

**FARMINGTON CITY
PLANNING COMMISSION**

March 06, 2025

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

Lyle Gibson opened the work session at 6:02 pm. Wasatch Front Regional Council has a mission for transportation in the Wasatch Front areas. To help them with needs, they reach out to Cities. The WFRC asked the City recently for any updates and confirmation on their latest land use vision for the region. **Gibson** showed the commission the centers in which WFRC has to help with transportation. We have an urban center, as well as a city center and a neighborhood center here. The commission agreed it accurately reflected the cities anticipated growth and vision. **Dave Petersen** presented a ULCT PowerPoint, (Utah League of Cities & Towns), as he is our legislative committee representative. **Petersen** goes and meets every Monday with ULCT to discuss the legislative session. **Petersen** reflected back on helping in a classroom one time and how local government directly impacts everyone in many ways everyday with examples like school (education), restrooms (sewer), police, etc. But local government is impacted by State Government mandates so every year when the State legislature meets we have to keep an eye on what they are changing. He noted that the league discusses the bills that are approved within the 45 days that legislative is open. The PowerPoint that Petersen presented is attached.

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

Chair **Frank Adams** opened the meeting at 7:00 pm.

PLANNED UNIT DEVELOPMENT APPLICATION – public hearing

Item #1: Anna and Nathan May – Applicant is requesting a recommendation for Development Agreement amendment and also seeks approval for Preliminary Plat, Final PUD Master Plan, a Special Exception for access over one lot to another, and a deed restriction related to a DADU parcel, within the Sycamore Lane Planned Unit Development at 59 South 300 West.

Shannon Hansell presented this item. Preliminary Plat and Final PUD Master Plan: Initially this project was reviewed with only the front 0.31 acres, the proposed plan consists of a new home to the east of the existing historic home. The historic home has an addition which is planned to be removed, but the applicant is preserving the historically significant part of the home and plans to use it as an Accessory Dwelling Unit. ADUs are a permitted use in the OTR, but not in the front yard—this is the reason the applicant has applied for a PUD. To justify this flexibility, the applicant has agreed to enter into a development agreement to preserve the existing historic dwelling.

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

The applicant returned to the Planning Commission on May 23, 2024, with a modified proposal to increase driveway access width by 3 ft to Parcel 0006, which satisfactorily remedied the Commissions concern. At that meeting, the Planning Commission recommended the City Council approve the Schematic Subdivision Plan and Preliminary PUD Master Plan subject to the conditions that the applicant enter into a Development Agreement regarding the historic dwelling on Lot 1. The Development Agreement also included the ability to add Parcel 08-089-0006 (Lot 3) into the PUD consistent with 11-27 (Title 11, Chapter 27 Planned Unit Developments. The City Council reviewed and approved the recommendation and accompanying conditions on June 4, 2024. It has since been determined that actual inclusion of the additional property as part of the PUD, Plat, and DA at this time makes the most sense.

Development Agreement Amendment: Due to the inclusion of Parcel 08-089-0006 as Lot 3 in the Preliminary Plat, the approved Development Agreement must be updated. The following is a list of recommended amendments, which are ultimately under the purview of the City Council to approve:

1. "4. Compliance with Plans" – references "Exhibit B" which did not originally include Parcel 0006 (Lot 3). Exhibit B to be updated with Preliminary Plat and Final PUD Master Plan showing Lot 3.

2. "5. Alternative Development Standards" – recommendation to add:
"d) Lot 3 will not require full frontage on a public street, but may be included as a building lot. This subject to approval on access easement recorded and the full face of any dwelling located on Lot 3 fully exposed to 300 West. Also subject to approval of Special Exception by Planning Commission, and according to 11-32-060 Access to Off Streeting Parking and Loading Spaces A. 5," which states in part: "direct access for a building lot may include access over one adjacent building lot, provided both building lots have full frontage on a public street..."
3. Removal of "7. Parcel 08-086-006" – this section becomes obsolete if the above amendments are approved.

Special Exception: The Development Agreement amendment detailed in the above section specifies that a Special Exception according to 11-3-045 of the Zoning Ordinance be approved to grant access across Lot 2 to Lot 3.

DADU Deed Restriction: The historic home on Lot 1 will be preserved as a detached accessory dwelling unit (DADU). To provide for the possibility of separate ownership as a separate subordinate single-family dwelling on a DADU parcel, a DADU deed restriction must also be approved. The proposed restriction governs owner occupancy for a for-sale accessory dwelling unit parcel.

Chair **Frank Adams** opened and closed the public hearing at 7:05 PM due to no comment.

MOTION

Spencer Klein made a motion to move that the Planning Commission recommend the City Council approve the Development Agreement Amendment as included in the Staff Report. Also, move that the Planning Commission approve the Preliminary Plat, Final PUD Master Plan, Special Exception related to 11-32-060 A5, and finally the DADU Deed Restriction for Lot 1. All subject to all applicable Farmington City development standards, ordinances, and the following condition:

1. The property owner must provide and record a reciprocal access and utility easement agreement acceptable to the City between the owners Parcels 08-089-0004 and 08-089-0006 to ensure access to Lot 3 (Parcel 0006) now and in the future.
2. The applicant must enter into an extension agreement in lieu of installing public improvements, such as sidewalk.

Findings for Approval:

1. The applicant plans to preserve the historic home.
2. The impact of the PUD is similar to that of a traditional main dwelling unit and accessory dwelling unit setup.
3. The PUD option creates the most efficient use of the parcel.
4. The applicant worked with City staff and fire marshal to provide adequate future access to Lot 3 (Parcel 08-089-0006) to enable the construction of a dwelling on this lot.

Supplemental Information

1. Vicinity map
2. Modification to existing home
3. Preliminary Plat
4. Final PUD Master Plan
5. Development Agreement for PUD, including preservation of existing historic home and amendments to Exhibit B, and other enclosed amendments.
6. DADU Deed Restriction

Kristen Sherlock seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

CONDITIONAL USE PERMIT / SITE PLAN APPLICATIONS – public hearings

Item #2: Wyatt Bubak – Applicant is requesting a consideration of a request to amend an existing conditional use permit for recreation use in order to convert a horse-riding business to a minor sport training facility at 732 West 500 South in an AE zone. (C-1-25)

David Petersen presented this item. An equestrian center exists on-site, which received conditional approval by the Planning Commission on March 17, 2016 (CU Permit C-7-16), as a "Commercial outdoor recreation, minor" use. Although this is no longer an allowed use in the AE zone, one may request an amendment or modification of a conditional use as

per Section 11-8-060 of the Zoning Ordinance (see attached). The applicant has provided: 1) information that describes what he proposes to do, and 2) a conceptual site plan.

Petersen mentioned that the City put in a storm drain pipe there back in the 90's. The commission asked about the business side – the applicant, **Bubak** stated that there is no curb and gutter there currently and to install, can hurt the business. He hopes to keep this minor and it would likely take 10 years to break even right now, not in addition to the installation of curb/gutter. He also said that no water run off happens on the property nor does anything that they're proposing have run-off. He just wants to explore the requirement of curb/gutter. **Sherlock** asked about comparable businesses and wondered if he had a lease like others? **Bubak** answered no – and it's a lower scale facility. He said during winter, when it would be used more, they can handle 8 teams or so. **Klein** asked about the change in business? **Bubak** said the equestrian business required his wife to work more so he wanted to take that load off of her and if it meant half the income to increase family time, he said it is worth it. **Adams** asked if baseball is the main sport? **Bubak** said softball and could potentially house other sports. **Adams** asked if he wishes to do curb/gutter at a later time? **Bubak** said ideally yes. **Adams** asked if he could bond instead? **Petersen** said yes.

Chair **Frank Adams** opened the public hearing at 7:28 PM.

Jake Wright, the next-door neighbor, wanted to support this idea and feels they have great intentions on this business. In regards to curb/gutter, he asked if there is existing piping. Noting he is aware that a neighbor has run-off issues. Not wanting to add to the current issue.

James Carlson, neighbor, supports this decision and feels it's a great asset to the neighborhood and city.

Brock Williamson, coach's youth baseball. He is not a neighbor but feels this can really enhance the city.

Chair **Frank Adams** closed the public hearing at 7:30 PM.

Adams asked if the improvements (curb/gutter) were required with the initial Conditional Use, **Petersen** said there is a chance there could have been an extension agreement and he'd look into it. **Petersen** said that in Farmington, much like other cities, when you build, you have the obligation to install the sidewalk, curb, gutter etc. this property used to be rural (70's) – and back then, the county would receive "extension agreements" to delay improvements, so that the owners can help pay when we were ready to improve the road and not at the time of building. Agreements were recorded against the property, meaning they ran with whoever currently owned the property, if sold, etc. There was a protest where property owners did not want to pay because one thing or another. In turn, the council at the time the high school was being built and 650 W was being improved, decided that it would be handled not by the agreements/commitments, but rather all citizens of Farmington. **Petersen** said that this area was apart of this protest/agreement dispute. **Petersen** suggested that the **Bubak's** sit down with the public works director and city engineer to see if this can be waived or delayed. The conditional use permit in 2016 never mentioned the extension agreement, **Petersen** seems to believe it was the same time as the protesting. **Gibson** noted ordinance 11-28-170 states that city administration can work on a solution with the applicant on the details listed above but the commission does not need to hold it up for curb/gutter only (i.e. they can approve and city would work out the details prior to any permits).

MOTION

Spencer Klein made a motion to move that the Planning Commission approve an amendment to a previous conditional use permit to create a minor sports training facility subject to all applicable Farmington City ordinances and development standards, the same conditions of the existing CU permit (items 1-4 below), and additional conditions (5 and 6) as follows:

1. Any Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
2. The hours of operation are limited to 8 a.m. to 10 p.m.;
3. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
4. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
5. City staff shall review and approve a final site plan for the property, including members of the City's DRC (Development Review Committee) where applicable; and
6. In addition to complying with City drainage requirements, the site plan shall include, but not be limited to, curb and gutter, sidewalk, and asphalt tie-in on 500 South Street—all such improvements must be constructed the entire east to west street frontage of the property.

Findings for Approval:

[Note: these are the same findings from the March 17, 2016, C-7-16, approval].

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide 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.
6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
7. The proposed use provides adequate parking, and that parking has been removed from 500 South.

Joey Hansen seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay
Commissioner Joey Hansen	X Aye ____ Nay
Commissioner Spencer Klein	X Aye ____ Nay
Commissioner Scott Behunin	X Aye ____ Nay

Item #3: Tyra Williamson – Applicant is requesting a recommendation of a Planned Unit Development for Promontory on Park. The Promontory on Park project is an office/commercial building on 0.15 acres at 326 Park Lane.

Shannon Hansell presented this item. The subject property was temporarily owned by Farmington City. Prior to that, there was a house on the parcel that upon acquisition by the City, was demolished and portions of the original lot were separated to be included in the Park Lane right-of-way that will eventually be widened from this property east to Main Street.

The original lot was already fairly small and limited in what could be done for commercial development, but removing a portion for the right-of-way made it even more challenging. After securing what was needed for the future Park Lane improvements, the City worked through a Request for Proposals (RFP) process to find a buyer and a future use that worked best for the site. The applicant was selected by the City Council and has been preparing a proposal since then. In 2022, it was apparent to City staff with this process that any future development would struggle to take place under the BP (Business Park) zoning designation so Planning Staff recommended that the CMU district be considered. Following a positive recommendation by the Planning Commission, the City Council approved the rezone from BP to CMU on June 21, 2022.

The CMU zone requires that all projects are considered as either a planned center development, which is a conditional use process, or as a planned unit development. The applicant has proposed a financial planning office with a small grab-and-go type café use. Staff recommended that the applicant seek a PUD approval with accompanying development agreement to allow the Planning Commission and City Council to consider deviations from the underlying zone and Title 11, including the following:

1. **Front required build-to range.** Minimum percent of building within the front RBR (required build-to range) is 60% for collector roads. As proposed the building only occupies 30% of the RBR.
2. **Parking Location.** Parking areas located to the side of structures shall be located a minimum of ten feet back from the back of the adjacent sidewalk.
3. **Parking.** The site contains 12 parking spaces (2 ADA dedicated spaces). The use is split into approximately 2,619 sf professional office use which requires 3 spaces per 1000 sf of area (about 8 spaces for proposal). The café use is about 750 sf. The closest equivalent use is a sit-down restaurant which is required by 11-32-060 to have 12 spaces per 1000 sf of area (9 spaces for proposal). Therefore, the total required parking for the site would be 17 spaces. When the upstairs sitting area and bathrooms are removed from the calculation, the office requires only 6 spaces. The total parking needs for the site are between 15-17. In either case, the site will require legislative approval via DA to allow for reduced parking.
4. **East Setback** – Typical setback for a 25 ft. tall building would need to be 5 ft. from side and rear property lines. Currently the building is designed to be 4 ft. from the east property line.

Sherlock asked about parking sharing as there is so many between the two neighboring lots. As to staff's knowledge, the hotel nearby does not want to "lease" spaces for parking. **Brock Williamson**, the applicant, said they reached out to the two buildings and said they are not willing to have a shared agreement in writing. The owners also offered compensation. With the denial from neighbors, they swapped the building to accommodate what they are trying to do. One assumption is hotel guests would walk there, **Williamson** agreed and said since he lives so close, he would likely

bike. **Adams** asked about hours and if they would stay open for dinner hours, **Williamson** said it is likely to close after lunch daily and focus primarily on breakfast and lunch. **Gibson** said that the wall around the property was installed by the neighboring hotel due to the residential component that was previously at this location. He said per a conversation with the hotel owners that the hotel hopes this new use can self-contain the parking but understands if people park there and walk over. **Hansen** asked on menu – **Williamson** said healthy. They would offer grab and go breakfast bowls, shakes/smoothies, etc. he feels it will be an asset to the community.

Chair **Frank Adams** opened and closed the public hearing at 7:53 PM due to no comments.

Sherlock said it makes sense and she likes the traffic flow. **Hansen** said the home owner was a “hold-out” with the hotel going in. He said he likes the idea and that the parking can work itself out.

MOTION

Joey Hansen made a motion to move that the Planning Commission recommend the City Council approve the Development Agreement and Preliminary Planned Unit Development Master Plan, subject to all applicable Farmington City development standards, ordinances, and the following condition:

1. Refuse area must be shown on plan and include screening so as not to be visible from street.
2. All other conditions as required by the Development Review Committee.
3. The Planning Commission may delegate review of the Final PUD Master Plan to the Planning Department

Kristen Sherlock seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

ZONE TEXT AMENDMENT

Item #4: Farmington City – Applicant is requesting a recommendation for a zone text amendment to Chapter 11-27, Planned Unit Development (PUD), to clarify the review process and what documentation is required for reviews. (ZT-4-25)

Lyle Gibson presented this item. In 2023 the city updated several sections of ordinance addressing the subdivision process, establishing an administrative hearing officer, and clarifying who has land use authority over certain actions. Recently staff has identified a conflict with that update in the Planned Unit Development process that it is looking to correct. The proposed Zone Text Amendment clarifies that the City Council is the Land Use Authority over a Preliminary PUD Master Plan and that their review process follows all other rezone type applications where legislative authority is used.

Other than minor language cleanup to more accurately follow the application process used by the city, the amendment also looks to clarify who reviews CCRs and what the city's is looking for within those covenants. As the city is not a party to private associations or CCRs for neighborhoods and developments, many of the elements of CCRs are not germane to the city's review process as they can be modified or changed at any time by the applicable association or group of owners. The intent is to indicate that when there is an area to be owned in common that the city will simply look to ensure that an entity is being established which will have responsibility for that property.

Chair **Frank Adams** opened and closed the public hearing at 7:59 PM due to no comment.

MOTION

Scott Behunin made a motion to move that the Planning Commission recommend that the City Council enact the enclosed ordinance to remove amending portions of Chapter 11-27.

Findings for Approval:

1. As proposed, the amended ordinance will clarify discrepancies with existing ordinance and process.
2. The proposed changes simplify and focus the purpose of the review of CCRs on items relevant to the interest of Farmington City.

Spencer Klein seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay

Commissioner Joey Hansen
Commissioner Spencer Klein
Commissioner Scott Behunin

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

OTHER BUSINESS

Item #5: City Council Reports, Approval of Minutes, Upcoming Items & Trainings

- a. **Planning Commission Minutes Approval from February 06, 2025**
 - **Spencer Klein** motioned to approve the minutes; **Scott Behunin** seconded the motion, which was unanimous.
- b. **Other**

ADJOURNMENT

Kristen Sherlock motioned to adjourn at 8:00 PM.

Chair Frank Adams
Commissioner Kristen Sherlock
Commissioner Joey Hansen
Commissioner Spencer Klein
Commissioner Scott Behunin

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


Frank Adams, Chair