

**FARMINGTON CITY
PLANNING COMMISSION
November 14, 2024**

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

Lyle Gibson started the study session with a training; started with the open house summary from November 12th, stating that it was successful and is going to continue for a little bit to allow as much engagement as we can get.

For the training: the discussion is moderate income housing. This is defined as 80% or less of the AMI (area median income). The 60% number comes up in the city’s fee in lieu which HUD uses. (The average household size here is approx. 4 people). Since the city has a frontrunner station, we need to have at least 5 strategies from 26 that the state outlines to accomplish moderate income housing. And with that, the city is required to report to the state how we are accomplishing these strategies. We follow 9 of the 26, from what we are already doing in our ordinance.

David Petersen gave a little background, in 1998 the state wanted cities to start coming up with plans for moderate income housing. The city adopted an ordinance in regard to that requirement. Most cities, however, did not. The state said if cities do not adopt anything that they would start withholding transportation funds. Some of those include rezone for density to facilitate moderate income housing and expansion of infrastructure. Currently, the state is requiring an update on each one that we are doing/adopt and the state does keep increasing the requirements. Right now, the city is using the recently adopted SSF lots as another strategy to accomplish this requirement. The city cannot force developers to do moderate income housing but we can give something extra with it as an incentive, like extra density etc. Petersen said sometimes it’s a no-brainer to require things such as I-ADU’s, which is something that the state required that we have as a permitted use.

In areas where some property tax is rerouted to the RDA – there is a portion that is required to be for moderate income housing, only. Petersen said possibly 20%. It will likely be where new housing and areas such as the new business park will be (mixed use). The city does use resources to help put infrastructure where there will be new housing, especially in that area with the HTRZ set up. The city did have a lot of CRA’s (community reinvestment areas) – which are interlocal agreements with other entities. It will go into the RDA and it can help support new projects. The state came up with the HTRZ (housing & transportation reinvestment zone), it will allow us to get a little more than interlocal agreements. Farmington’s was approved in July 2023. The area south of Shepard Lane interchange (west of I-15) is going to be an approved HTRZ (80% of new property tax generated in that area will be fed to the RDA to help support the new growth happening). The requirements include how much housing can go in that area (minimum density requirement) and it will also have a minimum moderate-income housing requirement. 9% of all units in the area will be 80% AMI & 3% will be 60% AMI. Gibson said that the State of Utah is 7th or 8th most expensive housing market in the nation, which Farmington is definitely in that mix.

Mortensen started discussing the agenda for the evening. For the special exception (item 1) – he noted that while we have approved these in the past, but he is questioning if there is detriment to the neighbors, city, etc. he said it is very wide for a two-car garage but wondering if they would cut their request in half. Hansen asked if there was a business and what the structure is? From the staff’s understanding it is just for their RV and/or trucks and it’s just a shed in the back. There is a fence and a gate from the photos; assuming for parking and/or animals. They believe this is fairly straight-forward so no issues. Moving onto the stormwater ordinance (item 2), this is an item that has to be moved forward regardless, if there are any suggestions, it needs to be approved with those changes. Brent White, our stormwater official is going to be here to discuss this item. Mortensen said we do not need to spend much time on this as it is already a done-deal. For the last item (item 3) Petersen will present this item, regarding SSF’s, ADU’s, etc. we are on month 4 of starting this, we are wanting to clean up some language that we see are causing or will cause some issues that were not caught before we started this and having people apply. We are up to 9 homes starting these processes. He said we will go through each one and get the commission’s opinions. They proceeded to go through each ordinance in which they are suggesting a tweak to a word or sentence (as shown in detail in the packet and regular session minutes). Misc. items from Farmstead will present some of their updates, that will not be a public hearing or a voting item.

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

Chair John David Mortensen opened the meeting at 7:00 pm.

SPECIAL EXCEPTION APPLICATIONS (public hearing)

Item #1: Lamond Reynolds – Applicant is requesting a special exception approval for a driveway width extension to exceed the standard 30 feet (allowed), for the property located at 1333 North 1700 West, in the R (Residential) zone. (M-4-24).

City Planner Shannon Hansell presented this item. The applicant is requesting a special exception to exceed the maximum driveway width of 30 feet for three properly designated parking spaces as required by 11-32-060 A1.

The applicant wishes to add an additional 17 feet to the driveway, thereby creating a driveway that is approximately 41 feet wide at the curb cut. Their request is driven by wanting access to their parking pad, located on the north side of the home.

In considering the Special Exception, FCC 11-3-045 E identifies the standards of review:

11-3-045 E. Approval Standards: The following standards shall apply to the approval of a special exception:

1. 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.

Applicant, Lamond Reynolds wants to put in an RV pad for his RV and the intent is solely just to extend the curb cut so he doesn't have to go over the curb.

Chair, John David Mortensen opened and closed the public hearing at 7:03 PM due to no comments received.

Tyler Turner said it is pretty straightforward and does not see an issue with the width extension. John David Mortensen asked the applicant if he would consider half of the requested amount to only 8 additional feet instead of 17 feet, if he thought that would help accomplish what he is trying to do? The applicant responded that he will be pulling his trailers in and out and wants to access it properly and it would be more ideal to pull straight in. He stated the neighborhood has others similar to his request and would prefer to have the full 17 additional feet.

MOTION

Tyler Turner made a motion to move that the Planning Commission approve the special exception for an additional 17 feet for the driveway curb cut at 1333 N 1700 West, subject to all applicable Farmington City development standards and ordinances.

Joey Hansen seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____Nay
Commissioner George Kalakis	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay

Findings:

1. 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.
2. The property is of sufficient size to accommodate the special exception

Supplemental Information

1. Vicinity Map
2. Site plan
3. Street view of location and proposed curb cut location

ZONE TEXT AMENDMENT APPLICATIONS – *public hearings: items 2 & 3*

Item #2: Farmington City – Applicant is seeking a recommendation for an amendment to multiple sections of Title 16, Storm Water Regulation, to related permitting and enforcement activity, including:

- 16-3-010, 16-3-060, 16-3-120, 16-4-070, 16-4-080, 16-4-090, 16-5-050 & 16-5-060

Storm Water Official Brent White presented this item. Construction activity can be a major source of pollutants into the stormwater system, if proper prevention measures are not put into place. As large trucks cross our gutters (which is the storm drain's conveyance system), they can track gravel, dirt, clay, concrete and other contaminants into the gutters and street, which eventually make their way into the storm drain if not cleaned up. As you likely know, our stormwater drains, unfiltered and untreated, into the wetlands and the Great Salt Lake.

During the 2024 legislative session, the Utah Legislature enacted H.B. 507, which imposed new, significant limitations on cities' ability to enforce provisions of stormwater pollution prevention plans (SWPPPs) associated with construction sites.

Chief among the restrictions is field pre-emption in the realm of stormwater permitting; cities may not deviate from the federal Clean Water Act unless authorized by Utah law. UCA § 19-5-108.3((4)). As required by federal law, the City has always required a SWPPP for all construction activity greater than one acre, or less than one acre when part of a larger development, and it will continue to do so. The City also required a land disturbance permit for construction activity smaller than one acre, with similar best management practices (BMPs) to prevent that construction activity from introducing pollutants into our system. With the passage of HB 507, we can no longer require that permit. It is being removed from our ordinances.

Another particularly troubling portion of HB 507 affirmatively prohibits the stormwater official from inspecting a construction site in person, unless there is a "documented reason" for the on-site visit. Otherwise, we are required to inspect via "an electronic site inspection tool" by which the contractor submits photographic evidence of site conditions. *See* UCA § 19-5-108.3(14)-(15). Our code is being amended to match the state standards. It also includes a list of probable "documented reasons" for an on-site visit, in order to give some direction to our stormwater official.

Other restrictions in HB 507 include taking away the ability of the city to stop work, if the developer used a "preferred BMP" on the site which failed. The State is requiring the City to develop and publish its preferred BMPs online. While this is problematic because the proper BMP will vary depending upon topographical variation and the type of work being completed, all of the stormwater officials in the state are working on a way to classify BMPs so that our stormwater systems can be protected as much as possible.

Some amendments are meant to simplify or add subsections for easier reference to the reader.

Due to the stormwater permit amendments being a legislative decision that govern the use or development of land, *see* UCA § 10-9a-103(34)(a), this code is required to pass through the Planning Commission for a public hearing, before advancing to the City Council.

HB 507 takes effect on January 1, 2025, and cities are expected to have adjusted their codes by that date. As the City Council will only meet in December a single time, and likely prior to the Planning Commission's meeting, it is recommended that the Planning Commission not table the item. If it wishes to change the text, those changes should be in the form of a recommendation with specifically enumerated text amendments.

Chair, John David Mortensen opened and closed the public hearing at 7:11 PM due to no comments received.

MOTION

Tyler Turner made a motion to move that the Planning Commission adopt the provisions of this ordinance amending various sections within title 16 of the Farmington Municipal Code, related to stormwater pollution prevention and enforcement.

George Kalakis seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ___Nay
Commissioner George Kalakis	X Aye ___Nay
Commissioner Tyler Turner	X Aye ___Nay
Commissioner Joey Hansen	X Aye ___Nay

Findings for Approval:

1. The amendments bring the City into compliance with mandatory directives from the State of Utah regarding stormwater pollution prevention permits associated with construction activity.
2. The amendments preserve as much authority as possible for the stormwater official to protect the stormwater systems of the City.
3. The prevention of pollution to our storm water system is an important part of the City's protection of the health and welfare of our residents and the community at large.

Supplementary Information

1. HB 507

Item #3: Farmington City – Applicant is seeking a recommendation for additional text and changes to multiple sections of Title 11 regarding:

- ADUs (accessory dwelling units) and SSFs (subordinate single-family dwellings); Minimum size of dwelling requirement; and Garage placement standards in the OTR zone.
- Minimum size of dwelling requirements; and
- Garage placement standards in the OTR zone. (ZT-15-24)

Community Development Director David Petersen presented this item. Applicant is requesting a recommendation to amend and/or repeal multiple sections of Title 11 regarding: 1) ADUs (accessory dwelling units) and SSFs (subordinate single-family dwellings); regarding the definition – does it need to always be separated and compatibility language. 2) Minimum size of dwelling requirement; should the height be reduced? and 3) Garage placement standards in the OTR zone; misstep to “not know” that it is an additional dwelling, to change that requirement. And 4) timing – do we give the owner an “out” in regard to deed restriction versus certificate of occupancy. As well as minimum size dwellings and wanting to delete “or any other yard” from the section of the OTR zone.

Chair, John David Mortensen opened the public hearing at 7:15 PM.

David Miller (153 Pointe of View Cir.) wants to express his support to change the approvals of subdivisions/DADU to be done prior to the certificate of occupancy. Currently, this practice is backwards as the certificate of occupancy is in need prior to submitting and causes issues in regard to financing in that situation. But he does appreciate the city's stance on changing it to make it a better option.

Chair, John David Mortensen closed the public hearing at 7:17 PM.

Going page by page with Petersen:

#1 Definitions: the city is hoping that by striking the lines in the proposed draft, it will help property owners by still meeting the definition of a DADU, while continuing to meet the building code – where it can be a zero-lot line circumstance if its built right; no openings and have a fire wall. The ADU subcommittee suggested striking “architecturally compatible with the neighborhood” language because it's difficult to judge. They also chose to strike the same language in regard to I-ADU's. Mortensen was curious on the commission's thoughts regarding the compatible comment. Turner asked if that was the standard, to have the home and ADU compatible? Petersen gave the example of non-compatibility in regard to a home that was built maybe in 1980 but the ADU has the design of a 2020 home; where you can tell the differences. Also ensuring that ADU's aren't a wild color such as purple. Turner would be okay to strike the architecturally compatible line. Mortensen is okay to leave it in. Hansen was okay to strike. Kalakis wants to ensure it's compatible with the dwelling, not necessarily the whole

neighborhood. *Overall – the commission chose to leave the language of “compatible with the single-family dwelling” with adding “generally compatible...” and strike “and neighborhood.”*[this applies to ADU/DADU]

#2 Question only/no change: the building height for ADU in single-family residential areas is 15 feet (this zone is primarily on the east side of I-15), meanwhile it is 25 feet in the A, AA, AE zones (primarily west side; the question is should the city reduce the 25 feet maximum for ADU's in agricultural zones to be consistent with the 15 feet in other zones? Or is the commission not concerned with this? The commission asked why such a large difference, Petersen responded with the west side used to be mostly barns as ADU's and other agricultural practices. He also stated that the code does still include the language of “subordinate in height” so that helps with the homes such as ramblers; not having a 25-foot barn in the backyard which would tower over the main dwelling. You can only have a two-story ADU if you have a two-story home. Kalakis said it makes sense to keep it as is, since it's a more open area. Hansen said leave it as is. Mortensen, said leave it as is. Turner said leave it as is. [note: this was just a discussion to see if we should change it and bring it back for voting].

#3 Character of DADU/ADU: Petersen said that this item was brought up with the first applicant that came to do this DADU. As she stated it is going to be noticeable because it was the only one in its area going up. He also mentioned that in the ADU committee, one person suggested striking the last sentence of “be aware of its existence” and another member voted to just strike the entire paragraph of “design and character.” A, as is. B, strike out existence. C, remove. Hansen suggested C. Mortensen suggested B. Turner suggested C. Kalakis suggested C. *Overall – the commission chose to remove the paragraph(s) of design and character in regard to passersby not knowing it existed.*

#4 Paragraph 7: Certificate of Occupancy for SSF: Mortensen asked if Mr. Miller was still on the line since this is pertaining to the issue he is curious about. The question is if there is flexibility to have a deed restriction and is recorded concurrently with the newly vacant lot(s), which state: 1. Owner can establish a DADU as long as both lots are held under one ownership, to meet DADU parcel requirements and the owner must live on site (in DADU or main dwelling) and, 2. Any future SSF on the lot must meet requirements. The reason this came up is because a bank/lender until it's recognized as a parcel, therefore the city will let developers include this on plat(s). Hansen, no issue with this. Mortensen, no issue with this. Turner, no issue with this. Kalakis, no issue with this. *Overall – the commission sees no issue with letting the developer outline the DADU parcel on the plat. *Frank Adams, not in attendance, did suggest to edit vacant out of the language and replace for SSF.*

#5 Minimum Size Dwelling: Petersen said that in the city, we have three kinds of dwellings. Single family, two family dwellings and multi family dwellings. While single family may also have a basement apartment, it's still referred to as a single-family dwelling. When it comes to the creations of SSF's, the ordinance of 11-28-110 may become obsolete. It's been suggested to just remove so it's not an issue in the future. Mortensen asked what is in place to govern if this is removed. There is height, lot coverage, and setbacks. This ordinance is a minimum requirement which isn't necessary. Hansen, no issue with this. Mortensen, no issue with this. Turner, no issue with this. Kalakis, no issue with this. *Overall – the commission is okay with removing this from our ordinance.*

#6 11-17-050 Accessory Buildings & Structures (including attached and detached garages): Petersen believes it is time to delete “or any other yard” from this ordinance. Mortensen asked if this would allow a garage to encroach – Petersen said it has never happened before. The one example that was proposed (not completed) was where there is a “hook” in the property lines where someone wanted to put a garage but that would be considered “other yard.” Ideally the city would be okay with the garage in that space but how it's written right now, it's not allowed. Hansen, for this. Mortensen, for this. Turner, for this. Kalakis, for this. *Overall – the commission is okay with what is proposed.*

MOTION

Tyler Turner made a motion to move that the Planning Commission recommend that the City Council amend the following:

Section 11-2-020: Definitions of Words and Terms: modify text as follows –

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

Section 11-28-200: Accessory Dwelling Units (ADUs): adding text to subsection 1 of part D and striking subsection 4 of part D as follows:

- 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.
- ~~4. Design And Character: The ADU or IADU shall be clearly incidental to the single-family dwelling, and shall not adversely affect the residential character of the surrounding neighborhood. An ADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.~~

Section 11-28-200: Accessory Dwelling Units (ADUs): modifying text to subsection 1 of part F and adding text to subsection 7 of part F as follows:

- 1. SSF: A Subordinate Single-Family dwelling (SSF) is a DADU held in separate ownership from owner of the single-family dwelling, which ownership includes land separate from the **single-family dwelling DADU**.
- 7. Certificate of Occupancy: A property owner, or the City, shall not record a subdivision to enable an SSF until the City has issued a certificate of occupancy for the SSF, **unless a deed restriction, acceptable to the City, is recorded concurrent with the newly created vacant lot which states:**
 - a. **The owner may establish a DADU thereon so long as both lots are held under one ownership, meet DADU Parcel requirements, and the owner must live on-site in either the DADU or the single-family dwelling; and**
 - b. **Any future SSF on the lot must meet all related requirements, included but not limited to SSF Occupancy standards.**

Section 11-28-110: Minimum Size of Dwellings: remove text completely as follows-

~~11-28-110: MINIMUM SIZE OF DWELLINGS:~~

~~All dwellings erected within the city shall have a minimum of eight hundred fifty (850) square feet of gross floor area, unless approved by the planning commission as a conditional use.~~

Section 11-17-050: Accessory Buildings and Structures (Including Attached or Detached Garages: modify text in subsection E(1) as follows:

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

- E. Garages: All garages and any similarly related accessory buildings, whether attached or detached, shall be considered for approval as follows:
 - 1. Notwithstanding subsection A, a garage shall not encroach into the front yard, **or** side corner yard, ~~or any other yard,~~ except side yards and the rear yard, of the building lot, with the exception that if a garage currently does not exist on the property and one could not fit within the side or rear yard, then a garage may encroach into the side corner yard, but not the required side corner yard, provided that it is designed so as to be an architectural and integral part of the main dwelling.

Joey Hansen seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ___Nay
Commissioner George Kalakis	X Aye ___Nay
Commissioner Tyler Turner	X Aye ___Nay
Commissioner Joey Hansen	X Aye ___Nay

Findings:

1. The City enacted a major amendment to its ADU ordinances on July 16, 2024, including, among other things, the creation of a subordinate single-family dwelling, or SSF. Now after 3 + months since its passage the following modifications will help in its continued implementation:
 - a. Setbacks for an SSF lot must follow the building code, and because of proposed changes to the definition of a DADU the Zoning Ordinance is now inconsistent with the building code. [Note: See the definition of a single-family dwelling in finding 1.c. below].
 - b. The amendments remove some “design and character” standards and “architecturally compatible” language which are difficult to objectively consider as part of the site plan review process and enforce during and after construction.
 - c. In the past the City’s has met its decades long min. 850 sq. ft. dwelling size because the ordinance does not dictate the minimum size of dwelling units (such as apartments or ADUs) within a dwelling, which increase the size of a dwelling beyond the 850 sq. ft. Prior to July, the code limited “dwellings” include single-family, two-family, and multiple family]. However, an SSF is now a new type dwelling, not a dwelling unit, yet in it is anticipated that some SSFs (like existing DADUs) may be less than 850 sq. ft. Additionally, it is legally questionable whether a zoning ordinance can contain a minimum size standard for dwellings.

Existing definitions in Chapter 2 of the Zoning Ordinance include the following:

DWELLING: Any building or portion thereof which is designed for use for residential purposes, except hotels, apartment hotels, boarding houses, short-term rentals and/or rooming houses, tourist courts and automobile house trailers.

DWELLING, MULTIPLE-FAMILY: A detached building containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: An attached or detached building designed for the occupation exclusively by one (1) family.

DWELLING, TWO-FAMILY: A detached building containing two (2) dwelling units.

DWELLING UNIT: One (1) or more rooms connected together, but structurally divided from all other rooms in the same building and constituting a separate independent housekeeping unit which may be used for permanent residential occupancy by humans, with facilities for such humans to sleep, cook and eat.

- d. The “or any other yard” phrase of the OTR zone text (Chapter 17) may make placement of some ADUs/SSFs cumbersome, and staff cannot recall the last time they considered “any other yard” in the placement of a garage or other accessory building.
 - e. New subdivisions must be recorded to enable the issuance of building permits. As some developers look to record plats to include SSF lots, consistent with such subdivision recordation’s, and to meet City moderate income standards, they are prevented from doing so because the current ordinance does not allow for an SSF lot until after the issuance of a certificate of occupancy for the SSF. A deed restriction represents a good way to resolve this issue—even for the owners of existing lots.
2. As in July, the proposed changes support and further objectives of the City’s Affordable Housing Plan--an element of the General Plan, and many of the changes clarify and/or memorialize long-held practices and interpretations by the City.

Supplementary Information

1. Proposed amendments to Sections 11-2-020, 11-28-200, and 11-17-050 of the Zoning Ordinance, November 14, 2024.

OTHER BUSINESS

Item #4: Miscellaneous, Correspondence, etc.

- a) Farmstead Update – *not a public hearing or voting item.*
 Lyle Gibson indicated the timing of meetings and wanted to show some of the changes that have been made so that the commission could see them and the applicant could move forward before coming back to the commission – if this is something they would be able to pursue. Gibson also mentioned that this would be in the development agreement as well. Staff has not been able to notice and review to have this as a voting item tonight but will come back to the commission for that, next time.

 Chase Freebairn with CW Urban (610 N 800 W. Centerville) also mentioned that they did not have time to make the noticing timeline for the meeting for a recommendation but would like to have any input to see if what changes they

have been going in the right direction. He did mention that this will be governed by an HOA & CC&R's. One of the biggest changes is lot 17; they carved off the lot and now intend to create this a parcel to have a gathering area and pickleball court along with a trail connection. (still possibly a buildable lot in the future). CW did approach UDOT on this, they did ask about the street connection to 1525 W and they were not in favor of that. However, they were okay with the idea of a trailhead there. Mortensen did ask if this could be formally documented (trailhead access, etc.), having the county be okay with said trailhead. Freebairn said they would be happy to obtain letters and approvals if needed. The parcel would be an HOA maintained area that is open to all – not just Farmstead subdivision residents, similar to a pocket park and open to public and privately maintained. Gibson said that in the DA, the parcel is in Farmington City's name when asked about what happens, if the HOA dissolves? Freebairn also mentioned in the DA they would memorialize putting sump-pumps in the homes, regarding drainage. He also mentioned he wanted to have daylight basements similar to Flatrock Ranch. They are also proposing a fee in lieu of \$100,000 to the moderate-income housing fund. He also would still propose the 12-foot wall. The contribution total would be over one million for this project, from the developer. He understands that not everyone is in favor about this development but he feels it is reasonable. Mortensen asked if they prefer the wall to the berm that was brought up last time. Freebairn said yes as it's more efficient for drainage for future home owners in case of any slopes. Berms can also hurt the usability of lots. There are also tree-buffers on the back of the lots. Freebairn said they have developed lots with both berms and sound walls but the sound wall is more ideal for this development. He does note that the homes and lot sizes will be similar to some in the area at a third of an acre; stating that the homes in neighboring subdivisions could easily fit on this lot. He knows the neighbors have different ideas of density but it was also mentioned that typically neighboring subdivisions don't like the smaller lots next to them but there are some in the area who use every inch and there are some who still have yet to landscape. Turner asked on the size of the road, asking if Bareback would widen or if it would stay the same? Freebairn indicated that the right of way width is the same at 56 feet whereas the asphalt is 28 feet. Gibson said as a dedicated public road it would be Farmington's to maintain and it's ideal to keep it as standard, as shown. Kalakis asked where the parking would be if parcel A were to be considered a "public park"? They will park at the trail access or the park itself and he said it could get congested. Freebairn said ideally, it's for walkability and he doesn't see more than a few cars there at a time. It was also mentioned that if the City is to own this piece eventually, what if they don't want pickleball? It is a conversation for another time to keep as proposed or just use for a trailhead parking area, etc. Mortensen asked about the affordable housing aspect, Freebairn said the initial proposal had three internal ADU's in the homes, however it does not make sense to them to do in this area, per community input. They are open to it still but they did take it off of the table and are proposing the fee in lieu instead. Mortensen just asked if they would still be open to consider it instead of the fee in lieu? As it is a conversation for a later time. Summarized that they are asking for a PUD which would allow the 30 lots, whereas the yield would only allow for 24 lots. Petersen mentioned that the neighboring subdivisions such as Chestnut Farms have no issues in regard to parking with their 2.5-acre open space, with the exception of one handi-cap stall. So, he does not see it being a concern. Freebairn asked what the commission would like to see on top of the UDOT letter, sump-pump proposals, etc. Mortensen also mentioned that this is an informal discussion but when it comes back, since there are some changes, he would like to see this re-noticed for December 12th.

- b) Planning Commission minutes from October 29, 2024 – not ready, so will be on the December 12th meeting.
- c) City Council Report from November 12, 2024 – Miller Meadows 9 concept was given the thumbs up to move forward and was recommended that they purchase TDR's. Lyon Meadows DA was approved. General Plan open house was successful.
- d) Other

ADJOURNMENT

Tyler Turner motioned to adjourn at 8:30 PM.

Chair John David Mortensen	X Aye ___Nay
Commissioner George Kalakis	X Aye ___Nay
Commissioner Tyler Turner	X Aye ___Nay
Commissioner Joey Hansen	X Aye ___Nay

John David Mortensen, Chair