

**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	<b>X</b> Aye ____Nay
Vice Chair Frank Adams	<b>X</b> Aye ____Nay
Commissioner George Kalakis	<b>X</b> Aye ____Nay
Commissioner Tyler Turner	<b>X</b> Aye ____Nay
Commissioner Joey Hansen	<b>X</b> Aye ____Nay
Commissioner Spencer Klein	<b>X</b> Aye ____Nay

**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 re-noticed 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	<b>X</b> Aye ___Nay
Vice Chair Frank Adams	<b>X</b> Aye ___Nay
Commissioner George Kalakis	<b>X</b> Aye ___Nay
Commissioner Tyler Turner	<b>X</b> Aye ___Nay
Commissioner Joey Hansen	<b>X</b> Aye ___Nay
Commissioner Spencer Klein	<b>X</b> Aye ___Nay

## 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 problem 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 <b>X</b> Nay
Vice Chair Frank Adams	_____Aye <b>X</b> Nay
Commissioner George Kalakis	<b>X</b> Aye _____Nay
Commissioner Tyler Turner	<b>X</b> Aye _____Nay
Commissioner Joey Hansen	<b>X</b> Aye _____Nay
Commissioner Spencer Klein	<b>X</b> 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**

**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)**

**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	<b>X</b> Aye ____Nay
Vice Chair Frank Adams	<b>X</b> Aye ____Nay
Commissioner George Kalakis	<b>X</b> Aye ____Nay
Commissioner Tyler Turner	<b>X</b> Aye ____Nay
Commissioner Joey Hansen	<b>X</b> Aye ____Nay
Commissioner Spencer Klein	<b>X</b> Aye ____Nay

**OTHER BUSINESS**

**Item #5 – Miscellaneous, Correspondence, etc.**

**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	<b>X</b> Aye ____Nay
Vice Chair Frank Adams	<b>X</b> Aye ____Nay
Commissioner George Kalakis	<b>X</b> Aye ____Nay
Commissioner Tyler Turner	<b>X</b> Aye ____Nay
Commissioner Joey Hansen	<b>X</b> Aye ____Nay
Commissioner Spencer Klein	<b>X</b> Aye ____Nay

c) **2025 Calendar for Planning Commission and Terms for reference/schedule planning.** There were no concerns with the proposed calendar.

i. **Vote on Chair and Vice Chair for 2025.** John David Mortensen nominated Frank Adams as the Planning Commission Chairman for 2025. Joey Hansen seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____Nay
Vice Chair Frank Adams	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay

ii. **Vote on Vice Chair for 2025.** Frank Adams nominated Tyler Turner as the Planning Commission Vice Chair for 2025. Spencer Klein seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____Nay
Vice Chair Frank Adams	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay

iii. **Thank you to John David Mortensen for his Planning Commission service**

d) **Other: Petersen** mentioned that the City of Bluffdale recently did an Accessory Dwelling Unit (ADU) tool kit, essentially a brochure with illustrations. FFKR Architect did Bluffdale's, and he would like a similar one for Farmington with an included checklist. He is asking for Commission, City Council, and Youth City Council input. Adams said there is a particular need for financial sector expertise and input on this issue.

**ADJOURNMENT**

Tyler Turner motioned to adjourn at 9:15 pm.

Chair John David Mortensen	X Aye ____Nay
Vice Chair Frank Adams	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay

  
\_\_\_\_\_  
**John David Mortensen, Chair**

Signed by Frank Adams, Vice Chair (2024)

Approved on January 09, 2025 – Frank Adams, Chair (2025)