

**FARMINGTON CITY
PLANNING COMMISSION**

May 08, 2025

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

Assistant Community Development Director **Lyle Gibson** spoke of the Development Agreement process, density, and the NMU district related to an anticipated upcoming public hearing. A potential sale to the Boyer Company would likely result in a Development Agreement.

City Planner **Shannon Hansell** said four or five of the single-family residential zones cover most of the City’s east side. The minimum lot size in most zones are half an acre or smaller. The zone text amendment considered tonight is for lots 0.4 to 0.49 acres in size in the agricultural and residential zones. Language for accessory buildings in agricultural zones are more flexible. The ask is for a 0.48-acre lot with a 30-foot setback area. An accessory building can cover up to 25% of the required rear yard. The zone text amendment is asking to increase the amount of area that the accessory dwelling can take up in the required rear yard with a special exception. This would only apply to about 1,000 out of 10,000 lots in Farmington. Buildings in agricultural zones could go up to 25 feet as long as they are 5 feet away from the property line. In regular residential zones, it is 15 feet if they are 5 feet away from the property line. If it is 1 foot from the property line, it can only be 10 feet tall. The accessory building can never be taller than the main dwelling.

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

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

CONDITIONAL USE APPLICATION – public hearings (1)

Item #1: David Howes – Applicant is requesting approval for a conditional use permit for a home occupation that uses space outside of the main dwelling; the request is to allow office use limited to the resident, in the detached barn building, at 612 S. 650 W. in the AE (Agricultural Estates) zone.

Assistant Community Development Director **Lyle Gibson** presented this item. Typically, someone applying for a Home Occupation type business license can receive approval from City Staff when they are seeking to run an office from their home. As this request seeks to use the barn on their property, it requires consideration by the Planning Commission.

Applicant and property owner **Russin Howes** addressed the Commission and said that she and her husband, **David**, recently took over the full family business after 53 years, and they would like to use their current barn for the office-side of the business.

The applicant's description as included in the Staff Report is this: “We are requesting a conditional use permit to utilize the barn located on our residential property in Farmington as the main office for our LLC (A & H Sign Company LLC). This office will be used solely for administrative purposes, and (applicant) David Howes will be the only employee working at this location. All sign production, sales, and additional employees will continue to operate from our commercial facility in South Salt Lake at 188 W. 2950 S. (A & H Signs). A & H Signs has been in business for 53 years. We are requesting this new administrative location as David transitions from labor to administrative work within the Company. Thank you for your consideration.”

Applicable codes below:

11-35-030: CONDITIONS:

K. Conduct Within Dwelling: The home occupation shall be conducted entirely within the dwelling and shall be clearly incidental, secondary and compatible to the residential use of the dwelling. The home occupation shall not occupy or use any accessory building, yard space or activity outside the main building, or an attached garage to the extent that vehicle parking is displaced, unless approved by the Planning Commission as provided in section 11-35-040 of this chapter.

11-35-040: CONDITIONAL USES:

A. Permitted Conditional Uses: The following home occupations may be allowed only upon approval of a conditional use application by the Planning Commission and issuance of a conditional use permit:

1. Uses where the applicant proposes to use more than twenty five percent (25%) of the dwelling in connection with the business.
2. Any use where outside storage, use of an accessory building or exclusive use of an attached garage is anticipated or requested in conjunction with the home occupation.

B. Review Standards: In evaluating a home occupation conditional use, the Planning Commission shall apply the review standards contained in chapter 8 of this title and, if applicable, site development standards contained in chapter 7 of this title.

11-8-050: CONDITIONAL USE STANDARDS:

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 wellbeing 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.

Frank Adams opened the public hearing at 7:03 PM.

Don Francis (578 S. 650 W., Farmington, Utah) owns the property north and adjacent to the property in question. He would like to know what business would be run out of the barn, and didn't get notice about this. He would like to know if there would be any production going on in the barn. They formerly ran a dog breeding business out of the barn, which was not allowed by City ordinance.

Linda Francis (578 S. 650 W., Farmington, Utah) said the applicants have had many businesses there and she hopes it is not misrepresented.

Frank Adams closed the public hearing at 7:10 PM.

Russin Howes indicated that there were dogs at the property in the past, but that is not what this request is for. She is a dog-trainer and behaviorist. No sign production would be going on in the barn.

Gibson said annual inspections of home businesses are not done, but if the City hears about something that is concerning, they will go check it out. Since it is licensed, the City would have the ability to issue fines or revoke the license if it is not conducted according to their application. Code enforcement is always an option as well. The license is renewed annually.

MOTION:

Kristen Sherlock made a motion that the Planning Commission approve the requested Conditional Use application allowing the barn to be used as an office as described in this report, and with the applicable code conditions and conditional uses and standards 11-35-030, 11-35-040, and 11-8-050.

Findings 1:

1. The proposed use meets all other applicable standards and will not create additional impact which would require conditions for mitigation.

Supplemental Information 1:

1. Vicinity Map

Tyler Turner seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Vice Chair Tyler Turner	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner George "Tony" Kalakis	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

ZONE TEXT APPLICATION – public hearings (2)

Item #2: Farmington City – Applicant is requesting a recommendation for a zone text amendment to Section 11-11-060: Accessory Buildings and Structures; for the purpose of modifying the rear yard coverage limitations and allowing for consideration of additional coverage as a Special Exception.

City Planner **Shannon Hansell** presented this item. The applicants are seeking recommendation for approval of a zone text amendment to 11-11-060 Accessory Buildings and Structures, which adds a special exception option to increase accessory building coverage of the required rear yard.

The required rear yard refers to the area of the rear yard which is considered as part of the rear yard setback. The rear yard setback for conventional lots in the single-family residential zones is 30 feet. Accessory building standards are described by 11-11-060 of the Single-Family Residential Zones chapter. These standards include limitations to the percentage of the required rear yard that may be covered by accessory buildings.

Currently, accessory buildings may cover up to 25% of the required rear yard. On larger lots, there can be an excess of rear yard space outside of the required rear yard. However, this space is not encumbered by the percentage requirement, so accessory buildings can extend into this area. Required rear yard space is limited in coverage by the ordinance in part because on smaller lots, most of the rear yard is the required rear 30 feet. For efficient use of space, and for the sake of flexibility, many accessory buildings are placed near the rear property line. On larger lots, the required rear yard limitation limits the usable accessory building area, as opposed to smaller lots where the 25% coverage limit prevents crowding, view impediment, air flow, and open sky. The zone text amendment proposes a special exception option for lots greater than 0.4 acres in size. In considering a 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 and general contractor **Jared Kay** addressed the Commission via Zoom. He indicated that his client wants to build a detached building for garage and storage space for cars, bikes, etc. This ordinance would offer an opportunity for consideration of his proposal.

Frank Adams opened and closed the public hearing at 7:18 PM.

MOTION:

Tyler Turner made a motion that the Planning Commission recommend that the City Council approve the zone text amendment to 11-11-060 Accessory Buildings and Structures, subject to all applicable Farmington City development standards and ordinances.

Findings 1-7:

1. Existing conditions would not change for the majority of single-family residential lots.
2. The proposed amendment allows owners to place buildings in a typical and expected manner on their lots, providing for more flexibility.
3. On lots in Agricultural zones, which may access the single-family residential standards per 11-10-040 H 1b, total lot coverage standards begin applying at 0.5 acres, which would limit those cases to what is permitted per 11-10-040 C. In short, the zone text amendment only affects agricultural and single-family residential parcels between 0.41-0.49 acres.
4. The Planning Commission retains discretion over individual cases which meet the specific criteria for a special exception for accessory building and structure coverage standards.
5. The proposed amendment is reasonably necessary for the reasons stated in the enclosed report.
6. The proposed amendment is in the public interest, as it does not affect the majority of parcels within Farmington City, and increases flexibility for others.
7. The proposed amendment is consistent with the city general plan and in harmony with the objectives and purpose of the zoning ordinance.

Supplemental Information 1:

1. Zone text language

Kristen Sherlock seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____ Nay
Vice Chair Tyler Turner	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay

Commissioner Spencer Klein
 Commissioner George "Tony" Kalakis
 Commissioner Scott Behunin

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

Item #3: Farmington City – Applicant is requesting a recommendation for zone text amendments to Chapter 11-17 of the Zoning ordinance related to alternative lot standards, setbacks, and additional lot criteria, and building height special exceptions--and a zone text amendment to Chapter 11-2-020 clarifying the definition for building height. (ZT-7-25).

Community Development Director **David Petersen** presented this item. Applicant requests zone text amendments to Chapter 11-17 of the Zoning ordinance related to alternative lot standards, setbacks, and additional lot criteria, and building height special exceptions--and a zone text amendment to Chapter 11-2-020 clarifying the definition for building height.

In 2020, everyone was required to make 10% of their housing stock moderate-income housing. In single-family and agricultural zone, there are other things to consider. In this zone, there was never such things. Staff would like to include the preservation of historic resources as well. State law requires incentives to be offered for moderate-income housing. Therefore, the section didn't meet State law. The proposed changes would make the OTR on equal footing with how the other zones are handled. Originally, the OTR didn't reference the building heights of main buildings, but the proposed language cleans that up.

Frank Adams opened and closed the public hearing at 7:18 PM.

MOTION:

Spencer Klein made a motion that the Planning Commission recommend the City Council approve the following zone text amendments to Chapter 11-17 of the Zoning Ordinance titled "Original Townsite Residential Zone (OTR)" and Chapter 2-2 "Definitions," subject to all applicable Farmington City development standards and ordinances.

[Note: No modifications are proposed to Section 11-17-040, but it is part of the proposed changes below to provide context for the recommended amendment].

Findings 1-4:

1. Section 11-17-035 of the Zoning Ordinance requires a subdivider to "provide or set aside lots (or dwelling units at the option of the City) equal in number to at least ten percent (10%) of the total number of lots approved for the subdivision for moderate income housing ...". This is in violation of 10-9a-535 of the State Code because Section 11-17-035 does not provide an incentive. The proposed text amendment deleting Section 11-17-035 and adding Section 11-17-045 ensures that the Farmington OTR ordinance is consistent with State Law [Note: The incentive offered in the new section is greater lot flexibility (i.e. lot area, setbacks, etc.) for the property owner].
2. The new Section--11-17-045 mirrors language incorporated in the residential and agriculture chapters of the Zoning Ordinance.
3. In addition to moderate income housing, Section 11-17-045 also provides an incentive option for preserving an historic resource. Many such resources exist in the OTR zone.
4. The new Section 11-17-045 is better placed in the overall text of the Chapter than 11-17-035 because the alternatives to the "standard", should come after the standards in Section -11-17-040.

Housekeeping items

5. A special exception to main building height is allowed in the single-family and agriculture chapters the Zoning Ordinance, but not in the OTR zone. The proposed zone text amendment rectifies this discrepancy.
6. Discounting the ground elevation in front of doors helps builders better meet the City's building height definition and makes no difference to the overall height of the building related to the rest of the finished grade.

Proposed Amendments:

11-17-035: MODERATE INCOME HOUSING:

~~A. Minimum Requirement: Subdividers must provide or set aside lots (or dwelling units at the option of the City) equal in number to at least ten percent (10%) of the total number of lots approved for the subdivision for moderate income housing subject to recording a deed restriction(s) to ensure the required number of lots or units are available for a qualifying moderate income household; unless, at the sole discretion of, and by agreement with the City, the subdivider provides:~~

- ~~1. Open space; or~~
- ~~2. A fee in lieu thereof determined in consideration of factors set forth in Section 11-28-270 of this Title; or~~
- ~~3. Some other public benefit; or~~
- ~~4. A combination of 1, 2, and 3 above.~~

~~B. Exemption: Subdivisions resulting in two (2) or fewer additional lots are exempt from the minimum moderate income housing requirements of this Section.~~

~~C. Additional Lots: The City Council may approve additional lots than what is conventionally allowed in the underlying zone as an incentive to a subdivider to provide moderate income housing.~~

TI-17-040: MINIMUM LOT AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in the OTR Zone:

Zone	Lot Area	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
OTR	10,000 square feet for each single-family	85'	95'	30'	10'	20'	30'

* Buildings may not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other applicable utility providers in writing.

- B. Class B Animals: Class B animals are permitted in the OTR zone only if the area of the lot is twenty thousand (20,000) square feet or larger. Class B animals shall be limited to not more than one horse or cow and not more than two (2) sheep or goats for each twenty thousand (20,000) square feet of a lot.
- C. Public Uses and Utility Installations: Public uses, public utility installations and quasi-public uses are only allowed on lots less than forty thousand (40,000) square feet in size.
- D. Special Standards for Lot Width: Certain large, wide and deep lots presently exist in the OTR zone. City records show that between 1969 and 1986, the minimum lot width in the original townsite area was seventy feet (70'). Furthermore, for all the years prior to World War II, no minimum lot width or lot size standards existed at all in the original townsite area. Consequently, scores of lots exist in this area with frontages less than eighty-five feet (85') in width. The purpose of this section is to provide special standards for narrower lot width for the subdivision of large, wide lots located in the OTR zone. A property owner may subdivide a parcel of land in the OTR zone resulting in a lot width less than the minimum requirement set forth herein so long as the following standards are met:
1. Any new construction on the building lot created therefrom, shall conform to the new construction design guidelines contained herein.
 2. The reduction in lot width shall not exceed fifteen feet (15').
 3. The lot size must meet the minimum standard lot size described herein.
 4. The lot, and any use proposed for the lot, shall comply with the minimum setback standards set forth herein, and standards related thereto set forth in chapter 28 of this title.
 5. Any structures existing prior to the subdivision shall meet the setback requirements set forth in this chapter within the new subdivision.
- E. Flag Lots: Flag lots, as defined by this code, shall be prohibited in the OTR zone

TI-17-045: ALTERNATIVE LOT AND SETBACK STANDARDS, AND ADDITIONAL LOTS

- A. Alternative Standards: Following the subdivision yield plan defined in Chapter 11-2 and using the minimum standards of subsection 11-17-040A to establish a maximum number of lots, a subdivider may alter the lot area, width, and side and side corner setbacks of lots for main buildings within a subdivision using standards for the LR zone delineated in subsection 11-12-090, if the subdivider, at the sole discretion of, and by agreement with the City, implements one of the following public benefits:
1. Provide or set aside lots (or dwelling units at the option of the City) equal in number to at least ten percent (10%) of the total number of lots approved for the subdivision (or an alternative proposal acceptable to the City if the subdivision is less than 10 lots) for moderate income housing subject to recording a deed restriction(s) to ensure the required number of lots or units are available for a qualifying moderate-income household, or pays a fee in lieu thereof for moderate income housing determined in consideration of factors set forth in Chapter 11-28 of this Title; or
 2. Preserve an existing on-site historic resource (standards for historic resources are set forth in Chapter 11-39 of this Title); or
 3. Create open space; or
 4. Establish some other public benefit; or
 5. Provide a combination of 1, 2, 3, and/or 4 above.
- B. Additional Lots: The City Council may approve additional lots than what is conventionally allowed in the underlying zone as an incentive to a subdivider to provide a public benefit.

TI-17-070: NEW CONSTRUCTION DESIGN GUIDELINES:

- F. Building Height:
1. New main building height should be similar to those found historically in the vicinity, and shall not exceed twenty seven feet (27') in height; unless the Planning Commission approves an increased height after review of a special exception application filed by the property owner per section 11-3-045;

TI-2-020: DEFINITIONS OF WORDS AND TERMS:**BUILDING OR STRUCTURE HEIGHT:**

- A. The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or mansard roof, or to the midpoint of the highest gable of a pitched, hipped or shed roof, or to a point two-thirds ($\frac{2}{3}$) the height of a quonset, parabolic or round roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:
1. The elevation of the highest adjoining sidewalk or ground surface within a five foot (5') horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than ten feet (10') above lowest grade of the building, except where such lowest grade is directly in front of a door.
 2. An elevation ten feet (10') higher than the lowest grade of the building, except where such lowest grade is directly in front of a door, when the sidewalk or ground surface described in subsection A1 of this definition is more than ten feet (10') above such lowest grade of the building.

Supplemental Information: State Code Effective 5/4/2022–10-9a-535. Moderate income housing.

- (1) A municipality may only require the development of a certain number of moderate income housing units as a condition of approval of a land use application if:
- (a) the municipality and the applicant enter into a written agreement regarding the number of moderate-income housing units; or
 - (b) the municipality provides incentives for an applicant who agrees to include moderate income housing units in a development.
- (2) If an applicant does not agree to participate in the development of moderate income Housing Units Under Subsection (1)(a) or (b), a municipality may not take into consideration the applicant's decision in the municipality's determination of whether to approve or deny a land use application.
- (3) Notwithstanding Subsections (1) and (2), a municipality that imposes a resort community sales and use tax as described in Section 59-12-401, may require the development of a certain number of moderate income housing units as a condition of approval of a land use application if the requirement is in accordance with an ordinance enacted by the municipality before January 1, 2022.

Kristen Sherlock seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____Nay
Vice Chair Tyler Turner	X Aye ____Nay
Commissioner Kristen Sherlock	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner George "Tony" Kalakis	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay

OTHER BUSINESS**Item #4: City Council Reports, Approval of Minutes, Upcoming Items & Trainings**

- a. Planning Commission Policies and Procedures
 - **Gibson** said the Commission can adjust their policies and procedures to allow agendas to reflect explanations and adjusting the order of business. The City Attorney suggested the changes be officially made. For efficiency sake, the typical order of business can be adjusted to accommodate significant public interest.
 - **Tyler Turner** made a motion that the Planning Commission send a recommendation to the City Council to approve the update to the Planning Commission Policies and Procedures as included with the Staff report, including Supplemental Information 1. Policies and Procedures with redlines showing proposed update. **Kristen Sherlock** seconded the motion.
- b. Planning Commission Minutes Approval: 04.10.2025
 - **Tony Kalakis** made a motion to approve the minutes. **Scott Behunin** seconded the motion.
- c. City Council Report: 05.06.202d
 - **Gibson** said the City Council adopted the tentative budget for Fiscal Year 2026 to begin July 1, 2025. No property tax increase is proposed this year.
- d. **Gibson** said the next Commission meeting will be May 22, 2025, at 6:30 p.m.

ADJOURNMENT

Tyler Turner motioned to adjourn at 7:34 PM.

Chair Frank Adams	X Aye ____Nay
Commissioner Spencer Klein	X Aye ____Nay
Commissioner Brian Shepard	X Aye ____Nay
Commissioner Joey Hansen	X Aye ____Nay
Commissioner George "Tony" Kalakis	X Aye ____Nay
Commissioner Scott Behunin	X Aye ____Nay


Frank Adams, Chair