated cost of the public improvements to be installed;
- E. Exclusive Control By City: The city shall have exclusive control over the bond proceeds and they may be released only upon written approval of the city manager;
- F. Reduction: The bond proceeds may be reduced upon request of the subdivider as the improvements are installed. The amount of the reduction shall be determined by the city. Such requests may be made only once every thirty (30) days and no reductions shall be authorized until such time as the city has inspected the improvements and found them to be in compliance with city standards. All reductions shall be by the written authorization of the city manager;
- G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion of the improvements according to city standards for whatever reason, including previous reductions, the subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until the improvements are completed or, with city council approval, a new bond, satisfactory to the city, has been executed and delivered to the city to ensure completion of the remaining improvements;
- H. Deductions For Failure: If, upon written demand by the city after expiration of the time period, bond proceeds are not transferred to the city within thirty (30) days, the city's costs of obtaining the proceeds, including attorney fees and court costs, shall be deducted from the bond proceeds;

I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period, the costs of completion shall include reimbursement to the city for the costs of administration incurred by the city in obtaining the completion of the improvements;

J. Nonliability: The subdivider shall agree to hold the city harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the city certifies the improvements as complete;

K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by the city:

1. A cash bond agreement accompanied by a cashier's check or a money market certificate made payable only to the city;

2. An escrow bond agreement and an escrow account with a financial institution federally insured; or

3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial institution federally insured;

L. Right Of Rejection: The city reserves the right to reject any bond. The bonds required by this section are for the sole benefit of the city. The bonds are not for the benefit of any individual citizen or identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;

M. Extension: The time period for the completion of the required public improvements may be extended in the following manner upon approval of the city council:

1. The subdivider may submit a new bond for approval;

2. The existing bond may be extended upon payment, by the subdivider, of the actual administrative costs incurred in reevaluating the sufficiency of the bond amount. (Ord. 2015-06, 2-17-2015)

12-6-170: DELAY AGREEMENT:

In lieu of the bond requirements outlined above, at the city's sole option, the subdivider may be permitted to execute an agreement, in a form acceptable to the city attorney, delaying the installation of any or all of the public improvements required pursuant to this title. (Ord. 2015-06, 2-17-2015)

12-6-180: RECORDING OF PLAT:

After ~~planning commission~~city engineer approval, completion of the required public improvements or filing of the bond agreement described herein, and signing of the plat by the planning commission chair and the mayor, the plat shall be presented by the city recorder to the Davis County recorder for recordation. (Ord. 2015-06, 2-17-2015)

12-6-190: EXPIRATION OF FINAL APPROVAL:

If the plat is not recorded within six (6) months from the date of ~~planning commission~~city engineer approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the city manager. The subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, parks fees, flood control fees, as well as the amounts the city uses to estimate bonds to ensure completion of improvements, have increased, the city manager may

require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting the extension. (Ord. 2015-06, 2-17-2015)

CONSERVATION SUBDIVISION

11-12-050: APPROVAL PROCESS:

A. Application: Applications for a conservation subdivision shall be submitted and processed in accordance with the requirements and procedures set forth in the city subdivision ordinance, including submission and approval of schematic, preliminary and final plans or plats, and any additional procedural requirements set forth in this chapter, including, but not limited to, submission of a subdivision yield plan, sensitive area designation plan and/or master development plan. (Ord. 2014-33, 10-7-2014)

MIXED USE DISTRICTS

11-18-070: DEVELOPMENT PLAN REVIEW:

A. Applicability: In the OS, RMU, OMU, GMU and TMU Districts, the review procedures, standards and criteria set forth in this section shall be applied during the development plan review process.

B. Review: All structures shall be subject to the design criteria and development standards, and the review procedures set forth herein prior to issuance of a building permit.

1. Review Process: Review shall consist of the following three (3) phases. Review phases may be combined or eliminated by the city planner/zoning administrator after consideration of a recommendation by the community development director and/or city manager.

a. Presubmittal Conference: Prior to filing an application, the applicant and the community development department shall have a presubmittal conference to discuss the application and process. Information about the proposed uses, project program and building footprint should be provided for discussion.

b. Schematic (Concept) Design Phase: The architectural schematic design application shall be submitted.

c. Design Development Phase: The architectural design development application shall be submitted.

2. Application, How Filed And Noticed: All applications shall be filed with the community development department. Such applications shall be reviewed for completeness and, if found to be complete, shall be transmitted to the planning office for review. The community development department shall notify members of the city council and the planning commission of all applications received for the schematic review phase for developments on sites equal to or larger than thirty thousand (30,000) square feet. Such council or commission member may request additional information and may submit written comments to the planning office within twenty (20) days after notice is sent. After an initial review by the city planning office for compliance with the rules and regulations of this chapter, the application shall be transmitted to the site plan and architectural review committee (SPARC) for review.

Plans and any accompanying information for each phase of the development plan review process shall be delivered by the applicant to such city departments, special districts, governmental boards, bureaus, utility companies and other agencies, which will need to provide facilities and services to the site, which together constitute the city's development review committee (DRC), for information and comment. The community development department is

responsible for coordinating the comments received from all public and private entities, and shall decide which agencies to refer site plans to, but the applicant is responsible for obtaining the comments back from these entities within a reasonable time in a manner and/or form as prescribed by the community development department.

3. Application, Contents: Applications shall contain the following information:

a. Schematic (Concept) Design Phase: Site plan and context photos of the site and immediately adjacent properties, building elevations and other supporting information as requested;

b. Design Development Phase: All information set forth in chapter 7 of this title, except as otherwise provided in this chapter, including, but not limited to, such things as landscaping, lighting, screening and sign requirements, and all items required to make a determination of consistency for the schematic design phase, and other supporting information as requested.

4. Review, Recommendation Decision And Time Frames: Review shall comply with the terms and conditions of the PMP and applicable city ordinances in accordance with the site development review process set forth in chapter 7 of this title and the following standards and criteria. Notwithstanding this, the city planner/zoning administrator, and the site plan and architectural review committee (SPARC) will review all applications in the mixed use districts. After adequate review, the SPARC will provide recommendations to the city planner/zoning administrator and an application, or particular phase of review, may be approved, approved with conditions, continued for further study, or disapproved. The SPARC will also provide recommendations to the planning commission for applications that are forwarded to them for review and approval. Appeals of any such decision may be submitted as set forth in this title.

a. Applications that meet one or all of the following conditions will be forwarded to the planning commission for review and approval:

(1) The application includes a structure that exceeds thirty thousand (30,000) square feet in size;

(2) The application is asking for flexibility with the design criteria and development standards of this section, while still meeting the intents and purposes of said criteria and standards;

(3) The application is a planned development area (in excess of 5 acres in size);

(4) The application includes a use or element that requires a special review process.

b. Review at the schematic design phase shall be completed within thirty (30) days after the submission of a complete application to the community development department. The planning office, or the SPARC, shall consider any written comments received and make a determination of consistency of the application with adopted plans, the standards and criteria and any applicable rules and regulations and guidelines and shall identify additional design issues to be addressed in the design development phase. After adequate review, the application may proceed to the design development phase of the development plan review process.

c. Review by the community development department at the design development phase shall be ~~completed~~completed within thirty (30) days after the submission of a complete application. The planning office shall make a determination of consistency of the application with the adopted plans, standards and criteria and any applicable rules and regulations and guidelines and shall make a recommendation to the city planner/zoning administrator or the SPARC. The city planner/zoning administrator shall have fifteen (15) days to approve, approve

with conditions, continue for further study, or deny the application; or determine if review by the planning commission is necessary according to the conditions stated above.

d. Review periods may be extended by an amount of time equal to any delay caused by the applicant or by failure of the applicant to obtain comments from related reviewing entities and delivering these comments to the community development department, or with the applicant's consent.

e. Any person or entity aggrieved by the decision of the city planner/zoning administrator and/or the planning commission in the administration of this development plan review process may appeal such decision to the city council. Such appeals must be taken within fifteen (15) days of the action or decision by filing a written notice with the city recorder, specifying the grounds for appeal. Only those grounds specified in the appeal shall be considered by the city council.

12-1-070: ~~APPEALS OF FROM PLANNING COMMISSION DECISIONS~~ APPEALS OF FROM PLANNING COMMISSION DECISIONS ~~SUBDIVISION ORDINANCE REVIEW:~~

A. ~~A.~~ City Council: ~~Review of Planning Commission Decisions:~~

- 1) Appeal may be made to the city council from any decision, determination or requirement of the planning commission under this title by filing with the city recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made. Such notice shall set forth in detail the action and grounds upon which the subdivider, or other interested person, deems himself or herself aggrieved. ~~In the event of an appeal, application a~~
- 2) ~~Application~~ deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals.
- 4) ~~1)~~
- 3) ~~B. Hearing:~~ The city recorder shall set the appeal for hearing before the city council to be held within a reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued by order of the city council. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing.
- 4) After hearing the appeal, the city council may affirm, modify or overrule the decision, determination or requirement appealed and enter any such order or orders as are in harmony with the spirit and purpose of this title. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the city council. (Ord. 2015-06, 2-17-2015)

B. Administrative Review of Staff Decisions:

- 1) ~~An appeal from a decision by staff denying a plat based upon the City's subdivision ordinance or the provisions of this title may be made to an Administrative Hearing Officer appointed by the City Manager in accordance with provisions of this Code, made by filing with the city recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made.~~
- 2) ~~Application~~ deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals.
- 3) ~~The Zoning Administrator shall set the appeal for hearing before the Administrative Hearing Officer within a reasonable time from date of receipt of the appeal. The~~

appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing.

- 4) The Administrative Hearing Officer may affirm, modify or overrule the decision, determination or requirement appealed and enter a written order explaining the officer's decision.

12-1-075: APPEALS FROM SUBDIVISION IMPROVEMENT PLAN DECISIONS:

- A. Appeals from review comments made related to subdivision improvement plans during the review cycle described in Section 12-6-130 of this Title may be made by filing a written notice of appeal to the City Recorder within fifteen (15) days of denial of the final plat by the City Engineer.
- B. Upon receiving the appeal, the City Engineer and the appellant shall, unless otherwise agreed by the City and appellant, designate a licensed engineer to serve on a three-member panel described in Utah Code Ann .§ 10-9a-508(5)(d). Neither engineer designated may have an interest in the application subject to appeal. Any engineer employed by or working at a firm retained by the city or appellant to review, modify or draft plans is considered to have an interest in the application and are not eligible to serve.
- C. The two designated engineers shall confer and designate one additional licensed engineer.
- D. The land use applicant is responsible for payment of fifty percent (50%) of the cost of the panel and an appeal fee designated on the City's consolidated fee schedule.
- E. The panel shall hear arguments and exhibits provided by the parties and render a written decision supported by applicable codes and the City's adopted construction standards and specifications. The panel may not overrule the City's adopted construction standards and specifications unless a state law expressly overrides a provision of those standards.
- F. The panel's decision may be reviewed by a district court by either party, by filing a petition for review within thirty days after the date on which the decision is final.

12-1-080: JUDICIAL REVIEW OF CITY COUNCIL DECISIONS:

Any person aggrieved by any decision of the ~~city council~~appeal authority under this title may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of the decision by the ~~city council~~appeal authority. No person may challenge in district court any land use decision made by the city under this title until that person has exhausted his or her administrative remedies as provided herein. (Ord. 1996-24, 6-19-1996)

CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the Farmington City Council will hold a regular meeting on **Tuesday, October 17, 2023** at City Hall 160 South Main, Farmington, Utah. A work session will be held at 6:00 pm in Conference Room 3 followed by the regular session at 7:00 pm in the Council Chambers. The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website www.farmington.utah.gov. If you wish to email a comment for any of the listed public hearings, you may do so to dcarlile@farmington.utah.gov

WORK SESSION – 6:00 p.m.

- Appeal authority consolidation & removal of references to Board of Adjustment
- Discussion of regular session items upon request

REGULAR SESSION – 7:00 p.m.

CALL TO ORDER:

- Invocation – Melissa Layton, Councilmember
- Pledge of Allegiance – Scott Isaacson, Councilmember

PRESENTATION:

- Genevieve Foster Spotlight
- Department Report by Public Works

BUSINESS:

- Zone Text Amendments regarding Historic Resources on the Farmington City Landmarks Register

GOVERNING BODY REPORTS:

- City Manager Report
- Mayor Anderson & City Council Reports

ADJOURN

CLOSED SESSION – Minute motion adjourning to closed session, for reasons permitted by law.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability, please contact DeAnn Carlile, City recorder at 801-939-9206 at least 24 hours in advance of the meeting.

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Farmington City Hall, Farmington City website www.farmington.utah.gov and the Utah Public Notice website at www.utah.gov/pmn. Posted on October 12, 2023