

FARMINGTON CITY PLANNING COMMISSION

January 09, 2025



PLANNING COMMISSION MEETING NOTICE AND AGENDA Thursday January 09, 2025

Notice is given that Farmington City Planning Commission will hold a regular meeting at City Hall 160 South Main, Farmington, Utah. A work session and training will be held at **6:00 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.

Oath of Office for Scott Behunin.

CONDITIONAL USE PERMIT APPLICATION – previously tabled/public hearing

1. Technology Associates – Applicant is requesting consideration for a Conditional Use Permit application for a monopole wireless telecommunications facility (cell tower) exceeding 60 feet in height, at approximately 125 W Lagoon Lane (300 N)., in the CR (Commercial Recreation) zone. (C-4-24)

SPECIAL EXCEPTION APPLICATION – public hearing

2. Lyndee Gubler – Applicant is requesting a Special Exception for an adaptive reuse of a building that is eligible for the National Register of Historic places located at 135 South 200 East. The request is to allow office use in the existing residential building. (M-6-24)

SUBDIVISION APPLICATION – public hearing

3. Cole West (CW Land Co.) – Applicant is requesting a recommendation for a Development Agreement, Schematic Subdivision, and Project Master Plan for The Ana consisting of 75 townhomes on 9.5 acres at located at approximately 1000 North and 650 West. (S-16-24)

ZONE TEXT AMENDMENT APPLICATION – public hearing(s)

- 4. Farmington City Recommendation of a Zone Text Amendment to Chapter 11-30, Foothill Development Standards, to amend provisions as they relate to public utility infrastructure. (ZT-18-24) withdrawn
- 5. Jourdan Biesinger Applicant is requesting a recommendation to amend the Rice Farms Planned Unit Development (PUD) regulations to allow internal accessory dwelling units (IADUs) on lots smaller than 6,000 sq. ft. In size. (ZT-17-24)

OTHER BUSINESS

- 6. Miscellaneous, correspondence, etc.
 - a. City Council Report 12.17.2024
 - b. Planning Commission Minutes Approval 12.12.2024
 - c. Other

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to act on the item; OR 2. If the Planning Commission feels, there are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

<u>CERTIFICATE OF POSTING</u> I hereby certify that the above notice and agenda were posted at Farmington City Hall, the State Public Notice website, the city website <u>www.farmington.utah.gov</u>, the Utah Public Notice website at www.utah.gov/pmn on January 03, 2025. Carly Rowe, Planning Secretary



Farmington City Planning Commission Staff Report January 9, 2025

Item 1: Conditional Use – Cell Tower – Verizon Wireless SAL Rattlesnake Rapids

Public Hearing: Yes
Application No.: C-4-24;

Property Address: Approximately 375 N Lagoon Lane (Parcel 07-021-0022)

General Plan Designation: CR (Commercial Recreation)
Zoning Designation: CR (Commercial Recreation)

Area: 3.09 ac Number of Lots: NA

Property Owner: Andre Mecham/Lagoon Investment Company LC

Applicant: Dakota Hawks (Technology Associates)

Request: The applicants are seeking approval for a conditional use for a cell phone tower exceeding greater 60 feet tall.

Background Information

According to 11-28-190 Table 1, monopoles featuring antennas and antenna support structures over 2 feet in width and that are greater than 60 feet tall are conditional uses in the CR zone. The CR zone maximum height limit is 100 feet, but may go up to 150 feet with approval from the Planning Commission. This cell tower is 106 feet tall. It is located more than 200 feet away from residential zones as required by 11-28-190.

This item was reviewed and tabled by the Planning Commission on December 12, 2024. The Commission requested further information regarding relocating the proposed location of the pole further west. The reasons for this request including public comment regarding the possibility of the cell tower impeding on the neighboring property owners' development rights due to risks associated with the rare chance of a cell tower falling into the property, or fence. Moving the cell tower further west is not the preferable choice, due to proximity to Farmington Creek and flood zones.

Another aspect of concern during public comment was the ability of the neighboring property owner to obtain financing for potential development of their parcel. The placement of a cell phone tower on one parcel would not impact the development rights of the neighboring property owner as far as City zoning ordinances are concerned (as long as all other applicable ordinances were followed). Similarly, research conducted since the last meeting has shown that financial institutions would finance development on neighboring based on whether zoning approvals were in place for the proposed project and parcel. With this understanding, it is reasonable to assume that while a financial institution may consider neighboring land uses in their valuation of a project, financing a development would not be "off the table", due to a cell phone tower's proximity on an adjacent parcel. Therefore, as far as Farmington City ordinances are concerned, the proposed conditional use does not unreasonably interfere with the lawful use of the surrounding property.

However, the applicant has consented to consider lowering the height of the tower by 10 feet to avoid encroachment by a fallen tower into the neighboring property in the rare case that may occur.

All conditional uses are considered allowed uses which require further review to mitigate any potential effects of the use. The following are the conditional use approval standards per 11-8-050 of the Farmington zoning ordinances:

Conditional use applications shall be reviewed in accordance with, and shall conform to, all of the following standards:

- A. Necessity: The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community;
- B. Compliance: The proposed use shall comply with the regulations and conditions in this title for such use;
- C. Comprehensive Plan: The proposed use shall conform to the goals, policies and governing principles of the comprehensive plan for Farmington City;
- D. Compatibility: The proposed use shall be compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing and proposed development;
- E. Adequate Improvements: Adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation are available or may be provided; and
- F. Use Not Detrimental: Such use shall not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A proposed use shall be considered detrimental:
- 1. If it will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;

- 2. If it will unreasonably interfere with the lawful use of surrounding property; or
- 3. If it will create a need for essential municipal services which cannot be reasonably met. (Ord. 1991-27, 7-17-1991)

Suggested Motion

Move that the Planning Commission approve the conditional use for the Verizon Wireless SAL Rattlesnake Rapids, a monopole exceeding 60 feet in height, located at approximately 375 North Lagoon Lane, subject to all applicable Farmington City development standards and ordinances, with the condition that the tower height, including the lighting rod, be lowered to 97'-7" from 107'-7".

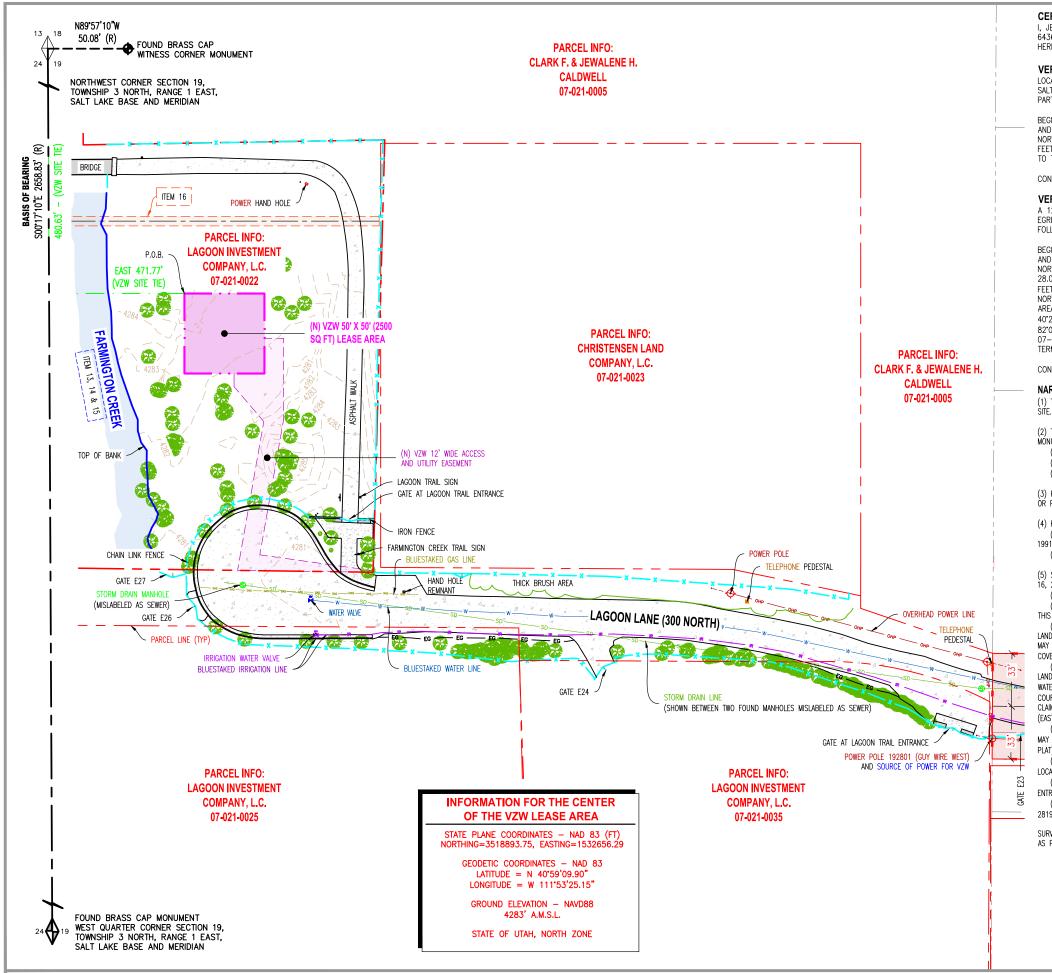
Findings:

- 1. The use will not cause unreasonable risks.
- 2. The use does not interfere with the lawful use of surrounding property,
- 3. It doesn't not create a need for essential municipal services which cannot be reasonable met.
- 4. The proposed use is necessary to provide a service or facility will contribute to the well being of the community.

Supplemental Information

- 1. Vicinity Map
- 2. SAL packet





CERTIFICATE OF SURVEY:

, JERRY FLETCHER, PROFESSIONAL LAND SURVEYOR, STATE OF UTAH, LICENSE NUMBER 6436064, CERTIFY THAT I HAVE SUPERVISED A SURVEY ON THE GROUND AS SHOWN

VERIZON WIRELESS LEASE SITE DESCRIPTION:

LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED SOUTH 00°17'10" EAST 480.63 FEET ALONG SECTION LINE AND EAST 471.77 FEET FROM THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE EAST 50.00 FEET; THENCE SOUTH 50.00 FEET; THENCE WEST 50.00 FEET; THENCE NORTH 50.00 FEET

CONTAINS: 2500 SQ. FT. OR 0.057 ACRES, MORE OR LESS, (AS DESCRIBED).

VERIZON WIRELESS ACCESS AND UTILITY EASEMENT DESCRIPTION:

A 12 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS, AND INSTALLING UNDERGROUND UTILITIES, BEING 6 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT LOCATED SOUTH 00°17'10" EAST 508.63 FEET ALONG SECTION LINE AND EAST 527.63 FEET FROM THE NORTHWEST CORNER OF SECTION 19, TOWNSHIP 3 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 28.00 FEET; THENCE WEST 13.00 FEET; THENCE RETRACING PREVIOUS COURSE, EAST 13.00 FEET; THENCE SOUTH 22.29 FEET; THENCE NORTH 40'26'59" WEST 29.29 FEET; THENCE NORTH 6.00 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE VERIZON WIRELESS LEASE AREA; THENCE RETRACING PREVIOUS TWO COURSES, SOUTH 6.00 FEET; THENCE SOUTH 40°26'59" EAST 29.29 FEET; THENCE SOUTH 10°00'00" WEST 91.51 FEET; THENCE SOUTH 82'00'46" EAST 37.74 FEET, MORE OR LESS, TO THE SOUTH LINE OF PARCEL 07-021-0022 AND TERMINATING, WITH SIDE LINES OF EASEMENT EXTENDING TO AND TERMINATING AT THE SOUTH AND EAST LINES OF AFOREMENTIONED PARCEL.

CONTAINS: 0.058 ACRES, MORE OR LESS, (AS DESCRIBED)

- (1) THE PURPOSE OF THIS SURVEY IS TO LOCATE AND SURVEY A PROPOSED COMMUNICATIONS TOWER
- (2) THE BASIS OF BEARING USED FOR THIS SURVEY IS AS SHOWN ON THIS PLAT, FROM FOUND MONUMENTS AS LOCATED IN THE FIELD.
- (M) = MEASURED BEARING OR DISTANCE.
- (R)= RECORDED BEARING OR DISTANCE.
- (CALC)= CALCULATED BEARING OR DISTANCE.
- (3) PARCEL LINES ARE SHOWN AS REFERENCE PER RECORD INFORMATION AND DOES NOT CONSTITUTE OR PURPORT TO BE A BOUNDARY SURVEY.
- (A) SURVEY NO. 000968, ALTA/ACSM LAND TITLE SURVEY OF LAGOON PERIMETER, DATED AUGUST 20,
- (B) FARMINGTON TOWN-SITE RESURVEY, DATED JANUARY 27, 1997.
- (5) SCHEDULE B NOTES PER STEWART TITLE OF UTAH, INC. COMMITMENT NO. 2256545, DATED FEBRUARY 16. 2024:
- (A) ITEM 1,3,4,5,6,10,11,12, & 27 ARE BLANKET EXCEPTIONS NOT SHOWN ON THIS PLAT.
- (B) ITEM 2,7,8,9,18,19,20,21,22,24,25, & 26 ARE NOT SURVEY MATTERS AND ARE NOT SHOWN ON
- (C) ITEM 13 ANY PROHIBITION OR LIMITATION ON THE USE, OCCUPANCY OR IMPROVEMENT OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY WATERS WHICH MAY COVER THE LAND OR TO USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY HAVE BEEN COVERED BY WATER. (EAST BANK OF FARMINGTON CREEK SHOWN ON PLAT)
- (D) ITEM 14 ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT: A) SOME PORTION OF THE LAND FORMS THE BED OR BANK OF A NAVIGABLE RIVER OR LAKE, OR LIES BELOW THE MEAN HIGH WATER MARK THEREOF: B) THE BOUNDARY OF THE LAND HAS BEEN AFFECTED BY A CHANGE IN THE COURSE OR WATER LEVEL OF A NAVIGABLE RIVER OR LAKE: C) THE LAND IS SUBJECT TO WATER RIGHTS. CLAIMS OR TITLE TO WATER AND TO ANY LAW OR GOVERNMENTAL REGULATION PERTAINING TO WETLANDS. (EAST BANK OF FARMINGTON CREEK SHOWN ON PLAT)
- (E) ITEM 15 THE RIGHTS OF OTHERS, IF ANY, IN AND TO FARMINGTON CREEK AS THEIR INTEREST MAY APPEAR AND FOR MAINTENANCE OF THE SAME. (EAST BANK OF FARMINGTON CREEK SHOWN ON
- (F) ITEM 16 6 FOOT U.S. WEST COMMUNICATIONS, INC. EASEMENT IN ENTRY NO. 1022185, LOCATED NORTH OF SITE AREA. (SHOWN ON PLAT)
- (G) ITEM 17 PARCEL SUBJECT TO LAND USE AND DEVELOPMENT MANAGEMENT ORDINANCE IN ENTRY NO. 2530767. (NOT SHOWN ON PLAT)
- (H) ITEM 23 PARCEL SUBJECT TO TERMS OF LEASE SUBORDINATION AGREEMENT IN ENTRY NO. 2819840 & 2819841, AMENDED IN ENTRY NO. 3136686. (NOT SHOWN ON PLAT)

SURVEY MATTERS FROM ABOVE REFERENCED TITLE REPORT HAVE BEEN REVIEWED AND SHOWN OR LISTED AS PROVIDED ON PLAT.







UTAH MARKET OFFICE 136 SOUTH MAIN STREET, SUITE 400 SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE

3129 TIGER RUN COURT, SUITE #206 CARLSBAD, CALIFORNIA 92010



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| 0 | 04.23.2024 | SITE SURVEY |
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SAL - RATTLESNAKE RAPIDS NW SEC 19, T3N, R1E **LAGOON LANE FARMINGTON, UTAH 84025** -- RAWLAND SITE -

SHEET TITLE

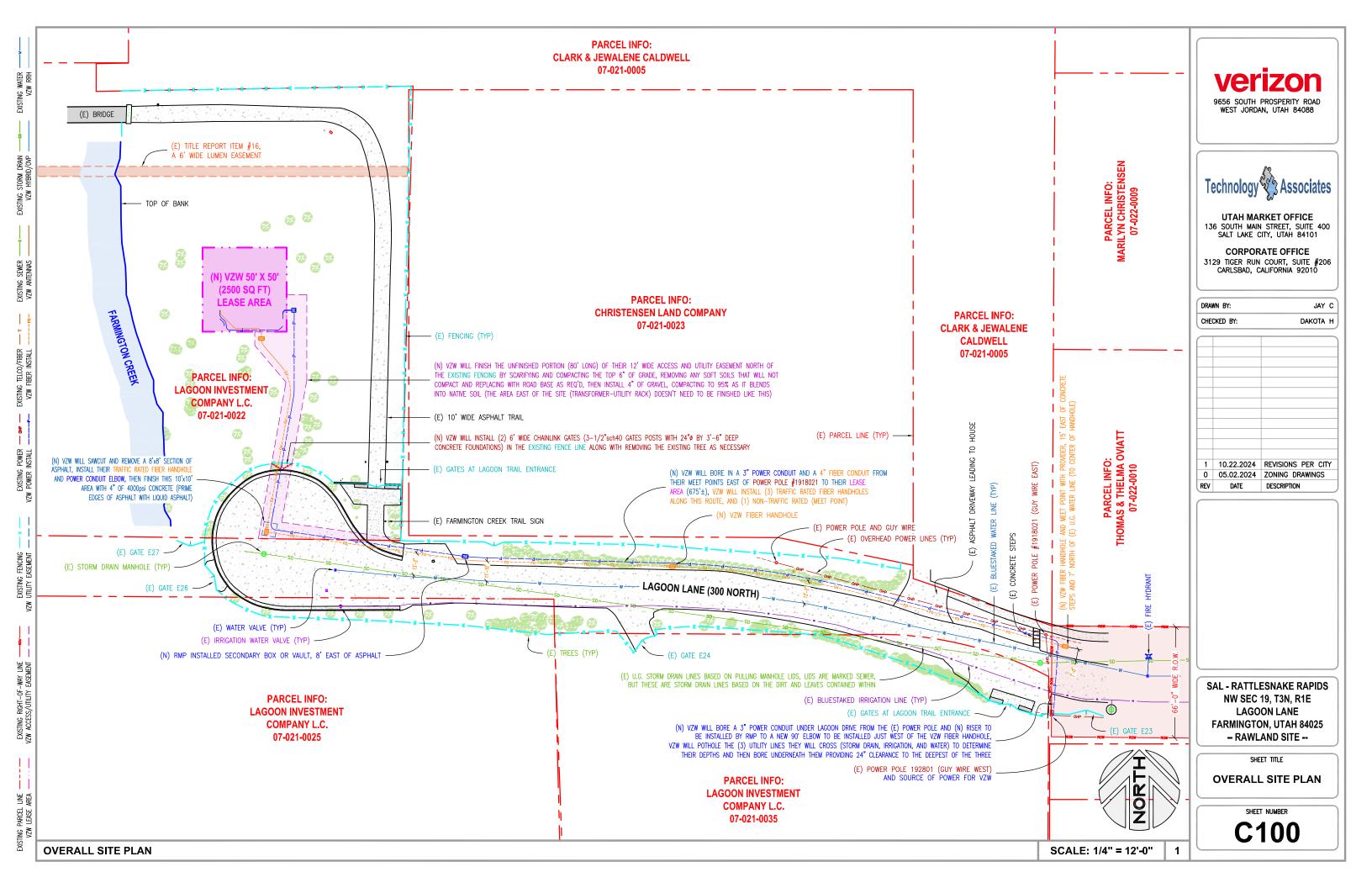
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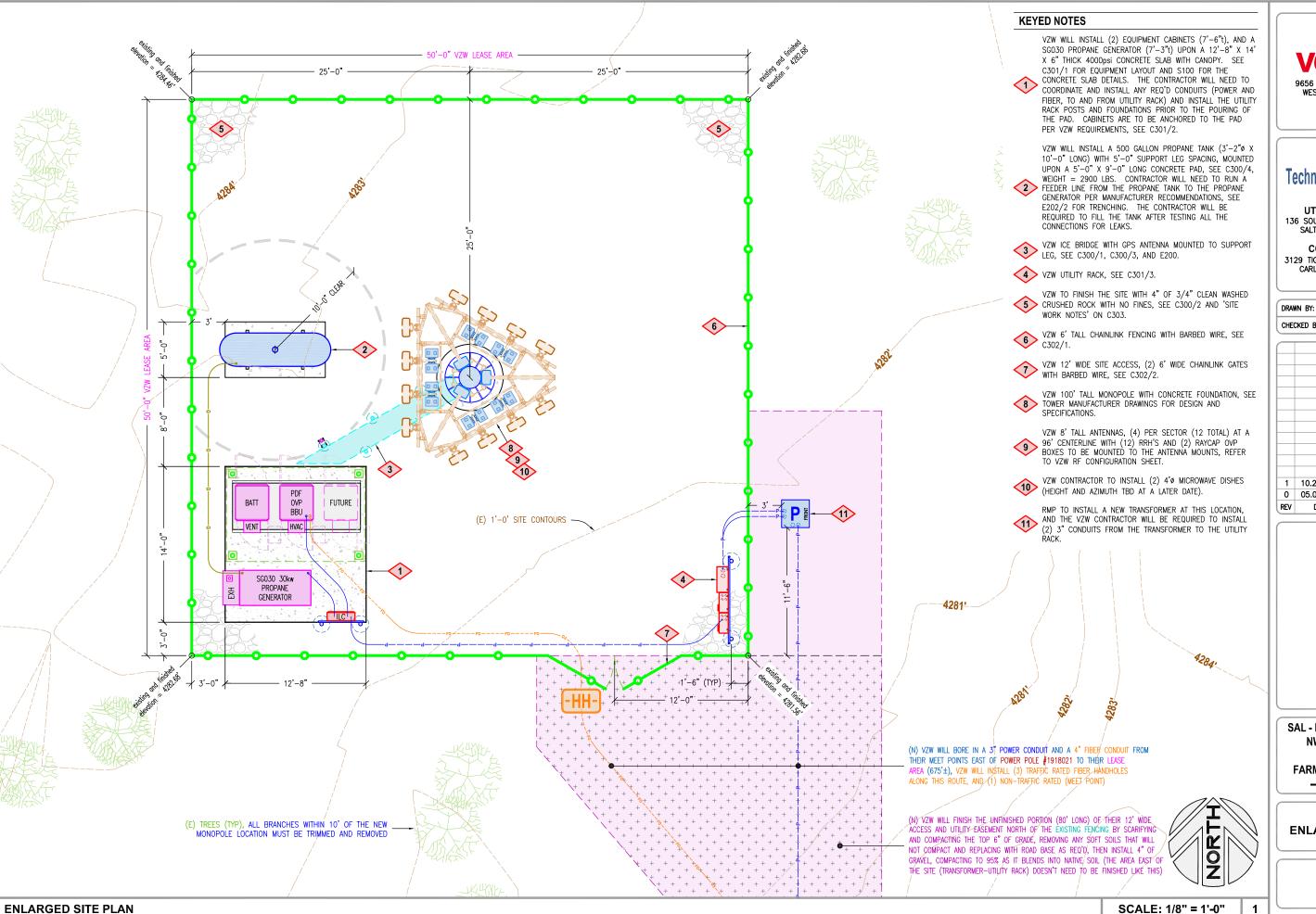
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SCALE: 1" = 60'-0"

SITE SURVEY

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9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088



UTAH MARKET OFFICE 136 SOUTH MAIN STREET, SUITE 400 SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE

3129 TIGER RUN COURT, SUITE #206 CARLSBAD, CALIFORNIA 92010

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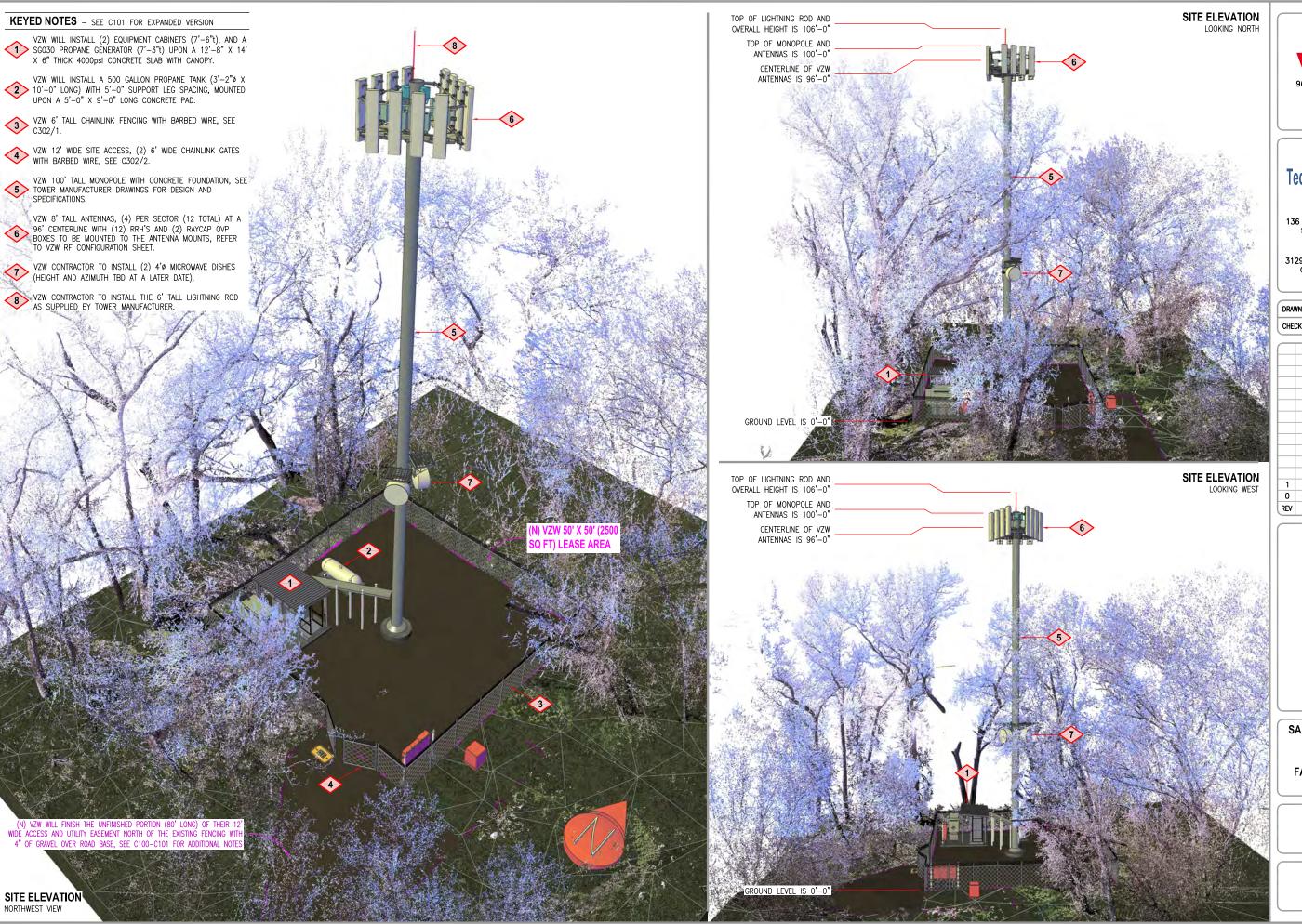
SAL - RATTLESNAKE RAPIDS NW SEC 19, T3N, R1E LAGOON LANE FARMINGTON, UTAH 84025 - RAWLAND SITE -

SHEET TITLE

ENLARGED SITE PLAN

SHEET NUMBE

C101





9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088



UTAH MARKET OFFICE 136 SOUTH MAIN STREET, SUITE 400 SALT LAKE CITY, UTAH 84101

CORPORATE OFFICE

3129 TIGER RUN COURT, SUITE #206 CARLSBAD, CALIFORNIA 92010

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| REV | DATE | DESCRIPTION | | |

SAL - RATTLESNAKE RAPIDS NW SEC 19, T3N, R1E LAGOON LANE FARMINGTON, UTAH 84025 - RAWLAND SITE --

SHEET TITLE

SITE ELEVATIONS

SHEET NUMBER

C200



Farmington City Planning Commission Staff Report January 9, 2025

Item 2: Special Exception - Adaptive Reuse

Public Hearing: Yes
Application No.: M-6-24;

Property Address: 135 South 200 East

General Plan Designation: LDR (Low Density Residential)
Zoning Designation: OTR (Original Townsite Residential)

Area: 0.53 acres

Number of Lots: 1

Property Owner: Thomas, Leigh Anne & Rebecca

Applicant: Lyndee Gubler

Request: Approval for a special exception to accommodate an adaptive reuse of a building that is eligible for the National Register of Historic Places. The request is to allow office use in the existing residential building.

Background Information

The applicant is exploring whether or not to purchase a single-family dwelling to establish an office use in part of the home and possibly convert the entire structure as an office in the future, but the parcel is zoned OTR and "office" is not an allowed use in this zone. However, the dwelling is an historic building, which structure is eligible for the National Register of Historic Places, and when such is the case anywhere in Farmington one may apply for a special exception to change a residence into office space as an "adaptive reuse" so long as the adaptive reuse does not compromise such eligibility (see Section 11-3-045 A. of the Zoning Ordinance)

Section 11-2-020 of the Zoning Ordinance defines an "Adaptive Reuse" in part as follows: "Rehabilitation or renovation of existing building(s) or structure(s) limited to residential and/or office use(s) other than the present use(s);"

In considering a Special Exception, Section 11-3-045 E of the Zoning Ordinance identifies the standards of review as follows:

 Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the City as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception.

- 2. The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:
 - a. Will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
 - b. Will not create unreasonable traffic hazards;
 - c. Is located on a lot or parcel of sufficient size to accommodate the special exception.

The minimum parking requirement in Chapter 32 of the Zoning ordinance for office uses is 3 spaces per 1,000 sq. ft. of floor area. If the entire 3,000 sq. ft. structure at 135 S. 200 E. (as per Davis County Tax Assessor records) is changed to an office use the applicant proposes 10 spaces (see enclosed drawing). Is this too much? As mentioned previously--the existing home is an historic resource, and regarding parking, Section 11-32-030 H of the Zoning Ordinance states:

The Planning Commission may consider and approve a reduction or modification of the standards contained herein for uses proposed in historic structures, providing it can be demonstrated that the standards for such use exceed that which is necessary in the specific case, that congestion on adjacent streets will not be significantly increased, and that by granting such a reduction, the safety and general welfare of the public will not be compromised. For the purpose of this chapter, "historic structure" is defined as a nonresidential building which is over fifty (50) years old and/or which is listed on the National Register of Historic Properties.

Suggested Motion

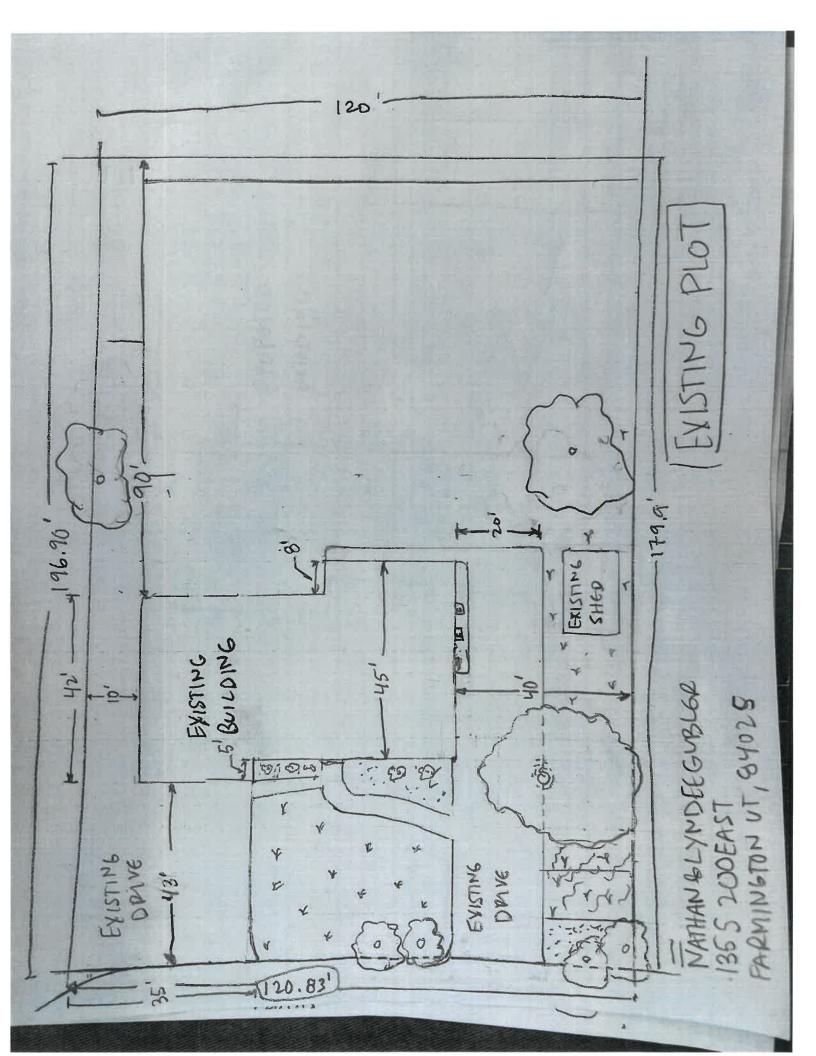
Move the Planning Commission table the request to allow time for the applicant and/or staff to do the following:

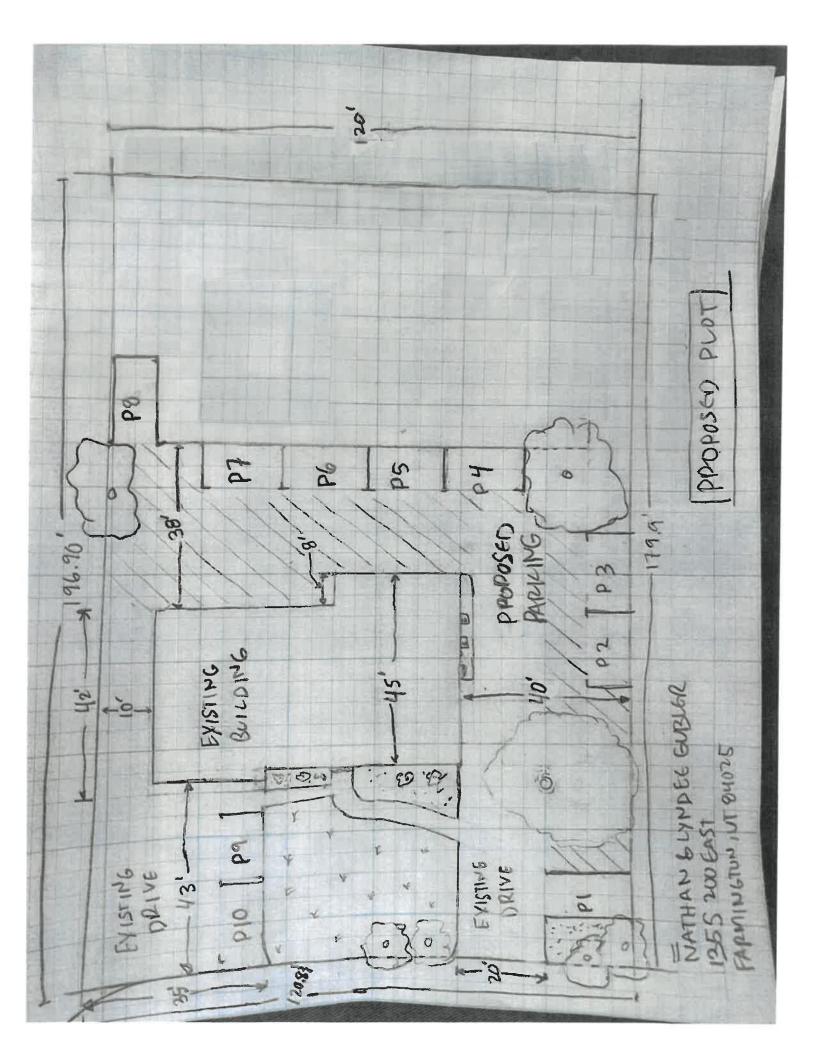
- 1. Draft a development agreement between the City and the applicant for Commission input to ensure, among other things, the building's continued eligibility for the National Register now and in the future.
- 2. Prepare two concepts:
 - a. One plan to show part of the building as office, and the remainder as residential (one dwelling unit); and
 - b. The other plan to show all of the building as office.
- 3. Each plan must meet City standards including a "to scale" drawings, parking, ingress and egress details to the site, conceptual landscape plan, etc.

<u>Supplemental Information</u>

- 1. Vicinity Map
- 2. Existing Plot
- 3. Proposed Plot
- 4. Street View Image of the site.











Farmington City Planning Commission Staff Report January 9, 2025

Item 3: The Ana (formerly The Ivy) – Schematic Subdivision Plan, Preliminary Planned Unit Development Master Plan (PUD), and Development Agreement (DA)

Public Hearing: Yes
Application No.: S-7-22;

Property Address: Parcel 08-051-0235, app. 1015 North Shepard Park Rd
General Plan Designation: CMU and LDR (Commercial Mixed Use and Low Density

Residential)

Zoning Designation: CMU (Commercial Mixed Use)

Area: 6.65 ac Number of Lots: 75

Property Owner: GARFF PROPERTIES-MICHIGAN LLC

Applicant: Chase Freebairn, Cole West Development

Request: The applicants are seeking recommendations for approval for a schematic subdivision plan, preliminary PUD master plan and development agreement.

Background Information

The Ana PUD is located at approximately 1000 N Shepard Park Road on Parcel 08-051-0235. The 6.65-acre parcel was rezoned to CMU in 2022. The entire parcel is part of the East Park Lane Small Area Master Plan which was approved by the City Council on April 17, 2018. Prior to the approval of the Master Plan, the General Plan was amended to its current designation on July 7, 2004. In the same year, on December 1, 2004, the City Council approved the Commercial Mixed-Use zone. As specified in that text, all development must be considered as a planned unit development (PUD) or planned center development.

The Ana PUD was originally introduced as The Ivy PUD in 2022, and received schematic approval from the council on August 16, 2022. The developer chose to hold the project until the present, therefore the 2022 original approvals have expired. The layout is the same,

including 75 attached single-family townhome units, active and passive open space, with pickleball courts and a connection to the Hess Farms development to the south which benefits internal circulation between the projects. The project is the final section to connect Shepard Park Road (700 West) from Shepard Lane to Lagoon Drive, as well as 1015 North. The sidewalk on the north side of 1015 North borders the rear yards of the Hidden Farms development. With the construction of 1015 North, Staff is recommending that the development agreement include maintenance and installation of landscaping and sidewalk along the north side of 1015 North, adjacent to the Hidden Farms' lots fences.

The Ivy schematic subdivision plan, PUD and DA were approved by the City Council on August 16, 2022. The DA includes a fee in lieu to cover the City's moderate-income housing requirements.

Suggested Motion

Move that the Planning Commission recommend the City Council approve the schematic subdivision plan, preliminary PUD master plan and development agreement for The Ana, subject to all applicable Farmington City development standards and ordinances with the following condition:

- Language be added to the Development Agreement to ensure that maintenance of the park strip on both sides of 1015 North Street is the responsibility of the HOA set up for The Ana.

Findings:

- 1. The project follows the East Park Lane Small Area Master Plan.
- 2. The project complies with the City's General Plan and zoning ordinances for the CMU zone.
- 3. 1015 North will be constructed concurrent with The Ana. 1015 North will provide a connection from Main Street to Shepard Park Road (700 West)
- 4. The project completes the connection of Shepard Park Road from Shepard Lane to Lagoon Drive and ensures the project will have more than 1 point of access or outlet.
- 5. The project was previously approved by the City Council in 2022 with the same proposal.

Supplemental Information

- 1. Vicinity Map
- 2. Schematic subdivision civil set
- 3. Landscape plan
- 4. Floor plans
- 5. Artistic renderings
- 6. Traffic impact study
- 7. Development Agreement



1. 5/9/2022 TH - SUBMITTAL FOR FIRST REVIEW.

Ivy Subdivision Civil Plans

LOCATED IN THE NORTH 1/2 OF SECTION 13, TOWNSHIP 3 NORTH,
RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN
FARMINGTON CITY, DAVIS COUNTY, UTAH
JULY 2022

AGENC CONTACTS:A

PLANNING:
Farmington City Planning Department
160 S Main
Farmington, UT 84025

SEWER DISTRICT:
Central Davis Sewer District
2200 S Sunset Dr,
Kaysville, UT 84037

Phone: (801) 451-2190

Phone: (801) 451-2383

POWER COMPAN:A
Rocky Mountain Power
Customer Service Line

Phone: (801) 546-1235

TELEPHONE COMPANY:

Century Link
Customer Service Line
Phone: (801) 603-6000

FIRE DEPARTMENT:
Farmington City Fire Department
82 N 100 E,

Farmington, UT 84025 Phone: (801) 451-2842

GAS SERVICE:

Dominion Energy 1140 West 200 South Salt Lake City, UT 84104 Phone: (801) 323-5517



Vicinity Map
NTS







Hunt Engineering Thomas Hunt, PE 6619 Willow Creek Rd Mountain Green, UT 80450 PH: (801) 664-4724

SURVEYOR:

Utah Land Surveying Mike Wangemann, PLS 1359 Fairway Cir., Farmington, UT 84025 PH: (801) 725-8395

Sheet Index

Sheet 1 - Cover Sheet

Sheet 2 - Notes/Legend Sheet

Sheet 3 - Existing Conditions

Sheet 4 - Site Plan

Sheet 5 - Grading & Drainage Plan

Sheet 6 - Utility Plan

Sheet 7 - 700 West Plan & Profile

Sheet 8 - 1000 North Plan & Profile

Sheet 9 - 1000 North Plan & Profile

Sheet 10 - Details Sheet 11 - Details

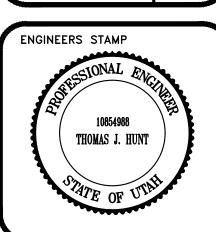
Sheet 12 - Erosion Control Plan

Sheet 13 - Erosion Control Details

P. S.

Revisions Date

Subdivision



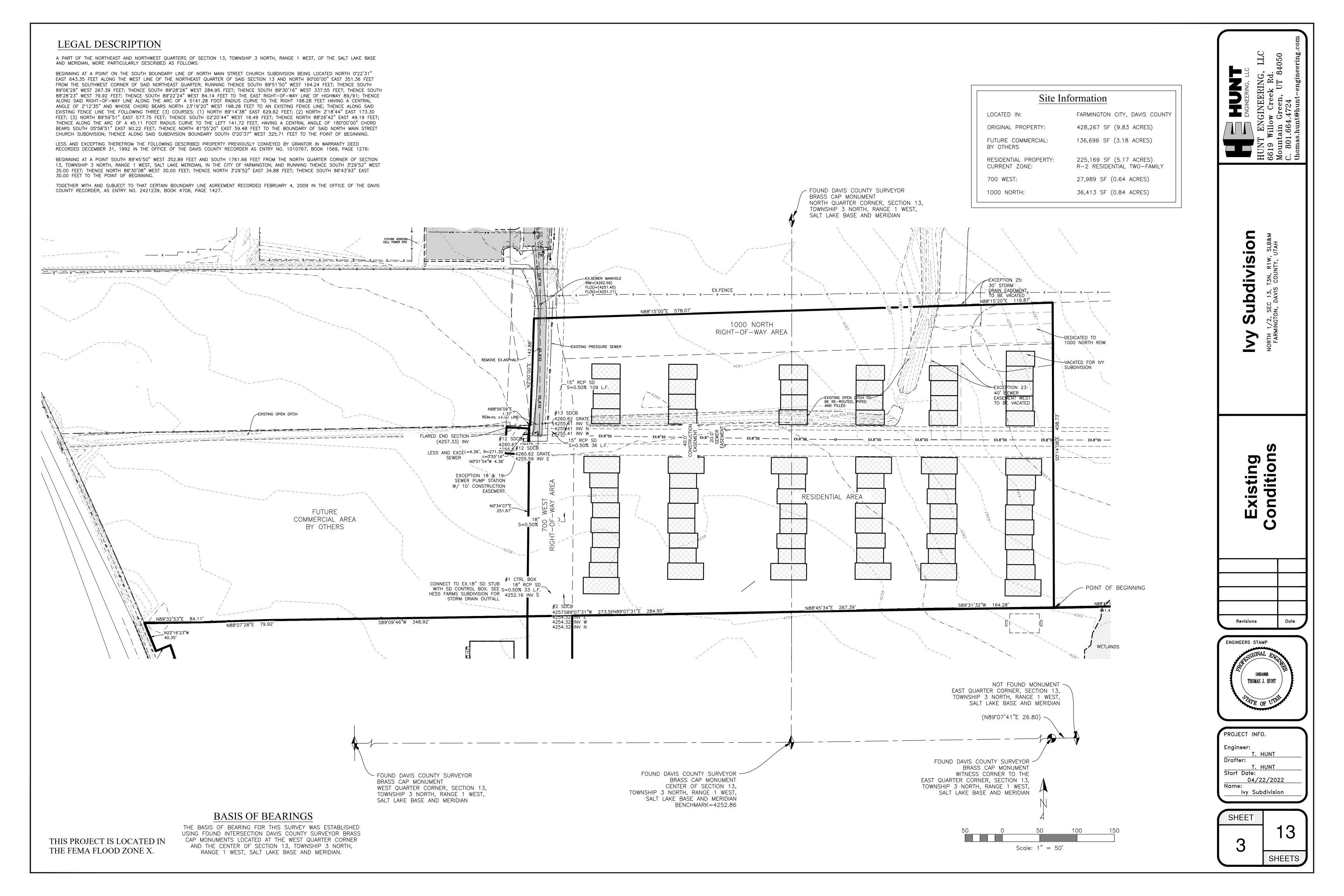
| PROJECT INFO. |
|-----------------|
| Engineer: |
| T. HUNT |
| Drafter: |
| T. HUNT |
| Start Date: |
| 04/22/2022 |
| Name: |
| Ivy Subdivision |

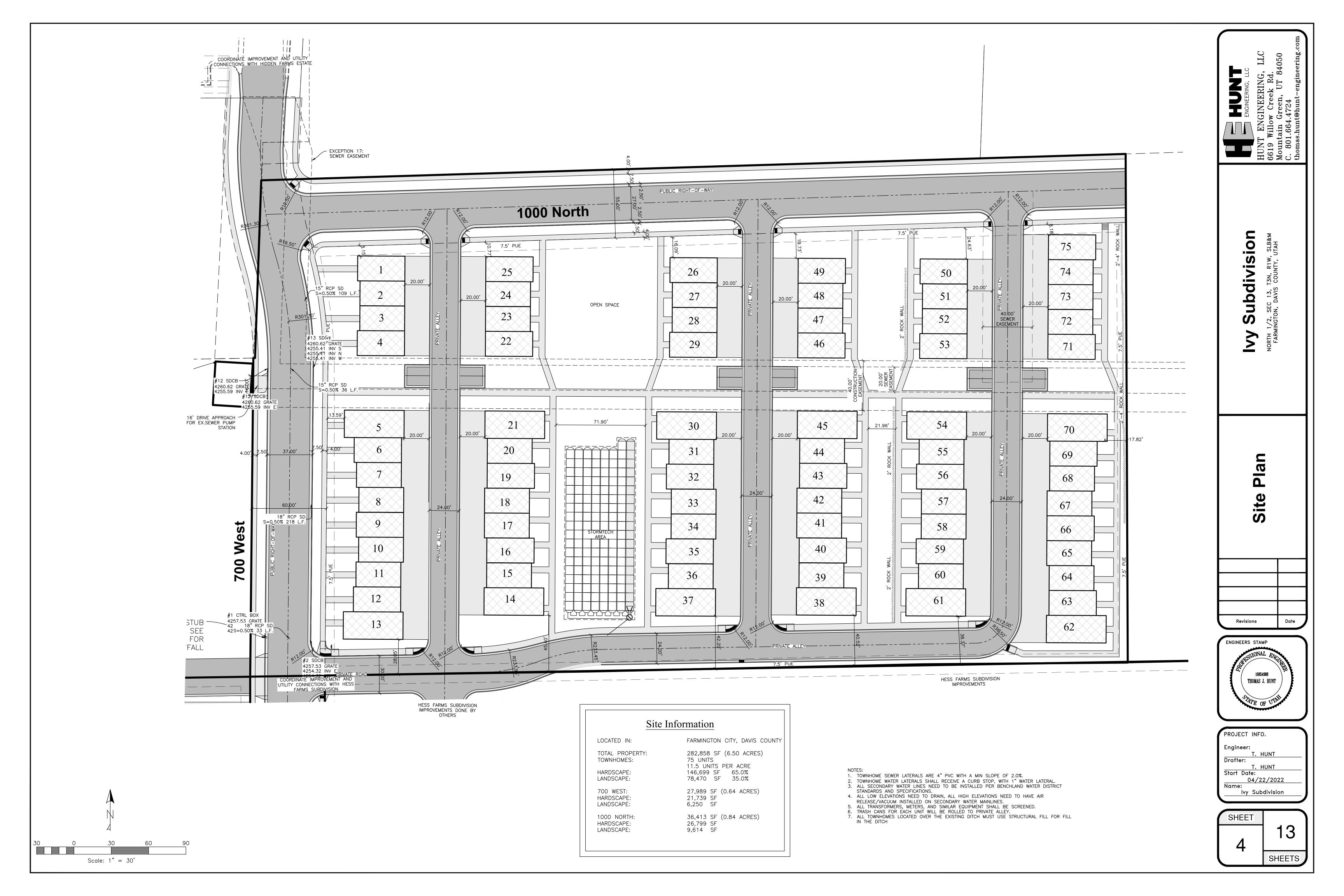
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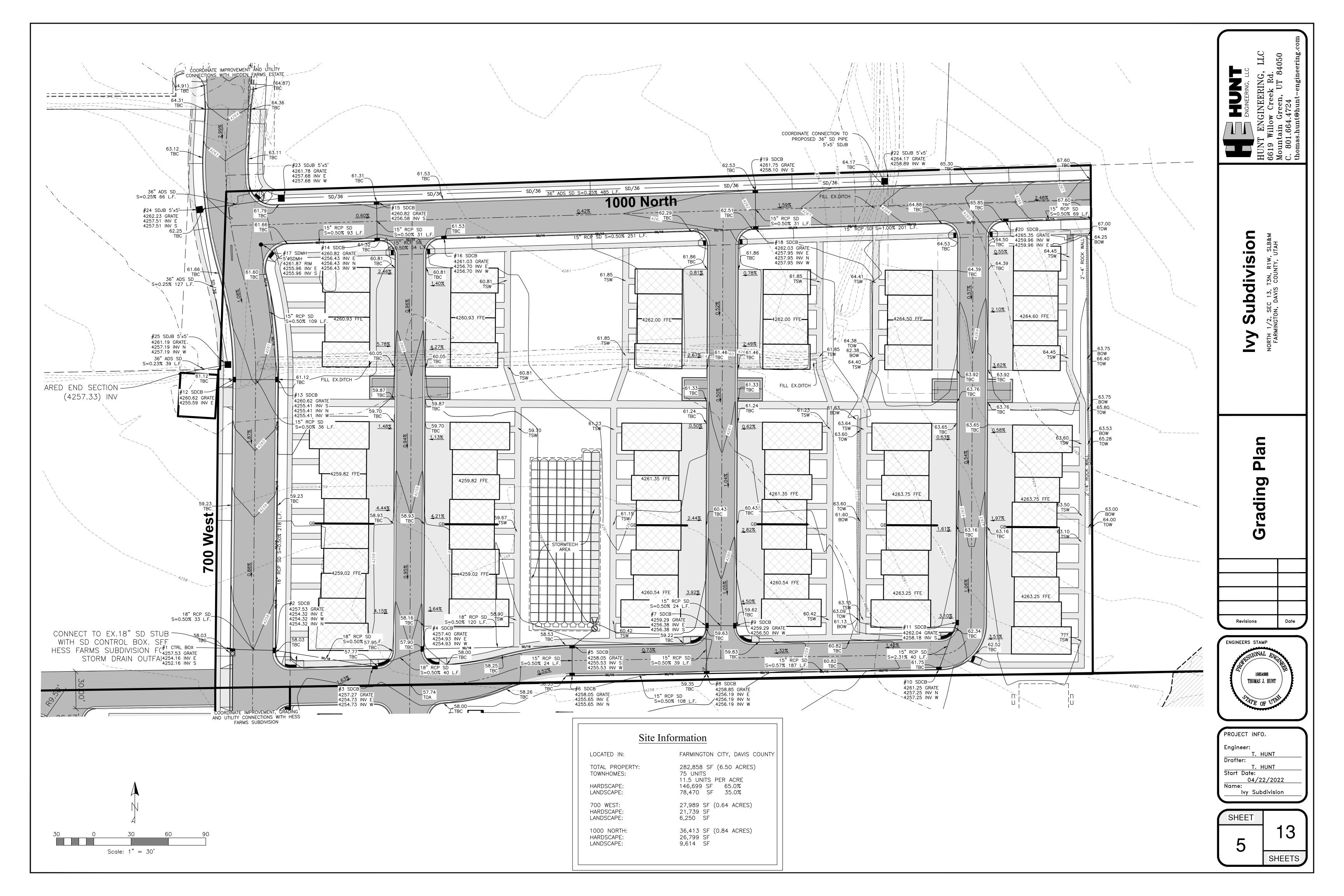
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SHEETS

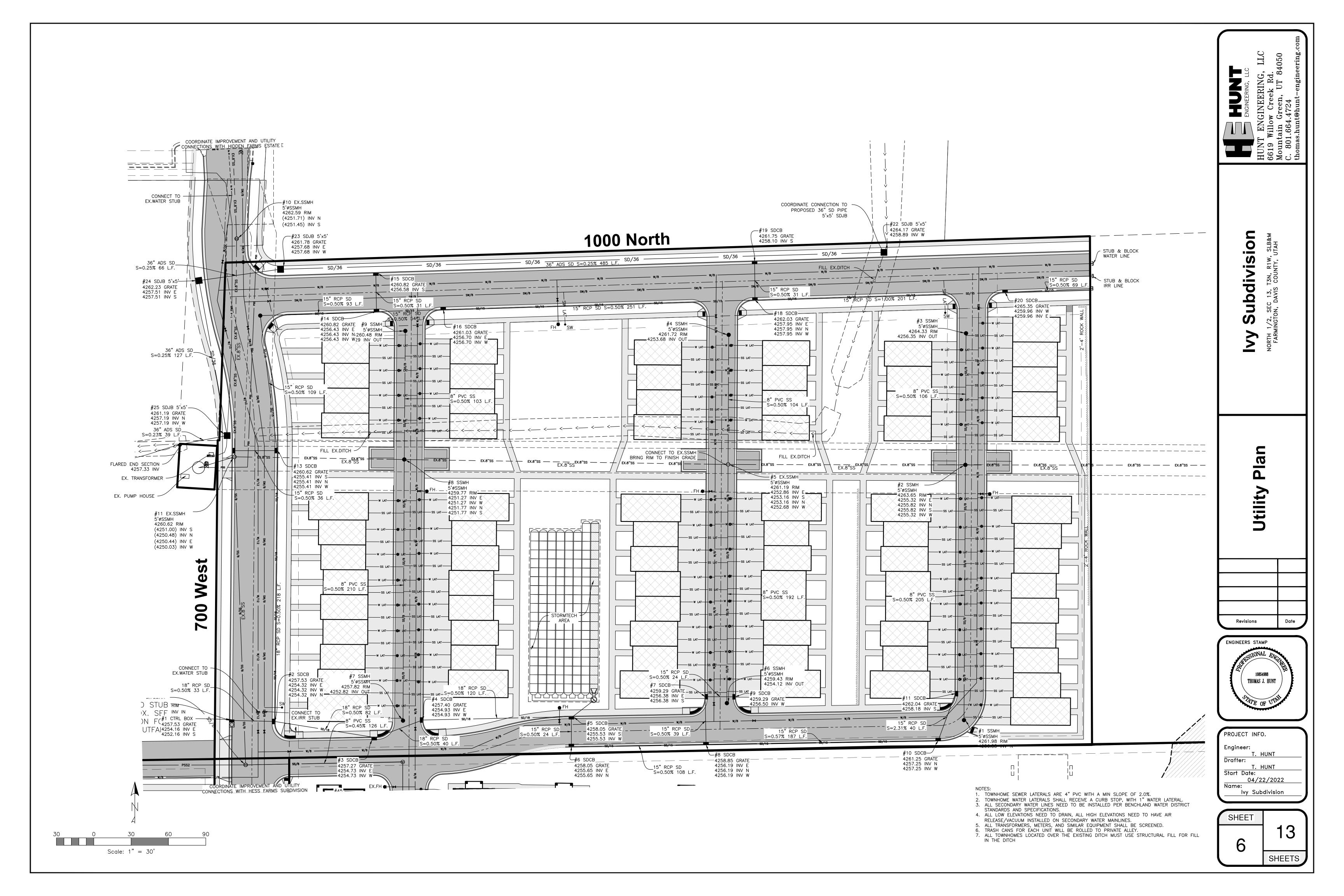
Notice To Contractors:

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY THE SURVEYOR OR CITY PRODUCED DOCUMENTS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE. IF ANY CONFLICT/DISCREPENCIES ARISE, PLEASE CONTACT THE ENGINEER OF RECORD IMMEDIATELY. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE PRECAUTIONARY MEASURES TO PROTECT ANY UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS.









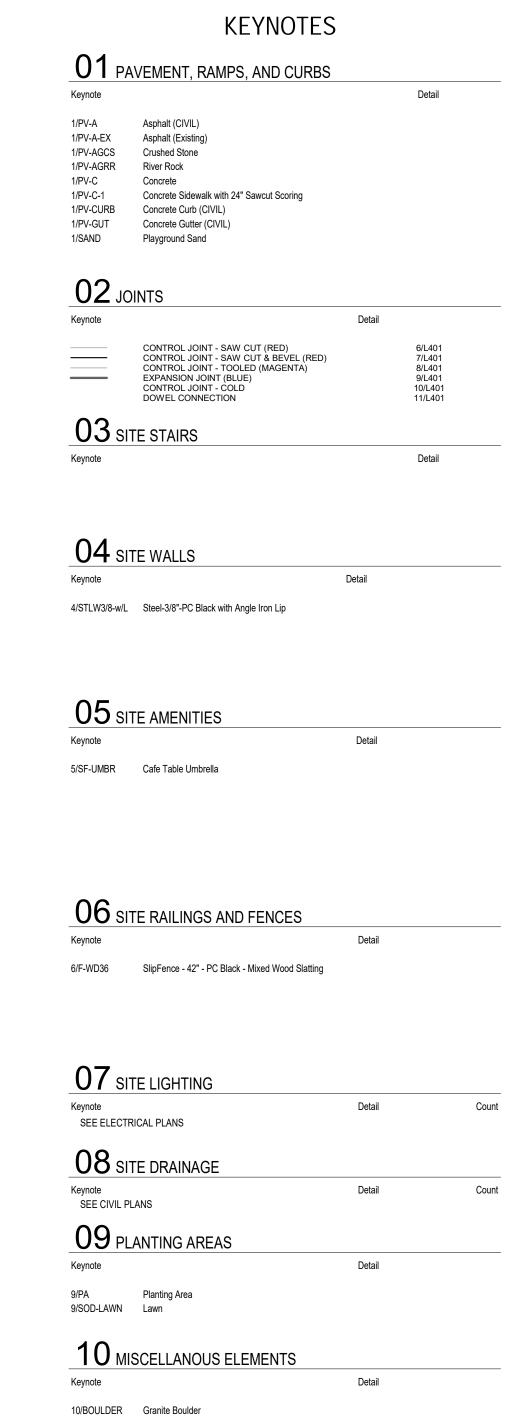


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SITE PLAN - OPT.

Issue Date





Corn Hole Pickleball Court

10/SEWER Manhole Cover

10/PICKLE

design | Alferracol



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Principal David Harris
Project Manager Grant Hardy
Drawn By Grant Hardy

Checked By David Harris

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Issue Date 6/10/2022

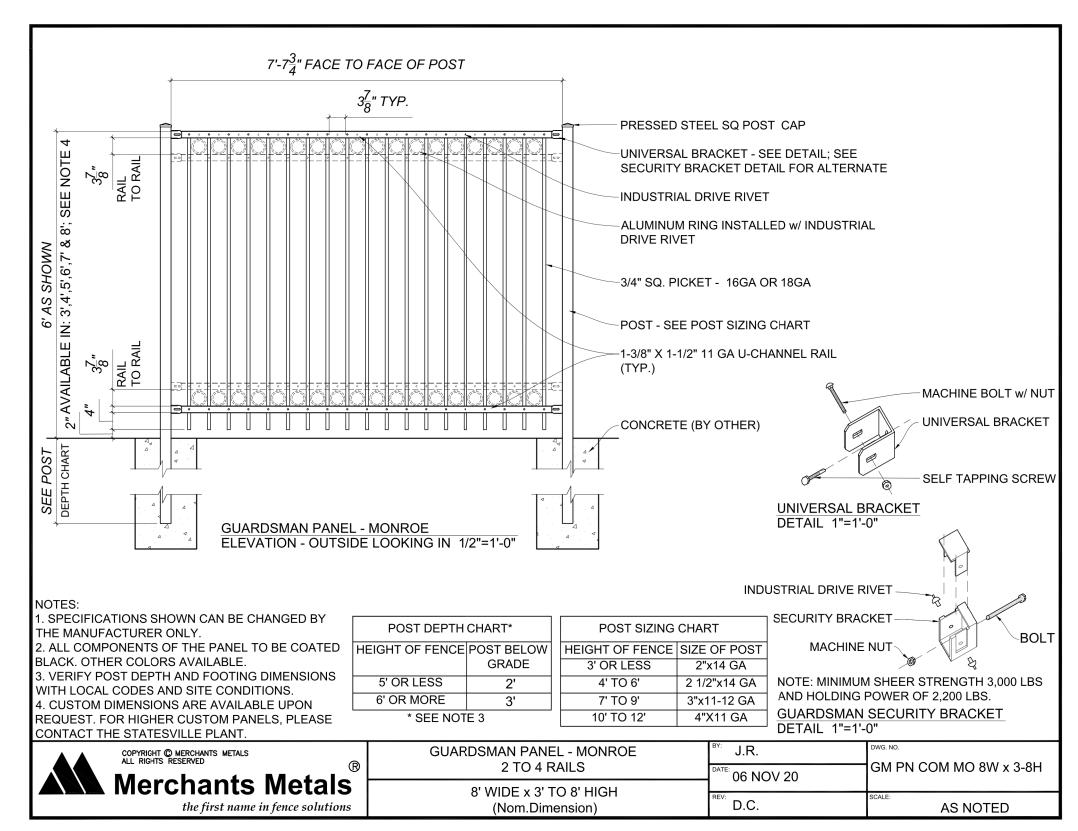
Revisions
Description Date

The Ivy Lagoon Drive Farmington, Utah

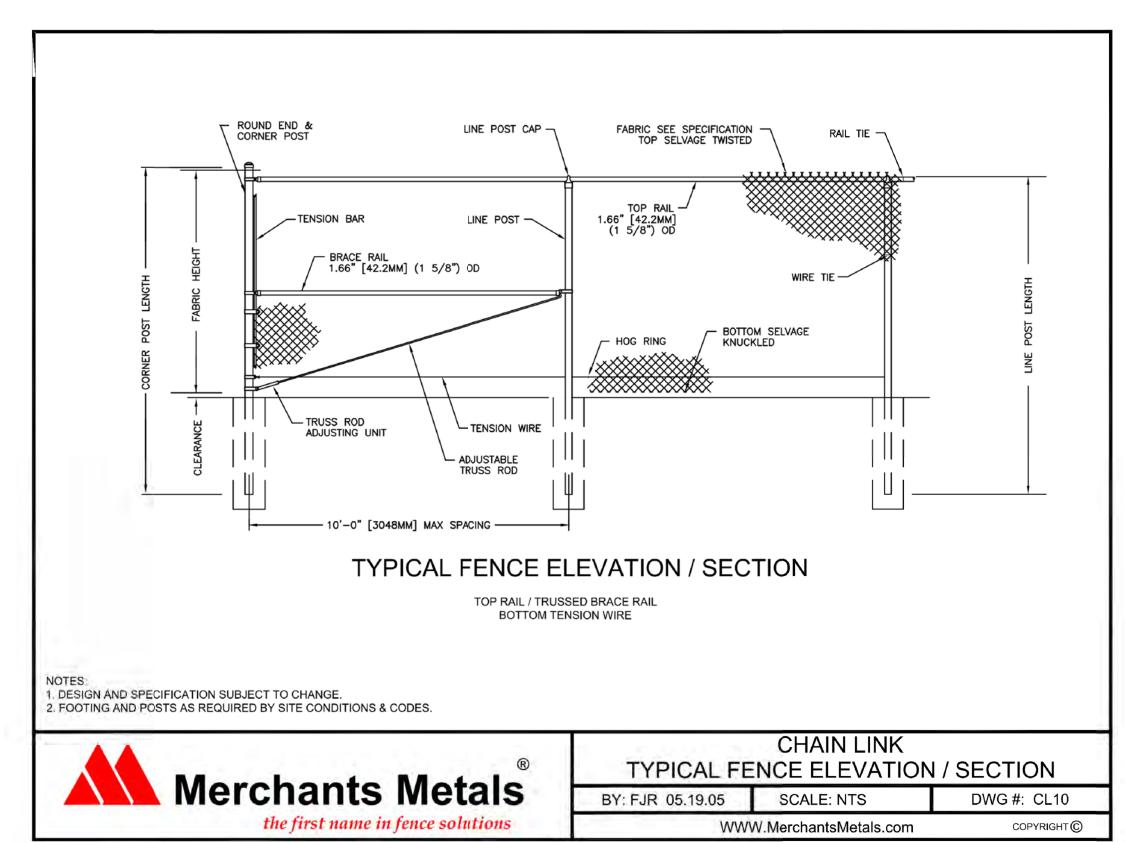
CITY SUBMITTAL

LAYOUT AND MATERIALS

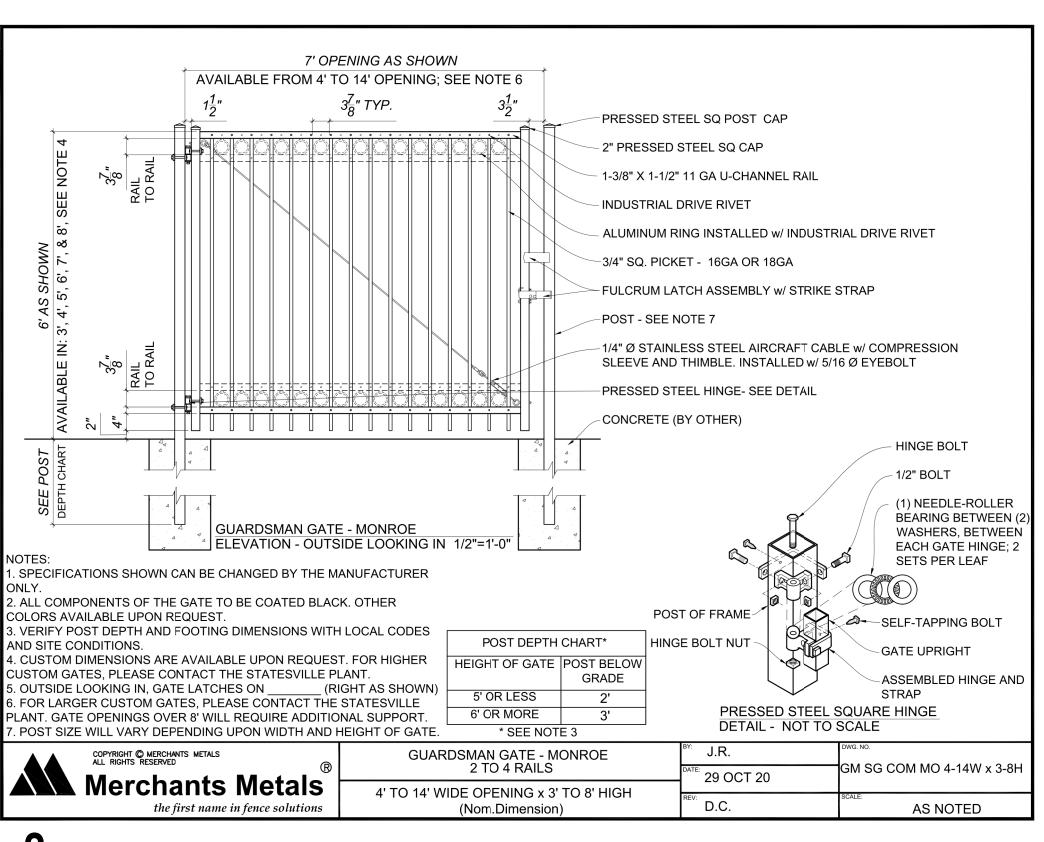
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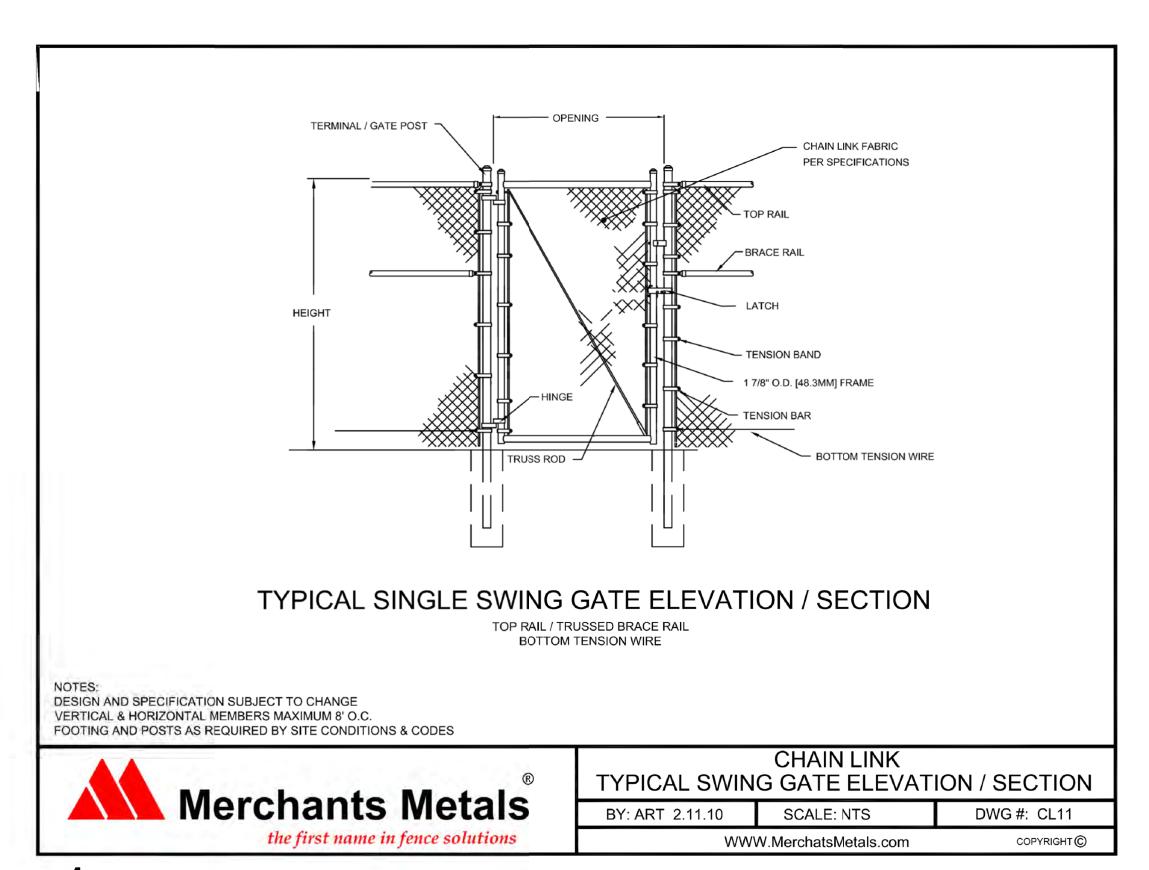








GATE - Merchant Metals - Monroe1



GATE - Merchant Metals - Chainlink Single1

| 1/PV-A Asphalt (CIVIL) 1/PV-AEX Asphalt (Existing) 1/PV-AGCS Crushed Stone 1/PV-AGRR River Rock 1/PV-C Concrete 1/PV-C-1 Concrete Sidewalk with 24" Sawcut Scoring 1/PV-CURB Concrete Curb (CIVIL) 1/PV-GUT Concrete Gutter (CIVIL) 1/SAND Playground Sand O2 JOINTS Keynote CONTROL JOINT - SAW CUT (RED) CONTROL JOINT - SAW CUT & BEVEL (RED) CONTROL JOINT - TOOLED (MAGENTA) EXPANSION JOINT (BLUE) CONTROL JOINT - COLD DOWEL CONNECTION O3 SITE STAIRS Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip Keynote Steel-3/8"-PC Black with Angle Iron Lip | 7/L 8/L 9/L 10// 11// | .401 .401 .401 .401 .401 .401 .401 |
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| New Playground Sand O2 JOINTS Keynote CONTROL JOINT - SAW CUT (RED) CONTROL JOINT - SAW CUT & BEVEL (RED) CONTROL JOINT - TOOLED (MAGENTA) EXPANSION JOINT (BLUE) CONTROL JOINT - COLD DOWEL CONNECTION O3 SITE STAIRS Keynote Very PC Black with Angle Iron Lip Steel-3/8"-PC Black with Angle Iron Lip O5 SITE AMENITIES Keynote | 6/L 7/L 8/L 9/L 10/n 11/l | .401 .401 .401 .401 .401 .401 |
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| EXPANSION JOINT (BLUE) CONTROL JOINT - COLD DOWEL CONNECTION O3 SITE STAIRS Keynote Veryote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip SITE AMENITIES Keynote | 9/L 10/l 11/l De | .401 L401 L401 |
| New Note STAIRS Keynote O4 SITE WALLS Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip O5 SITE AMENITIES Keynote | Detail | |
| O4 SITE WALLS Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip O5 SITE AMENITIES Keynote | Detail | etail |
| 04 SITE WALLS Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip 05 SITE AMENITIES Keynote | Detail | rical) |
| Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip 05 SITE AMENITIES Keynote | | |
| Keynote 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip 05 SITE AMENITIES Keynote | | |
| 4/STLW3/8-w/L Steel-3/8"-PC Black with Angle Iron Lip 05 SITE AMENITIES Keynote | | |
| 05 SITE AMENITIES Keynote | Detail | |
| | | |
| | | |
| 06 SITE RAILINGS AND FENCES | | |
| Keynote | Detail | |
| 6/F-WD36 SlipFence - 42" - PC Black - Mixed Wood Slatting | | |
| 07 SITE LIGHTING | | |
| Keynote SEE ELECTRICAL PLANS | Detail | Co |
| 08 SITE DRAINAGE | | |
| Keynote | Detail | Co |
| SEE CIVIL PLANS | | |
| 09 PLANTING AREAS | | |
| Keynote | | |

Detail

Granite Boulder

Pickleball Court

Manhole Cover

Corn Hole

10/BOULDER 10/CORN

10/PICKLE

10/SEWER

Revisions
Description Date

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Principal David Harris

Drawn By Grant Hardy

Checked By David Harris

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Issue Date 6/10/2022

Project Manager Grant Hardy

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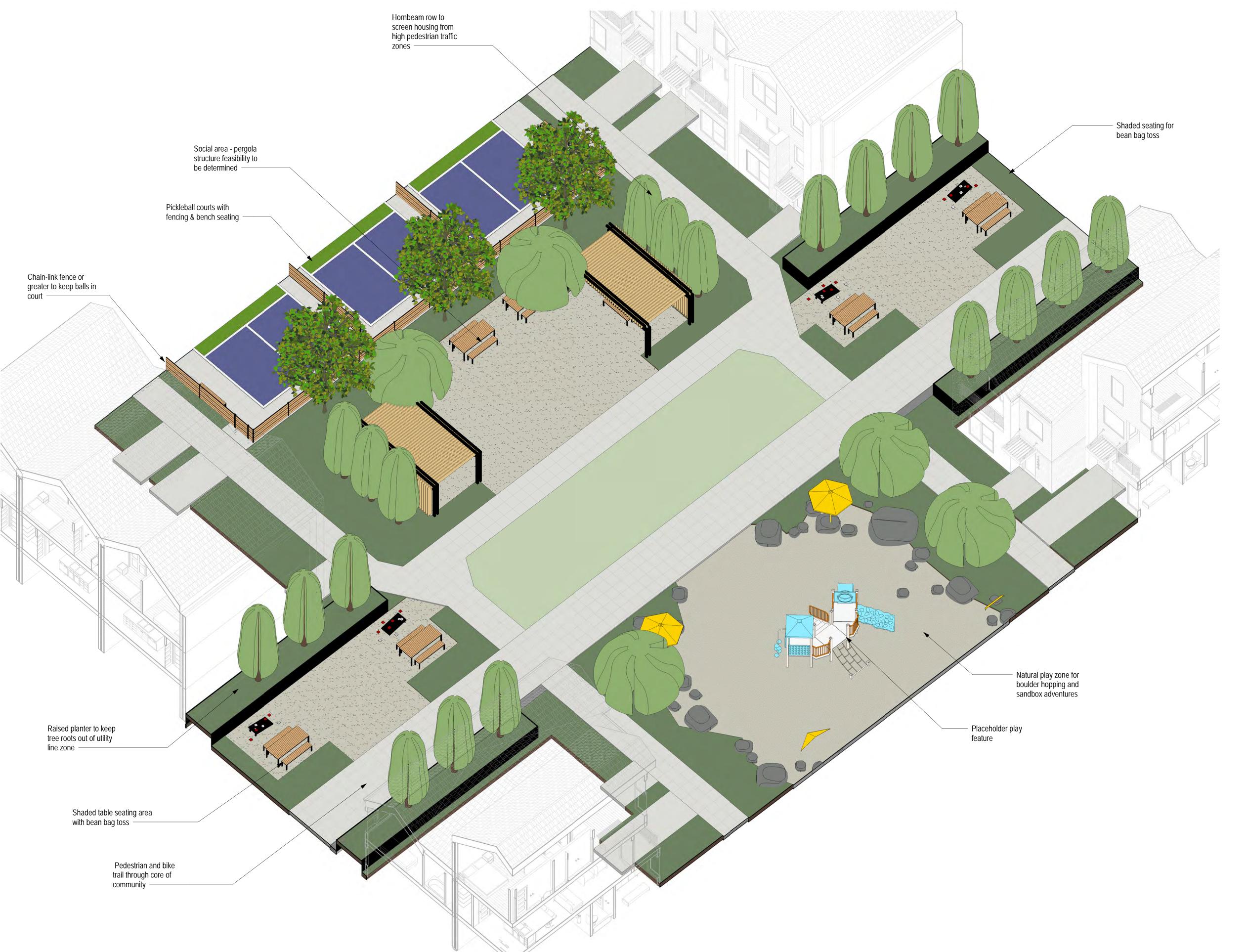
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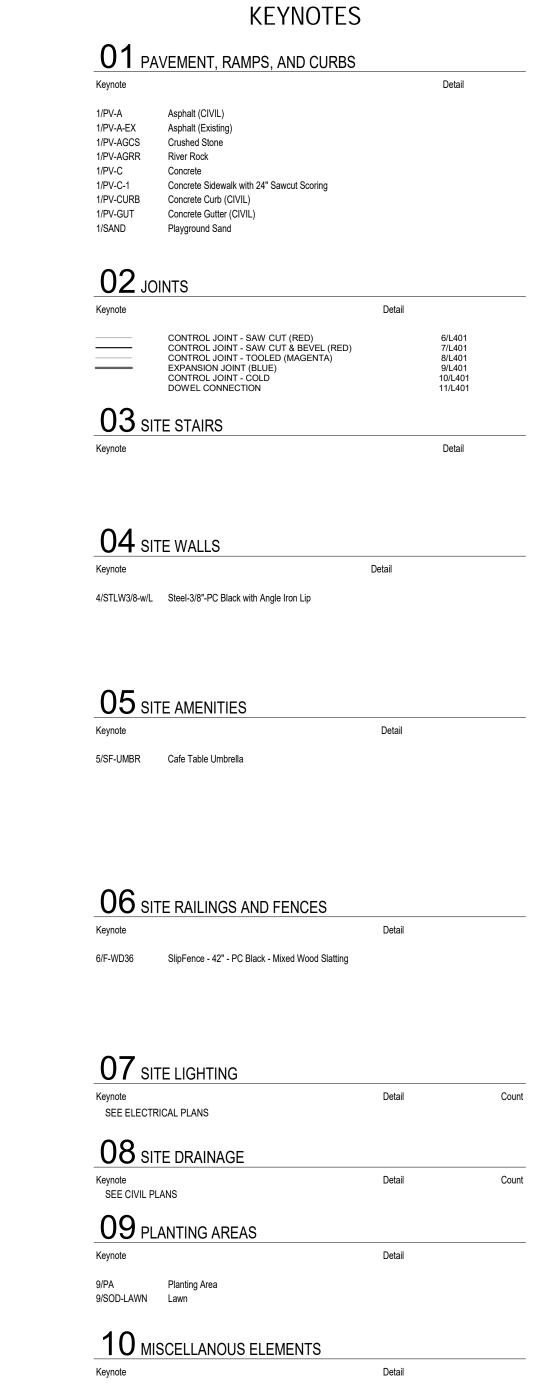
The lvy Lagoon Drive Farmington, Utah

CITY SUBMITTAL

SITE DETAILS

_302





10/BOULDER Granite Boulder
10/CORN Corn Hole
10/PICKLE Pickleball Court
10/SEWER Manhole Cover

TBD





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Principal David Harris Project Manager Grant Hardy Drawn By Grant Hardy

Checked By David Harris

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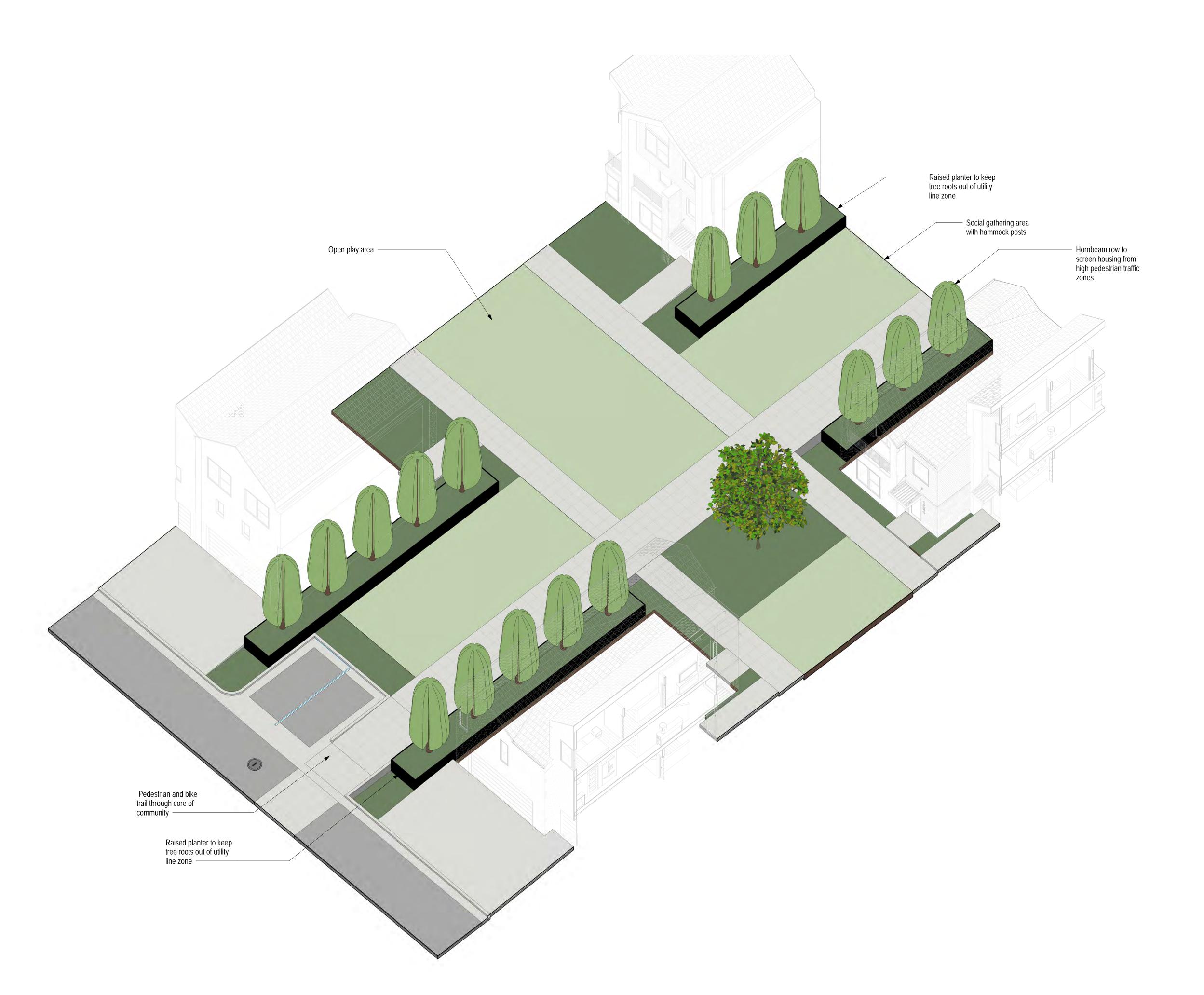
Issue Date 6/10/2022

Revisions # Description Date

The Ivy
Lagoon Drive
Farmington, Uta

CITY SUBMITTAL

SITE DETAILS



| 01 PA | AVEMENT, RAMPS, AND CURBS | | | |
|----------------------------------|---|--------|--|-----|
| Keynote | | | Detail | |
| 1/PV-A 1/PV-A-EX 1/PV-AGCS | Asphalt (CIVIL) Asphalt (Existing) Crushed Stone | | | |
| 1/PV-AGRR 1/PV-C | River Rock Concrete | | | |
| 1/PV-C-1 1/PV-CURB | Concrete Sidewalk with 24" Sawcut Scoring Concrete Curb (CIVIL) | | | |
| 1/PV-GUT 1/SAND | Concrete Gutter (CIVIL) Playground Sand | | | |
| 02 JC | DINTS | | | |
| Keynote | CONTROL JOINT - SAW CUT (RED) | Detail | 6/L401 | |
| | CONTROL JOINT - SAW CUT & BEVEL (RED) CONTROL JOINT - TOOLED (MAGENTA) EXPANSION JOINT (BLUE) CONTROL JOINT - COLD DOWEL CONNECTION | | 7/L401 8/L401 9/L401 10/L401 11/L401 | |
| 03 sı | TE STAIRS | | | |
| Keynote | | | Detail | |
| | | | | |
| 04 SI | TE WALLS | Detail | | |
| 4/STLW3/8-w/L | Steel-3/8"-PC Black with Angle Iron Lip | | | |
| Keynote 5/SF-UMBR | Cafe Table Umbrella | Detail | | |
| 06 si | TE RAILINGS AND FENCES | | | |
| Keynote | | Detail | | |
| 6/F-WD36 | SlipFence - 42" - PC Black - Mixed Wood Slatting | | | |
| | TE LIGHTING | | | |
| Keynote SEE ELECTF | RICAL PLANS | Detail | | Cou |
| 08 sı | TE DRAINAGE | | | |
| Keynote SEE CIVIL P | LANS | Detail | | Cou |
| 09 PL | ANTING AREAS | Detail | | |
| 9/PA | Planting Area | Delail | | |
| 9/SOD-LAWN | Lawn | | | |
| 10 м | SCELLANOUS ELEMENTS | | | |
| Keynote | | Detail | | |

10/BOULDER Granite Boulder
10/CORN Corn Hole
10/PICKLE Pickleball Court
10/SEWER Manhole Cover

TBD





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Project Manager Grant Hardy
Drawn By Grant Hardy

Checked By David Harris

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Issue Date 6/10/2022

Revisions

Description Date

The Ivy Lagoon Drive Farmington, Utah

CITY SUBMITTAL

SITE DETAILS

_304



KEYNOTES LEGEND

TREES QTY COMMON / BOTANICAL NAME KANZAN FLOWERING CHERRY 2" CAL PRUNUS X 'KANZAN' HONEY LOCUST 2" CAL GLEDITSIA TRIANCANTHOS EUROPEAN HORNBEAM, COLUMNAR 2" CAL CARPINUS BETULUS 'FASTIGIATA' QTY COMMON / BOTANICAL NAME To be provided as part of final planting plan GROUNDCOVERS QTY COMMON / BOTANICAL NAME KENTUCKY BLUEGRASS TURF SOD BLUEGRASS PLANTING AREA

Native or native adapted planting area.

Mulch. 18" topsoil.



Si

O

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Principal David Harris
Project Manager Grant Hardy
Drawn By Grant Hardy

Checked By David Harris

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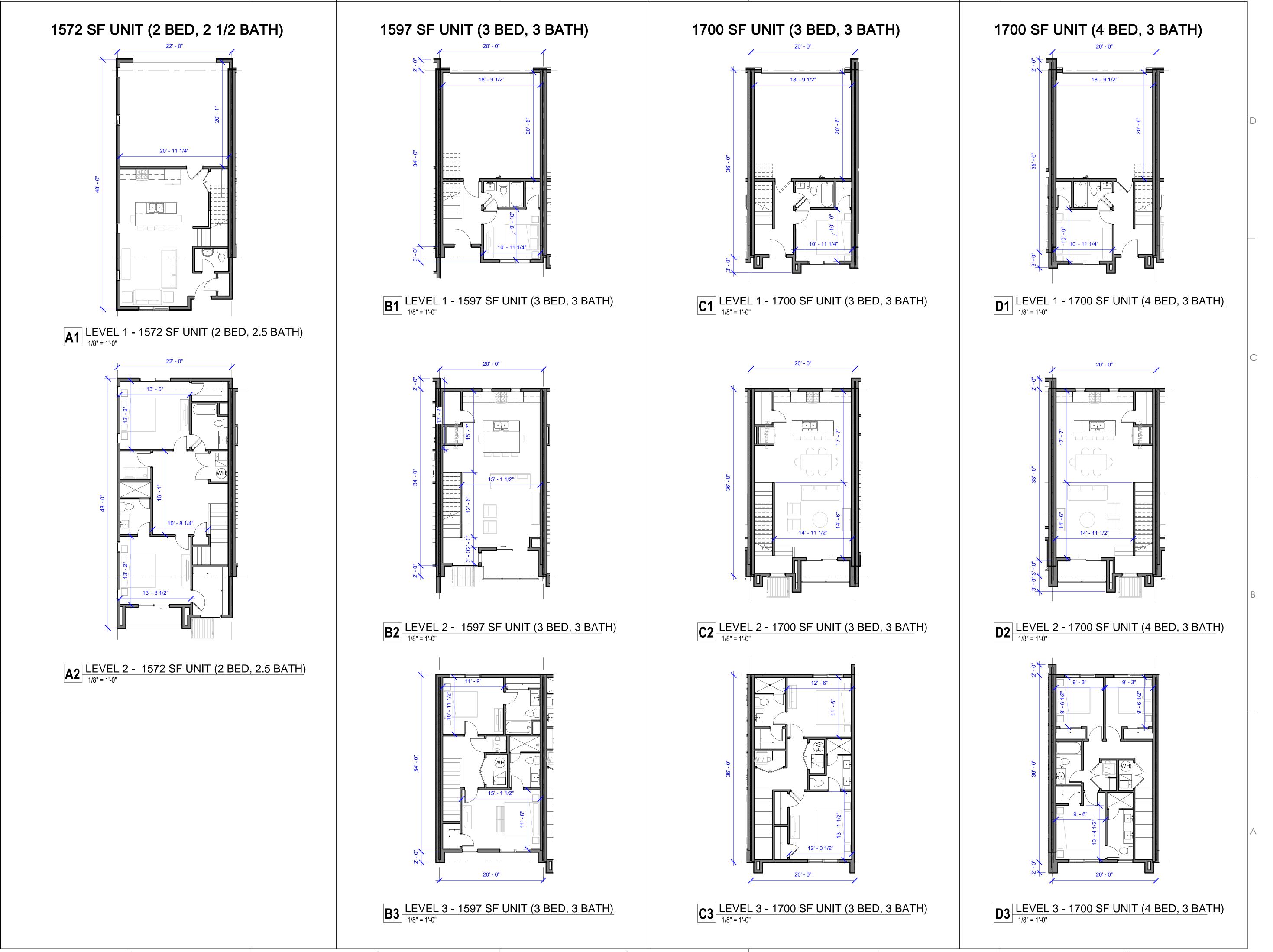
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The Ivy
Lagoon Drive
Farmington, Utah

CITY SUBMITTAL

PLANTING PLAN

_400



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PROJECT the IVY

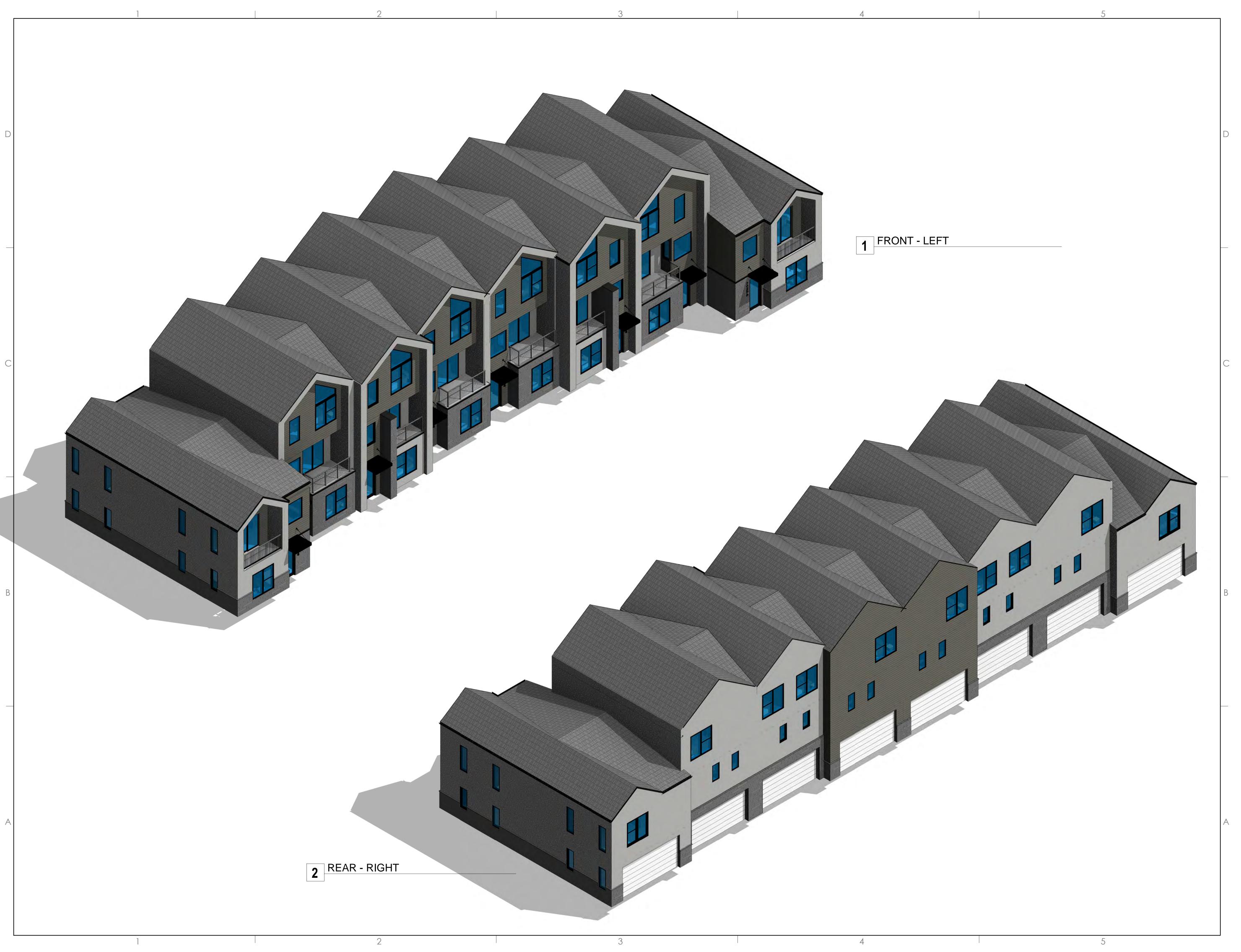
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PLANS

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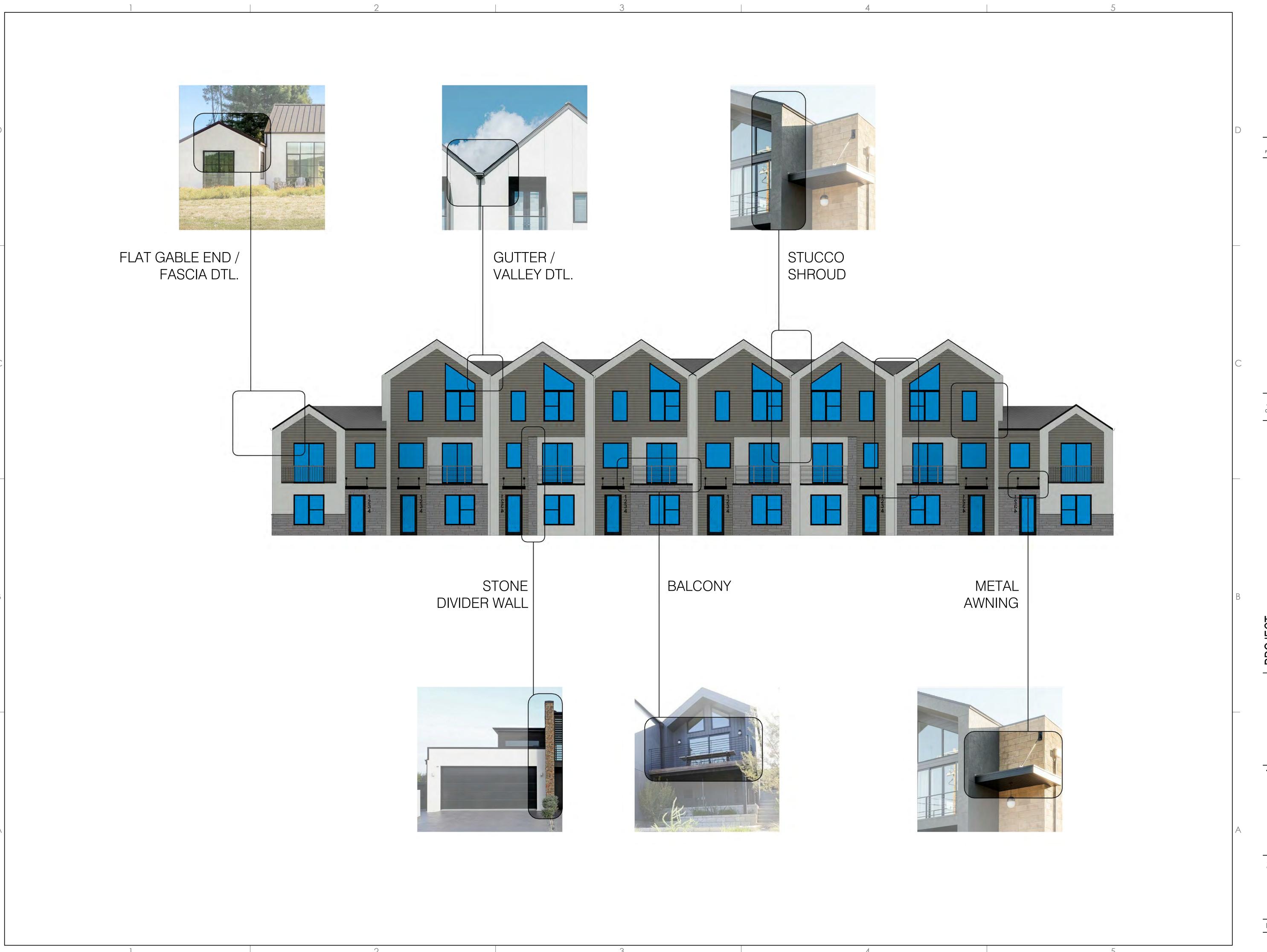
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VIEWS

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PROJECT the IVY

REVISIONS:

PRECEDENT IMAGES

SHEET:

A400

DATE: 9/22/2022 4:00:06 PM























































Farmington Developments

Traffic Impact Study

Prepared for:

Spencer Wright
Wright Development Group
1178 West Legacy Crossing Blvd Ste 100
Centerville, UT 84014
801.773.7339

Colin Wright
C.W. Urban
1222 Legacy Crossing Blvd Ste 6
Centerville, UT 84014
866.744.2489

Scot Poole Complete Natural Products 1265 West 1275 North #7 Centerville, UT 84014 888.648.4442

1 Solar 2391 South 1560 West Suite A Woods Cross, UT 84087 801.683.8168

Prepared by:

Hunt Engineering, LLC 6619 Willow Creek Rd. Mountain Green, UT 84050 801.664.4724 Thomas Hunt, PE



September 20, 2022

September 20, 2022

Farmington City 720 West 100 North Farmington, UT 840025 801.451.2624

RE: Farmington Developments - Traffic Impact Study

As per your request, we are submitting to you this report of the traffic impact study for the proposed developments located on Lagoon Drive between US-89 and Main Street in Farmington, UT. This land is currently undeveloped, and it is proposed that multiple developments will be built in this area. A list of each development and their project is outlined below.

Wright Development Group (Hess Farms)

- 69 Townhome Units
- 8,000 SF of general office
- 16,000 SF of variety general store

C.W. Urban (Ivy Subdivision)

- 75 Townhome Units

Complete Natural Products

- 16,000 SF of warehouse space
- 8,000 SF of general office

1 Solar

- 12,000 SF of warehouse space
- 21,000 SF of general office

Rose Subdivision (in construction)

- 50 Single Family Dwelling Units

These projects combined will generate 265 AM and 336 PM peak hour trips with 3,030 total daily trips. This overall development is currently accessible through Lagoon Drive only. It is proposed that with these developments (including the previously approved Rose Subdivision), some additional roadway networks will be built. A list of these improvements is below.

- Lagoon Drive will be extended to the US-89 frontage road
- 700 West will be extended south to connect onto the Lagoon Drive Extension
- 900 North to Main Street (previously approved with the Rose Subdivision)
- Stub 1000 North to east for future connection to Main Street
- Reconfiguration of emergency exit for Mercedes/Hess Barn/Weber Basin

A traffic study was performed at the following intersections to determine the impact the development would have on the existing roadway and traffic patterns:

- #1) US-89 On Ramp/Park Lane (signalized)
- #2) Park Lane/Lagoon Drive (signalized)
- #3) Park Lane/Main Street (signalized)
- #4) US-89 Frontage Road/Shephard Lane (signalized)
- #5) Shephard Lane/700 West (stop controlled)
- #6) Shephard Lane/Main Street (signalized)
- #7) 900 North/Main Street (unsignalized)
- #8) Lagoon Drive/Frontage Road (unsignalized)
- #9) Two Accesses to 1 Solar (unsignalized)
- #10) Two Accesses to Complete Natural Products (unsignalized)
- #11) Two Accesses to Hess Farms Residential (unsignalized)
- #12) Two Accesses to Hess Farms Commercial (unsignalized)
- #13) Three Accesses to Ivy Subdivision (unsignalized)

To perform this report, manual traffic counts were obtained on multiple days during the AM and PM peak hours in August and September 2022. Based on this information, an analysis for how the existing intersection currently functions versus the proposed development conditions was completed. This analysis shows that the proposed development does not negatively impact the overall Level of Service at any of the existing intersections with the proposed roadway connection improvements. However, it is recommended that the Merecedes Benz emergency egress/Hess Barn/Weber Basin Water access roadway be relocated once that property is developed. The recommended place for relocation is to align with 700 West.

The Complete Natural Products and 1 Solar projects have little to no effect on the existing traffic patterns and are not dependent on the Lagoon Drive extension or the 700 West connection and should be permitted prior to that roadway infrastructures completion.

It is my professional opinion that upon completion of this project, it will not significantly alter the existing traffic patterns, and should be permitted per the traffic data and improvements contained within this report.

THOMAS J. HUNT

If you have any questions, or we can be of further assistance, please let us know.

Sincerely,

Hunt Engineering, LLC 6619 Willow Creek Rd Mountain Green, UT 84050 Thomas.hunt@hunt-engineering.com



WHEN RECORDED, RETURN TO:

Cole West (or other affiliated entities)
Attn: Legal Department
1222 W. Legacy Crossing Blvd., Ste. 6

Centerville, UT 84014

| Affecting Parcel No.(s): |
|--------------------------|
|--------------------------|

DEVELOPMENT AGREEMENT FOR THE ANA PLANNED UNIT DEVELOPMENT

THIS DEVELOPMENT AGREEMENT (this "Agreement") is made and entered into as of the _____ day of January, 2025 by and between FARMINGTON CITY, a Utah municipal corporation, hereinafter referred to as the "City," and Cole West (or other affiliated entities) hereinafter referred to, collectively with their respective assignees, as "Developer."

RECITALS

- **A.** Developer owns or is under a binding agreement to become the owner of approximately six and 65/100 acres (6.65) acres of real property located in the City, Davis County, Utah (the "**Property**"). The Property is further described and graphically depicted on **Exhibit A**.
- **B.** Developer desires to develop the Property as a planned unit development, in accordance with City code §11-27-010 et seq., containing both residential and commercial uses, and referred to as "theANA".
- C. On April 17, 2018, the City approved the PUD Master Plan (the "Master Plan") for the Property in accordance with Chapter 27 of the City's zoning regulations. The approved Master Plan is attached hereto as **Exhibit B**.
- **D.** Pursuant to §11-19-035 of the City's zoning regulations establishes a minimum requirement for moderate income housing unless the Developer agrees to a fee in lieu calculated based on the method established in §11-28-260 of the City's zoning regulations (the "**In Lieu Payment**").
- **E.** Developer and City have agreed that Developer shall make the In Lieu Payment in accordance with the terms and conditions contained herein.
- **F.** The Property is subject to the City's Laws, pursuant to which this Agreement may control over certain provisions of the City's Laws with respect to the matters set forth herein.
- **G.** City has the authority to enter into this Agreement pursuant to Utah Code Ann. §10-9a-102(2) and relevant provisions of the City's Laws, and the City desires to enter into this Agreement with Developer for the purpose of identifying relevant information with respect to the In Lieu Payment.

H. City and Developer intend to be bound by the terms and conditions of this Agreement as set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Developer hereby agree as follows:

- 1. <u>Incorporation of Recitals and Exhibits</u>. The above Recitals and following Exhibits are hereby incorporated into and made a part of this Agreement by this reference.
- **2.** <u>Definitions</u>. In addition to the other capitalized terms defined elsewhere in this Agreement, the following terms shall have the respective meanings indicated below:
 - **a.** "City's Laws" means, collectively, all City ordinances, rules, and regulations,

including the provisions of the City's General Plan, the City's zoning and subdivision ordinances, the City's engineering development standards and specifications, and any permits issued by the City pursuant to the foregoing ordinances and regulations.

3. List of Exhibits.

- **a.** Exhibit A Property Description
- **b.** Exhibit B Master Plan
- **c.** Exhibit C In Lieu Payment Calculation
- 4. <u>In Lieu Payment</u>. Developer has followed the fee in lieu calculation established in §11-28-260 for seven and one-half (7.5) units, which represents 10% of the seventy-five (75) units approved on the Property. Therefore, the parties agree that within five (5) business days following Developer's receipt of its final townhome building permit from the City, Developer shall pay to the City the In Lieu Payment in an amount equal to Three Hundred Ninety-Three Thousand Four Hundred Ninety-Nine and 64/100 Dollars (\$393,499.64). The parties expressly agree that the In Lieu Payment satisfies the City's moderate income housing requirement for the Property and no other payments or obligations shall be required of Developer with respect thereto. The calculation of the In Lieu Payment is attached hereto as **Exhibit C**.

5. Vested Right and Reserved Legislative Powers.

a. <u>Vested Rights</u>. Developer may develop the Property in accordance with the City's Laws and this Agreement to the full extent permitted under the City's Laws, the State of Utah, and the United States (collectively, the "Vested Rights"). The parties intend that the rights granted to Developer under this Agreement are contractual and also those rights that exist under statute, common law, and in equity. The parties specifically intend that this Agreement grants to Developer "vested rights" as that term is construed in Utah's common law and pursuant to Utah Code Ann. §10-9a-509.

- **Applicable Development Regulations**. Neither the City nor any department or agency of the City shall impose upon the Property (whether by initiative, or other means) any ordinance, resolution, rule, regulation, standard, directive, condition, or other measure (each a "New Law") that reduces or impacts the development rights provided by this Agreement or by the Vested Rights. Without limiting the generality of the foregoing, any New Law shall be deemed to conflict with this Agreement and/or the Vested Rights if it would accomplish any of the following results in a manner inconsistent with or more restrictive than the City's Laws or this Agreement, either by specific reference to the Property or as part of a general enactment that applies to or affects the Property: (i) change any land uses or permitted uses of the Property; (ii) limit or control the rate, timing, phasing, or sequencing of the approval, development, or construction of all or any part of the Property in any manner so long as all applicable requirements of this Agreement and the zoning ordinance are satisfied; or (iii) apply to the Property any New Law otherwise allowed by this Agreement that is not uniformly applied on a City-wide basis to all substantially similar types of development projects and project sites with similar land use designations.
- **6.** <u>Assignment</u>. Developer shall not assign this Agreement or any rights or interests herein without giving prior written notice of such assignment to the City. Any future assignee shall consent in writing to be bound by the terms of this Agreement as a condition precedent to the assignment.
- 7. <u>Notices</u>. Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

To Developer: Cole West (or other affiliated

entities

Attn: Chase Freebairn

1222 W. Legacy Crossing Blvd., Ste. 6

Centerville, UT 84014

With a copy to: Cole West (or other affiliated entities)

Attn: Tony Hill

1222 W. Legacy Crossing Blvd., Ste. 6

Centerville, UT 84014

To the City: Farmington City

Attn: City Manager 160 South Main Street

Farmington, Utah 84025-0160

Either party shall have the right to update its respective address for notices by providing written notice to the other party at the address identified above.

8. Entire Agreement. This Agreement together with the Exhibits attached thereto and the documents referenced herein, and all regulatory approvals given by the City for the Property, contain the entire agreement of the parties and supersede any prior promises, representations, warranties, or understandings between the parties with respect to the subject matter hereof which are not contained in this Agreement and the regulatory approvals for the Property, including any related conditions. Further, this Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, representatives, officers, agents, employees, members, successors, and assigns.

- 9. <u>Construction</u>. Words in any gender are deemed to include the other genders. The singular is deemed to include the plural and vice versa, as the context may require. The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein. Use of the word "including" shall mean "including but not limited to", "including without limitation", or words of similar import.
- 10. <u>Non-Liability of City Officials, Employees and Others</u>. No representative, officer, agent, or employee of the City shall be personally liable to Developer, or any successor-in-interest or assignee of Developer in the event of any default or breach by the City or for any amount which may become due Developer, or its successors or assigns, for any obligation arising under the terms of this Agreement, unless it is established that the officer, representative, agent or employee acted or failed to act due to any negligent actions or failures to act but such individuals.
- 11. <u>No Third-Party Rights</u>. The obligations of Developer set forth herein shall not create any rights in and/or obligations to any persons or parties other than the City. The parties hereto alone shall be entitled to enforce or waive any provisions of this Agreement.
- 12. <u>Recordation</u>. This Agreement shall be recorded by the City against the Property in the office of the Davis County Recorder, State of Utah. Further, this Agreement is intended to and shall be deemed to run with the Property and shall be binding on and shall benefit all successors in the ownership of any portion of the Property.
 - a. <u>Sale or Conveyance</u>. If Developer sells or conveys all or a portion of the Property, the Property so sold and/or conveyed shall have the same rights, privileges, intended uses, configurations, requirements, and density, as applicable, to such parcel and be subject to the same limitations and rights of the City as when owned by Developer and as set forth in this Agreement without any required approval, review, or consent by the City except as otherwise set forth herein.
- Date of this Agreement that each has all requisite power and authority to execute and deliver this Agreement, being fully authorized so to do and that this Agreement constitutes a valid and binding agreement; provided, however, any consent, approval, permit, license, or other authorization required hereunder from the City shall be given or withheld by the City in compliance with this Agreement and the City's Laws.
- **14.** Estoppel Certificate. If no default has occurred with respect to the terms and conditions of this Agreement and upon ten (10) days prior written request by Developer, or its successors in interest, the City will execute an estoppel certificate to any third-party, certifying that Developer, or is successors in interest, as the case may be, at that time is not in default of the terms of this Agreement.
- **15.** Relationship. Nothing in this Agreement shall be construed to create any partnership, joint venture, or fiduciary relationship between the parties hereto.
- **16.** Term. This Agreement shall become effective upon the Effective Date and shall continue in full force and effect from such date until the date that is ten (10) years after this Agreement is recorded in the office of the Davis County Recorder (the "**Term**"). The Term may be extended for up to two (2)

periods of five (5) years each, which extension shall occur automatically if Developer has not been notified by the City of any default hereunder, or if any noticed default is in the process of being cured by Developer.

- **Termination**. Notwithstanding the foregoing, if Developer has not commenced development activities on the Property within five (5) years following recordation of this Agreement in the office of the Davis County Recorder, the City may request Developer to provide the City with reasonable plans and assurances that Developer will develop the Property in accordance with this Agreement. In such event, Developer shall have one hundred and twenty (120) days after receiving such request from the City (the "**Response Period**") to provide the City with such information. If Developer fails to respond to such request prior to expiration of the Response Period or responds prior to expiration of the same with plans and assurances that are unacceptable to the City in the City's reasonable discretion, the City may terminate this Agreement by giving an additional written notice to Developer within sixty (60) days following the expiration Response Period.
- **18.** Severability. If any portion of this Agreement is held to be unenforceable or invalid for any reason by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
- 19. Remedies/Cost of Enforcement. Either party may, in addition to any other rights or remedies, institute an equitable action to cure, correct, or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the parties hereto, or to obtain any remedies consistent with the foregoing and the purpose of this Agreement.
- **20.** <u>Amendment</u>. This Agreement may be amended only in writing signed by the parties hereto. All amendments to this Agreement shall be considered and approved in accordance with the City's Laws. No amendment shall require the consent or approval of any person or entity having any interest in any specific lot, unit, or other portion of the Property.

[Signature Page Follows]

| | | have executed this Agreement by and through day of January, 2025 (the "Effective Date") | |
|---|--------------|---|--|
| CITY ATTEST | | FARMINGTON CITY | |
| City Recorder | _ | By: Brett Anderson Its: Mayor | |
| APPROVED AS TO FORM | | | |
| City Attorney | | | |
| DEVELOPER | | | |
| Cole West (or other affiliated entities) a Utah limited liability company | | | |
| | By: Name: | | |
| Its: | | | |

CITY ACKNOWLEDGEMENT

| STATE OF UTAH | |
|--|---|
| : ss COUNTY OF DAVIS | |
| who being duly sworn, did say that he is the Ma | , 2025, personally appeared before me Brett Anderson, eyor of Farmington City, a municipal corporation of the was signed in behalf of the City by authority of its owledged to me that the City executed the same. |
| | Notary |
| DEVELOPER A | ACKNOWLEDGEMENT |
| STATE OF UTAH | |
| : ss COUNTY OF DAVIS | |
| of Cole West (or other affiliated entities), a instrument was signed in behalf of said limited | , 2025, personally appeared before me, who being by me duly sworn did say that she/he is the Utah limited liability company, and that the foregoing liability company by virtue of the authority granted to such liability company, and he acknowledged to me that said |
| | |
| | Notary |

EXHIBIT A

(PROPERTY DESCRIPTION)

A PART OF THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH BOUNDARY LINE OF NORTH MAIN STREET CHURCH SUBDIVISION BEING LOCATED NORTH 0·22•31" EAST 643.35 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13 AND NORTH 90·00•00" EAST 351.36 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; RUNNING THENCE SOUTH 89.51 '50" WEST 164.24 FEET; THENCE SOUTH 89.06'29" WEST 267.39 FEET; THENCE SOUTH 89.28'26" WEST 284.95 FEET; THENCE SOUTH 89.30'16" WEST 337.55 FEET; THENCE SOUTH 88°28'23" WEST 79.92 FEET; THENCE SOUTH 89.22'24" WEST 84.14 FEET TO THE EAST RIGHT-OF-WAY LINE OF HIGHWAY 89/91; THENCE ALONG SAID RIGHTOF-WAY LINE ALONG THE ARC OF A 5141.28 FOOT RADIUS CURVE TO THE RIGHT 198.28 FEET HAVING A CENTRAL ANGLE OF 2·12' 35" AND WHOSE CHORD BEARS NORTH 23" 19'20" WEST 198.28 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING THREE (3)

COURSES: (1) NORTH 89.14'38" EAST 629.62 FEET; (2) NORTH $2\cdot18'44"$ EAST 173.30 FEET; (3) NORTH 89.59'51" EAST 577.75 FEET; THENCE SOUTH $02\cdot20^{\bullet}44"$ WEST 16.49 FEET; THENCE NORTH 88.26'42" EAST 49.19 FEET; THENCE ALONG THE ARC OF A 45. 11 FOOT RADIUS CURVE TO THE LEFT 141. 72 FEET, HAVING A CENTRAL ANGLE OF $180\cdot00\cdot00"$ CHORD BEARS SOUTH 05.58'51" EAST 90.22 FEET; THENCE NORTH $81\cdot55\cdot20"$ EAST 59.48 FEET TO THE BOUNDARY OF SAID NORTH MAIN STREET CHURCH SUBDIVISION; THENCE ALONG SAID SUBDIVISION BOUNDARY SOUTH 0"20'37" WEST 325.71 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY PREVIOUSLY CONVEYED BY GRANTOR IN WARRANTY DEED RECORDED DECEMBER 31, 1992 IN THE OFFICE OF THE DAVIS COUNTY RECORDER AS ENTRY NO. 1010767, BOOK 1569, PAGE 1276:

BEGINNING AT A POINT SOUTH 89.45'50" WEST 352.89 FEET AND SOUTH 1761.66 FEET FROM THE NORTH QUARTER CORNER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN, IN THE CITY OF FARMINGTON; AND RUNNING THENCE SOUTH 3•29•52" WEST 35.00 FEET; THENCE NORTH 86"30'08" WEST 30.00 FEET; THENCE NORTH 3°29'52" EAST 34.88 FEET; THENCE SOUTH 86.43'93" EAST 30.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AND SUBJECT TO THAT CERTAIN BOUNDARY LINE AGREEMENT RECORDED FEBRUARY 4, 2009 IN THE OFFICE OF THE DAVIS

COUNTY RECORDER, AS ENTRY NO. 2421239, BOOK 4706, PAGE 1427.

EXHIBIT B (MASTER PLAN)

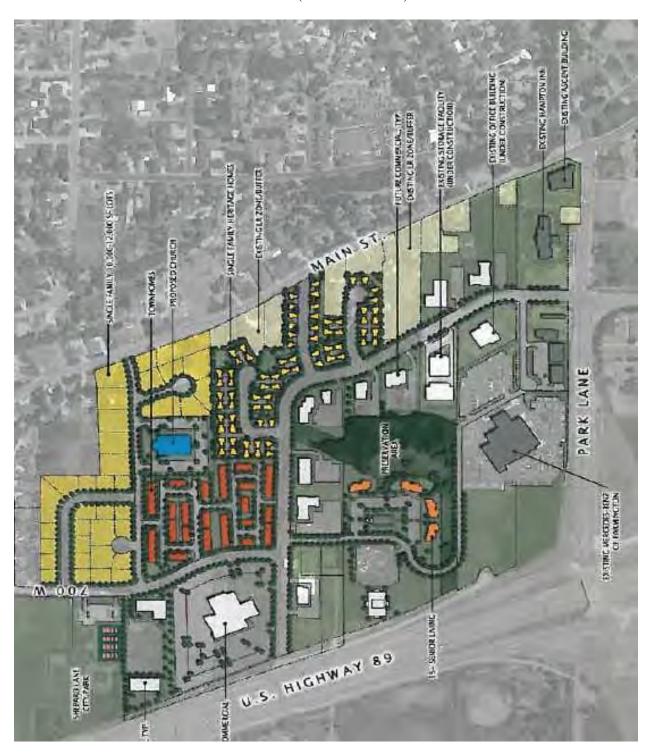


EXHIBIT C (IN LIEU PAYMENT CALCULATION)

| | 80% AMI Davis County | | 6 of 80% AMI | | |
|---|---|-------------|--------------|--------------|---------------|
| | \$ 80 |),400.00 \$ | 24,120.00 | \$ 2,010.00 | |
| A | Average Townhome Price in Farmington built 2019 or Later \$ 460 | | | | \$ 460,567.32 |
| В | 80% AMI Affordable Home Price Annual Housing Costs | | | | |
| | Mortgage Amount | | 100% | \$408,100.70 | |
| | Interest Rate | | 4.26% | | |
| | Annual P&I | | | \$17,385.10 | |
| | PMI | | 0.75% | \$ 3,060.76 | \$408,100.7 |
| | Utility Allowance | | | \$ 1,560.00 | |
| | Insurance | | 0.15% | \$ 612.15 | |
| | Taxes | | 0.50% | \$ 2,040.50 | |
| | Total | | \$ 24,658.50 | | |



Farmington City Planning Commission Staff Report January 9, 2025

Item 4: Farmington City – Recommendation of a Zone Text Amendment to Chapter 11-30, Foothill Development Standards, to amend provisions as they relate to public utility infrastructure.

(This item has been withdrawn)

Public Hearing: Yes
Application No.: ZT-18-24

Property Owner/Applicant: Farmington City

Request: The applicant is requesting a recommendation for changes to the requirements of the foothill ordinances..

Background Information

The city is looking to build a new water tank on the east bench, construction of which is slated to start 2025. The design of the tank has identified elements of the code that cannot be met, however; the reason for this appears to be eligible for a variance. For that reason, rather than amending code which may have broader impact, staff will pursue review of a variance with the Administrative Hearing Officer.

Notice of this hearing has been posted, rather than posting additional notice to cancel, the item is still on the agenda, but no decision is to be made as it is being **WITHDRAWN**.



Farmington City Planning Commission Staff Report January 9, 2025

Item 5: Zoning Text Change—PUD Overlay

Public Hearing: Yes

Application No.: ZT-17-24

General Plan Designation: LDR (Low Density Residential)

Zoning Designation: LR-PUD (Large Residential Planned Unit Development)

Area: 34.058 Acres

Number of Lots: 113

Property Owner: Jourdan Biesinger Applicant: Jourdan Biesinger

Request: Recommendation to amend the Rice Farms PUD Master Plan to allow IAUDs (Internal Accessory

Dwelling Units) on lots less than 6,000 sq. ft. in size within this Planned Unit Development.

Background Information

The Rice Farms PUD consists of 113 lots on 34.058 acres located a block north of Glover's Lane between 200 East and the Frontage Road. Farmington City approved the Final PUD Master Plan for this development on April 24, 2006. IADUs are allowed city-wide on all residential lots equal to or greater than 6,000 sq. ft. in size. [Note: this standard is also required by State Law].

Approval of a PUD allows one to deviate from the standards of the underlying zone. The applicant is requesting that the City amend the Final PUD Master Plan to allow IAUDs on lots less that 6,000 sq. ft. in size. In the Rice Farms PUD, 42 of the 113 lots are less than 6,000 sq. ft., and most of these are located in the phases next to the Frontage Road.

Suggested Motion

Move the Planning Commission recommend the City Council amend the Rice Farms overlay zone and Final PUD Master Plan to allow IAUDs on lots less than 6,000 sq. ft. within this development subject to all applicable Farmington City development standards and ordinances and the following:

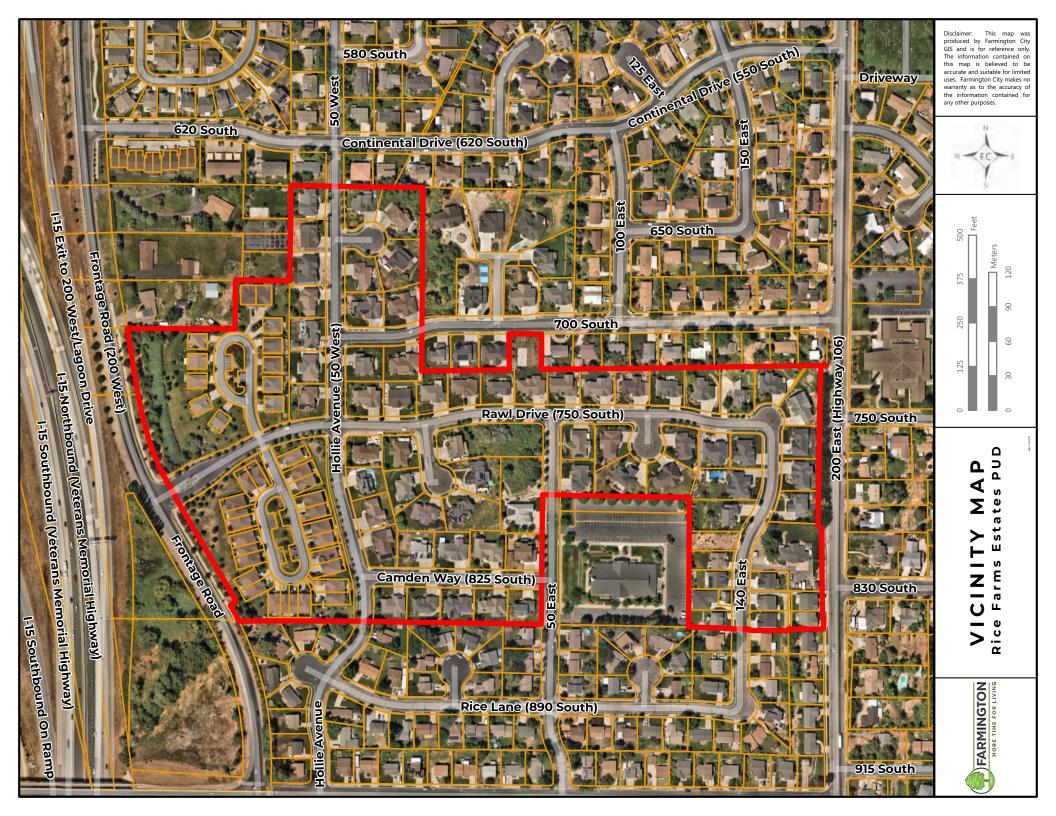
- 1. Each IAUD approved on a lot less than 6,000 sq. ft. in size must meet all other standards set forth for IADUs in the Zoning Ordinance.
- 2. The Rice Farms HOA must approve the amendment.

Findings:

- 1. The impact of an IADU on a lot less than 6,000 sq. ft. is the same (or minimal) as compared to other lots within the Rice Farm PUD so long as the property owner is able to meet all other IADU standards (i.e. parking, owner must live on-site, etc.) set forth in the Farmington City Zoning Ordinance.
- 2. The deviation to the standard of the underlying zone is limited to the Rice Farms PUD and does not apply to the rest of the City.
- 3. HOA approval of the amendment is required.

Supplementary Information

- 1. Vicinity Map.
- 2. Proposed Verbiage from Applicant.
- 3. Section 11-28-200 A- E of the Zoning Ordinance.



Proposed Verbiage:

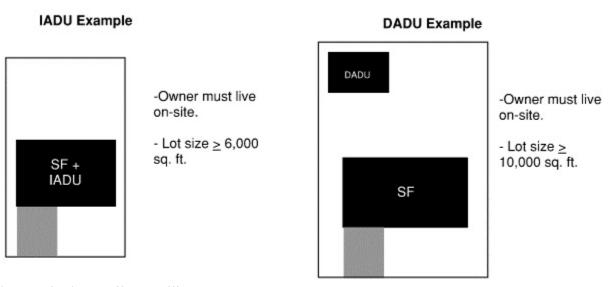
We request that the City approve an amendment to the text of the Rice Farms Planned Unit Development (PUD) to allow internal accessory dwelling units (IADUs) on lots less than 6,000 sq. ft. in size for this PUD.

11-28-200: ACCESSORY DWELLING UNITS (ADUs):

- 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, Building Code violations and associated decline in quality of residential neighborhoods.
 - 3. Terms And Conditions: To set forth standardized terms and conditions for ADUs and procedures for review and approval of the same.
- B. Applications. Applications for an IADU shall be submitted and reviewed by the Planning Department.
- C. Allowed Use: ADUs may be an allowed use as designated by the underlying zone(s) found in this title.
- D. Standards: The following standards and conditions shall apply to all ADUs, and Detached Accessory Dwelling Units (DADUs) or Internal Accessory Dwelling Units (IADUs) as specified, in addition to any terms and conditions of approval as imposed by the Planning Department or the Planning Commission during the permitted use, conditional use permit, or subdivision process:
 - 1. Location, Height, and Footprint: An ADU 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.
 - 2. Number: A maximum of one ADU shall be allowed per single-family dwelling except as provided for in subparagraph F below. An ADU shall contain no more than one dwelling unit.
 - 3. Parking: At least one off-street parking stall shall be provided for the ADU. 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. Size: DADU shall be equal to or subordinate to the footprint of the original Single-family dwelling. An IADU shall be equal to or subordinate to the floor area of the original single-family dwelling.

5. Lot Size:

- a. The creation of an IADU is prohibited if the lot size\containing the primary dwelling is less than six thousand (6,000) square feet 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.



*SF = Single-Family Dwelling

- 6. Construction Codes: The ADU shall comply with all Construction, Housing and Building Codes in effect at the time the ADU is constructed and shall comply with all procedures and requirements of the City building regulations.
- 7. Foundation: The ADU must be adequately installed and secured to a permanent concrete foundation in accordance with the building codes, as adopted and amended by the city.
- 8. Occupants: The ADU shall be occupied exclusively by one family.
- 9. Occupancy: Either the single-family dwelling or the ADU shall be owner occupied.
- 10. Temporary Absentee Ownership:
 - a. Temporary absentee property ownership may be allowed due to circumstances, such as military assignments, employment commitments, family obligations and quasi-public service.

- b. Notwithstanding the foregoing, the maximum time period allowed for temporary absentee property ownership shall not exceed twelve (12) months. In the event such temporary absentee property ownership occurs, the property owner may rent both the ADU and the primary dwelling to unrelated third parties as defined herein.
- c. The zoning administrator may extend the twelve (12) month temporary absentee owner period when the property owner can provide sufficient evidence that the circumstances justifying the exception will last longer than one year. The zoning administrator may not authorize a temporary absentee ownership unless the application includes a definite termination date of the temporary absence.
- d. An unrelated third party is any person who is not related to the primary owner of a dwelling within 3 degrees of consanguinity.
- e. This subsection does not prohibit the occupation of a primary dwelling or ADU by a related party, or a domestic partner of the property owner, during a period of the property owner's absence.
- 11. Notice Of ADU: Farmington City may record a notice in the office of the Davis County Recorder on the lot in which the ADU is located. The notice shall include:
 - a. A statement that the lot contains an ADU; and
 - b. A statement that the ADU 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 ADU.

E. Site Development: Upon consideration of approval of a permitted use, or a conditional use permit, for an ADU, an application for site development shall be submitted in accordance with the provisions of chapter 7 of this title.



160 SOUTH MAIN
FARMINGTON, UT 84025
FARMINGTON.UTAH.GOV

CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the Farmington City Council will hold a regular meeting on **Tuesday, January 7, 2025** 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 dcartille@farmington.utah.gov.

WORK SESSION - 6:00 p.m.

Discussion of regular session items upon request

REGULAR SESSION - 7:00 p.m.

CALL TO ORDER:

- Invocation Brigham Mellor, City Manager
- Pledge of Allegiance Melissa Layton, Councilmember

PRESENTATIONS:

- Recognition of Afu Fiefia as Student of the Month
- Recognition of Eric Miller
- Recognition John David Mortensen for time served on Planning Commission
- Presentation of a public art installation at the new park
- UTA's Five-Year Service Plan and the Davis-Salt Lake City Connector

PUBLIC HEARING:

 Zone Change, Schematic Subdivision Plan and Development Agreement (DA) Farmstead Subdivision at approximately 675 South 1525

BUSINESS:

- Amendment to the agreement between Park Lane Commons, LLC and Farmington City
- Quote from Big T for park equipment and install
- Addendum to the Development Agreement for The Trail
- SIRQ CM/GC Guaranteed Maximum Price Amendment for Park
- Transfer of Development Rights Agreement with CW for the Farmstead Subdivision.
- Zone Text Amendment for Parking Structure Standards

SUMMARY ACTION:

- 1. Resolution appointing Elise Allred & Leslie Humphries to the Historic Preservation Commission
- 2. Resolution appointing Spencer Klein to serve as a Planning Commissioner.
- 3. Resolution appointing Scott Behunin to serve as an Alternate Member of the Planning Commission and reappointing Brian Shepard as an Alternate for an additional year.
- 4. Resolution appointing Council Members to various Committees and Boards
- 5. Approval of Minutes 12.17.24

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 January 2, 2025

FARMINGTON CITY PLANNING COMMISSION

December 12, 2024

WORK SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Joey Hansen, Tyler Turner, and George "Tony" Kalakis; Alternate Commissioner 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 Sam Barlow and Kristen Sherlock; and Alternate Commissioner Brian Shepard.

Regarding agenda Item #1 cell tower, Assistant Director/City Planner **Lyle Gibson** said it is a wooded area, so Staff did not push anything other than what was proposed. The adjacent property owner has some concerns. It is a 100-foot tower with a 6-foot antenna. The tower is 95 feet from the property line to the east, so it could land on their property if it were to tip. It should be 200 feet from any residential zone. Neighboring property is in the B Zone, which allows housing. But does that make it a residential zone? It is the opinion of staff that it is not. The neighbor would like Lagoon to move it further into their park. Usual winds there would blow things to the west, not the east.

Item #2 special exception for a driveway is one the Public Works found out of compliance. Bollards should be installed to protect the fire hydrant nearby in the park strip. A neighbor was concerned with items other than the driveway itself.

Scott Behunin was in attendance prior to serving as a 2025 Alternate Planning Commissioner. He spent 43 years in state and federal government before retiring. He felt this was a good place to give back to the community.

Item #3 The Farmstead is 30 homes on 15 acres just off West Davis Corridor (WDC) and includes a pocket park associated with the trail on southwest side of the project. Staff is concerned with the possibility of the park becoming the City's to take care of in the future. Transfer of Development Rights (TDR) is preserving property rights in one location that originated elsewhere in the City. To get the 30 lots, the applicant wants to purchase 18 TDRs from Farmington City in a separate agreement. The purchase price is being negotiated.

Community Development Director **David Petersen** said after 1999, big swaths of open space were being created throughout the City. Later followed small pockets of open space in Planned Unit Developments (PUDs) such as that in Chestnut Farms. The Parks Department calls them freckles that they don't necessarily want to maintain in perpetuity.

Item #4 zone text amendment is putting rules in place impacting future parking structures.

REGULAR SESSION Present: Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Joey Hansen, Tyler Turner, and George "Tony" Kalakis; Alternate Commissioner 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 Sam Barlow and Kristen Sherlock; and Alternate Commissioner Brian Shepard.

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

CONDITIONAL USE PERMIT APPLICATION – public hearings: 1-4

Item #1: CW Technology Associates – Applicant is requesting consideration for a Conditional Use Permit (CUP) application for a monopole wireless telecommunications facility (cell tower) exceeding 60 feet in height, at approximately 125 W. Lagoon Lane (300 North), in the Commercial Recreation (CR) zone.

City Planner/GIS Specialist **Shannon Hansell** presented this item. This monopole is 106 feet tall, including the lightning rod, near Lagoon's Rattlesnake Rapids. It is required to be more than 200 feet from residential.

Applicant **Troy Benson** (136 S. Main Street, Salt Lake City, Utah) represented Verizon and works on permits with local jurisdictions in areas that need improved signal (search rings). Lagoon doesn't want Verizon fiber lines throughout the park, which is a factor that made this location more attractive. This is the best location for both Verizon and Lagoon, and it would make it so few trees would have to be removed. For eight years, **Benson** has never heard of a cell tower falling down. A geotechnical study is done for the tower manufacturer to ensure the safety of towers. The City has high wind velocity requirements at 160 mph, which is accounted for in the structural analysis.

Chair **John David Mortensen** opened the public hearing at 7:10 pm.

Steve Christensen (351 N. Main Street, Farmington, Utah) addressed the Commission. He owns Christensen Land Company and the land immediately to the east. He thought this was zoned Agricultural Estates (AE), but it is zoned B, the only property in the City zoned that. That zone allows for a conditional use of half-acre lots on those properties

buffering Lagoon. The intent was this would result in large residential lots. The General Plan for the area is low density residential. The land to the east is planned to be residential, and the tower would sit about 80 feet away from his property line instead of the required 200 feet. Lagoon has another tower by their offices, so the proposed tower is close to an existing tower, which could be outfitted with a better antenna. A taller monopole could be located where a current pole exists. Lagoon also owns several surrounding homes where an antenna could be located. The U.S. Department of Housing and Urban Development (HUD) and Federal Housing Administration (FHA) will not allow financing on any home that is near a tower drop zone, regardless of if the tower ever falls or not. Any future lot on that side of his property would not be financeable because it is in the tower drop zone. The existence of a cell tower dramatically drops nearby property values as much as 7.6%, especially when it is clearly visible.

Chair **John David Mortensen** closed the public hearing at 7:20 pm.

Commissioner Tyler Turner said mortgage underwriters consider cell towers hazards and nuisances.

Benson said the existing Verizon tower is serving a different area and range. Verizon's first priority is to use existing infrastructure. Adding additional height to the existing tower would not help them get the coverage they are seeking, so a new site is needed. He would have to run the proposal to move the tower 10 to 12 feet to the west past the landowner (Lagoon) before he can answer questions regarding an alternate location. As far as the signal, moving it 10 to 12 feet wouldn't make a difference. This site was chosen because it wouldn't get in the way of Lagoon's future development plans. His main concern was the residential setback of 200 feet, and he did not consider the drop zone. He said it is 400 feet from the nearest current residential property line as now zoned.

Turner said there appears to be some flexibility. This is a conditional use, which means the use is allowed as long as it conforms to standards set forth. The one that may be in question is the detrimental effect it may have on neighboring property. This may affect others' health and safety, as well as property values. The tower needs to be moved over to negate those detrimental effects.

Commissioner **Frank Adams** said the Commissioners cannot consider what land may be zoned in the future, and they should deal with how it is presently zoned. There is an obligation to allow landowners to use their land how it is presently laid out, so this application meets the criteria for proximity to residential property. Since he doesn't have enough evidence that the fall zone would negatively affect landowners' ability to get financing, he is inclined to approve this item.

Mortensen said the options are to deny, approve, or table this item in order to allow **Benson** to get feedback from the applicant. Commissioners don't feel they have enough information to make a decision. They would like to know if it is feasible for the applicant to move the tower out of the drop zone that would affect neighboring landowners.

Benson said moving it to the west may be limited due to its proximity to Farmington Creek. Additional environmental and regulatory clearances are needed near creeks or streams. It is a difficult hoop to get through for this site. Typically, a back-up diesel generator is needed, but in this case it had to be switched to propane because it was so close to the stream. Environmental clearances may not be granted if it is moved to the west.

Mortensen said the option to move it should be explored. The property owner should look at other locations.

MOTION

Tyler Turner made a motion that the Planning Commission **table** this item with additional information needed, specifically on HUD appraisals and lending aspects to this particular tower being placed, detailed knowledge of placement and if it will negate that; having additional information on the creek; and if other locations would work for the property owner.

Joey Hansen seconded the motion, which was unanimously approved.

| Chair John David Mortensen | X AyeNay |
|-----------------------------|-----------------|
| Vice Chair Frank Adams | X AyeNay |
| Commissioner George Kalakis | X AyeNay |
| Commissioner Tyler Turner | X AyeNay |
| Commissioner Joey Hansen | X AyeNay |
| Commissioner Spencer Klein | X AyeNay |

Mortensen said the Commission is asking the applicant to do some studies, talk with Lagoon, and come back before the Commission. The public should work with Staff to research lending implications. **Petersen** said this should be renoticed for the five surrounding property owners.

SPECIAL EXCEPTION APPLICATION

Item #2: Conley and Kami Lindsey – Applicant is requesting consideration for a special exception approval for a driveway width extension to exceed the standard 30 feet, for the property located at 407 S. 1350 West, in the Agricultural Estates (AE) zone.

Hansell presented this agenda item. The applicant is requesting additional driveway width. Public Works inspectors observed a curb cut in progress without an excavation permit or zoning approval. The special exception is a discretionary decision. The cut was made a few feet away from an existing fire hydrant, which should have clearance and protection.

Applicant **Conley Lindsey** (407 S. 1350 W., Farmington, Utah) addressed the Commission. He said it is 3 feet from the curb cut to the fire hydrant. He had talked to the fire marshal for clarity, and there was confusion all around. The marshal didn't have a preferred distance and just wanted it protected.

Hansell said the fire marshal provided the document shown on the screen, and it does specify clearance areas. It should be 3 feet from the driveway to the bollard. Assistant Director/City Planner **Lyle Gibson** said it should be done on site to the satisfaction of the fire marshal. The protection is to protect vehicles or RVs backing into the driveway.

Lindsey said he was going to concrete the entire park strip to the property line. He has lived there more than 13 years, and he has often blocked traffic while backing over the curb. This cut really stops that process and helps things along. The curb makes it more difficult backing the trailer while missing the hydrant than the curb cut would. He wasn't familiar with all the regulations for curb cuts. His neighbor across the street has a 40-foot driveway opening; the landowner next to him has one that is 36 feet; and the one around the corner is over 40 feet. He had earlier asked if the hydrant could be moved, but he was told he would have to pay for its movement. He is open to placing the bollards as needed.

Chair **John David Mortensen** opened and closed the public hearing at 7:51 pm, as nobody signed up in person electronically to address the Commission on the issue.

Mortensen said the fire marshal should be the determining official on bollard placement.

MOTION

Tyler Turner made a motion that the Planning Commission **approve** the special exception for a curb cut that is not to exceed 45 feet wide for the driveway at 407 S. 1350 West, subject to all applicable Farmington City development standards and ordinances and the following **Conditions 1-2**:

- 1. The applicant must place Fire Department-approved Vehicle Impact Protection Posts according to Utah Fire Code standards.
- 2. The curb cut must maintain clearance of at least 3 feet from the fire hydrant.

Findings 1 a-c:

- 1. If the above conditions are followed, then:
 - a. Because of its position further than 30 feet from the nearest intersection, it is reasonable to assume that the widened driveway will not be detrimental to the health, safety, or general welfare of persons residing or working the vicinity, or injurious to property or improvements in vicinity.
 - b. The property is of sufficient size to accommodate the special exception.
 - c. The driveway curb cut is less likely to cause unreasonable traffic hazards.

Supplemental Information 1-3:

- 1. Vicinity Map
- 2. Street view of curb cut location
- 3. Vehicle Impact Protection standards from Utah Fire Code

Tony Kalakis seconded the motion, which was unanimously approved.

| Chair John David Mortensen | X AyeNay |
|-----------------------------|-----------------|
| Vice Chair Frank Adams | X AyeNay |
| Commissioner George Kalakis | X AyeNay |
| Commissioner Tyler Turner | X AyeNay |
| Commissioner Joey Hansen | X AyeNay |
| Commissioner Spencer Klein | X AyeNay |

SUBDIVISION APPLICATION

Item #3: Cole West (CW Land Co.) – Applicant is requesting a recommendation for a rezone of approximately 15.5 acres of property at approximately 675 S. 1525 West from the Agriculture (A) and Agricultural Very Low Density (AA) zoning districts to the Agriculture Estates (AE) zone together with a recommendation for a Schematic Subdivision Plan for the Farmstead Subdivision consisting of 30 lots.

Gibson presented this agenda item. This item was previously presented to the Planning Commission on October 29, 2024, where it was tabled. This is a zone change, schematic subdivision plan, conservation subdivision overlay, Transfer of Development Rights (TDR), and Development Agreement (DA) for Farmstead Subdivision. This is just off West Davis Corridor (WDC) west of 1525. CW obtained this property from the Utah Department of Transportation (UDOT) surplus and want to rezone it to AE to be consistent with most of West Farmington including surrounding developments with one-acre lots. Smaller lots and additional density is possible through a Planned Unit Development (PUD). The applicant was offering a sound wall and affordable housing in exchange for more density, or 30 lots on 15 acres. Concerns were voiced at a previous public hearing about storm water run-off, number of units, access points, and lot sizes. Since that public hearing, the applicant has worked with Staff on different options to meet the ordinance. A new concept shows a pocket park and trail head access on Lot 17 with Homeowner's Association (HOA) amenities. The City was concerned with eventually having to maintain the proposed park, as there is another trail head at 1525, so suggested a TDR instead. The developer was given an option to purchase additional lots from the City, with that revenue going toward other City parks. A conservation subdivision is now being proposed instead of a PUD, which offers flexibility. When it was originally proposed, the developer wanted shorter front and side yards than is typical. Giving up the PUD in favor of a conservation subdivision helps the applicant out with setbacks, and allows them to contribute to open space through the TDR program. The 12-foot sound wall was proposed along the trail to make the yards more usable, but it was taken out of the Development Agreement.

Applicant **Chase Freebairn** (3451 N. Redtail Way, Layton, Utah) representing CW West, addressed the Commission. The updated proposal is the same thing, just a different way of getting there. They have vetted this from many angles, and understand the City's hesitancy with the pocket park they may have to maintain in the future. The TDR seems to be the best path. They are indifferent with how they get there, as long as they get to the end result. The UDOT sound wall makes for a quieter and more secluded neighborhood, regardless if it is in the DA or not. The wall would have to be completely on the subdivision property, and there is a trail next to that. This is not a UDOT project, and the sound wall cannot go on UDOT property. While some of the lots are smaller—closer to an average of a third an acre—it is the same modern farm house look and square footages as nearby existing homes. Driving by, a difference in terms of quality, aesthetic, and neighborhood feel between the two subdivisions would be hard to distinguish. UDOT was not interested in a new entrance off 1525. The developer has a whole new Right of Way (ROW) to serve this property with access. There would be issues with safety and line of site otherwise. UDOT may need the land for future widening as well. The trail access was scrapped from the DA, but the developer is still willing to do it using an easement from the sidewalk on the west end of Lot 17. There is already access to the trail to the northwest around the corner, so it may be redundant.

Commissioners are pleased that the agreement include sump pumps for every home, as neighboring property owners were worried about that. **Adams** said a trail head may present parking issues that he prefers not to see. He noted that the purchase agreement for the 18 TDR lots was not attached, and wondered if it had been drafted yet. **Freebairn** said the agreement is not yet drafted because it still needs to be negotiated with the City Manager and approved by the City Council. The purpose of the TDR is to transfer rights from somewhere else in the City to here; it would involve writing a check to the City used to offset open space on this site to parks somewhere else. The agreement is a certain amount of TDRs for a certain price. **Gibson** said it is done under agreement at the discretion of the City Council.

Chair **John David Mortensen** opened the public hearing at 8:23 pm.

Rob Madsen (1749 W. Flatrock Drive, Farmington, Utah) addressed the Commission. He lives in the subdivision whose backyards would meet up with this new subdivisions. He has 40-foot setbacks, and a 20-foot setback would be a big difference. Eight of the proposed lots are less than a third an acre, which is a significant amount of the 30 lots. He has no propblekm with the AE zoning and half-acre lots, but third-acre lots are significantly smaller.

Amy Stevenson Wilson (1822 Flatrock Drive, Farmington, Utah) addressed the Commission electronically. She is concerned with the sound wall. She said a berm is aesthetically preferable to the sound wall. She wants more details about the potential 1525 access.

Hayley Rosenbaugh (1696 W. Flatrock Drive, Farmington, Utah) addressed the Commission electronically. There are still 30 lots, which are visually very different, even with landscaping. Many people moved to this area in order to have lots of space, and this does change the feel of the community. It is a very different feel than the initial proposal with 24 lots.

Chair **John David Mortensen** closed the public hearing at 8:29 pm. He said this will go to the City Council next. Since it was tabled last time, it is time for either approval or denial at this point.

Adams said he has a hard time with this application. He likes what was done with the DA, but not that the agreement referenced in paragraph 9 is left out. He understands why the applicant will not share the number at this point, but he feels he needs to know it in order to make a recommendation. It is essential for him to know if it is a good deal for the City or not.

Hansen said water was a big issue, but it seems to be figured out. He has faith in the traffic studies. Eliminating the moderate-income housing element simplified things, including needed parking for additional residents. He doesn't have an issue with the TDR and where the funds actually go (park projects).

Mortensen wants more details about what UDOT thinks about a berm or half berm. He would like to see the negotiated details as referred to in Paragraph 9 when the plat approval comes up. The market would likely drive the addition of the sound wall, but he would still like it included in the DA. He will likely vote not to approve this item. His least favorite part of this is he doesn't know what money the applicant is giving the City for the additional lots, so he doesn't know what the true carrot, or gain, is. While the Commission is likely to see that figure in the future, he would rather have transparency earlier in the process.

Gibson said the cost of one TDR varies according to the project and related pro forma. Many factors would go into what the developer chooses to do and how many lots they choose to purchase from the City.

Commissioner **Spencer Klein** said he will vote for this, but not strongly. Commissioners want the sound wall and trail head back in the DA. **Gibson** said UDOT is not inclined to approve additional access on 1525, as there has to be a certain amount of space between accesses and ramps.

MOTION

Tyler Turner made a motion that the Planning Commission **recommend approval** to the City Council to rezone 15.5 acres from AA and A to AE; as well as recommend that the Council approves the Schematic Subdivision Plan, Development Agreement, and TDR Agreement for up to 18 TDRs; subject to all applicable Farmington City development standards and ordinances.

Findings 1-5:

- 1. One of the purposes of the conservation subdivisions is to provide greater design flexibility and efficiency, and diversify lot sizes as a benefit to more residents; this plan supports that purpose.
- 2. The plan supports open space initiatives which benefit the City as a whole, such as Ivy Acres park, Tom Owens/Rock Mill Park, and the Regional Park.
- 3. Add the sound wall back in the DA.
- 4. Planning Commission would like to see the TDR agreement at the plat approval. In Paragraph 9 of the DA, the number of lots and purchase price should be specified.
- 5. Add trail head access to the DA.

Supplemental Information 1-7:

- 1. Vicinity Map
- 2. Vicinity map with existing zoning
- 3. Alternative Lot Size yield plan
- 4. Subdivision Schematic Plan
- 5. Example Elevations
- 6. UDOT Sound Wall Options
- 7. Proposed Development Agreement

Spencer Klein seconded the motion, which passed 4-2.

Chair John David Mortensen____Aye X NayVice Chair Frank Adams___Aye X NayCommissioner George KalakisX Aye ____NayCommissioner Tyler TurnerX Aye ____NayCommissioner Joey HansenX Aye ____NayCommissioner Spencer KleinX Aye ____Nay

Adams voted "nay," saying this is a transparency issue and there is not enough information to make a recommendation. It robs the Commission of being able to make a recommendation to the City Council about how the various compensation works for the additional lots. Without knowing the number, it is impossible to reach a conclusion. However, he is in favor of the project in general.

Mortensen also voted "nay" because he feels the Commission has been asked for additional density without knowing what the City is getting in return.

ZONE TEXT AMENDMENT APPLICATION

<u>Item #4: Farmington City – Applicant is requesting a recommendation for a zone text amendment to Chapter 11-32, Off Street parking, Loading and Access, to establish design standards for Parking Structure (ZT-3-23)</u>

Gibson presented this agenda item. He anticipates more projects with structured parking components in future years. Therefore, the City needs to establish related parking standards including design, functionality, etc. Staff recently met with their peers in Lehi, where STACK has done substantial prior development. The City will not require structured parking, but a developer may elect to incorporate structured parking in order to provide sufficient parking for a particular development. Structured parking could be used in place of large acres of surface asphalt parking. This could save dirt and land for other uses. The proposed amendment mentions covered stair ways, architectural elements, stall widths, etc. **Gibson** said he doesn't have a lot of experience with structured parking, so he is leaning on his colleagues for help.

Chair **John David Mortensen** opened and closed the public hearing at 9:04 pm, as nobody signed up in person electronically to address the Commission on the issue.

MOTION

Joey Hansen made a motion that the Planning Commission **recommend approval** of the changes to the City's parking development standards.

Findings 1-2:

- 1. Parking structure standards will ensure that structures are built to function adequately for users, preventing parking shortages which may negatively impact projects' long-term viability and neighboring uses.
- 2. Reasonable design standards will foster the vision of the community and aid in the creating of sites which are adaptable, inviting to users, and visually enhance the community.

Supplemental Information 1:

1. Proposed Ordinance

Frank Adams seconded the motion, which was unanimously approved.

| Chair John David Mortensen | X AyeNay |
|-----------------------------|-----------------|
| Vice Chair Frank Adams | X AyeNay |
| Commissioner George Kalakis | X AyeNay |
| Commissioner Tyler Turner | X AyeNay |
| Commissioner Joey Hansen | X AyeNay |
| Commissioner Spencer Klein | X AyeNay |

OTHER BUSINESS

<u>Item #5 – Miscellaneous, Correspondence, etc.</u>

a) Ad-hoc Committee Appointment for Short-Term Rentals

Gibson is looking for three Commissioners with experience staying in short-term rentals to serve on an ad-hock committee. Commissioners recommended Commissioner **Kristen Sherlock**. **Adams** and **Hansen** were likewise interested.

b) Planning Commission Minutes Approval – October 29, 2024, and November 14, 2024: Frank Adams made a motion to approve the minutes. Tyler Turner seconded the motion, which was unanimously approved.

| Chair John David Mortensen | X AyeNay |
|-----------------------------|-----------------|
| Vice Chair Frank Adams | X AyeNay |
| Commissioner George Kalakis | X AyeNay |
| Commissioner Tyler Turner | X AyeNay |
| Commissioner Joey Hansen | X AyeNay |
| Commissioner Spencer Klein | X AyeNay |

| i. | | hair for 2025. John David Mortensen nominated Frank Adams as Chairman for 2025. Joey Hansen seconded the motion, which was | | |
|--|--|---|---|--|
| | Chair John David Mortensen Vice Chair Frank Adams Commissioner George Kalakis Commissioner Tyler Turner Commissioner Joey Hansen Commissioner Spencer Klein | X Aye X Aye X Aye X Aye X Aye | Nay Nay Nay Nay | |
| ii. | | 5. Frank Adams nominated Ty 2025. Spencer Klein seconded | yler Turner as the Planning If the motion, which was unanimously | |
| | Chair John David Mortensen Vice Chair Frank Adams Commissioner George Kalakis Commissioner Tyler Turner Commissioner Joey Hansen Commissioner Spencer Klein | X Aye X Aye X Aye X Aye X Aye | Nay Nay Nay Nay | |
| essentially a br Farmington w Adams said th | rochure with illustrations. FFF ith an included checklist. He i | KR Architect did Bluffdale's, ar | ressory Dwelling Unit (ADU) tool kit, and he would like a similar one for Council, and Youth City Council input. put on this issue. | |
| Chair John Da Vice Chair Fra Commissione Commissione Commissione | r George Kalakis r Tyler Turner | X AyeNay X AyeNay X AyeNay X AyeNay X AyeNay X AyeNay | | |
| John David Mortense | n, Chair | _ | | |
| | | | | |

c) 2025 Calendar for Planning Commission and Terms for reference/schedule planning. There were no

concerns with the proposed calendar.