



**FARMINGTON CITY
PLANNING COMMISSION**

June 20, 2024



FARMINGTON

MORE TIME FOR LIVING

PLANNING COMMISSION MEETING NOTICE AND AGENDA Thursday June 20, 2024

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

ZONE TEXT APPLICATIONS APPLICATION – public hearings (2)

1. Farmington City – Applicant is requesting a recommendation for consideration to add additional text and changes to multiple sections of Title 11 allowing separate ownership of accessory dwelling units (ZT-8-24).
2. Farmington City – Applicant is requesting a recommendation for consideration to add additional text and changes to Title 12, Subdivision Regulations, designating the Planning Commission as the land use authority over Subdivision Plat Amendments (ZT-9-24).

OTHER BUSINESS

3. Miscellaneous, correspondence, etc.
 - a. Minutes from Planning Commission – 05.23.2024
 - b. Minutes from Planning Commission – 06.06.2024
 - c. City Council Report – 06.18.2024
 - d. 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, the Utah Public Notice website at www.utah.gov/pmn on June 17, 2024.
Carly Rowe, Planning Secretary*



Farmington City Planning Commission Staff Report June 20, 2024

Item 1: Zoning Text Change Proposal—Multiple Sections of the Zoning Ordinance

Public Hearing: Yes
Application No.: ZT-8-24
Applicant: Farmington City

Request: *Recommendation to amend multiple sections of Title 11 allowing separate ownership of accessory dwelling units.*

Suggested Alternative Motions

- A. Move the Planning Commission recommend that the City Council amend Sections 11-2-020, 11-28-200, 11-10-040, 11-11-060, 11-11-070, 11-13-050, 11-13-060, 11-17-050, and 11-32-060 as set forth in the enclosed redline drafts.

Findings:

1. The State of Utah and much of the country are experiencing an unprecedented housing shortage. Much is being done to provide affordable “for rent” units but little is being done to create affordable owner-occupied dwellings. The amendment enables opportunities to increase affordable “for sale” housing supply, and will provide low to moderate income households the possibility of realizing equity as part of their housing expenses.
2. The proposed changes support and implement objectives of the City’s Affordable Housing Plan—an element of the General Plan.
3. Ownership will not impact the look and feel of Farmington’s neighborhoods as renter occupied accessory dwelling units (ADUs) are already a permitted use in the City’s agriculture and residential zones, and one cannot differentiate a “renter” from an “owner”; moreover, owner occupancy often enhances property values.
4. Utility and public service providers, the City Engineer, and City’s Building Official have reviewed the amendments and found them consistent with standards and day-to-day operations of their respective entities.
5. Many of the changes clarify and/or memorialize long-held practices and interpretations by the City.

- OR -

- B. Move the Planning Commission table action to allow time for input by the Fire Marshall/Fire Department, to consider amendments presented at this meeting concurrently with further

changes to Title 12 (the Subdivision Ordinance), and to incorporate any additional feedback to the enclosed draft by the Commission, staff, and/or the public.

Background

On January 4, 2024, the Planning Commission discussed the possibility of code text changes to allow ownership of an ADU (Accessory Dwelling Unit) separate from the ownership of the related single-family dwelling. On May, 9, 2024, the Commission established a sub-committee to review and draft such amendments, and this working group included City staff and two members of the City Council as well. The subcommittee met on May 20th and June 10th. The enclosed recommended amendments incorporate the proposed changes by the subcommittee.

The review by the sub-committee also triggered minor “tweaks” to other parts of the Zoning Ordinance. These amendments are also included in this staff report for Planning Commission consideration.

Supplementary Information

1. Draft with IADU Ownership Option Language, June 20, 2024.
2. Proposed amendments to Sections 11-10-040, 11-11-060, 11-11-070, 11-13-050, 11-13-060, 11-17-050, and 11-32-060 of the Zoning Ordinance, June 20, 2024.
3. Illustrative ADU and single-family dwelling layouts.

DRAFT with IADU Ownership Option Language
June 20, 2024

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

DETACHED ACCESSORY DWELLING UNIT (DADU): A detached dwelling unit ~~consisting of all or any part of within an accessory~~ **a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling** which is ~~architecturally compatible to the and integral part of a neighborhood and~~ **single-family dwelling and** located on the same lot, ~~or DADU parcel.~~

INTERNAL ACCESSORY DWELLING UNIT (IADU): An attached dwelling unit within, ~~or adding to,~~ **the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood** ~~an architectural and integral part thereof~~ **and which has an exclusive entrance separate and apart from the related single-family dwelling.**

DADU Parcel: ~~A defined area of ground which contains only two lots, each with a dwelling, and which, if combined together as one lot, including the structures thereon, meets the building lot, building placement, building height, parking standards, or other requirements of the underlying zone.~~

11-28-200: **DETACHED ACCESSORY DWELLING UNITS AND INTERNAL ACCESSORY DWELLING UNITS:**

~~Detached a~~ **Accessory dwelling units (DADUs) and internal accessory dwelling units (IADUs) may be allowed as a permitted or conditional use in various zones as designated in this title.**

- A. Purpose: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are:
 - 1. Minimal Impacts: To accommodate such housing in residential neighborhoods with minimal impacts on the neighborhood in terms of traffic, noise, parking, congestion, **proximity to neighboring dwelling units**, and compatible scale and appearance of residential buildings.
 - 2. Decline In Quality: To prevent the proliferation of rental dwellings, absentee ownership, ~~property disinvestment~~, Building Code violations and associated decline in quality of residential neighborhoods.

3. Terms And Conditions: To set forth standardized terms and conditions for DADUs and IADUs and procedures for review and approval of the same.

~~B. Permitted Use: IADUs may be allowed as a permitted use as designated by the underlying zone(s) found in this title. Applications for an IADU shall be submitted and reviewed by the Planning Department.~~

~~CB. Conditional Allowed Use Permit: IADUs and DADUs may be an allowed use as a conditional use as designated by the underlying zone(s) found in this title. Applications for an accessory dwelling shall be submitted and reviewed as a conditional use permit in accordance with chapter 8 of this title.~~

~~DC Standards: The following standards and conditions shall apply to all DADUs and IADUs, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use or conditional use permit process:~~

1. Location: ~~An DADU or an IADU shall only be allowed as part of, or in conjunction with, a single-family dwelling, and DADUs shall~~ **meet the height and building footprint area standards of the underlying zone for accessory buildings** ~~be subordinate in height and building footprint area to such single-family dwelling.~~
2. Number: ~~A maximum of one DADU and IADU accessory dwelling, either a ADU or an IADU shall be allowed per single-family home dwelling except as provided for in subparagraph E below, not one of each. DADUs and/or IADUs shall contain no more than one dwelling unit.~~
3. Parking: ~~At least one off-street parking stall shall be provided for the DADU or IADU. Such parking stall~~ **must** ~~be in addition to all off street parking requirements for the primary single-family dwelling on the lot and shall conform with the City parking standards specified in this title.~~
4. Design And Character: ~~The DADU or IADU shall be clearly incidental to the single-family dwelling, there should be no significant alteration to the exterior of the single-family dwelling to accommodate the ADU or IADU and such ADU or IADU~~ **and** ~~shall not adversely affect the residential character of the surrounding neighborhood. An DADU or IADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.~~
5. Size: ~~An DADU or IADU shall be equal to or subordinate in floor-area~~ **footprint** ~~to, or the remaining floor-area~~ **footprint**, occupied by the single-family dwelling.
6. Lot Size:

- a. The creation of an ~~DADU or IADU~~ is prohibited if the lot **size** containing the primary dwelling is **less than** six thousand (6,000) square feet ~~or less~~ in size.
 - b. The creation of a **DADU** is prohibited if the lot containing the primary dwelling is **less than ten thousand (10,000) square feet in size.**
7. Construction Codes: The **DADU** or **IADU** shall comply with all Construction, Housing and Building Codes in effect at the time the ~~secondary~~ **accessory dwelling unit** is constructed and shall comply with all procedures and requirements of the City building regulations.
 8. **Foundation: The DADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the city.**
 9. **Occupants: The DADU or IADU shall be occupied exclusively by one family.**
 10. ~~Ownership~~ **Occupancy:** Either the single-family dwelling or accessory dwelling (**DADU or IADU**) shall be owner occupied.
 11. ~~Absentee Owner:~~ Temporary absentee property ownership may be allowed due to ~~unforeseen~~ circumstances, such as military assignments, employment commitments, family obligations and quasi-public service. Notwithstanding the foregoing, the maximum time period allowed for absentee property ownership shall not exceed ~~four (4) years~~ **twelve (12) months**. In the event such absentee property ownership occurs, the property owner may rent both the accessory dwelling (**DADU or IADU**) and the primary dwelling **to unrelated third parties as defined herein.** **The zoning administrator may extend the twelve (12) month absentee owner period where it can be demonstrated in writing that the circumstances will last longer than a year, and the zoning administrator may impose conditions for such extensions as he or she deems appropriate. An unrelated third party shall be defined to be any person(s) who are not related to the primary owner of a dwelling within 3 degrees of consanguinity.**
 12. ~~Notice Of~~ **DADU Or IADU:** Farmington City may record a notice in the office of the Davis County Recorder on the lot in which the **DADU** or **IADU** is located. The notice shall include:
 - a. A statement that the lot contains an **DADU and/or an IADU**; and
 - b. A statement that the **DADU and/or IADU** may only be used in accordance with the City's regulations.

The City shall, upon recording the notice deliver a copy of the notice to the owner of the **DADU and/or IADU.**

- E. Site Development: Upon approval of a permitted use, or a conditional use permit, for an accessory dwelling (DADU or IADU), an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.
- F. DADU or IADU Ownership: The DADU or IADU owner may be different or the same as the owner of the single-family dwelling, including but not limited to a lot split. The DADU or IADU owner may own or acquire an interest in the DADU or IADU where such interest is memorialized in writing, that it is a legally enforceable and binding instrument fully describing the legal obligations between the owner of the single-family dwelling and the owner/proposed owner or interest holder as well as their respective successors in interest in the DADU or IADU in such a form and manner as will run with the land. Such instrument shall be in recordable form and shall be recorded with the office of the county recorder as a condition of issuance of any building permit or occupancy by the city. Ownership may include transfers to successors in interest to the original owner where the original owner retains ultimate control of the DADU or IADU such as to a wholly owned corporation living trust where the owner is both grantor and trustee and the like. All such instruments must be approved by the city attorney as to form and content prior to recordation. Standards for any such DADU or IADU created under this Section are as follows:
1. SSF: A Subordinate Single-Family dwelling (SSF) is a DADU or IADU held in separate ownership from the single-family dwelling, which ownership includes separate land for the DADU or IADU.
 2. DADU Parcel: An SSF and a single-family dwelling shall comply with the definition of a DADU parcel.
 3. Land Use Approvals/Permits: Any subdivision and building permit necessary to enable an SSF must follow the building code, the city's subdivision process, and other rules and regulations of the Farmington City Code.
 4. Separate Utilities Required: As part of the subdivision and building permit process, the owner of an DADU or IADU shall provide separate culinary water and sewer laterals, and other utilities (and if necessary a separate connection for secondary water), as well as customary metering, prior to occupancy of the SSF, and shall provide easements acceptable to the City for the same prior to or concurrent with the recordation of the subdivision. In the event separate utilities for the DADU are not installed, or approved by any or all respective service providers, the owner of the single-family dwelling shall not offer the DADU or IADU as an SSF and the city shall not approve the subdivision of the property.
 5. Parking and Access Easements: If an SSF lot frontage on public or private right-of-way is not wide enough to accommodate parking or pedestrian access, or if an SSF lot has not frontage, the owner

of the single-family dwelling lot shall provide parking and pedestrian access easements acceptable to the city to the owner of the SSF prior to or concurrent with the recordation of the subdivision.

6. Impact Fees: The city shall require payment of impact fees prior to the issuance of the building permit if the SFF did not previously exist on the single-family dwelling lot as a DADU or IADU.
7. Certificate of Occupancy: A property owner, or the City, shall not record a subdivision to enable a SSF until the City has issued a certificate of occupancy for the SSF.
8. SSF Occupancy: An SSF must be owner occupied for ~~5~~ three (3) years upon initial separation of ownership from the single-family dwelling, and all instruments recorded against the property to implement the separation shall require the same standard. Initial separation shall mean for purposes of this part the date upon which the initial owner of the single-family dwelling divests or sells a fee simple interest in the DADU creating the SSF.
9. Number of Permissible Dwelling Units: An SSF shall contain no more than one dwelling unit, and shall not have a DADU.

Proposed amendments to Sections 11-10-040, 11-11-060, 11-11-070, 11-13-050, 11-13-060, 11-17-050, and 11-32-060 of the Zoning Ordinance, June 20, 2024

11-10-040: LOT AREA, WIDTH, AND SETBACK STANDARDS:

H. Accessory Buildings And Structures:

1. a. Accessory buildings, except those listed in subsection H2 of this section, shall be separated from the main building by a distance in compliance with applicable Building Codes, shall be at least five feet (5') from all property lines, shall not encroach on any recorded easement.

b. Notwithstanding the foregoing, the City may approve accessory buildings with standards for the same as set forth in Chapter 11 of this Title ~~(and exceptions allowed in that Chapter) so long as such buildings are subordinate in height and area to the main building, are no taller than fifteen feet (15') in height (as allowed in chapter 11),~~ **(and exceptions allowed in that Chapter)** and comply with lot coverage standards herein.

2. Accessory buildings shall not be located in the required front yard. Accessory building located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the required rear yard or thirty three percent (33%) of a required side yard; when located in the front yard, but not the required front yard, accessory buildings shall not occupy more than twenty-five percent (25%) of that area.

3. No farm animal structure, hay barn, stable, silo, coop, corral or other similar building or structure which is accessory to the agricultural use of land may be located closer than ten feet (10') to any side or rear boundary line or fifty feet (50') to any public street or to any dwelling on adjacent properties. This provision shall not apply to pastures.

4. Equipment or materials stored or located in accessory buildings, yards or structures in AE Zones shall be permitted only for the personal use of the occupants of the property. No such storage or use related to a nonagricultural commercial business shall be allowed.

5. Accessory buildings which contain or constitute an accessory dwelling unit shall, without exception, be subordinate in height and ~~area~~ **footprint** to the main building.

I. Transmission Towers: Transmission towers, except as specified in section [11-28-190](#) of this title, shall be set back from all property lines a distance equal to the height of the tower plus thirty feet (30').

11-11-060: ACCESSORY BUILDINGS AND STRUCTURES:

A. Location: Accessory buildings, except those listed in subsection B of this section:

1. Shall be separated from the main building by a distance in compliance with applicable building codes;

2. Cannot encroach on any recorded easement;

3. Must be located at least fifteen feet (15') from any dwelling on an adjacent lot;

4. Accessory buildings located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the required rear yard or thirty three percent (33%) of the required side yard;

5. Accessory buildings shall, without exception, be subordinate in footprint ~~area~~ to the main building.

6. Any eave, or part of an Accessory building, shall not overhang or extend past a property line.

7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is of the same general design or style as and comparable in excellence of quality and construction to the main building, and in no event shall the accessory building encroach into the required front yard or required side corner yard.

B. Animal Shelters And Similar Structures: Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not less than ten feet (10') from any side or rear property line and fifty feet (50') from any public street or from any dwelling on an adjacent property.

C. Double Frontage Lots: On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage.

1. Exception: An accessory building which is less than ten feet (10') in height and two hundred (200) square feet in ground floor area may be located in a rear yard fronting a street so long as that yard does not abut the front yard of a neighboring property. The ten feet (10') shall be measured to the peak of a pitched roof. An accessory building located in the rear yard with street frontage shall be screened from view of the right of way by a visual barrier fence or landscaping.

11-11-070: BUILDING HEIGHT:

A. Main Buildings:

1. Main buildings shall not exceed twenty seven feet (27') in height; unless the Planning Commission approves an increased height after review of a special exception application filed by the property owner per section [11-3-045](#);

2. No dwelling or structure shall contain less than one story.

B. Accessory Buildings Or Structures (which does not include fences):

1. Accessory buildings or structures shall not exceed fifteen feet (15') in height unless an increased height is approved by the planning commission after review of a special exception application filed by the property owner per section [11-3-045](#).

2. Accessory buildings within one foot (1') of a side property line located in the side yard or front yard shall be limited to ten feet (10') in height and an increase in height of one (1') may be allowed for each additional foot setback from the side property, but not to exceed the maximum height for such buildings unless as otherwise provided herein.

3. Accessory buildings shall, without exception, be subordinate in height to the main building, **unless the main building is less than fifteen feet (15') in height.**

11-13-050: ACCESSORY BUILDINGS AND STRUCTURES:

A. Location: Accessory buildings, except those listed in subsection B of this section:

1. Shall be separated from the main building by a distance in compliance with applicable building codes;

2. Cannot encroach on any recorded easement;

3. An accessory building shall not be located closer than five feet (5') from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with section [11-3-045](#);

a. Exception: An accessory building which is less than ten feet (10') in height and under two hundred (200) square feet in ground floor area may be located within a side and/or rear yard closer than five feet (5') to a side property line so long as it complies with the other provisions of this Section.

4. Accessory buildings located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the rear yard or thirty three percent (33%) of the side yard;

5. Accessory buildings shall, without exception, be subordinate in footprint area to the main building.

6. Any eave, or part of an Accessory building, shall not overhang or extend past a property line.

7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is of the same general design or style as and comparable in excellence of quality and construction to the main building, and in no event shall the accessory building encroach into the required front yard or required side corner yard beyond the nearest corner of the main building.

B. Animal Shelters And Similar Buildings: Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not closer than ten feet (10') from any side or rear property line and fifty feet (50') from any public street or from any dwelling on an adjacent property.

C. Double Frontage Lots: On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage.

11-13-060: BUILDING HEIGHT:

A. Main Buildings:

1. Main buildings shall not exceed twenty seven feet (27') in height.

2. No dwelling structure shall contain less than one story.

B. Accessory Buildings Or Structures (which does not include fences):

1. Accessory buildings or structures shall not exceed fifteen feet (15') in height unless an increased height is approved by the planning commission after review of a special exception application filed by the property owner.

2. Accessory buildings within one foot (1') of a side property line located in the side yard or front yard shall be limited to ten feet (10') in height and an increase in height of one (1') may be

allowed for each additional foot setback from the side property line, but not to exceed the maximum height for such buildings unless as otherwise provided herein.

3. Accessory buildings shall, without exception, be subordinate in height to the main building, **unless the main building is less than fifteen feet (15') in height.**

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

A. Location: Accessory buildings, except for those listed in subsection C of this section, may be located within one foot (1') of the side or rear property line, provided they are at least six feet (6') to the rear of the dwelling, do not encroach on any recorded easements, occupy not more than twenty five percent (25%) of the rear yard, ~~and accessory buildings shall, without exception, be subordinate in height and area to the main building and shall not encroach into the front yard and required side corner yard.~~ An accessory building which contains an ADU shall be located a minimum of five feet (5') from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with section [11-3-045](#).

An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is of the same general design or style as and comparable in excellence of quality and construction to the main building, and in no event shall the accessory building encroach into the required front yard or required side corner yard beyond the nearest corner of the main building.

B. ~~Footprint and Height-Size:~~ All accessory buildings shall, without exception, be subordinate in height, **unless the main building is less than fifteen feet (15') in height,** and **subordinate in footprint lot coverage** to the main building.

C. Animal Shelters And Similar Buildings: Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not closer than ten feet (10') from any side or rear property line and eighty feet (80') from any public street or from any dwelling on an adjacent property (exceptions to these setback requirements may be reviewed by the planning commission as a special exception).

D. Double Frontage Lots: On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage.

E. Garages: All garages and any similarly related accessory buildings, whether attached or detached, shall be considered for approval as follows:

1. Notwithstanding subsection A, a garage shall not encroach into the front yard, side corner yard, or any other yard, except side yards and the rear yard, of the building lot, with the exception that if a garage currently does not exist on the property and one could not fit within the side or rear yard, then a garage may encroach into the side corner yard, but not the required side corner yard, provided that it is designed so as to be an architectural and integral part of the main dwelling.

2. Attached garages constructed even with the front setback line, or that are set back (or recessed) from the front setback less than a distance equal to half the depth of the main building shall comprise no more than thirty three percent (33%) of the front plane of the home on lots greater than eighty five feet (85') in width, and up to forty percent (40%) on lots less than eighty five feet (85') in width if for every percentage point over thirty three percent (33%) the garage is set back

(or recessed) an additional one foot (1') behind the front plane of the home. Side loaded garages where windows, openings and fenestration of the front facade thereof are consistent with such features of the main building and where the garage door does not face the street are an exception to this standard.

3. All garages, unless otherwise provided herein, shall be considered as a permitted use.

4. Garages must be compatible and consistent with existing garages in the area. The placement of garages in the general vicinity and on adjoining properties with respect to setbacks and the position of existing garages in relation to the main buildings will be a consideration in determining site plan approval for new garages. Property owners may be asked to provide information regarding such during the building permit application review process. (Ord. 2007-18, 3-6-2007; amd. Ord. 2015-11, 3-17-2015; Ord. 2023-42, 7-18-2023; Ord. 2023-44, 7-18-2023; Ord. 2023-55, 9-19-2023)

11-32-030: GENERAL PROVISIONS:

D. Tandem Parking: Tandem parking shall not be allowed, except for single-family and two-family dwellings.

E. Parking In Front Yard or Side Corner Yard: No portion of a front yard or side corner yard shall be used for parking, except for the paved or gravel driveway area. No portion of a front yard or side corner yard, other than driveways leading to a garage or properly designated parking space, shall be paved or graveled to encourage or make possible the parking of vehicles thereon.

11-32-060: ACCESS TO OFF STREET PARKING AND LOADING SPACES:

A. Ingress And Egress: Adequate ingress and egress to all uses shall be provided as follows:

1. Residential driveways shall be not more than twenty feet (20') in width when serving as access to two (2) properly designated spaces, or thirty feet (30') in width when serving as access to three (3) properly designated parking spaces as measured at the front or side corner property line. "Properly designated parking spaces" shall include spaces in a garage, carport or on a parking pad located to the side of a dwelling and not located within the front yard or required side corner yard. **Tandem parking on a residential driveway leading to a properly designated parking space contributes to the number of parking spaces required for a single- or two-family dwelling.**

Additional driveway width for access to a rear yard, for more than three (3) properly designated parking spaces, or for multiple-family residential developments, or for a different location of a properly designated parking space than set forth herein, may be reviewed by the planning commission as a special exception. Residential driveways shall be designed at a width which is the minimum necessary to provide adequate access to designated parking spaces.

2. Not more than one driveway for each separate street frontage shall be permitted on lots occupied by a one-family or two-family dwelling, except under the following circumstances:

a. On lots with at least the minimum width required in the zone, one additional driveway may be permitted providing that the sum of the width of both driveways does not exceed the maximum widths specified in subsection A1 of this section;

b. For lots having at least fifty feet (50') of width in excess of the minimum required width, one additional driveway, not exceeding sixteen feet (16') in width, may be permitted.

3. A maximum of one driveway for each one hundred feet (100') of public street frontage shall be allowed for commercial and industrial uses. Said driveways shall be not more than thirty six feet (36') in width. Minimum widths of driveways shall be not less than sixteen feet (16') for one-way traffic or twenty four feet (24') for two-way traffic. Planter strips designed to separate one-way entering and exiting traffic, which are not less than four feet (4') or more than twelve feet (12') in width, shall not be included in computing the total width of driveways and do not constitute a separation of driveways as regulated by subsection B of this section.

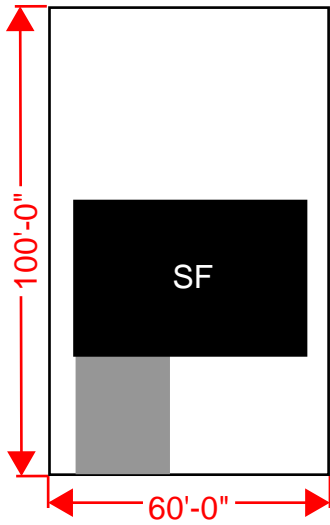
4. Driveways shall not exceed a slope of fourteen percent (14%).

5. Driveways shall have direct access to a public street for a building lot. Subject to satisfaction of the provisions of section [11-3-045](#) of this title and the grant of a special exception, direct access for a building lot may include access over one adjacent building lot, provided both building lots have full frontage on a public street, an access easement has been recorded acceptable to the city, and the full face of any dwelling unit located on both building lots fronts or is fully exposed to the public street.

B. Driveway Spacing:

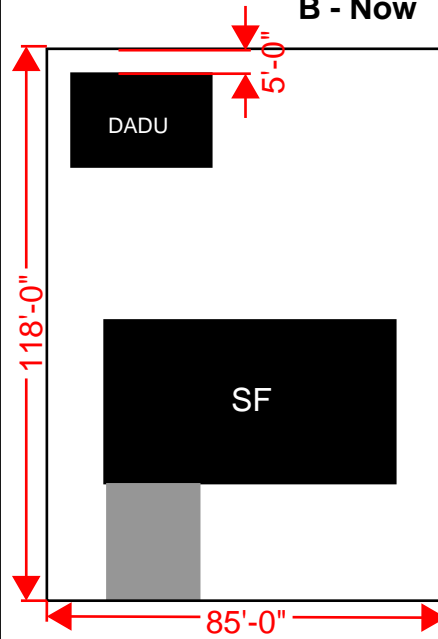
1. Individual driveways or circular driveways on residential lots shall be spaced not less than forty feet (40') apart on the same lot and shall be not less than six feet (6') from side property lines unless otherwise approved by the zoning administrator.

A - Now



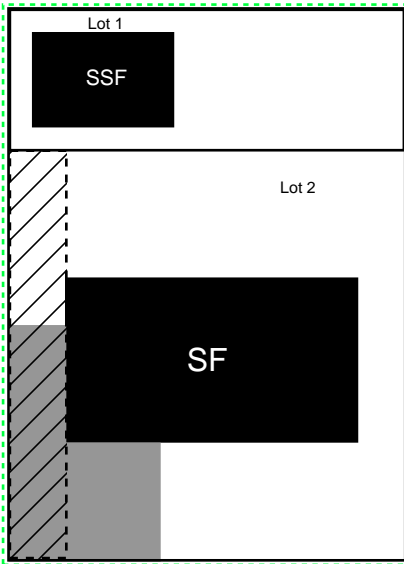
- Owner must live on-site.
- Lot size \geq 6,000 sq. ft.

B - Now



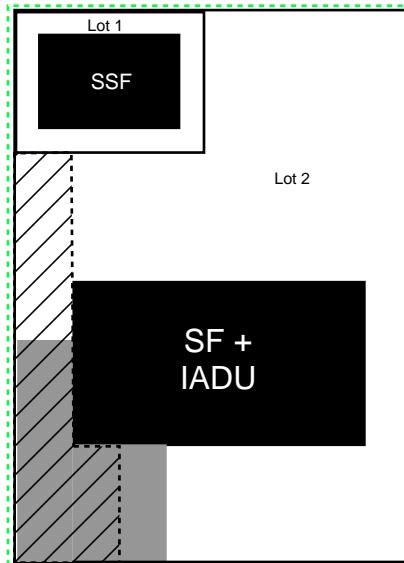
- Owner must live on-site.
- Lot size \geq 10,000 sq. ft.

C - Proposed



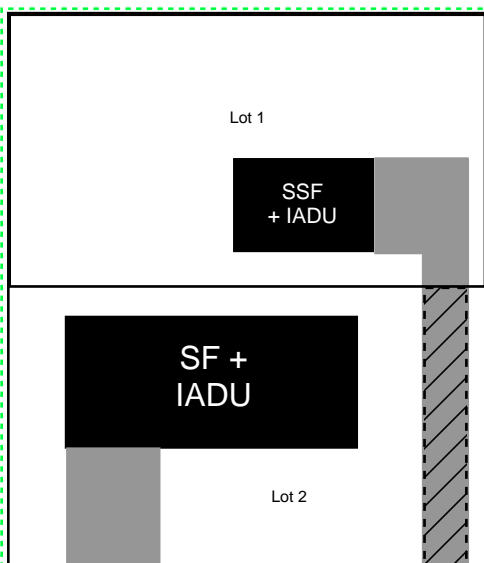
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- DADU parcel \geq 10,000 sq. ft.
- Access, Utility, and Parking Easement

D - Proposed



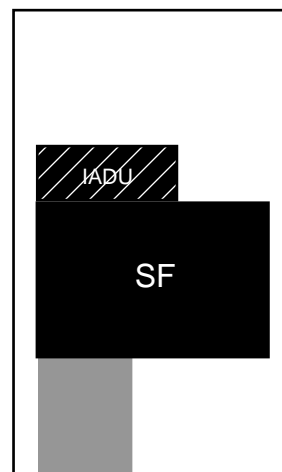
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- DADU parcel \geq 10,000 sq. ft.
- Lot 2 must be \geq 6,000 sq. ft.
- Access, Utility, and Parking Easement

E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- DADU Parcel \geq 12,000 sq. ft.
- Lot 1 \geq 6,000 sq. ft.
- Lot 2 \geq 6,000 sq. ft.
- Access and Utility Easement

F - Implied



- Addition Permitted
- Owner must live on-site.
- Lot size \geq 6,000 sq. ft.



Farmington City Planning Commission Staff Report June 20, 2024

Item 2: Consideration for additional text and changes to Title 12, Subdivision Regulations, designating the Planning Commission as the land use authority over Subdivision Plat Amendments.

Public Hearing: Yes
Application No.: ZT-9-24
Applicant: Farmington City

Request: *An ordinance outlining which body approves different types of subdivision plat amendments.*

Background

In consideration of a new ordinance which would allow for potential ownership of detached accessory dwelling units also being considered at this meeting, city staff is proposing that the Planning Commission be enabled to approve plat amendments which divide the accessory dwelling from the main home. The ordinance also clarified which amendments would be done by staff and which remain under the purview of the City Council.

Suggested Motion

Move the Planning Commission recommend that the City Council approve the proposed changes to Title 12, Subdivision Regulations.

Findings:

1. The following findings are restated within the enabling ordinance:
 - a. The proposed changes clarify which responsibilities remain with city staff within the Chapter that originally stated within its purpose that the processes within were administrative processes which would be approved by the zoning administrator.
 - b. Enabling the Planning Commission to review subdivision plat amendments will allow for additional oversight in a public format for the separation of ownership of detached accessory dwellings or other simple conventional lots splits which comply with ordinance requirements.
 - c. The City Council will remain the authority over amendment proposals where changes to easements or rights of way which are generally owned by the City are considered.

Supplemental Information:

Proposed enabling ordinance amending Title 12.

**FARMINGTON CITY, UTAH
ORDINANCE NO. 2024 -**

AN ORDINANCE AMENDING TITLE 11-12, SUBDIVISIONS, UPDATING THE PROCESS BY WHICH SUBDIVISION PLAT AMENDMENTS ARE CONSIDERED. (ZT-9-24)

WHEREAS, the Planning Commission has held a public hearing in which the text changes proposed for Title 12 were reviewed and has recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council has also held a public meeting pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed; and

WHEREAS, the proposed changes clarify which responsibilities remain with city staff within the Chapter that originally stated within its purpose that the processes within were administrative processes which would be approved by the zoning administrator; and

WHEREAS, enabling the Planning Commission to review subdivision plat amendments will allow for additional oversight in a public format for the separation of ownership of detached accessory dwellings or other simple conventional lots splits which comply with ordinance requirements; and

WHEREAS, the City Council will remain the authority over amendment proposals where changes to easements or rights of way which are generally owned by the City are considered;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Amendment. Section Chapter 12-7 of the Farmington City Zoning Ordinance is amended in as shown in Exhibit “A”

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 2nd day of July, 2024.

FARMINGTON CITY

ATTEST:

Brett Anderson, Mayor

DeAnn Carlile, City Recorder

EXHIBIT A

CHAPTER 7

LOT CONSOLIDATION, BOUNDARY ADJUSTMENT, AND PLAT AMENDMENTS

12-7-010: PURPOSE:

This chapter is intended to outline the process by which~~allow~~ the consolidation of lots or adjustments of boundaries ~~on-between~~ lots within the city ~~through-is permitted~~an administrative process approved by the zoning administrator.

12-7-020: WHEN PERMITTED:

A. Lot Consolidation: Two (2) abutting lots located within the same platted subdivision may be consolidated into a single lot if they share a common boundary and a common owner.

Likewise, two (2) abutting metes and bounds parcels may be consolidated into a single lot if they share a common boundary and a common owner. The zoning administrator shall act as the Land Use Authority when considering a Lot Consolidation.

B. Boundary Adjustment: Two (2) abutting lots or parcels within the city may have their boundary adjusted if they share a common boundary and consent of both property owners is established by the applicant. The zoning administrator shall act as the Land Use Authority when considering a Boundary Adjustment.

C. Plat Amendment: The removal or adjustment of a platted shared common boundary between 2 or more abutting lots which is to be reflected on the records of the county.

i. This process shall be required when changes to 1 or more lots within a platted subdivision are desired which would impact common areas, streets or right-of-ways, pre-established easements or which create any additional lots.

12-7-030: PROPERTY BOUNDARY UNAFFECTED:

A. Unless otherwise provided by Utah or Davis County law, lot consolidation and boundary adjustments under this chapter that are made to platted lots shall not have the effect of adjusting any property boundary in the records of the county.

B. The application shall provide a notice to an applicant that property boundaries for platted lots are not affected by lot consolidation or boundary adjustments, which may impact the owner's ability to construct improvements on the adjusted lots.

12-7-040: APPLICATIONS:

A. An applicant wishing to either combine two (2) lots, or to adjust a boundary between two lots or parcels, shall submit an application to the city planner on a form approved by the city. The application shall provide proof of ownership of both lots. At the time the application is submitted, the applicant shall pay the required application fee, as set forth in the city's consolidated fee schedule.

B. For boundary adjustments, the application must be accompanied by a survey and legal descriptions of the parcels with adjusted boundaries. The applicant shall also present proof of ownership for properties, with an executed and notarized consent to the boundary adjustment for each property.

12-7-050: REVIEW:

The city planner shall review the application for completeness, which review shall not exceed thirty (30) days. The applicant shall be notified as soon as practicable if the application is not accompanied by the required documentation. At the conclusion of the review period, the zoning administrator shall render a decision on the application.

12-7-060: LOT CONSOLIDATION RESTRICTIONS:

A lot consolidation under this chapter shall not:

- A. Combine two (2) lots that do not share a common boundary line;
- B. Combine two (2) lots that are platted on different subdivision plats;
- C. Extinguish or modify any easements of record; or
- D. Create any new lots.

12-7-070: BOUNDARY ADJUSTMENT RESTRICTIONS:

A boundary adjustment under this chapter shall not:

- A. Completely eliminate a lot;
- B. Result in a lot that does not conform to zoning or lot regulations of the city;
- C. Extinguish or modify any easements of record; or
- D. Create any new lots.

12-7-080: STATEMENT OF APPROVAL:

A. Upon approval of the application, the applicant shall submit to the city such proposed deeds or records that will accomplish the lot combination or boundary adjustment.

B. The ~~C~~city ~~p~~Planner shall review such submissions to assure they conform to the representations made in the application, and submit it to the zoning administrator for approval.

C. Upon approval, the zoning administrator shall sign a statement to be attached to the deeds reflecting the city's approval of the ~~L~~lot ~~c~~ombination-Consolidation or ~~b~~oundary-Boundary adjustmentAdjustment.

12-7-090: PLAT AMENDMENTS:

A. —A.—Administrative Review Process: The zoning administrator shall act as the Land Use Authority for applications for a Subdivision Plat Amendment for the purpose of consolidating lots or adjusting common lot boundaries only. An Administrative Reviewed Plat Amendment may only occur when no new lots are created, and where no changes are proposed to common areas, existing easements, or right-of-ways whether public or private.

B. Council Review Process: The City Council shall act as the Land Use Authority when consideration an application for a Subdivision Plat Amendment where any change is proposed which includes modifications to a common area, existing easement, or right-of-way whether public or private.

- a. Process: Applications for an amendment to a Subdivision Plat under Part B of this Section shall be considered as outlined by Utah State Code Sections 10-9a-608

and 10-9a-609.

B.C. Land Use Authority: The ~~City Council~~Planning Commission shall act as the Land Use Authority when considering an application for a Subdivision Plat Amendment where a new lot is created, but no change is proposed to a common area, existing easement, or right-of-way whether public or private.

**FARMINGTON CITY
PLANNING COMMISSION**

May 23, 2024

WORK SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Joey Hansen, George "Tony" Kalakis; Alternate Commissioner Brian Shepherd. Staff: Community Development Director David Petersen; Assistant Director/City Planner Lyle Gibson. **Excused:** Commissioners Samuel Barlow, Tyler Turner, Kristen Sherlock; Alternate Commissioner Spencer Klein. Staff: City Planner/GIS Specialist Shannon Hansell and Planning Secretary Carly Rowe.

6:30 PM WORK SESSION – Regarding Agenda Item #2, Assistant Director/City Planner **Lyle Gibson** said the STACK project has a lot of components and parts to it. Since the packet was put out, there has been an update including conceptual drawings. The Development Agreement (DA) is among Wasatch Properties, STACK Development, and Farmington City. STACK shared an initial amendment idea regarding their office building with the City Council several months ago. Wasatch Properties hasn't fully reviewed STACK's proposed changes, and encouraged Staff to allow them time to do so, so **Gibson** assumes this item may be tabled. The proposal is robust and the Planning Commissioners may need more time to consider it.

STACK originally assembled all the property and sold off 20 acres to Wasatch before completing the DA. Wasatch is one of the residential projects off Burke Lane that already has entitlements to build residential without waiting for office or commercial first. The existing DA said that Wasatch and the R1 property can start, but everything else has to wait for the commercial to go. Wasatch and STACK are joint signers on the agreement, but are not business partners.

Community Development Director **David Petersen** said when this development got its start, the office market was hot but then cooled down after COVID. This has created a need for developers to change previous agreements that were signed in March of 2020. However, residential housing has remained hot.

According to the existing agreement, **Gibson** said some residential items in STACK's plan have to wait for other commercial/office elements to get started first. Staff is recommending holding to the existing agreement that nonresidential needs to be under construction before additional residential begins. The decision to changing the DA is fully legislative, so the Commission has a lot of leverage.

Commissioners are concerned that the nonresidential will be reduced in favor of more residential. They originally contemplated a six- or seven-story office building with a large footprint and lots of parking, totaling around a 10-acre site. STACK is going to propose changes on the southern end. Commissioners wondered if a lot of commercial density will be lost when going from seven stories to two. **Petersen** said considering floor area ratio, it may not be a huge loss. STACK is proposing the same square footage in less stories but more buildings. They feel they will be able to lease up the shorter buildings quicker. They are trying to work with a change in the market. The current allowed ratio is 3 acres of residential for every 1 acre of office or nonresidential. They also already have entitlement to develop about half the site in residential without building any nonresidential. This is specific to the R1 area and the Wasatch property. The retail at the Shepard Lane Interchange will likely go quickly. **Petersen** said the updated plan needs to show the greenway feature, and STACK has been good to work with City Staff on that element.

REGULAR SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Joey Hansen, George "Tony" Kalakis; Alternate Commissioner Brian Shepherd. Staff: Community Development Director David Petersen; Assistant Director/City Planner Lyle Gibson. **Excused:** Commissioners Samuel Barlow, Tyler Turner, Kristen Sherlock; Alternate Commissioner Spencer Klein. Staff: City Planner/GIS Specialist Shannon Hansell and Planning Secretary Carly Rowe.

Chair **John David Mortensen** opened the meeting at 7:01 pm.

SUBDIVISION & PROJECT MASTER PLAN APPLICATION(S) – *public hearing: item 2*

Item #1 Nathan & Anna May – Applicants are requesting a recommendation for a Preliminary Planned Unit Development (PUD) Master Plan for the Sycamore Lane PUD at 59 S. 300 W. The PUD would allow the construction of a new home on the east side of the property while maintaining the historic home as an Accessory Dwelling Unit (ADU) in its current location in front of the new home. The property includes 0.31 acres in the OTR (Original Townsite Residential) zone. (S-3-24)

Community Development Director **David Petersen** presented this agenda item. The subject property is 0.31 acres near 300 West and the Junior High, and the proposed plan consists of a new home to the east of the existing historic home.

The historic home has an addition which is planned to be removed, but the applicant is preserving the historically significant part of the home and plans to use it as a detached ADU. ADUs are a permitted use in the OTR, but not in the front yard. This is the reason the applicant has applied for a PUD. To justify this flexibility, the applicant has agreed to enter into a Development Agreement (DA) to preserve the existing historic dwelling.

The Planning Commission reviewed this request at a public hearing on March 7, 2024, and most of the discussion focused on a 0.27-acre lot [Parcel # 08-089-0006 (or "Parcel 0006")] owned by the applicant adjacent to the east boundary of the proposed PUD. Although this lot is "land-locked," it is a legal non-conforming parcel because its creation predates City ordinances. **Petersen** said this is a great windfall for the applicant. The applicant's proposed March 7 building layout did not allow for future access to Parcel 0006. A member of the Commission noted that this may not be consistent with the Section 11-27-070 B. of the Zoning Ordinance regarding Preliminary PUD Master Plan review by the Planning Commission. The first sentence of this Section states in part: "The proposed planned unit development will create no detriment to property adjacent to the planned unit development . . ."

Due primarily to access issues related to Parcel 0006, the Commission tabled consideration to allow time "for continuous vetting and working with the City to find other ways to make this work for the applicant." The applicant reworked the building layout, and their latest proposal allows 20 feet for possible future access to Parcel 0006. In doing so, this will provide the owner of Parcel 0006 the means to meet fire department rules and regulations if a dwelling is constructed on this parcel in the future. **Petersen** said they have done a good job maneuvering their plans to allow access to the back lot. There will be a setback of 3 feet on the south side of the property; 20 feet on the north; and 15 feet to the east. The applicants could use a PUD overlay to develop the back lot in the future, but the historic ADU must still be preserved. The Commission may want to add a provision of when it should be recorded. Staff recommends that the Commission recommend this to the City Council.

Applicant **Anna May** addressed the Commission. Since last time, the home was designed 3 feet narrower and it was scooted to the south. There is a slight redesign as seen from the front.

MOTION

Commissioner **Frank Adams** made a motion that the Planning Commission recommend the City Council approve the Preliminary PUD Master Plan, which includes building elevations, for the proposed Sycamore Lane PUD, subject to all applicable Farmington City development standards, ordinances, and the following Conditions 1-3:

- 1. The property owner shall enter into the attached Development Agreement with the City to preserve the historic dwelling.
- 2. If necessary, the City may consider amending the PUD Overlay and Development Agreement to encompass Parcel 08-089-0006 consistent with the process set forth in Chapter 27 of the Zoning Ordinance and the continued preservation of the existing historic dwelling located on Parcel 08-089-0004.
- 3. The property owner must provide and record a reciprocal access and utility easement agreement acceptable to the City between the owners Parcels 08-089-0004 and 08-089-0006 to ensure access to Parcel 0006 now and in the future.

Findings 1-5:

- 1. The applicant plans to preserve the historic home.
- 2. The impact of the PUD is similar to that of a traditional main dwelling unit and accessory dwelling unit setup.
- 3. No new lots are being created
- 4. The PUD option creates the most efficient use of the parcel.
- 5. The applicant worked with City Staff and fire marshal to provide adequate future access to Parcel 08-089-0006 to enable the construction of a dwelling on this lot in the future.

Supplemental Information 1-6:

- 1. Vicinity map.
- 2. Modification to existing home.
- 3. Three-page Preliminary PUD Master Plan, May 23, 2024, including building elevations on pages 1 and 2.
- 4. Three-page Preliminary PUD Master Plan, February 17, 2024, including building elevations on pages 2 and 3.
- 5. Development Agreement for Preservation of existing historic home. (Note: Planning Commission review, critique, and recommendation of the DA is anticipated.)
- 6. Planning Commission Minutes, March 7, 2024.

Commissioner **Joey Hansen** seconded the motion, which was unanimously approved.

| | |
|----------------------------|----------------------|
| Chair John David Mortensen | X Aye ____Nay |
| Vice Chair Frank Adams | X Aye ____Nay |

Commissioner George Kalakis
Commissioner Joey Hansen
Commissioner Brian Shepard

X Aye ___Nay
X Aye ___Nay
X Aye ___Nay

Item #2 – STACK Real Estate – Applicant is requesting a recommendation to consider a Supplemental Development Agreement and Project Master Plan (PMP) Amendment with STACK Development for property located north of Burke Lane between I-15 and the Denver and Rio Grande Western (D&RGW) Rail Trail covering approximately 150 acres for STACK Farmington Land, LLC and Wasatch Farmington Holdings, LLC. As well as a recommendation to consider a Schematic Subdivision, Project Master Plan, and Concept Site Plan for the STACK R1 subdivision which covers approximately 9 acres at approximately 900 North and Innovator Drive. (S-6-24, PMP-1-24)

PROJECT MASTER PLAN AND DEVELOPMENT AGREEMENT

Assistant Director/City Planner **Lyle Gibson** presented this agenda item. There are existing entitlements on this property, and now that the developer is further into the project, they have more details and would like greater flexibility. It is a legislative act to change the rules the developer have to abide by. The Commission has a lot of discretion and the City Council gets the final say. Since the Staff Report was assembled, Wasatch Properties, one of the DA signers and land owners, said they have not had enough time to look through the proposal. Wasatch asks that no official recommendation be made at this time, which would allow them more time to understand the ramifications to their own property. All the area west of I-15 between Shepard and Burke Lane is owned by two nonpublic entities. Shepard Lane is under construction to be a full off-ramp interchange with access to 950 North and Shepard Lane on the east. It should be up and running next year. The area around that was slated for retail/commercial uses. Previous approvals have shorter buildings on the east scaling to taller buildings on the west against Interstate 15 (I-15). The applicant wants to make amendments to what can happen on their properties. They now have more refined, specific pads. While there are a lot of similarities, there are some changes as well. The applicant has proposed that it be a 200 foot distance between the Denver and Rio Grande Western (D&RGW) Rail Trail and two-story buildings transitioning taller buildings, consistent with the Evergreen project to the south.

In 2020, STACK Real Estate entered into a (DA) with the City, planning approximately 143 acres in the North Farmington Station Project Master Plan (PMP-2-20). Included in the agreement was the idea that residential development may only proceed at a ratio of 3 acres for every 1 acre of office. However, the R1 Subdivision project considered today received entitlement to construct residential at any time. The yellow areas on the attached PMP Land Use Map are entitled to residential development. In 2021-2022, the Commission and Council reviewed and approved Canopy Square by Wasatch Development on the orange area between Maker Way, Innovator Drive, and Burke Lane. Now the applicant has approached the City about proceeding with the R1 residential project on the yellow area shown today. With the Wasatch piece having received its initial entitlements for residential development, if R1 receives approval and begins construction, the 3:1 ratio will then come into effect for future projects and, according to the unamended DA, at least 1 acre of office use must have a building permit application prior to any more residential development.

The applicant’s proposed amendments to the DA are detailed in the table as part of Supplemental Information #3. In summary, the changes regard sections related to:

1. Replacement of existing land use tables known currently in Exhibit “B” shall be replaced with Exhibit “D” (Supplemental Information #4)
2. Building heights – Section 5a – Clarifies the height limit for the R1 area. Maintaining 200 feet of two-story buildings before transitioning to up to 36 feet in height for townhome units; and up to 44 feet if a patio or bonus rooms are included. These limits reflect the Sego Homes project to the south. This proposal includes increasing height limits as you move further east from the existing residential and Denver Rio Grande Trail.
3. Breaking down land uses – Section 5b – This section would amend the PMP/DA to include specific development parcels and their allowed uses. Also includes provision for 3:1 ratio, dependent on final site plan approval rather than building permit. See Exhibit “D”.
4. Office/Residential Ratio – Section 5c – This section effectively replaces the ratio language in the original agreement with the land use map in SI #4, also known as Exhibit “D”. Combined with the building height updates, this change also allows for the consideration of smaller office buildings on parcels O5 through O10.
5. Breaking down the “blue” office area – Section 5k – designates office parcels according to Exhibit “B”
6. Parcel dedication – new section 5l – Parcel A3 on Exhibit “D” will be dedicated to the City for stormwater detention and public use as. The City shall dedicate the same acreage to R1 for a more efficient project area.

The North Station Master Plat and accompanying land uses total 113 acres: 62 non-residential (55%) and 51 residential (45%).

Applicant **Trevor Evans** (2801 N. Thanksgiving Way, Lehi, Utah) addressed the Commission, explaining the south office portion of the development near I-15. The office market since COVID has been challenging. His company is trying to be data-driven in its decisions. They have looked at 22 months' worth of office transactions to determine the average office size requirements between Kaysville and North Salt Lake. On average, it is 5,000 square feet for lease transactions. Many companies are shrinking in size, but they still want to maintain a physical location with hybrid workers. Learning from past experience with big block office space in Lehi, STACK would like to shrink the buildings and do more smaller buildings, which increases window frontage for natural light. This is what attracts tenants.

They can capture all types of office users by offering three options: small (three stories, 10,000 square foot plates, a little larger than the Arbinger building); mid-size (four stories, 20,000 to 25,000 square foot plates, a total of 100,000 square feet); and high rise buildings north of Spring Creek. It is a stepping-stone approach to introduce tenants into various markets. They are trying to react to the dictates of the market. They have had some missed opportunities with users because they couldn't get financing for a large building. They want to capture users in smaller buildings in order to build the market up. An office campus provides expansion opportunities. Co-working small user space provides incubation opportunities that can feed a step-up to larger office spaces. In general, STACK wants some diversity in office user types to meet the needs of the current market.

The DA requires looking for in-fill opportunities to maximize the real estate and office campus. The first five office buildings would eventually include a parking garage. Those would have the same square footage as the larger two office buildings originally proposed. It would just take it in five bites instead of two, while providing a diversity of office types as called for by the market. The total acreage would be 10 acres, with pre-leasing needed to secure financing before construction can begin. **Evans** is shooting for five to seven years or build out. The north end depends on large-block users coming from out of state (the Bay area locating to Utah) concentrated on technology. That market is not viable right now. He hopes for interest from defense contractors from Hill Air Force Base that want to be off-base but next to amenities like Station Park. A combination of housing, commercial, and retail taking shape nearby creates energy and urgency for potential office users. Employers want to see housing adjacent to office due to housing affordability. Food options near the interchange help as well.

Evans said from a master planning standpoint, developers try to create synergy. The trend is to create an urban environment in a suburban area. It needs walkability from an office to nearby amenities without having to get in a car. Employees like the ability to either rent or buy housing. The combination helps with the recruiting of employees. In this market, it is more costly to own housing than to rent. Employers look at the cost of housing to determine the amount of pay they offer recruits. The integrated mixed-use community with potential walkability is attractive to many users. For two particular users STACK is in discussions with, it is very attractive. It is turning heads. On the west side, they are planning townhomes, which is a bridge between owning and renting. The developer is open to offering an incentive on rent for employees of large-office users.

Evans said the previous maps were made before wetlands had been delineated. The wetland area ended up being larger than anticipated, so things need to be solved. In a design change, the retail street was moved to the north, aligned with the remote transit hub to the east. Because the Utah Transit Authority (UTA) ended up taking more land to the south of this development, the developer studied the area for parking and circulation and decided to concentrate the commercial north of 950. **Gibson** asked about the percentage of residential and commercial. **Evans** replied that considering the measurement on land, it hasn't changed. However, total square footage has not yet been determined when taking into account the height of buildings.

Gibson said the biggest ask is the office component, and it is a legislative determination at the discretion of the Commission.

SCHEMATIC SUBDIVISION AND SCHEMATIC SITE PLAN

Gibson said this is more of an administrative process to see if it is following the rules. If it does follow the rules, it should be allowed going forward.

The schematic subdivision plan and schematic site plan describe the STACK R1 residential use for the yellow area shown on the proposed Exhibit "D" (SI #4). The schematic subdivision plan describes the entire area for the STACK property in parcels as shown on the Master Plat (SI #5). The breakdown is as follows:

- There are 12 commercial parcels ranging from 1.2 acres to 8.4 acres in size.
- There are 10 office parcels ranging from 1.0 acre to 9.5 acres.
- There are 10 residential/mixed use parcels ranging from 0.9 acres to 18.4 acres (RW is the Wasatch Development Canopy Square Project).

The Master Plat merely established Parcels, not buildable lots. When each parcel is ready for development in the future, it will require a new plat and specific project review. Example: The Master Plat creates the R1 parcel, the R1 Subdivision plat deals with the project specifics.

The site plan for parcel R1 shows 135 apartment and townhome units. The townhome units are broken down into individual parcels. In addition to the amendments listed in the previous section, a separate or supplemental DA should be considered by the City Council to include certain deviations to Title 11, Chapter 18 Mixed Use Zones. Items to be addressed in the DA are identified in the conditions of the suggested motion.

Gibson said the applicant would like to modify the existing agreement to say that as long as they have nonresidential site approvals from the Commission or Staff (instead of construction), they could begin more residential development. The R1 project along the Rail Trail is all residential with both apartments and townhomes. The existing language calls for three stories with a two-story element. Proposed language is anything within 200 feet of the Rail Trail would be two stories or less. Townhomes on the south end would be individually platted. A gas line easement runs east of the Rail Trail.

Evergreen is an approved, entitled development south of the trail, and Wasatch Property is also an approved project to the east along Burke Lane. 950 North is the new street that has recently opened. Office is to the east, with mixed use in the center. The townhomes could be individually owned should the developer choose. Landscaping to the north includes a dog park for the apartments to access and a public park is nearby. Dominion Gas has an easement that runs north-to-south along the trail. Blocks are consistent with the City's regulating plan.

Evans said lease terms have ebbed and flowed over the years between 5 and 10 years. It has reduced in recent years, and is now between 3 to 7 years. In Thanksgiving Park in Lehi, the areas have to be refreshed over time for a new experience, as called for in capital improvement plans.

Commissioners are very interested in residential vs. nonresident/commercial/office ratios, particularly not wanting the nonresidential uses to decrease as they have in other past developments. The original ratio is 3 acres of residential to every 1 acre of commercial. The ratio is now approaching 55/45. The Commission would like to provide some feedback in the event they table this item tonight. The Commission asked the applicant how they would react to a request to decrease the ratio to 2:1.

Evans said smart communities need to be mixed use, and office along I-15 is the highest and best use. He is considering live/work units along 950 North. The proposed 200 feet from the trail is only if it is a for-rent development. If it is for-sale, it would not apply. They would like three- to four-stories (if it included the fourth-story patio). He said residential pulls commercial and office. For ground-floor restaurants to work out, they need daytime users to frequent them during lunch time. He prefers the market to dictate uses, as the applicant has mentioned from the beginning.

Adams asked what changed between the original DA and now that makes the applicant want to do residential before commercial. **Evans** said their preference was not to have any ratio, but they are O.K. with a ratio. They always wanted to allow the market to dictate. Commercial and office are user-driven, while residential is speculation considering growth rates and population. From the applicant's perspective, there is not financial incentive to do residential over nonresidential. He would rather start all three at the same time as fast as possible, but market feedback is showing that rooftops are needed to attract restaurants, etc. Talking to prospective office users, they want residential coming up around their site in order to commit. On the office and commercial side, finances are difficult to obtain right now. Pre-leasing would be required before financing could be obtained.

Chair John David Mortensen opened the public hearing one hour and 23 minutes into the meeting.

Kyle Stowell (1764 W. Burke Lane, Farmington, Utah) said a dozen years ago, this property was zoned Office Mixed Use (OMU) when a packed house attended the public meeting. There was the idea of a buffer between existing two-story, single-family homes and higher density and higher activity areas, and a transition from two stories to higher buildings. He worries about an apartment building backing up to his home. He would rather swap the townhomes with the apartment buildings for a better transition. He was hoping for transition and buffer language to be put in the code, but that didn't happen as previously discussed. He is concerned with the townhomes on the south end with bonus rooms on the top, as that is too high within 200 feet. He prefers two stories within 200 feet.

Amee Ruedas (1864 W. 875 N., Farmington, Utah) said she lives one house away. She likes the change from the large buildings to the multiple sizes as it would bring different sizes of companies to Farmington. She likes moving the retail off the wetlands and putting in a trail system. It would be nice to have more small businesses in Farmington. The parking stalls along the Rail Trail are already full of those using the trails, so there wouldn't be space for business

parking there as well. The 200 feet was promised to residents in the past. It would be nice not to have apartments there.

Collin Christiansen (852 McKittrick, Farmington, Utah) lives nearby. The land has a ridge there. He is concerned with high wind storms that have blown the dust around the area. The land should be watered down or vegetated, as the air quality is a concern during construction.

Paul Baxter wrote in that he doesn't want the area cramped with apartments, townhomes, and office. Farmington is only concerned with getting as much taxes from property as possible. Staff promised **Baxter** the message would be read into the record.

Adam Langford with Wasatch Residential Group owns the south piece of this project and addressed the Commission via Zoom. They are still in the process of reviewing the proposed language, and hope to have comments on that soon. They are a party to the DA with STACK and Farmington City.

Chair John David Mortensen closed the public hearing one hour and 34 minutes into the meeting.

Commissioner **Brian Shepard** said he also lives on McKittrick, and he feels the same way as **Christiansen**. He would like to see more trees or landscaping to break up the line of housing. They are used to having wide views of the mountains, so this will be a big change. Commissioner **Joey Hansen** said he appreciates the data-driven approach of studying the market for what is good for mixed-use development. He is sensitive to the dust storms and honoring the 200-foot agreement. The developer seems open to feedback. He doesn't like the warehouse look of the architecture, although it seems to be more popular lately. He wants the fronts to look more designed.

Commissioner **Adams** said he likes the idea of trees. He does agree the apartments look like warehouses. **Evans** said he agrees trees should line that to break it up. There is a four-foot buffer, and easement holders (UTA, Dominion, and Weber Basin Water) all need to discuss what the best species are there. **Adams** would like to see the reworked DA at the Commission level before it goes on to the Council. He prefers the commercial be started in order to unlock residential.

Chair **Mortensen** said he agrees that the Commission and public need to see the completed DA ahead of recommendation to the Council. It needs to be re-noticed to see the full suite of information. There are already a lot of residents living here, so there are plenty of heads that would love to stay here and go to dinner. There are already a lot of new residential units going up in North Farmington Station. In a future work session, Staff can address how moderate-income housing is accomplished with this development. He agrees with adding trees, and wants them bigger than normal. It would also be a good idea to show the greenway on the revised map. He would like to get the developer's slide deck that was used tonight ahead of the next meeting.

Gibson said there is only one unit over two stories on the north end. He would like clarification on if the live/work units (with a commercial element next to 950) would be exempt from the 200 foot requirement. **Adams** and **Mortensen** are O.K. with it.

MOTION

Frank Adams made a motion to table the item (#2) and bring it back at a later meeting, giving the applicant time to address feedback received tonight.

Brian Shepard seconded the motion, which was unanimously approved.

| | |
|-----------------------------|----------------------|
| Chair John David Mortensen | X Aye ____Nay |
| Vice Chair Frank Adams | X Aye ____Nay |
| Commissioner George Kalakis | X Aye ____Nay |
| Commissioner Joey Hansen | X Aye ____Nay |
| Commissioner Brian Shepard | X Aye ____Nay |

ZONE TEXT AMENDMENT APPLICATIONS – public hearing

Item #3 – Farmington City – A recommendation for Additional text and amendments to Title 15, Sign Regulations, and Chapter 42, Scenic Byway Overlay, of Title 11, Zoning Regulations, as these codes relate to allowed signage in the city's Light Manufacturing and Business (LM&B) zoning district. (ZT-6-24)

Gibson presented this agenda item. Recently the Planning Commission reviewed an ordinance which would allow signage in the LM&B zoning district to be considered as a permitted rather than Conditional Use. This change was

given a positive recommendation by the Planning Commission. However, during the hearing, additional restrictions were identified which would need to be considered as well to accommodate appropriate signage for the LM&B zone.

The primary item of concern identified was a restriction in the City's Scenic Byway Overlay District found in Chapter 42 of the zoning ordinance. This district restricts land use in close proximity to the Legacy Parkway to help maintain the aesthetic value of the corridor without billboards interrupting the views. Multiple cities along the Legacy Parkway corridor cooperated to develop principles and standards to offer consistency along this route. Limitation on the type of signage was one of the items of consideration. However, after following up with Centerville, Woods Cross, West Bountiful, and North Salt Lake regarding their ordinances, none of the communities have adopted such restrictive policies as Farmington City regarding signage (or otherwise). In multiple instances the type of signage being considered is already installed on buildings along Legacy Parkway.

New tilt-up flex space buildings have been constructed in this area near Legacy Parkway. The tenants are concerned that long-term, almost everything requires Commission approval, and people often shy away from too much process. Usually in other areas of the City, Staff handles sign proposals. As is, buildings 30 feet high in Farmington can only put signs 15 feet up. Proposed is that the sign can go as high up as the wall is, eliminating the 15-foot requirement.

Chair John David Mortensen opened and closed the public hearing at 9:00 PM due to no comments received.

MOTION

Joey Hansen made a motion that the Planning Commission recommend the City Council approve the proposed changes to Chapter 11-42 of the City's ordinances.

Findings 1:

1. After completing the additional research, the proposed updates in the opinion of city staff are both appropriate for the properties which would potentially be impacted within Farmington City, and also consistent with the regulations in effect in neighboring cities along Legacy Parkway.

Supplemental Information 1:

1. Draft Ordinance Revisions

George "Tony" Kalakis seconded the motion, which was unanimously approved.

| | |
|-----------------------------|------------------------|
| Chair John David Mortensen | X Aye _____ Nay |
| Vice Chair Frank Adams | X Aye _____ Nay |
| Commissioner George Kalakis | X Aye _____ Nay |
| Commissioner Joey Hansen | X Aye _____ Nay |
| Commissioner Brian Shepard | X Aye _____ Nay |

OTHER BUSINESS

Item #4 – Miscellaneous, correspondence, etc.

a) North Lagoon Drive Concept

Petersen addressed this proposal near the Spencer Wright townhomes and commercial node north of the Mercedes. **Harv Jeppsen** owns the piece of ground with the blue barn. The land is zoned Agriculture (A) and is master planned for commercial mixed use. **Petersen** suggested rezoning the area to an Agriculture Planned (AP) District, where the City has a lot of legislative discretion.

Jeppsen said he is in the early stages of proposing putting an 81-site RV resort on his property. He has owned the property for a long time and considered a lot of projects over the years such as senior assisted living. RVers need more length and width in an area where visitors frequent both Lagoon and Cherry Hill. Most of the spots are pull-through on an angle for easy access with available 20-, 30-, and 50-amp electrical hook ups for air conditioning. There would be water and sewer hook ups as well. It would be run with a good set of ground rules. The spots are 45 to 95 feet in length and 25 feet in width. He does not want monthly rentals. The applicant hasn't applied for anything and wants feedback before submitting an application. The underlying infrastructure is sufficient for the proposed use, as **Jeppsen** has met with officials. It may require a lift pump in the future. It would take a financial risk to develop, but it is needed in the area. It would have showers and laundry facilities, as well as pickleball courts. It would be pavement with concrete pads and lots of trees and dry scape, as well as a hedge of greenery between each pad. High-speed internet is a requirement. He has considered installing a

wall or double-rail fence around the entire property. **Jeppsen** said some parks require that trailers be no older than 10 years old, unless previously approved. He would not allow tents.

Commissioners loved the idea, noting the popularity of the RV park at the interchange of Legacy and I-215. It would mean more revenue to the City. Entrance and exit would be off Lagoon Drive, right-in and right-out. The west side of the property would be commercial, with an expired townhome proposal nearby. There is zoning for large-lot, single-family nearby, but it would probably not develop out like that. Commissioners are attentive to the feel of the RV Resort in the area. They would like the RV Resort to be high-end to match Farmington. If conditions changed over the years, the use would be easy to convert to something else, such as more room for a car lot.

b) South East Bench Concept

Gibson presented this item. The site of a potential development project is off 200 East Street on the far south end of town. They want to run an initial concept. There is a yield plan for 55 lots in the Large Residential (LR) Zone. They are large lots on some steep slopes. The City would likely support the same type of development that is found east of I-15 in the area. It could go under a PUD process for density flexibility. Some twin homes are proposed to help them meet the moderate-income housing requirement, leaving large estate lots in other areas. The standard lot size is 20,000 square feet, which can be reduced to 10,000 square feet if open space, moderate-income housing, or a fee in lieu is provided. This is a unique product east of 200 East in Farmington. East of the property is unincorporated, so controlled by Davis County. It would need to be annexed into Farmington. **Petersen** said the City Engineer is ready to ask about storm drains, and public comment is still needed.

Mortensen is fine to explore if the proposal is feasible, and he is not concerned about the politics of it. Commissioners asked if there is a way to validate slope of property. **Gibson** said while the City doesn't have a survey crew, they do have access to Light Detection and Ranging (LiDAR) through the Geographic Information System (GIS) mapping system. LiDAR would help verify topography maps. There was not strong opposition to the proposal, although one Commissioner said he was not a fan after getting a ticket for disturbing the watershed by riding his four wheeler in the area.

c) City Council Report from May 31, 2024

Gibson said the Council followed the Commission's recommendation for the new fire station. Regarding the fencing requirement around pools, the Council wants to meet the middle ground and continue discussing the issue.

ADJOURNMENT

Joey Hansen motioned to adjourn at 9:30 pm.

| | |
|-----------------------------|----------------------|
| Chair John David Mortensen | X Aye ____Nay |
| Vice Chair Frank Adams | X Aye ____Nay |
| Commissioner George Kalakis | X Aye ____Nay |
| Commissioner Joey Hansen | X Aye ____Nay |
| Commissioner Brian Shepard | X Aye ____Nay |

John David Mortensen, Chair

Most relevant ▾



💎 Top fan

Paul Baxter

I can't make it but it will be pretty swell if [City of Farmington, Utah](#) doesn't let Stack development cram as many apartments/townhomes/offices into that space as possible... Farmington only seems concerned about the almighty tax dollar and how many tax dollars they can get from each square foot of property!

16m Like Reply Message Hide



 Author

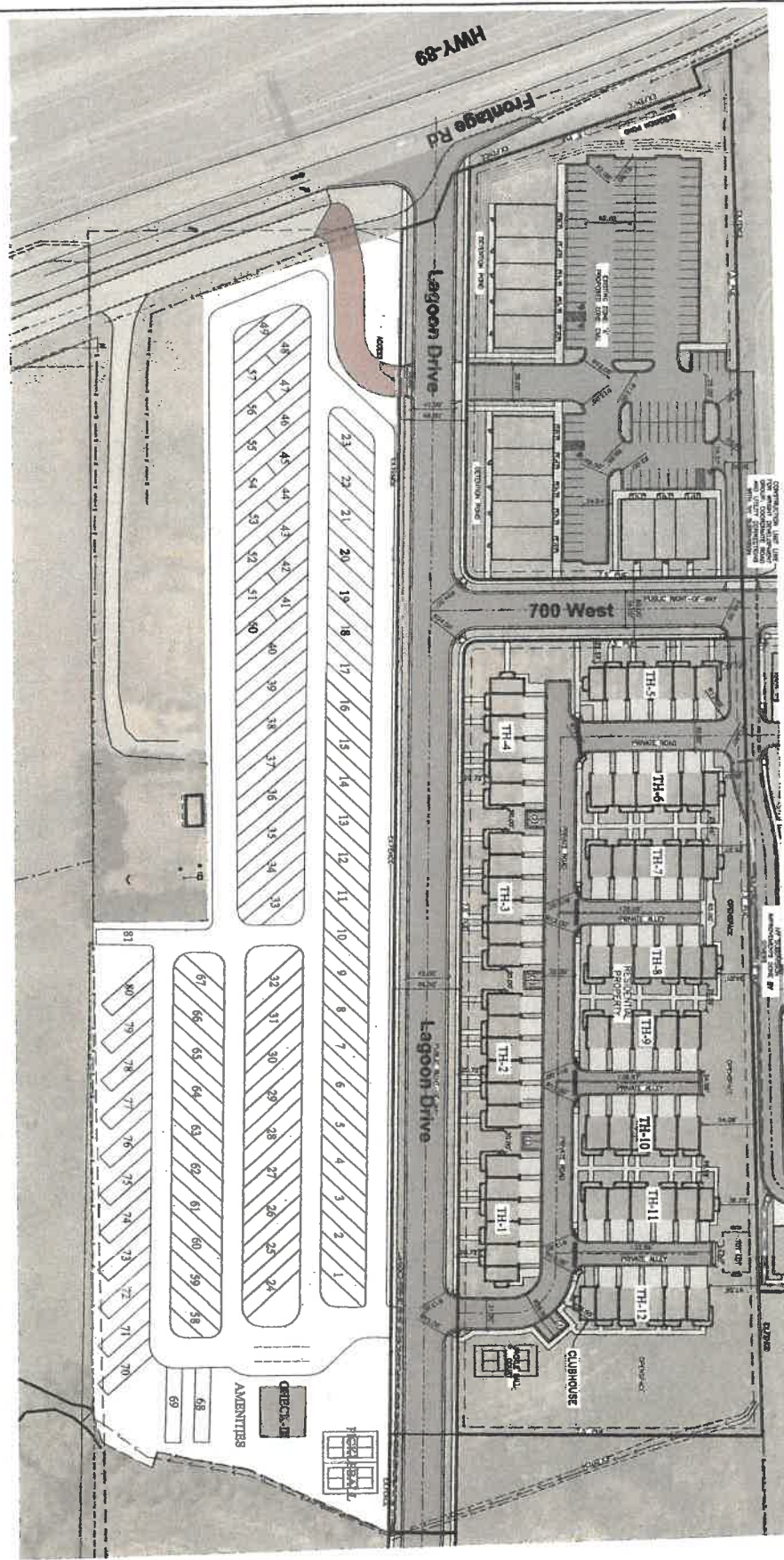
City of Farmington, Utah

Item 3.

11-41-070 Design Standards:

G(2) changed to read:

“Wall sign placement shall not extend above the wall on which it is affixed and not exceed 10% of area of the wall (including any building face) on which it is located unless the requirements of the underlying zone are more restrictive in which case the sign shall comply with the requirements of the underlying zone.”



| | | | | |
|---|--|--|--|--|
| SHEET 4 SHEETS 9 | | PROJECT INFO: Engineer: THOMAS L. HUNT PROJECT: Hess Farms Subdivision CLIENT: Hess Farms | Site Plan NORTH 1/2, SEC. 13, T3N, R9W, S12M FARMINGTON, DAVIS COUNTY, UTAH | HUNT ENGINEERING, LLC 6619 Willow Creek Rd. Mountain Green, UT 84050 C. 801.664.4724 thomas.hunt@hunt-engineering.com |
|---|--|--|--|--|

1. **Incorporation of Recitals.** The above Recitals are hereby incorporated into this Agreement.

2. **Property Affected by this Agreement.** The legal description of the Property contained within the Project boundaries to which the Agreement applies is attached as Exhibit A and incorporated by reference. Developer expressly agrees to the terms and conditions of this Agreement and acknowledges that this Agreement shall run with the land until its termination.

3. **Compliance with Current City Ordinances.** Unless specifically addressed in this Agreement, Developer agrees that any development of the Property shall be in compliance with city ordinances in existence on the date of execution of this Agreement. If the City adopts different ordinances in the future, Developer shall have the right, but not the obligation, to elect to submit a development application under such future ordinances, in which event the development application will be governed by such future ordinances.

4. **Compliance with Plans.** Development shall be completed in substantial compliance with Project shown in Exhibit "B" including but not limited to details regarding:

a) **Location of Buildings.** Buildings which currently exist and are proposed to be built on the Property shall be placed in accordance with Exhibit B.

b) **Modification to Historic Home.** The historic home located on the West side of the Property shall undergo modifications in order to render it a contributing property, as described in Section 6.

5. **Alternative Development Standards.** Pursuant to Utah Code Ann. § 10-9a-532(2)(a)(iii), this Development Agreement contains terms that conflict with, or is different from, a standard set forth in the existing land use regulations that govern the Property. This Agreement, which has undergone the same procedures for enacting a land use regulation, overrides those conflicting standards as it relates to this Project, as follows:

a) **Location of Accessory Dwelling Unit:** This approval overrides the ordinary restriction against accessory dwelling units being located in the front yard. *See* Farmington Municipal Code § 11-17-050(A). The restoration and preservation of the historic home warrant the deviation from usual code requirements in this case.

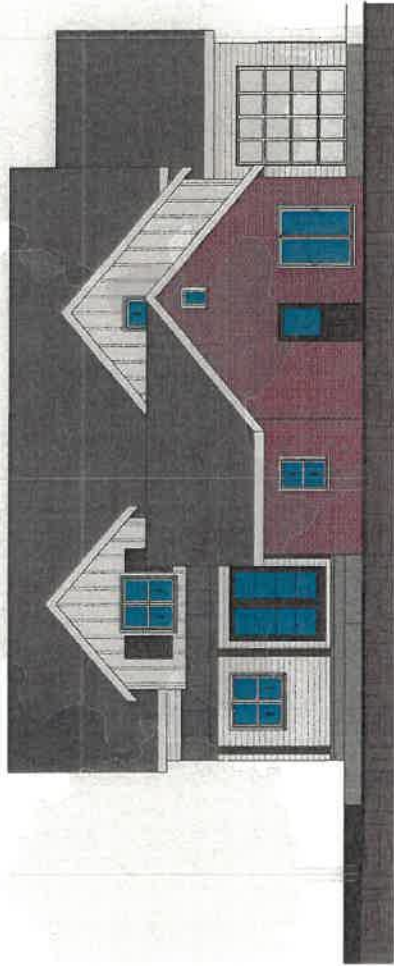
b) **Setbacks.** The new home being constructed as depicted in Exhibit B may be placed fifteen feet (15') of the rear property line on the East side of the lot, and three feet (3') from the side property line on the south side of the lot.

c) **Architectural Standards.** Developer will follow OTR design guidelines within the Sycamore PUC subdivision.

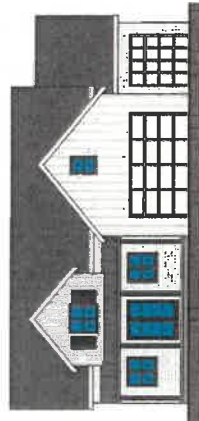
6. **Developer Obligations.** Developer agrees to the following provisions as a condition for being granted the zoning approval sought:

EXHIBIT "B"

Preliminary PUD Master Plan



1 Street View - Old House and New House
 $\frac{3}{32}'' = 1'-0''$



2 Front
 $1'' = 20'-0''$



3 Back
 $1'' = 20'-0''$

Contact:

Anna May
 801-403-5582
 Anna2may@gmail.com

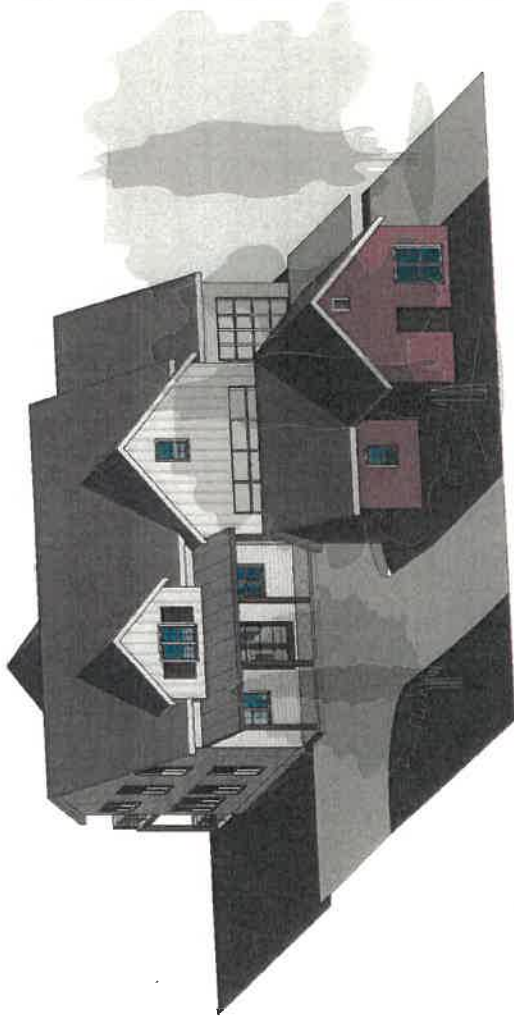
**SYCAMORE
 LANE**

59 S 300 W

Preliminary PUD Elevations

| | |
|----------------------|-----------|
| Project number | 1 |
| Date | 4/19/2024 |
| Drawn by | AM |
| Checked by | |
| Scale - As Indicated | |

E3



① 3D Representation

| | | | | | |
|--------------------|---------------|--|-------------------------|-----------|--|
| Contact: | SYCAMORE LANE | | Preliminary PUD 3D View | | |
| | 59 S 300 W | | Project number | 1 | |
| Anna May | | | Date | 4/18/2024 | |
| 801-403-5582 | | | Drawn by | AM | |
| Anna2may@gmail.com | | | Checked by | E4 | |
| | | | | Scale | |

When recorded, mail to:

MUTUAL EASEMENT AGREEMENT

This Mutual Easement Agreement (“**Agreement**”) is entered into this ____ day of _____, 2024, by and between **[insert name of Parcel A owner]** (“**[insert abbreviated name of Parcel A owner]**”) and **[insert name of Parcel B owner]** (“**[insert abbreviated name of Parcel B owner]**”). **[insert abbreviated name of Parcel A owner]** and **[insert abbreviated name of Parcel B owner]** are hereinafter collectively referred to as “the Parties.”

RECITALS

A. **[insert name of Parcel A owner]** is the fee owner of the following described real property:

See attached Exhibit 1

Hereinafter referred to as “Parcels A”

B. **[insert name of Parcel B owner]** is the fee owner of the following described real property:

See attached Exhibit 2

Hereinafter referred to as “Parcel B”

C. The Parties desire to create a mutually exclusive reciprocal easement for ingress and egress and utilities only, across Parcels A for the benefit of Parcel B, and across Parcel B for the benefit of Parcels A, and the present and future owners thereof, as more particularly described in Exhibit 3, attached and incorporated herein and hereafter referred to as “the Easement.”

D. The Parties are willing to grant the Easement, subject to the terms, conditions, reservations and provisions set forth herein, with these Recitals being incorporated into the Parties’ Agreement as material terms.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals, all of which are incorporated herein by reference, and in consideration of the mutual promises and covenants of the parties, the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

1. Grant of Easement. **[insert name of Parcel A owner]**, for himself, his heirs, successors and assigns in Parcels A, hereby grants and conveys to **[insert name of Parcel B owner]** and his

respective heirs, successors and assigns in Parcel B, the Easement, for ingress and egress only, to and from Parcel B. The Easement shall be appurtenant to Parcel B and shall run with the land and inure to the benefit of the [insert name of Parcel B owner] and his respective heirs, successors and assigns. [insert name of Parcel B owner] for himself, his heirs, successors and assigns in Parcel B, hereby grants and conveys to [insert name of Parcel A owner] and his respective heirs, successors and assigns in Parcels A, the Easement, for ingress and egress only, to and from Parcels A. The Easement shall be appurtenant to Parcels A and shall run with the land and inure to the benefit of the [insert name of Parcel A owner] and his respective heirs, successors and assigns.

2. Exclusive Use. The Easement granted herein is mutually exclusive. The Parties retain all rights to use and to continue to use the real property encumbered by the Easement for all other purposes and uses that do not substantially interfere with the rights granted herein.
3. Restrictions. Except as otherwise expressly provided for herein, the Easement may not be used by the other for any purpose other than ingress and egress and utilities.
4. Maintenance. The Parties shall have the right to make such repairs and maintenance to the Easement as the Parties reasonably deems appropriate for the proper use thereof with the written consent of the other, which consent shall not be unreasonably withheld, provided that any such repairs or maintenance shall be made solely at the expense of the owner causing the same. Such repairs and maintenance may include general maintenance, replacement, resurfacing, repainting, repairing, restriping, cleaning, sweeping and snow removal.
5. Indemnification. The Parties shall defend, indemnify and hold harmless the other from and against any and all claims, losses, costs, damages, injuries and reasonable attorney's fees arising out of, as a result of, or in connection with any claim made against the other and their respective Parcel as a result of the use or misuse of the Easement by the Parties or any person or entity using the Easement with the express or implied authorization, permission, or consent of the Parties.
6. Covenant to run with the land. The covenants and agreements of the Parties contained in this Agreement shall run with the land and inure to the benefit of and be binding upon the parties and their respective heirs, assigns and successors in interest.
7. Law. This Agreement shall be construed in accordance with the laws of the State of Utah.

(SIGNATURE PAGES AND EXHIBIT PAGES ARE ATTACHED)

[insert name of Parcel A owner]

STATE OF UTAH)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of
_____ by **[insert name of Parcel A owner]**

Notary Public

My Commission Expires: _____
Residing at: _____

[insert name of Parcel B owner]

STATE OF UTAH)
)ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of
_____ by **[insert name of Parcel B owner]**.

Notary Public

My Commission Expires: _____
Residing at: _____

EXHIBIT 1
(“[insert abbreviated name for Parcel A owner]” LEGAL DESCRIPTION-“PARCEL A”)

EXHIBIT 2
(“[insert abbreviated name for Parcel A owner]” LEGAL DESCRIPTION-“PARCEL B”)

EXHIBIT 3
(EASEMENT LEGAL DESCRIPTION)

**FARMINGTON CITY
PLANNING COMMISSION**

June 06, 2024

WORK SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Samuel Barlow, Tyler Turner, Kristen Sherlock, Joey Hansen, George "Tony" Kalakis. Staff: Community Development Director David Petersen and Planning Secretary Carly Rowe. **Excused:** Alternate Commissioners Brian Shepard and Spencer Klein. Staff: Assistant Director/City Planner Lyle Gibson and City Planner/GIS Specialist Shannon Hansell.

6:00 PM WORK SESSION: Community Development Director **Dave Petersen** discussed the subdivision ordinance and process. During the 2023 Legislative Session, cities were required to simplify their subdivision process by December of 2023. It took away any privilege of city councils and instead put burden on staffs and planning commissions. Much did not change for Farmington. A schematic plan for a single-family subdivision is now optional when it used to be required and accompanied by a public hearing at both the Commission and Council level. Much review was left with the Development Review Committee (DRC). After schematic, preliminary plat was handled by Staff because it is an administrative act without a public hearing. All the heavy lifting occurs at preliminary plat. Cities were reduced to four reviews total. The City Council and Planning Commission are much more involved in legislative actions.

Now, schematic is like it was before, with public hearings at both the Commission and Council levels. The preliminary plat level of review is discretionary and can be done by Staff. Depending on how simple it is, the Commission can delegate to Staff. Before 1999, typical subdivisions in Farmington were half-acre lots and a minimum of 10,000 square feet. Residents then had high expectations without a high budget. The new minimum lot size became one acre and 20,000 square feet in the Large Residential (LR) zone. However, a smaller lot size could be granted if open space and trails were given. This tactic worked, and zoning powers were successfully used to create open space and trails. Now, Project Master Plans (PMPs) are usually accompanied by Development Agreements (DAs) so that any deviation from zoning is accounted for.

Tonight's agenda includes two legislative acts. One is the applicant that is requesting an Agriculture Planned (AP) zone in order to sell cars from his land on 650 West. The next is the Jack in the Box proposal that would require a rezone. Farmington doesn't have a lot of room for future huge subdivisions anymore.

A subdivision by metes and bounds is also an option in Farmington. This separates a lot into two lots. Any greater than two lots, Farmington requires a plat. There are both platted and unplatted subdivisions. Platted subdivisions have every lot surveyed and tied to a monument. Most property in Farmington is in platted subdivisions. The rest of the parcels like in downtown Farmington are unplatted subdivisions that are not part of a subdivision plat. A lot of property in Central Farmington, along State Route 106, and down into Centerville is unplatted. Now, Staff reviews lot splits and the Commission is not part of the process as it used to be. Plat amendments are allowed to change boundaries, and goes to the City Council. The Commission is no longer involved in those.

In January, Staff considered allowing Accessory Dwelling Units (ADUs) to be owner occupied. A subcommittee was set up to explore this, and they have held one meeting with a second scheduled for June 10, 2024. Four of the Commissioners present are on the subcommittee. Right now, detached ADUs are a permitted use given certain setbacks, but the owner has to live on site. The subcommittee is exploring the possibility of allowing detached ADU for-sale units. The question is what the setbacks should be. Staff is considering a Detached Accessory Dwelling Unit (DADU) parcel that has to meet the 10,000 square feet lot requirements as well as placement in consideration of the single-family home. That way, an applicant could come in after building an ADU and request a lot split so the ADU is on its own parcel. Setbacks from property lines are dictated by building code. The entire Commission will review this at an upcoming meeting. Commissioner **Kristen Sherlock** said this proposal is a little out of the box, and the Commission should be involved in the decisions of how it is being run.

Staff handles an unplatted metes and bounds subdivision. City Council handles platted subdivisions. **Petersen** would like to see the Commission handle both, maybe even with a public hearing. The property owner has two ways to avoid a public hearing for a plat amendment. One is a signature from every property owner on a petition. The state has allowed an alternative that if something is mailed to every property owner and there is no reply within a 10-day window, the amendment would be granted. However, if there is even one protest, a public hearing must be held.

Petersen would like the Commission to take on the DADU. Commissioner **Frank Adams** said he would like to see them all at least initially, as Farmington is in uncharted territory. He might change his mind after a few years. **Petersen** said the Commission only approved eight or nine detached ADUs in the first 18 years. However, in the last two to three years, ADU applications have increased quite a bit. They may become routine after a while.

Petersen said the subcommittee may be able to present the DADU concept to the Commission at their June 20, 2024, meeting. The DADU would allow two lots within a standard lot, and one lot may have no frontage, occurring primarily in the metes and bounds plat amendment process. State law says the city land use authority should approve plat amendments, and the Council has never designated who the land use authority is for plat amendments. Plat amendments can be dicey, and he hopes the Council designates the Commission as the land use authority for plat amendments for simple lot splits.

The DRC is made up of representatives from the fire department, Central Davis Sewer, both water districts (Benchland and Weber Basin), city engineer, planning, storm water, and public works. They have 14 days to make their reviews, usually before it comes to the Commission. It is a necessary vetting process of technical recommendations. **Petersen** said family sizes have dropped, which will allow ample utility coverage even if many DADUs are approved in the near future. Family sizes are now half of what the Sewer District plans for. Recent efforts to conserve water have decreased secondary water use. Streets are also below usage estimates.

The State has put clamps on cities to review things faster in order to help facilitate affordable housing. Since they haven't put a clamp down on special districts (Central Davis Sewer and Weber Basin Water) yet, Farmington has to urge them to do their own approvals quickly. Cities typically do not build city streets; developers do. Cities maintain the streets. Developers are a vital cog to making cities happen. Impact fees help pay for additional services required by new growth. Building permits cannot be issued early. It would be premature to split a lot if an ADU won't fit on the new lot.

Regarding Agenda Item #1 **Fred Cooper** rezone to Agriculture Planned (AP) District for auto sales, Commissioners said they got emails from neighbors. **Petersen** said the previous landowner was a car enthusiast who has now died. There is an accessory building, but it needs to be accessory to the use of the land. **Cooper** bought the land. There was supposed to be a small apartment in the barn. The buildings are metal. Everything inside the building will be sold. The City Council will hear this item next. The former landowner was technically in violation for paving the front and side yards seven to eight years ago, but the City has not taken enforcement action yet. This is an opportune time to get the landowner to clean up the lot, as it has too high a percentage of paving. Farmington has standards to deal with small car dealerships that could be applied in this situation. **Adams** said this application does not seem to meet AP District requirements of having a professionally prepared packet, and he is not sure who the applicant is.

Commissioners think he is dealing with high-end vehicles, and there is a threshold of how many cars can be on site. The Utah State Tax Commission may get involved if he turns over too many vehicles per year. Conditions for approval or implication of denial based on code violations would be inappropriate, but it should be discussed in the regular meeting. Merit should be considered separate from code violation issues.

REGULAR SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Samuel Barlow, Tyler Turner, Kristen Sherlock, Joey Hansen, George "Tony" Kalakis. Staff: Community Development Director David Petersen and Planning Secretary Carly Rowe. **Excused:** Alternate Commissioners Brian Shepard and Spencer Klein. Staff: Assistant Director/City Planner Lyle Gibson and City Planner/GIS Specialist Shannon Hansell.

Chair **John David Mortensen** opened the meeting at 7:03 pm.

ZONING APPLICATIONS / DEVELOPMENT AGREEMENT – Public Hearings

Item #1 – Fred Cooper – Applicant is requesting a consideration of a rezone for their property to include the Agricultural Planned (AP) District overlay and an accompanying Development Agreement (DA) for requested auto sales use and related activity, located at 153 S. 650 W. (Z-5-24)

Community Development Director **David Petersen** presented this item. The subject property at southeast corner of 150 South (Kennard Lane) and 650 West currently includes two large garage buildings on site and a large paved area surrounding the buildings. It is currently zoned Agriculture Estates (AE). The buildings have been used for storage of personal vehicles and equipment. The family of the applicant owns the property where he hopes to be able to sell cars

from. The applicant has indicated that no changes to the property are needed and vehicles would remain inside the existing buildings.

Typically, the agricultural zones only allow business activity as it relates to agricultural activity such as farming or a home occupation. As this is not a farm and no one lives on site, a business cannot be approved at this address under the existing zoning. Rather than rezone the property to a commercial type zone, which would permit the desired activity, the AP district was a suggested route to allow the City to consider the requested use in a narrow and specific fashion. The AP district is established in [Chapter 27B](#) of the City's zoning ordinance. While the AP District regulations contemplate new construction and development, this site is not expecting a change in its physical character, rather what use takes place in the existing buildings.

Last year, Davis County wanted to do their Western Sports Park and proposed a building that was too high for their agriculture zoning. Staff considered rezoning the area mixed use, which would allow any of the allowed uses on that site. The County Commission didn't want that, so Farmington Staff considered other options including an overlay zone done by legislative act and a DA that detailed deviations from the underlying zone. This is how the AP District got its start in Farmington.

Petersen said this application is similar in that the applicants want a use that is not in the underlying zone. They have applied for an AP zone in order to sell cars on a limited basis inside the current buildings. The zoning ordinance already has standards for small car dealerships, but it is for commercial districts instead of agriculture districts. Lot coverage in the AP district is 25%, with the City approving any extra coverage. Deviation from standards called for in the underlying zone include: architecture, landscaping, deliveries, storage, hours of operation, and signage.

Per 11-27B-030 (E), the Planning Commission would make a recommendation in favor of the AP District provided that it finds that the facts submitted with the application(s) and presented at the public meetings establish that:

1. *The development is compatible with and will enhance the community as a whole as well as the immediately surrounding neighborhoods and existing property uses. To the extent that there is a commercial component, the applicant adequately demonstrates sustainable financial viability and provides adequate assurance of sustainability.*
2. *That the uses proposed will not be detrimental to present and anticipated surrounding uses as determined by the City.*
3. *The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload, compromise the safety of, or diminish the existing residential or other nature of the street network outside the AP District in a detrimental or adverse way.*
4. *Any exception from standard ordinance requirements is documented as required herein, warranted by the design and amenities incorporated into the final plan and enhances the purposes of the underlying zone and community as a whole.*
5. *The AP District is in conformance with the City General Land Use plan.*
6. *Existing or proposed utility services are adequate for the uses proposed.*

The Planning Commission is tasked with making a recommendation to the City Council, who will have the final say in whether or not the request is to be approved or denied. This is a legislative decision.

Applicants **Andrew** and **Fred Cooper** (1284 Hidden Quail Cove, Farmington, Utah). **A. Cooper** is the seller of cars and he indicates that he is a fan of hobby-selling cars. Without a license, he cannot sell more than six vehicles every six months, per the State regarding registration and titling. No additional structures would be added, and there would be no changes to the site as is. There is nothing visible to the public. No cars would be out front (only inside). He would be selling via KSL and appointment only. (This is similar to how the business is currently functioning.) He just wanted to sell some vehicles while going to school. Since he hit his quota, he wanted to sell a few more and become official. He only wants to obtain a license so he can sell through the State. He indicated that nothing would change in relation to the building; he would have a sign that is required by State and a little more volume than the six cars he has sold before. The building is currently being used to store cars. The only thing that would change is a banner will be placed on the garage, and he would be able to sell a higher volume of cars per year. **F. Cooper** said there are upwards of 13 cars right now being stored inside with room for potentially five more, for a total of 18 at any one time. **F. Cooper** then said that **A. Cooper**, his son, would be sure to keep the property clean, as they received a notice two weeks ago regarding weeds. He would be required to keep it clean at all times. The applicants did go around to neighbors explaining their pending application.

Adams said he has seen four different names on the documentation: **Fred, Andrew, Jennifer, and Jeff Cooper**. He wondered who the real applicant is. **F. Cooper** said those four individuals are members of a trust. **Adams** said the trustee should be the applicant. **F. Cooper** said he could be the sole applicant. **A. Cooper** said he intends to apply for a business license with the City to sell cars. **Adams** asked how the applicant would meet the code to enhance the

community as a whole, including surrounded properties. **A. Cooper** said there are no negative downsides to immediate neighbors, and the business would share the love of cars with the community while providing them with good deals on cars. Landscaping on the north side admittedly needs improved.

Adams said the General Development Plan (GDP) requires that plans be prepared by licensed, certified professionals such as an architect, landscape architect, planner, engineer, surveyor, etc. He guesses this application was not prepared by any licensed professionals. **A. Cooper** said he works at a real estate brokerage among many licensed professionals, and he used their softwares to prepare the application.

Chair John David Mortensen opened the public hearing at 7:30 PM.

*The Planning Commission received two email petitions regarding this item that will be included at the end of the minutes; they were from **Madison Hood** and **Brian Hendricks**.*

Mark Clark (110 S. Horizon Drive, Farmington, Utah) said he wanted to thank the applicants for introducing themselves. He is a businessman who relocated to this area because he loved the agricultural setting and residential community. He is not a fan of mixed-use and this is going down a trail of diverse mixed-use that would impact traffic, especially during school and when the ball fields are being used. It is already difficult to get egress there. Beyond this, he said they did clean up the property very nicely last week and it has enhanced the neighborhood. However, the applicant did use a tractor over someone else's property and dumped into the retention pond. Overall, he is against the use itself and it should be taken down entirely.

Michelle Bennett (590 W. Kennard, Farmington, Utah) said she lives immediately to the east of the property in question. She moved to this home shortly under one year ago, assuming this was a limited-use building. She really likes the residential feel. However, her deck does face the garage and she would feel limited in her yard overlooking a dealership. Her home was the driveway in which said tractor went over and left marks.

Matthew Caldwell (205 S. Horizon Drive, Farmington, Utah) said he lives southeast of the site. He is concerned with the precedence this continues to set, as the adjacent property has a tennis academy. During the summer months in the evening, there are 15 cars parking up and down the street, many double-parked. It makes it difficult for the residents to access their own properties. This would also set a precedent for the developers who proposed putting a commercial space north of this neighborhood. 650 West is already a busy street with the gym, tennis academy, Ascent Academy, and the High School. He is already concerned with the current impact; people use their neighborhood to do U-turns etc. Also, he is concerned with the dumping into the retention pond, which is serviced by his Homeowner's Association (HOA). Therefore, his neighborhood pays for debris removal. He is against allowing this, not because he is against the **Coopers** or their hobby, but because it is against the agriculture zoning.

Rob Archibald (563 W. Peak View Lane, Farmington, Utah) indicated that he was not visited as noted in the submittal. He does realize that the applicants, who have been good neighbors, may keep their promises etc., but he is concerned with the future of the property after it is rezoned for commercial uses. It would open the door to future businesses that may not be as good of neighbors.

Brian Hendricks (527 W. Vista Lane, Farmington, Utah) said he also sent an email. He does not want a used car dealership in his neighborhood, as it sets a bad precedent.

Chair John David Mortensen closed the public hearing at 7:39 PM. He explained that the Planning Commission is not the approving body, rather it is the City Council. The Commission recommends things to the City Council. The Planning Commission today has three options for this: recommend approval, recommend denial with conditions, or table so the applicant can address concerns or Commission feedback.

Sherlock said the use doesn't seem to suite the current zoning, which has been in place for a very long time. It was originally a farm that has been pieced off multiple times. She predicts that Farmington is going to see a lot more of this in the future, seeing buildings that don't seem to make sense anymore. **A. Cooper** said if they were selling the cars on the street where transactions are observable, it is much different than in an enclosed building. **Sherlock** said that this is a great building, great business idea, etc., but maybe it is not the best location for the business itself. She feels for the applicant, who is in a very difficult spot trying to find a creative use for existing buildings.

Turner said that he does believe in property rights and with the requesting of the rezone, but it does set a precedent much like the neighbors say. He is concerned with the future use as well when this is potentially sold. **Turner** also said he understands he is hoping to follow State compliance and he appreciates it, but it's not the best for this location.

Adams said that this code section is very complex and procedurally expensive. The applicant has not put their best foot forward. He prefers a more robust application that addresses how this would have a positive effect on the neighborhood, such as substantial landscaping. **Adams** also said the application is missing the parking stalls, landscaping plans, ingress/egress, etc. It is an incomplete application that needs more substance if it is brought back in the future. He suggests looking at Davis County's application for the Western Sports Park. Commissioners are driven by the code, not their personal feelings.

Mortensen said there are some inconsistencies and lack of information in the current application. He is hearing a lot based on merit as well.

MOTION

Frank Adams moved to **deny** the application on the basis it is:

1. Procedurally deficient, and does not meet the requirements of the code in a number of respects previously outlined.
2. On the merits, it does not demonstrate how it will enhance the community or surrounding neighborhood.
3. The applicant is not the appropriate applicant, and it should be the legal entity that owns the property, which should be the trustee. That is an easy fix if the applicant were to bring it back.

Tyler Turner seconded the motion, which was unanimously agreed upon.

| | |
|-------------------------------|----------------------|
| Chair John David Mortensen | X Aye ___ Nay |
| Vice Chair Frank Adams | X Aye ___ Nay |
| Commissioner George Kalakis | X Aye ___ Nay |
| Commissioner Joey Hansen | X Aye ___ Nay |
| Commissioner Kristen Sherlock | X Aye ___ Nay |
| Commissioner Tyler Turner | X Aye ___ Nay |
| Commissioner Samuel Barlow | X Aye ___ Nay |

*Unanimous 7-0 voting to recommend denial; this will move to the City Council.

Item #2 – Mike Williamson (FSC Development LLC) – Applicant is requesting a recommendation to amend the North Farmington Station Project Master Plan (PMP), and supplemental Development Agreement (DA) for the same, to allow for drive-through facilities within the 17.6-acre project south of Burke Lane, east of Innovator Drive, west of Maker Way, and north of 550 North. The applicant also submitted a concept plan for a restaurant with a drive-through window on a 0.88-acre property located at the southeast corner of Burke Lane and Innovator Drive. (PMP-2-24).

Petersen presented this item. The property is located south of Burke Lane, east of Innovator Drive, west of Maker Way, and north of 550 North. The applicant also submitted a concept plan for a restaurant with a drive-through window on a 0.88-acre property located on the southeast corner of Burke Lane and Innovator Drive. The whole project is 17.6 acres. In order to deviate from the underlying zone, which a drive-through window does, they have to have a total of 25 acres. In 2020, when the applicant first entered into an agreement with Farmington, it included two parcels, which puts them over the 25-acre edge. They have the ability to ask for deviation under Section 140 in the Mixed-Use zone. Amending is a legislative act. They previously submitted a concept plan and now need a narrative including a transportation analysis, storm water drainage, graphic details, etc. The list is quite long. The applicant may not want this item tabled at this point, as they are looking for conceptual approval. The Development Review Committee (DRC) chose not to review this at this point, suggesting the applicant run it by the Commission.

Chris McCandless (9071 S. 1300 W., Suite 210, West Jordan, Utah), with CW Management Corporation, is representing the applicant tonight. He indicated that this is the last piece of their project next to Segoe townhomes and they are committed to commercial on this corner piece. The Lifetime gym is supposed to go vertical soon as well. They are proposing a Jack in the Box restaurant on this property and they are excited to get this going. However, they wish it was done at the time of the Master Plan.

Chair John David Mortensen opened the public hearing at 8:04 PM.

Potential buyer **Preston Miller** (312 E. South Temple, Salt Lake City, Utah) said with Weber State University (WSU) going in across the street, they think that Jack and the Box would be perfect. WSU must have shared parking with this specific parcel per their Development Agreement. The property was originally zoned for a sit-down restaurant, but it is too small of a parcel for that, particularly for parking reasons. It is a right-in and right-out only there, so a gas station/convenience store is not ideal. He said the fact that the Utah Department of Transportation (UDOT) is placing

medians in the area is indicative of the fact that they anticipate a lot of traffic there.

Chair John David Mortensen closed the public hearing at 8:06 PM.

Mortensen asked **Petersen** about crossing on Innovator (two lanes in each direction, and an additional raised landscape median), and Burke (including bike lanes). Maker Way is one lane each direction with a lot of bulb-outs and limited landscaped medians. There is a lighted crosswalk intersection with buttons for pedestrians to cross all four lanes between WSU and the site in question.

Adams said he would prefer no fast food with a drive-through there, and would prefer a sit-down restaurant instead. He wants to see a more robust and detailed application before it is forwarded to the City Council. **Turner** asked **Petersen** if it is a review or approval. To clarify, **Petersen** said it would be a recommendation for Council to review because they have not submitted a full PMP application. **Sherlock** asked **Petersen** the layout of the four corners right there. (i.e. the townhomes, mixed medical buildings, etc.) The northeast corner is Wasatch residential. Everything is pushed to the corner, and the office building is three stories. Evergreen residential is four stories. Therefore, the Jack in the Box would be surrounded by tall buildings.

Barlow asked how the lease works. **Miller** buys the land and then they are the preferred developer, building to suit for Jack in the Box. They just completed one on Antelope Drive in Syracuse.

Adams asked if they own it; he said no, they are under contract. They are going for others that are not already at Station Park. **Sherlock** asked if the site plan provided is legitimate. He said no; once they submit formally, it would look better.

Mortensen said he appreciates the process that the applicant is going through. The principle, he said, is a risk. While this is only conceptual, there is a reason they ask for a full application, DA, etc. **Mortensen** wants the public to have all of the information up front. He said this location is not consistent compared to the buildings around it, but it is a prime-corner location. Either route that is taken in regard to the three motions that were provided in the packet would require more public hearings.

FIRST MOTION:

Tyler Turner made a motion that the Planning Commission **recommend** the City Council **review** the request to amend the North Farmington Station Project Master Plan (PMP) and supplemental Development Agreement to allow for drive-through facilities, subject to all applicable Farmington City development standards, ordinances, and the following:

1. The PMP and DA must be limited to the 0.88-acre property and is subject to the entire process set forth in Section 11-18-140 of the Zoning Ordinance, including the required public hearings, and legislative discretion enabled by this Section regarding alternative development standards.
2. Suggested that the applicant come up with potentially a higher-end facility to put on this parcel.

Findings 1-2:

1. Sub-paragraph 2.k. of the North Farmington Station states: "It is anticipated that the detailed uses of the Property and additional alternative development standards may be finalized with the approvals of final site plans and/or permits to be issued by the City and as part of the approval process of the further land use applications. To the extent such approvals require the approval of additional alternative development standards, such standards shall not be approved without a public hearing before the Planning Commission and City Council and final approval from the City Council."
2. In addition to the drive-up window, the concept plan does not meet other regulations of the underlying zone, including but not limited to, building siting requirements, etc. If the concept is approved as integrated into a PMP, the above condition will allow the City to identify all alternative development standards for this smaller PMP area.

Supplemental Information

1. Vicinity map.
2. Information from the applicant including 1) a narrative; 2) a "conceptual site plan" showing a configuration of a fast-food restaurant with a drive-up window at the southeast corner of Burke Lane and Innovator Drive; and 3) A Supplemental Development Agreement for The North Farmington Station with FSC Development, October 5, 2021.

George Kalakis seconded the motion.

| | |
|-------------------------------|-------------------|
| Chair John David Mortensen | ___Aye ___X___Nay |
| Vice Chair Frank Adams | ___Aye ___X___Nay |
| Commissioner George Kalakis | X___Aye ___Nay |
| Commissioner Joey Hansen | X___Aye ___Nay |
| Commissioner Kristen Sherlock | ___Aye ___X___Nay |
| Commissioner Tyler Turner | X___Aye ___Nay |
| Commissioner Samuel Barlow | ___Aye ___X___Nay |

**This motion did not pass; a new motion is below.*

NEW MOTION:

Frank Adams made a motion that the Planning Commission **recommend** the City Council **deny** the request to amend the North Farmington Station Project Master Plan (PMP) and supplemental Development Agreement amendment.

Findings 1-5:

1. The application is for a PMP, but the applicant did not submit a PMP as per Section 11-18-080 of the Zoning Ordinance. And regarding the concept plan, which was included with the submittal but not applied for, in addition to the drive-up window, the concept plan does not meet other regulations of the underlying zone, including but not limited to building siting requirements, etc.
2. Although the applicant requested specific text, the agenda item did not include another development agreement as an amendment to the existing DA for Planning Commission consideration.
3. Not enough information was provided as to whether or not allowing drive-up windows as part of the entire 17.6-acre existing PMP area is a good decision.
4. The 0.88-acre parcel is at the prominent/conspicuous corner of two primary streets (one a major collector, the other a minor arterial). A "fast-food restaurant" at this location is not consistent with a recent decision by the City to remove financial intuitions as an allowed use in most commercial zones due in part, because small footprint, one-story buildings with drive-up windows and relatively large parking areas started to dominate and consume land in high profile area--when the purpose of the General Plan and zoning ordinance is to limit these types of uses in the mixed-use zones, especially on high profile sites.
5. Suggested that the applicant come up with potentially a higher-end facility to put on this parcel.

Kristen Sherlock seconded the motion, which was unanimously agreed upon.

| | |
|-------------------------------|--------------|
| Chair John David Mortensen | X Aye ___Nay |
| Vice Chair Frank Adams | X Aye ___Nay |
| Commissioner George Kalakis | X Aye ___Nay |
| Commissioner Joey Hansen | X Aye ___Nay |
| Commissioner Kristen Sherlock | X Aye ___Nay |
| Commissioner Tyler Turner | X Aye ___Nay |
| Commissioner Samuel Barlow | X Aye ___Nay |

OTHER BUSINESS

Item #3 – Miscellaneous, correspondence, etc.

- a. **Minutes from Planning Commission May 9, 2024: Tyler Turner** would like to add "A 4-foot fence will keep children out just as well as a 6-foot fence" on page 4; and motioned to approve the minutes with that addition. **Joey Hansen** seconded the motion, which was unanimously approved.

| | |
|-------------------------------|--------------|
| Chair John David Mortensen | X Aye ___Nay |
| Vice Chair Frank Adams | X Aye ___Nay |
| Commissioner George Kalakis | X Aye ___Nay |
| Commissioner Joey Hansen | X Aye ___Nay |
| Commissioner Kristen Sherlock | X Aye ___Nay |
| Commissioner Tyler Turner | X Aye ___Nay |
| Commissioner Samuel Barlow | X Aye ___Nay |

- b. **City Council Report from May 21, 2024: Petersen** reported on the code text change for the Historic Preservation Commission (HPC). Chapter 39 was approved and adopted, with a carve out of those zoned R-4 & R-8. The Charlotte DA was tabled. (The applicant wanted to remove the requirement to build commercial prior to residential). Third party building inspectors were approved, and the Light

Manufacturing and Business (LM&B) sign package was approved. The Sycamore Lane PUD, conservation easement for the new fire station, and STACK Development street vacation were all approved as well.

ADJOURNMENT

Tyler Turner motioned to adjourn at 8:54pm.

Chair John David Mortensen
Vice Chair Frank Adams
Commissioner George Kalakis
Commissioner Joey Hansen
Commissioner Kristen Sherlock
Commissioner Tyler Turner
Commissioner Samuel Barlow

X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay
X Aye ____ Nay

John David Mortensen, Chair

DRAFT



Carly Rowe <crowe@farmington.utah.gov>

Farmington rezone

Madison Hood <madisonihood@gmail.com>

Wed, Jun 5, 2024 at 6:41 PM

To: "crowe@farmington.utah.gov" <crowe@farmington.utah.gov>

Hi! I am a resident at 559 west Kennard lane in Farmington. I will not be able to attend the rezone meeting tomorrow but wanted to ensure my voice and husbands voice was heard- we highly disagree with the rezone for a used car shop and this hugely weakens are neighborhood with heavy traffic- drop in house prices and not to mention the safety of my child. This is not appropriate in our neighborhood and I would greatly appreciate for this to not occur. We admire Farmington and this action would force us to move- we chose this neighborhood because it was that- a neighborhood. Please respect us as residents and wanting to remain residents

All my gratitude and appreciation

Madison Hood and Tanner Wolfe



Carly Rowe <crowe@farmington.utah.gov>

Planning Commission Notice of Public Hearing

Brian Hendricks <bdhendricks@gmail.com>
To: crowe@farmington.utah.gov

Fri, May 31, 2024 at 12:04 PM

Hi,

I wanted to comment on the following item planned for the Planning Commission meeting on June 6th.

1. Consideration for a recommendation for a Development Agreement, as well as an application for the Agricultural Planned District overlay zone for requested auto sales use and related activity, located at 153 S. 650 W. (Z-5-24)

This is a residential area, I absolutely do not support rezoning it for a used car lot. This will ruin the neighborhood area.

Thanks
Brian

CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the Farmington City Council will hold a regular meeting on **Tuesday, June 18, 2024** 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.

- Green Waste Discussion
- Discussion of regular session items upon request

REGULAR SESSION - 7:00 p.m.

CALL TO ORDER:

- Invocation - Melissa Layton, Councilmember
- Pledge of Allegiance - Amy Shumway, Councilmember

PUBLIC HEARINGS:

- Amending Municipal Budget for Fiscal Year ending June 30, 2024

Minute motion adjourning to the Redevelopment Agency meeting. (See RDA Agenda)

Minute motion to reconvene the City Council Meeting

- Amending the Consolidated Fee Schedule (CFS)
- Adopting the Compensation Schedule for Executive Municipal Officers
- Adopting the Municipal Budget for Fiscal Year 2025

SUMMARY ACTION

- Approval of Minutes for 05-21-24
- Approval of Minutes for 06-04-24

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 June 13, 2024