

**FARMINGTON CITY  
PLANNING COMMISSION**

July 11, 2024

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

**6:00 PM WORK SESSION & TRAINING** – Assistant Director/City Planner **Lyle Gibson** presented the “Jeopardy”-type game rules. Answers included: Farmington was settled in 1847. In the 2020 Census, Farmington had 25,000 residents. Farmington has six elementary schools (including Farmington, Knowlton, Eagle Bay, Canyon Creek). In 2022, 11,000 youth participated in recreation programs. 121 acres of land is managed by Farmington City as parks property. Four commissioners must be present to have a quorum, which must be noticed to the public. Five members of the current City Council have served as former Farmington Planning Commissioners. Permitted Use is the process regulating land use where desired conditions can be codified as standards. Form Based Code is the regulation that is focused on the way things look rather than what the property is used for. Parking requirements are zoning regulations that are being phased out across the nation. A Development Agreement is created to establish unique rules and regulations for a property that differ from the regulations found in the City’s ordinances. Other answers are Covenants, Conditions, and Restrictions (CC&Rs) in a Homeowner’s Association (HOA). In Utah, if there is ambiguity in the meaning of an ordinance, the applicant/landowner’s interpretation is favored. Commission terms are four years in length. Land Use, Development, and Management Act (LUDMA) in state statute requires that each municipality in Utah has a planning commission. Moderate-income housing should exist in a community to support a healthy and diverse population. If a person has an issue with a decision made by the Planning Commission, the decision can be appealed to the Administrative Hearing Officer, a third-party attorney. Appeals are rare. Business licenses, permitted uses, small site plans, building permits, etc. are common applications dealt with on the Staff level only. Findings and conclusions are included with the motion to support and justify the decision being made. These are usually provided in Staff Reports. The State of Utah requires notice of a public hearing before acting on legislative decisions. Title 11 of the Farmington City Ordinances includes Zoning regulations. According to the State of Utah, no administrative decisions must be handled by the Planning Commission. The City Council can delegate them to whoever. The City Council is the body with the final decision-making power. Rezones/zone text amendments are actions or processes that change which rules apply to a property. Conditional Use is a process overseen by the Planning Commission that considers a desired use that may require specific restrictions in order to mitigate reasonably anticipated detrimental impacts.

Regarding Item #1 (Gatrell Gardens Subdivision), a Planning Commissioner may buy one of the lots. **Gibson** said he is still welcome to vote on the item.

Considering Item #2 (Lyon Meadows Subdivision), **Gibson** said the property is already zoned Large Residential (LR), or typically a 20,000 square foot lot. Most everything around it are 10,000 square foot lots, and the Kaysville property to the north has 8,000 square foot lots. The applicant wants an alternate lot size (10,000 square foot lots) in the single-family subdivision. Because of the odd triangle shape, it is tricky to fit square lots. They are going through a Planned Unit Development (PUD) process. All roads will be public. In order to deal with lot shapes and to take advantage of good buildable area, the PUD allows flexibility on frontage and typical 10-foot setbacks. On an overlay PUD, the Commission has discretion. The applicant wants to do a twin home in order to offer moderate-income housing and to get the desired increased density.

Community Development Director **David Petersen** said the applicant may be interested in doing a Detached Accessory Dwelling Unit (DADU) element in this fresh subdivision. It would require the owner to have to live on site for the first two years, which will shake off investors. The utilities will be stubbed in appropriately for the two separate lots. Each of the 16 lots could become DADU lots, resulting in 32 lots eventually. Using the PUD to vary from the regular ordinance, the Commission has the authority to consider allowing the DADUs on each plat immediately. Many of the corner lot owners could easily do a DADU. The property owner is a dentist, with a friend who is an engineer. There is not a developer associated with this application.

Item #3 is the high-end RV Resort with covenants. **Gibson** said compatibility with the area plan is something to consider. The area plan is a guide that was accepted some time ago and includes large single-family lots, townhomes under construction currently, and commercial uses. A boat dealer and assisted living has been considered in the commercial area. An RV Resort is a unique-style hotel use. Commissioner **Frank Adams** said this is going under an Agriculture Planned (AP) District, and the applicant has the duty to not have it detract from surrounding uses, but rather enhance the surrounding community. The burden is on the applicant.

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

Chair **John David Mortensen** opened the meeting at 7:02 pm. Three of the six agenda items are public hearings.

## SUBDIVISION APPLICATIONS

**Item #1 Blake Bastian – Applicant is requesting Preliminary Plat / Final Planned Unit Development (PUD) Master Plan approval for the proposed Gatrell Gardens Subdivision, which will consist of 10 lots (including three existing homes) on 2.77 acres of property, located at 37 and 79 North 100 West and 184 W. State Street, in the Original Townsite Residential (OTR) zone.**

Assistant Director/City Planner **Lyle Gibson** presented this item. The subject property consists of 2.5 acres accessed from 100 West Street just north of State Street and currently includes two homes. The schematic subdivision plan included 10 lots: eight on the Gatrell parcel, and three on the neighboring Fadel property. As reviews with the Development Review Committee (DRC) progressed, the Planned Unit Development (PUD) plan has been reduced to seven buildable lots with two parcels to be developed at a later date. The two parcels are on the Fadel properties and have been designated as such because the property owner is not yet ready to build on this land and prefers to contribute to the private road 25 North at a later date. Because access to these two parcels is reliant on the private 25 North, they will remain in the PUD. When the Fadel's are ready to proceed with creating buildable lots and contributing to 25 North, the PUD would require a plat amendment to change the parcels to lots. Utility and access easements will be needed to develop the lots in the future. This will require approval by the Land Use Authority at the time.

The City Council approved the Schematic Subdivision, Preliminary PUD Master Plan, and Development Agreement (DA) for this project on December 5, 2023. Their approval allowed for the historic homes to count in lieu of providing open space. The agreement requires that the existing homes remain eligible for the Historic Register. Preliminary Plat and Final PUD Master Plan are the last Planning Commission approvals required. Final plat will be reviewed and approved by Staff before recording and subdivision improvements.

The City Council will consider a Pioneering Agreement update to the original DA at their next regularly scheduled meeting. The Fadel's plats will benefit from improvements being put in by the developer, and therefore they should pay their agreed-upon share of those improvements. Staff recommends approval of the preliminary plat and final PUD master plan.

Applicant **Blake Bastian** (49 N. Main Street, Farmington, Utah) indicated that nothing much has changed on this project and that **Gibson** properly noted most of the items. This has been delayed as they negotiated with the Fadel's, and the result is a win-win situation for both parties.

Commissioner **Kristen Sherlock** asked how Parcel A will be accessed. There will be an easement on Parcel B for access. When a plat amendment is done for the parcels to be put into lots, this will be handled by Staff at that time.

Commissioner **Frank Adams** had comments regarding the last time this project was seen versus the changes now as well as the DA. He understood that the historic homes would not only be preserved, but also renovated. However, the applicant told the City Council that they could not be renovated because they were currently occupied. He is concerned about some vagueness in the DA. He wants it to be as specific as possible, especially regarding the preservation language, technical amendments, and description of the easement. The title company needs to be able to pick up and enforce the easement. He suggested that the easement language be recorded separately or attached as an exhibit to the DA. It needs to lay out metes and bounds, not just be in a drawing, in order to protect all parties. **Bastian** mentioned that the City Attorney didn't make any suggestions after reviewing the DA. However, he doesn't see a problem with **Adam's** suggestion. He paid an attorney to draft these documents. **Adams** said it would protect everyone, and help the title company in the long run. **Bastian** said there is access to Parcels A and B from State Street, which would require tearing out the Fadel's existing pool house. **Adams** said preservation of the historic property is important, and it could mean a lot of different things. A specific description is needed to avoid ambiguity. **Bastian** thinks it means that those homes will not be torn down. **Adams** said it should be put into the agreement. **Bastian** reviewed and agrees with

Adams' proposed technical changes, including use of the word "terminate," which should run with the Pioneering Agreement. He also changed "leeway" to the right but not obligation to have three-car garages.

**MOTION**

Frank Adams made a motion that the Planning Commission approve the Preliminary Plat and Final PUD Master Plan for the Gatrell Gardens subdivision, subject to all applicable Farmington City development standards and ordinances, recommending that the applicant go back and look at the language the Commission has given them and incorporate as much as possible in the DA, and **Condition 1 and suggestions 1 and 2 for consideration of the City Council when reviewing the Pioneering Agreement terms of the DA:**

Condition:

- 1. In addition to the note on the subdivision plat granting access to Parcels A and B, a separate easement outlining the access and rights to run private utility lines shall be recorded in favor of Parcels A and B, which will then be referenced on the subdivision plat.

Suggestions:

- 1. The language be clarified within the DA regarding the preservation of the homes to make sure they are not demolished, as portrayed to the City Council with the original proposal.
- 2. The language in the agreement which references termination will apply only to obligation to reimburse the pioneering costs, and not any other conditions or obligations of the City or the developer under the terms and conditions of the DA.

**Findings 1-2:**

- 1. Detailed engineering and plans have been reviewed and proven to meet applicable design standards and regulations.
- 2. The proposed Preliminary Plat and Final PUD Master Plan are consistent with the approved Schematic Subdivision, Preliminary PUD Master Plan, and the approved Development Agreement for the project.

**Supplemental Information 1-4:**

- 1. Vicinity map
- 2. Approved DA and exhibits (Schematic Plan and preliminary PUD Master Plan)
- 3. Preliminary Plat and accompanying drawings
- 4. Copy of CCRs

Kristen Sherlock 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 Spencer Klein	X Aye ___Nay
Commissioner Kristen Sherlock	X Aye ___Nay

**Item #2 Dr. Stephen M. Lyon – Applicant is requesting recommendation for a Schematic Subdivision and PUD overlay zone for the proposed Lyon Meadows subdivision consisting of 16 lots on 5.7 acres of property at 1502 North Frontage Road, in the Large Residential (LR) zone. \*public hearing\***

Gibson presented this item. The subject property, which lies on the border of Farmington and Kaysville along the Interstate 15 frontage road, was previously occupied by one home. The home that had been on site in the northeast corner for many years was recently demolished after the passing of the prior occupants, and the property now stands vacant. The property is zoned the same as the adjacent residential to the east, which consists of acre single-family home lots; only a bit further east and also in Kaysville are 0.20 acre sized single-family home lots.

The existing LR zoning allows for 10,000 square foot (0.23 acres) sized lots, but only as an alternate lot size. Also, of note, the property is triangular in shape, adding complexity to laying out typical lots. With this background and an interest in doing something similar to the surrounding community, the applicant is requesting the PUD overlay zone to allow for some flexibility in how the lots would be situated to best utilize the property shape.

The plan includes 16 lots, each between 10,000 and 18,000 square feet in size. To be eligible for this lot size within the zone, the applicant intends to provide moderate-income housing within the project. The complete proposal for moderate-income housing will require review and approval before granting Preliminary Plat and Final PUD approval. This may be met by creating a twin home or duplex on Lot 116, which would be more viable to sell or rent at a qualifying price.

All streets within the project are proposed to be standard public local streets. Staff likes the proposal because of its lack of dead-end streets; it continues the flow. It is expected that the utilities can be serviced as proposed. The allowances sought by the PUD are shown on the schematic subdivision plan. Items of note requested as part of PUD:

Setback Reduction:

Typical side yards are 10 feet minimum, 22 feet total.  
Request is 10 feet side yard, 20 feet total.

*Typical rear yard is 30 feet. – Requested rear yard is 20 feet.*

Lot 106

Unique setbacks including 10 foot yard on north part of lot.  
Typical frontage is 85 feet. This lot is more of a flag lot configuration.

*Ultimately the setbacks and lot widths are simply memorialized by the plat rather than by a DA, for example.*

The DRC has reviewed the proposed schematic plan and has indicated that it can serve the development as proposed. Detailed engineering would be reviewed at future steps in the process if the Planning Commission and Council are supportive of the initial design.

The DRC has expressed its interest in granting access to the one-acre Lot 116 from Lyon Lane like a flag lot to eliminate access onto the Frontage Road. There are no other nearby properties with access to the Frontage Road, and Staff would like to minimize that for safety reasons. Other houses in the vicinity back onto the Frontage Road; they don't face it. Having one home facing it while the rest don't may not look uniform. Frontage roads typically have higher speeds than other residential roads. There is not a traffic study yet for this area. However, there are a lot of driveways coming onto the frontage road in nearby Kaysville. Potential use of this lot as common open space for the neighborhood has also been suggested.

In order to keep a buildable area desired by the applicant and in effort to create a lot for a possible moderate-income housing solution, the applicant has opted to present the plan as currently provided to the Planning Commission for consideration.

**Gibson** said these lots only impact the new people, so he feels granting flexibility would be appropriate.

Applicant/engineer **Paul Hirst** (497 W. 1300 N., Farmington, Utah) said the previous owners of the property were his long-time friends and associates. He also was the Farmington City Engineer for 20 years. The family approached him for his help, and he consented out of obligation. It was a challenge to place rectangular lots on this triangular piece of property. The family wanted to match the ambiance of the homes to the east as well as Oakridge Farms. The family did not want the small sizes of lots found in The Rose. They did like the size of lots near Farmington High School. The feel and look was important to the family. Lot 116 is the outlier that is tough. He can understand why Staff doesn't want access to Lot 116 off the frontage road. However, access to Lot 116 from the frontage road would be a benefit to the subdivision and the community. There are some brick duplexes on Shepard Lane to the west of 1100 West on the north side that his client likes and can envision on Lot 116 to meet moderate-income housing. The existing sewer that goes diagonally across the property will be rerouted. From an engineering or layout standing, there are no issues that are insurmountable. In his opinion, a screening fence would be built along the frontage road. Since it is almost double the size (18,000 square feet) of the interior lots, Lot 116 could have a circular driveway so that vehicles would not be backing out onto the Frontage Road. If a duplex was built on that lot, it could have two circular driveways. He referenced an old LDS chapel on 1400 North and Main Street that was demolished to make room for two homes with a common driveway. He could see something like this occurring here.

**Mortensen** said the frontage road is 35 miles per hour, and while he doesn't love that Lot 116 would come out on a frontage road, there is a long view both north and south in that location. This eased his concern that it is a straight-away.

**Hirst** said the square footage of the homes and price points haven't been determined yet. He is trying to maximize the buildable area, so 75 foot by 30 feet deep gets about 2,100 square feet for the main floor plate. A developer of property in Kaysville along Sunset is offering half acre lots of raw land with private roads for \$400,000 each. This figure seems outrageous. However, they are still assembling data. His plan to address moderate-income housing includes Detached Accessory Dwelling Units (DADUs), which is intriguing to him. The lots are generous enough, especially the corner lots.

**Chair John David Mortensen** opened the public hearing at 7:49 PM.

**Jorge Quinones** (1853 Silverwood Lane, Farmington, Utah) has lived in Farmington for 10 years. He has a daughter with down syndrome who likes to wander. He would really like to keep the white fence and barriers, which is the boundary of his Homeowner's Association (HOA). He does not want the road connected into the new subdivision. He wants to know if there will be a sidewalk in front of his home.

**Joseph Rust** (1788 Silverwood Lane, Farmington, Utah) said the new 950 North interchange being installed will create increased traffic. The new proposed subdivision doesn't seem to keep in mind the buffer fence that has been there for years. This subdivision may need to become part of his HOA, and it is not appropriate they have access to their HOA without paying their share. He asked what the timeline is for actual development, as he doesn't want construction to drag on for 10 to 15 years. Lot 116 is a serious problem. It was a mistake to allow Hope Box to be there, as it creates traffic and parking problems. People go faster than 35 miles per hour there. With the coming interchange, he expects even faster speeds.

**Julie Christensen** (454 E. 1800 S., Kaysville, Utah) lives behind the landlocked, corner piece of property. That area has been a junk yard for many years. She is interested in buying that piece, as it is directly behind her house.

**Steven Walton** (1746 Jeppson Way, Farmington, Utah) is president of the Silverwood HOA, which cares for and maintains green space as well as the storm and retention basin along that road. It doesn't fill up very often. He wants to know if the new subdivision will tap into and use their retention basin. If so, they need to contribute to the maintenance costs.

**Jeremy Mitchell** (1469 N. Silverwood Drive, Farmington, Utah) sees a concern with a duplex or twin-home being placed on Lot 116 since there is nothing like that in the area.

**Kathy Swain** (1854 Silverwood Lane, Farmington, Utah) agrees with **Jorge**, who lives across the street from her. She would like to reiterate that they do not want the street to be connected. When she bought the property nine years ago, she was told a road would never go through there. The property in question has been in bad shape for many years, hosting inoperable cars that continue to be vandalized. She is concerned about the rats and height of the weeds. She has become used to a sort of cul de sac area there, and she does not look forward to more traffic coming through.

**Brian Turner** (434 E. 1800 S., Kaysville, Utah) asked if there would be a solid fence along the north property line to replace the chain link that was damaged when the Lyons removed trees, which lead to the fence getting smashed up in many places. He would entertain sharing in the cost of a solid fence there. The existing fence has been in disrepair for a long time.

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

**Paul Hirst** said the Lyons weren't happy about the Silverwood Subdivision, and now the Silverwood Subdivision isn't happy with the Lyon subdivision. That is the way it goes, unfortunately. The Lyons would love to not have to stub the street to the east. It is not in the Lyons' purview to not connect to the stubbed street. The stubbed street is not a significant feature to the proposed subdivision. It is for safety. If it is not required, the land would be assimilated into an adjacent lot. Anywhere there is a public road, there has to be sidewalks on both sides per City ordinance, and the applicant intends to follow the ordinance. **Hirst** said in a PUD, an HOA is required. He had never thought of joining the Silverwood HOA. Storm drainage from the proposed subdivision has to be handled, and they have been in touch with the City Engineer and county flood control. There are still details to be worked out. Storm water has to go to the Haight Creek drainage beyond Silverwood, whether it routes through Silverwood or not. They will work through that with the City Engineer. The rectangular piece of property is incorporated into Lot 106, and whether that landowner wants to sell to the homeowner behind would be up to them. The fence on the north side was not on his radar at this point, but he is willing to talk to the existing homeowners there. As far as timing, the family has not indicated they will be doing anything this year. The family would like to see the interchange defined or established before developing the property. They are just going through the entitlement phase right now. How quickly homes would be built may be incorporated into the HOA documents. The Lyons' intention is to sale lots, not build on them.

The home was demolished earlier this year because it was uninhabitable. The original owners, **Jim and Arlene Lyon**, had been in assisted living while their son lived in the house. It had been vacant for a year or two prior to demolition. The property was farmed by **Jay Hess** in the late 1970s and 80s. Finding someone willing to put this property into cultivation now would be difficult. Some junk cars have been removed once titles were obtained.

**Gibson** said 950 North will be a full interchange both north and southbound. The Utah Department of Transportation (UDOT) obtained the property at 1500 West and Shepard. It is a quarter mile from the proposed site and will have a signalized light. Traffic may use the frontage road to get to the interchange. There are not plans to slow traffic down along the frontage road. Typically, as traffic builds up, speeds will reduce.

Community Development Director **David Petersen** said if development was restricted due to the interchange, that would be a taking, and the property owners would be being treated differently than other property owners. It could make the City face legal action. Over the years, traffic has used the frontage road to access points further south. The Traffic Engineer could look at this to see how much traffic the frontage road could handle. It is the City's hope that there will be some cross movement between areas. It is always good to have interior circulation. He understands special needs for children, but interior circulation is important to keep traffic off the frontage road. Utah now an unprecedented housing crisis. A majority of the Millennial generation, which is larger than the Baby Boom generation, cannot afford a home and realize equity. The State continues to mandate things. Even without the State mandates,

Farmington continues to do what they can to help the situation or bring alternatives. Before the housing crisis, Farmington was about incentivizing developers to provide open space and a trail network. Now, the open space option is still available, but moderate-income housing is the ultimate goal. Four or five years ago, the City began requiring 10% of the housing in new subdivisions to be moderate-income housing. In this case, 10% of 16 is two. Staff is still trying to come up with ways to facilitate moderate-income housing.

Commissioners asked about the driveway of Lot 116 coming onto the frontage road, specifically if the new interchange would increase traffic there or not. **Sherlock** said she understands what residents feel, because there was a time she found out that 300 apartments were going to be built in her back yard. That was her first visit to a Planning Commission meeting. She is real estate, and so she experiences the struggle with first-time home buyers trying to afford a \$500,000 home. It is becoming hard to find housing in Farmington, where the new median income per household is \$80,000. She likes the idea of a twin home in Lot 116, which won't affect the value of the surrounding single-family homes, as the twin home would be appraised differently. She likes the idea of DADUs for Lots 115, 111, 110, and 101 along the frontage road, and she doesn't mind all those driveways going out onto the frontage road. This is a thoughtful plan. It logically makes sense to sell the rectangular property to the woman who offered to buy it.

**Mortensen** also liked the DADU concept, and efforts to help with moderate-income housing. He would like the applicant and Staff to further discuss these issues as long as the applicant is not in great urgency. **Gibson** said the preliminary stage is the best stage to shape this project.

**MOTION**

**Frank Adams** made a motion that the Planning Commission **table** this agenda item until the applicant can come back with more details and information about if they want to and where they want to put in rights for ADUs and moderate-income housing.

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

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|-------------------------------|---------------|
| 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 Spencer Klein    | X Aye ____Nay |
| Commissioner Kristen Sherlock | X Aye ____Nay |

**Mortensen** said he would like more information on the drainage issue that could affect the existing HOA. **Adams** said he would like more detail in general.

**ZONE CHANGE APPLICATION**

**Item #3 Harv Jeppsen – Applicant is requesting recommendation for a rezone to include the Agriculture Planned (AP) District overlay zone and an accompanying Development Agreement (DA) for an RV resort at approximately 650 West Lagoon Drive (950 North) on approximately 6.5 acres of property, in the Agriculture (A) Zone. \*public hearing\***

**Lyle Gibson** presented this item. The subject property is on the south side of Lagoon Drive (currently under construction) just east of Highway 89; it sits north of Spring Creek and is currently occupied by a blue barn building. The current A zoning primarily limits the use of the property to agricultural or residential uses.

The property owner hopes to be able to develop a high-end, short-term-stay RV resort (Spring Creek RV Resort) at this location. This is not allowed under the current A zoning. The most similar use in Farmington is the Lagoon Campground, which is within the Commercial Highway (C-H) zoning district, the City's only zone that specifically allows camping. The description of the C-H zone in FMC 11-24-010 limits the use of that district to the Lagoon Campground site. Rather than considering a different commercial district, which may require modification for a campground type use, the AP district overlay is proposed for the consideration of the City to accommodate the use.

He said that through a legislative act, the AP District creates unique rules for the property which it is applied to. This allows the City to be very specific about what can and can't be done on the property. The AP District allows unique uses on a case-by-case basis, as long as it benefits the area economically, etc. Merit comes down to the details. A DA could shape it and cater it narrowly to that use if it is appropriate.

The property is part of the East Park Lane Small Area Master Plan. The current construction of Lagoon Drive is being completed by Wright Development, who has approval for a townhome subdivision to the north with some commercial

development towards the highway. The use of the property south and west of Lagoon Drive has been envisioned to be non-residential in nature. While some development is occurring to the north, proposals for development just south of this property have not yet been brought to the City.

The proposed use includes an office and amenity area with approximately 70 spaces for RV parking. The access to the property would be from Lagoon Drive to the north, and access to the south would be accommodated on the east side of the property. The site would be enclosed with a screening wall and would be landscaped and improved to accommodate parking of RVs for brief stays.

The consideration of the AP district is a legislative action allowing for the use of discretion by the Planning Commission in providing a recommendation to the City Council. The Planning Commission's role in this request is to hear from the public and make a recommendation to the City Council based on that input, as well as the Commission's opinions as to how well the terms of the Agreement work at this location in consideration of the City's General Plan and the applicable small area plan vision.

Opinions from City Staff are varied. Technically it could be serviced. Concern for the proposal includes questions about how long the use will remain in effect. While it seems like a reasonably easy use to redevelop when other opportunities come along, if it is successful, it will likely remain. **Gibson** said it is not ultimately what Staff envisions there in the long term, although it could be easily transitioned in the future. While the proposed regulations and management seem to create a favorable environment, there are concerns that inevitably there will be RV owners who stay long-term. The DRC has indicated that servicing something like the proposed concept is viable. Technical analysis of detailed plans would come if the City decides to approve the AP district and concept.

Because of the varied opinions of City Staff, multiple motions were included with the Staff Report for the consideration of the Planning Commission. The recommendation of the Planning Commission will be forwarded to the City Council, where a final decision on the matter would be made at a future meeting.

Applicant **Harv Jeppsen** (727 Leonard Lane, Farmington, Utah) addressed the Commission. Since last time, he changed the entrance, took out some sites, and created more open space for amenities. His wife wants a splash pad and his grandchildren want a pool. High-end RV parks typically allow for the entrance to be gated. The rules are very important in such a development and may require a tow truck transporting rigs out when needed. To be profitable, he would like it 40% to 50% full at \$65 to \$100 each site per night. Lagoon is getting \$85 per night for similar sites. The minimum stay time is one night, while the maximum stay would be 28 days. Some cities require that they would have to move out of the park after 28 days.

**Sherlock** asked how this would be different from short-term rentals, which are not allowed within Farmington. **Gibson** replied short-term rentals are not allowed in residential areas, while it is allowed in commercial areas. Hotels would be a good example of where it is allowed. It would have to be specifically allowed, such as in a DA in an AP district. These stays would produce a transit-room tax for Farmington.

**Jeppsen** said the six bathrooms and showers would be on the west side of the building. Ping pong, pool tables, and games would be inside the building. There are 79 sites in the proposal, and he is not sure how many camping sites are at Lagoon and Cherry Hill, his nearest competitors. He checks occupancy levels of nearby RV sites on the reservation systems. Cherry Hill does not have sites for big rigs. Lagoon has 10 to 15 on one side. He is willing to roll the dice on creating spots for million dollar RVs.

**Gibson** said the City owns Old Farm near the Zions Bank. It is roughly 16 acres, and there is not currently any specific plans for the property. It may be opened to a Request For Proposal (RFP), where the City could entertain different proposals. Commissioners said they had heard plans for a recreational use with animals and restaurants. He felt an RV resort may fit in with that type of use. **Jeppsen** said he did own land in that area in the past, and is familiar with the history, but that he no longer owns property there.

**Mortensen** said there needs to be a more robust and in-depth application with more analysis. Nearby there are other locations, but more information is needed on them.

**Chair John David Mortensen** opened the public hearing at 8:56 PM.

**Logan Johnsen** (Centerville, Utah) with Wright Development Group, who is currently developing Lagoon Drive on the property to the north. He is in support of the application. His company recently completed an RV park in Layton, and there is sufficient demand, as that location has high occupancy rates. Lagoon likewise enjoys high occupancy rates for their 140 stalls. This is a good one to roll the dice on. It is not a high-investment development, and is a great fit for the area.

**Chair John David Mortensen** closed the public hearing at 8:58 PM.

**Kalakis** is very in favor of this idea as he is an avid cross-country RV-er and knows the demand. This can fill a gap for those who don't like campgrounds with tents and campfires. He has tried to get into places like this, and often can't. It is 10 times better than staying in a Cabela's parking lot, which is where people end up if they can't get into an RV resort. There is a lot of demand for this, from his experience after driving across the country. This would be a great use of the property.

Regarding the development to the north of the proposed RV resort, **Gibson** said 700 West will connect straight through north-to-south to tie in to Lagoon Drive, which is currently under construction. Wright Development is building a townhome project called Hess Farms, which has 60-70 units. Two-story office buildings have also been approved. The Commission previously approved a commercial use, which has since expired. There are no proposals immediately south of the proposed RV resort to date. A townhome project had previously been approved on the east side of 700 West, and that developer didn't pursue it within the year. New entitlements would be needed to proceed in the future. On the west side of 700 West, the City entered into a DA with the landowners for a commercial operation for boat sales. The surrounding area is zoned Large Suburban (LS) residential. The area at large has a Commercial Mixed Use (CMU) future land use designation in the General Plan.

**Adams** said the recent AP district codification was a big deal. He said the application is deficient in some areas, such as that it enhances the surrounding neighborhood rather than detracts from it. Financial analysis is something the Commission wants to look at as well, specifically what type of clientele is needed. Would they cater to only those RVs that are 15 years old or newer? He wants to see an analysis of surrounding RV resorts such as Lagoon, Cherry Hill, and maybe the ones at I-215 and Draper. He wants to see the need displayed. He wants a robust application with real analysis similar to those done in a traffic analysis. He wants things in writing. The AP designation requires some real thought. The Davis County application for the Western Sports Park (WSP) is a good example. The fact that it would provide the City with transient occupancy taxes is good, but should be quantified in the application. He doesn't want to discourage the applicant.

**Mortensen** said he wants to know if this is a good fit for the area. He appreciates that it could be a temporary use, even if it is high-end. He is leaning against this proposal.

#### **MOTION**

**Frank Adams** made a motion that the Planning Commission **table** the agenda item until applicant can make a more robust and complete application addressing all the concerns mentioned tonight.

**George 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 Spencer Klein	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay

**Mortensen** said he wants to reinforce that there is a possibility that the applicant puts in more work and the Commission still doesn't vote to approve it. **Petersen** said according to ordinance, short-term rentals can't be occupied more than 30 days. The ordinance may have to be updated to include RVs as an exception. Otherwise the AP District allowances need to be clear that short-term stays are permitted at this location.

#### **ZONE TEXT APPLICATIONS**

**Item #4 Farmington City – Applicant is requesting a recommendation for consideration to add additional text and changes to multiple sections of Title II allowing separate ownership of Accessory Dwelling Units (ADUs). – previously tabled.**

**David Petersen** presented this item. On January 4, 2024, the Planning Commission discussed the possibility of code text changes to allow ownership of an ADU 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 20 and June 10, and individual members (and others) also met numerous times one-on-one with Staff during this time period to discuss specific changes. Then, on June 20, 2024, the entire Planning Commission reviewed all proposed changes by the



subcommittee (and new/additional concepts by Staff, but not vetted by the subcommittee). This meeting also included a public hearing. The Commission then provided specific direction in preparation for its review of a final draft.

As a prelude to the Staff Report, the City Attorney, senior staff, and each Commissioner received a draft to review. The underlined portions of the document enclosed in the Staff Report represent these last changes. As such, it is recommended that the Planning Commission remove the last phrase of the definition of an Internal Accessory Dwelling Unit (IADU) (the third paragraph of the draft). In an effort to ensure the City Ordinance is consistent with State Code, Staff asked the City Attorney: "Section 10-9a-503 (4) of the State Code does not say... a municipality may 'require an exclusive entrance to an IADU,' and if we do so, is this in conflict with State regulations?" In response, the City Attorney stated: "We [the City] are prohibited from establishing 'restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling' UCA 10-9a-350(2)(b), unless it appears on the list of exceptions to the prohibition. So, we should remove the requirement of a separate entrance."

Review by the Planning Commission, the sub-committee, City Staff, and others over the last several weeks similarly triggered minor "tweaks" to other parts of the Zoning Ordinance. These amendments are also included in the Staff Report for Planning Commission consideration.

**Petersen** said a new diagram with Options A through D has been provided since the last time this item was considered. The wording was changed to clarify which owners needed to live on site, and which owners are required to live on site only for the first two years. Together the two parcels in Option D have to equal at least 10,000 square feet. The Subordinate Single Family (SSF) lot must be at least 2,500 square feet or more. Building code will dictate everything else, including that the SSF must be subordinate in footprint and height to the original dwelling.

**Mortensen** asked if the visual with Options A through D could be incorporated into the code. Pictures are often a better way to understand a concept, and many are rallying around this particular visual. **Petersen** said in general, there are many visuals incorporated into the code such as those demonstrating building height, lot width, and parking. **Gibson** said it could be put in the application, but it may be best to also formally codify it. **Petersen** said he is fine to codify this visual.

**MOTION**

**Spencer Klein** made a motion that 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 redline drafts (enclosed in the Staff Report), and a suggestion that the diagram be codified.

**Findings 1-5:**

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.

**Supplementary Information 1-3:**

1. Draft ADU Ownership Text Amendments, July 11, 2024.
2. Illustrative DADU Scenarios 6.24.24.
3. 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.

**Kristen Sherlock** 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 Spencer Klein	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay

**Item #5 Farmington City – Applicant is requesting recommendation of additional text and amendments to multiple sections of Title 12, Subdivisions, to align the City’s ordinances with the State of Utah’s requirements for subdivision improvement warranties and to establish the Planning Commission as the land use authority for creating a DADU Parcel by metes and bounds. \*public hearing\***

**Gibson** presented this item. In consideration of a new ordinance which would allow for potential ownership of DADUs 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 Planning Commission recently approved an ordinance which addressed this issue to some degree, but Staff has identified an additional section where it is necessary to clarify who would be able to approve the creation of a DADU Parcel.

Many lots within the City are not part of a platted subdivision. They identify and status exists as a Metes and Bounds property. While the division of such a lot could conceivably be completed with a subdivision plat, there are additional costs to a property owner in pursuing this route. Rather than creating an actual subdivision plat, a Subdivision by Metes and Bounds allows for property to be divided with a legal description of the new lot only. This process is already outlined within Section 12-3-080 of the City’s ordinance, but additional text has been added to indicate that this process may be used to create a DADU parcel under the purview of the Planning Commission. Rather than pay a surveyor to put together a subdivision plat, this is a simpler and less expensive way to split a property.

Additionally, while going over Title 12, Staff has identified a discrepancy between the City’s ordinance and what is permitted by the State of Utah in regards to improvement warranties. When a developer builds a new subdivision, they must ensure that the new public infrastructure (roads, utility lines) was done properly before the City is fully on the hook for its long-term maintenance. The State allows communities to hold funds or a bond for one year at a value of 10% of the improvement costs. This statutory limitation is not new; the City has been using these limits in practice, but has not updated the text within the ordinance.

**Chair John David Mortensen** opened and closed the public hearing at 9:33 PM due to no comments received.

**MOTION**

**Joey Hansen** made a motion that the Planning Commission recommend that the City Council approve the proposed changes to Title 12, Subdivision Regulations.

**Findings 1 a-b:**

- 1. The following findings are restated within the enabling ordinance:
  - a. The proposed changes align with recent changes to the subdivision ordinance allowing the Planning Commission to act as the land use authority for plat amendments when creating a new lot.
  - b. The proposed changes to the subdivision warranty language brings the City’s code into compliance with the regulations of the State of Utah.

**Supplemental Information 1:**

- 1. Proposed enabling ordinance amending Title 12.

**George 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 Spencer Klein	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay

**OTHER BUSINESS**

**Item #6 – Miscellaneous, correspondence, etc.**

- a) **Planning Commission minutes from June 20, 2024:** **Frank Adams** made a motion to approve the minutes from the date above; **Kristen Sherlock** 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 Spencer Klein	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay

- b) **City Council Report from July 2, 2024. Gibson** said the Council found some errors in Subdivision Regulations that needed correction. City Planner/GIS Specialist **Shannon Hansell** said the Council wanted a compromise on the recreational pools text amendment to include a 4-foot-tall “substantial” barrier. Side corner setbacks were also added, and text was broken into sections for easier readability.

**ADJOURNMENT**

**Kristen Sherlock** motioned to adjourn at 9:38 pm.

Chair John David Mortensen  
Vice Chair Frank Adams  
Commissioner George Kalakis  
Commissioner Joey Hansen  
Commissioner Spencer Klein  
Commissioner Kristen Sherlock

X Aye \_\_\_\_Nay  
X Aye \_\_\_\_Nay  
X Aye \_\_\_\_Nay  
X Aye \_\_\_\_Nay  
X Aye \_\_\_\_Nay  
X Aye \_\_\_\_Nay



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**John David Mortensen, Chair**

