

**FARMINGTON CITY
PLANNING COMMISSION**

September 04, 2025

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

Regarding agenda Item #1, a special exception application for an additional 5.4 feet of height, Community Development Director **Lyle Gibson** said the applicant has now proposed an open-air pickleball court instead of a big building. The exception is for one roofline of the main new home.

For item #2, Brickmoor Boyer Subdivision and Project Master Plan (PMP) application, **Gibson** said the City is only selling 16 of the 18 acres. The applicant dropped the unit count by six compared to their last iteration. While the well site is under construction, tests are being done looking for liquefaction. Pads will have to go on geopiers to stabilize the buildings, which adds to expenses. Things are being platted individually so they can be sold off individually in the future, if desired. **Gibson** passed around an example of a deed restriction authorized by the City Attorney. The Development Agreement addresses how to meet the moderate-income housing requirement, including renting nine of the units at a reduced rate. Since they are platted individually, the deed restrictions will be recorded against nine lots, so information about future sales etc. will be passed along to the City. All parties such as financing and title companies will be aware of the restrictions. The households have to qualify as meeting 80% or less of the Area Median Income (AMI). The numbers will be expressed in percentages and ratios, as the actual hard number will fluctuate depending on the market. It will run with the land long-term, or 30 years, despite any future involvement by Boyer. They will have to prove unsuccessful, appropriate advertising before they will be allowed to rent it at market rates. For example, these are three-bedroom townhomes that will be priced around \$2,800 a month for market rate and \$2,000 for the reduced rent.

Resident **Mark Howard**, who lives to the east of this subdivision, addressed the Commission, saying he has been hearing people discuss this for the last 20 years. He is impacted by it, in part. Along with a planner neighbor, he visited with the Utah Department of Transportation (U DOT) recently about traffic concerns. A new access will cause additional strain at a transition area. Better signage is needed to alert motorists that the road is reducing from four lanes down to two on the northern end of the project.

Gibson said it would still function without a signal, especially with additional striping and signage. Whether or not a traffic light would be allowed there depends on who you talk to at U DOT. Since it is a City road, Staff has more control over it.

Regarding the future fire station, there have been concerns that it will cost too much and be overbuilt. The sell of the city's land will produce \$10 million base. The Planning Commission doesn't control the purse strings, but they can evaluate if it is good planning or not. Chair **Frank Adams** said the City should maximize its returns, and should therefore sell the property for as much as possible.

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

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

SPECIAL EXCEPTION APPLICATION - public hearing

Item #1: Jared Kay, Premier Constructors on behalf of Williams Family Estate LLC (25-12) -Applicant is requesting special exception consideration to allow up to 5.4 feet of additional building height to a proposed main building at 233 South 650 West in the AE (Agricultural Estates) zone.

Community Development Director **Lyle Gibson** presented this item. This special exception is for a requested increase in a building height up to 32.4 feet for a new main, single-family residential building. The proposed height of the structure is approximately 31'17". The applicant is requesting a special exception to exceed the maximum building height of 27 feet for main buildings as specified by 11-10-050 A.

In Farmington, building height is measured from the finished grade to the midpoint of the highest pitch, or gable (see included diagram). The Planning Commission may consider an increase in height up to 20% of the requirement (32.4 feet total). In considering the Special Exception, FCC 77-3-045 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.

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

MOTION:

Kristen Sherlock made a motion that the Planning Commission **approve** the special exception for an increased building height of up to 32.4 feet for the Williams residence, subject to all applicable Farmington City development standards and ordinances.

Findings 1-2:

1. Increased height would not reasonably be detrimental to the traffic or safety of the persons residing or working in the vicinity.
2. The project is located on a parcel of sufficient size to accommodate the special exception.

Supplemental Information 1-4:

1. Vicinity Map
2. Site plan
3. Landscaping plan
4. Building plans (shortened for clarity)

Scott Behunin seconded the motion, which was unanimous.

Chair Frank Adams	X Aye ____ Nay
Vice Chair Tyler Turner	X Aye ____ Nay
Commissioner Tony Kalakis	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay
Commissioner Scott Behunin	X Aye ____ Nay

SUBDIVISION AND PROJECT MASTER PLAN (PMP) APPLICATION – public hearing

Item #2: Boyer Company (25-10) – Applicant is requesting recommendation of a Project Master Plan (PMP) and Preliminary Planned Unit Development (PUD) for a proposed residential subdivision consisting of 168 units on approximately 18 acres of property at approximately 1700 North Main Street (between Main Street and Highway 89) for applicant Boyer Company.

Gibson presented this item. Update since last meeting: The Planning Commission held a public hearing on August 7, 2025, for this item. Following that hearing, the developer has revised the proposed plan based on the input received from the public and Commission. A brief summary of comments heard include concerns about the total number of units, traffic increases, the ability to manage traffic access, impact on schools, unit types, guest parking, impact on streams, interaction and/or impact on historic home/bakery, and building height.

In response, the developer has reduced the number of units from 174 to 168 with some minor rearranging of community space and units allowing for an expanded open space near the bakery and the ability to maintain a day-lit stream through the property.

In addition to updated plans, the City has sought additional input related to some of the concerns heard during the hearing. City Engineering Staff has communicated with the Utah Department of Transportation (UDOT) and is still confident that a traffic signal will occur at the north access across from Mountain Road. Similarly, traffic studies indicate that the proposed project will not cause intersections to run at unacceptable grades, nor will the increased traffic exceed the capacity of Main Street. The City also has assurance from the Davis School District that the schools in the area can handle the projected growth of student population that this project is anticipated to generate.

The developer has worked with City Staff to create a Development Agreement that ensures that the project which is being proposed is how the project will be developed. The agreement grants allowances where needed to account for the proposed lot sizes, setbacks, townhomes elements, and items such as increased building height near the highway while also placing limits on items such as the total amount of housing. The agreement also includes the developer's proposal for inclusion of moderate-income housing.

Gibson said all concerns have been addressed or can be as the project advances. Staff is looking for a recommendation from the Planning Commission related to this current proposal to forward to the City Council. The City Council will hold a public hearing in addition to considering the recommendation of the Commission.

August 7, 2025 Report: Farmington City currently owns several acres of property between Main Street and Highway 89 just south of the interchange. The property, which is zoned Neighborhood Mixed Use (NMU), had previously received entitlement for development as a commercial shopping center. Only the bank at the intersection ever developed, and the commercial demand has since shifted towards Station Park. The City acquired the property when the commercial development failed. The City has sat on the property until recently when the City Council decided that the best use of

the property for the City was to find a developer to whom the property could be sold to produce a desirable development while providing revenue to the City that could be used to help fund City needs, specifically a new fire station.

The Boyer Company was selected from amongst multiple responses to a Request for Qualifications (RFQ), and they have been working to develop a concept for several months. Based on the total amount of land in the NMU zoning district and the number of existing units within that area along Main Street, the City entered into an agreement with Boyer that considers no more than 265 total residential units. Boyer has engaged with residents in the area on multiple occasions since going under contract on the property. Based on the initial feedback they have received, they have put together the PMP and Schematic Subdivision included with this report.

The current phase in the approval process is conceptual. While far more than just a napkin sketch, much of the detailed engineering has yet to be done. The City's approval processes are established in this manner to better facilitate consideration of a project; adjusting at the concept level reduces risk to developers who are seeking assurance, while providing input opportunities for the City at every stage. Items such as stream alteration permits and wetland mitigation are potentially needed and resolution to such would be determined through the preliminary plat process where additional engineering is required (see FMC 12-5-110 for preliminary plat requirements).

The NMU district requires that development be considered through the Planned Unit Development (PUD) process. The purpose of a PUD is to provide public benefits that would not otherwise be required, while also achieving better site design through flexibility. The NMU district requires all development to go through this process. Alternative allowances and flexibility permitted through the PUD process are typically memorialized through a Development Agreement. While the zoning district indicates in its purpose that it would provide for a mix of single-family and multi-family residential units together with commercial development, the demand for commercial development at this location has proven to be very limited. Multiple discussions with commercial real estate professionals have confirmed that the use of the property will be residential.

Brickmoor includes 33 proposed lots for single-family detached units, and 141 single-family attached units (townhomes) with varied architecture, common areas with a clubhouse, trails, and other amenities. Townhomes include two-story units that are either front- or rear-loaded with three-story rear-loaded units near the highway. Lots for detached single-family homes are located closest to existing residential on the west side of Main Street. Private streets serve the development with two access points onto Main Street.

Among the number of issues to consider with the project is the number of proposed units. The NMU zoning states that maximum residential density in the NMU zone is nine units per acre. This could be interpreted in different ways. As previously noted, a cap was placed on the initial agreement with Boyer that there would be no more than 265 units based on this language, assuming a density over the zoning district at large. Of note, per FMC 11-27-030, "a Planned Unit Development is a residential development in which the regulations of the underlying zone are waived to allow flexibility and innovation in site and building design if approved by the Planning Commission and City Council." Consistent with this intent, State Law allows for the establishment of unique regulations including establishing density through the use of development agreements. The NMU zone includes language indicating this may be expected.

It is the opinion of City Staff that the Planning Commission may recommend whatever density or unit count they feel is appropriate for the site. For reference, the project area includes over 19 acres of land. Included in this area is 2.6 acres of UDOT property which is integrated into the project for open space and storm water design. The 174 proposed units is 9 units per acre over the whole project area. If considering only the approximately 16 acres of land that are to be sold to Boyer by the City, the density is 10.8 units per acre.

In addition to unit count, the Planning Commission may wish to weigh in on the layout/project configuration, unit mix, architecture, building height, setbacks, amenities, transportation network, and landscaping. Of note, a trip generation statement has been provided indicating that the proposed development will create minimal impact or delay on the existing road network as designed.

Ultimately this development will be considered through the use of a Development Agreement as is typical with a PUD to spell out the specific allowances or restrictions applicable to the project. A draft agreement is in process between Boyer Company and City Staff. It is the anticipation of both City Staff and Boyer that this initial hearing will help provide input regarding the use of the property and proposed design to potentially inform changes to the design and also better inform the Development Agreement. An additional public hearing with the Planning Commission will follow where a Development Agreement will be available for the review of the public and Planning Commission before the project advances to the City Council for additional consideration.

The PUD process and need for a Development Agreement make this review a legislative process allowing for broad discretion by the Planning Commission in its recommendation. The City Council will consider the recommendation of the Planning Commission and make the final decision at a future meeting.

Applicant **Spencer Moffat** representing the Boyer Company indicated that they took the comments and tried to incorporate those where they could on the plan. This included taking out some of the homes, essentially eliminating six units. More parking was added and spread consistently throughout the project as well.

Chair **Frank Adams** opened the public hearing at 7:09 PM.

Steve Anderson said he and his wife own the 3 acres of farmland across the street. He used to sit on the Planning Commission and Board of Adjustment, so he understands how it works; he is grateful for the service the Commission provides. While he is pro-development, he just wants everyone to be considered whether they are for or against. This should be a monument for great planning.

Drew Niel (Shepard Road, Farmington, Utah) said he hadn't heard if the emergency lane used off of Hollyhock Road had officially been made part of the agreement. There is a pre-school on his road that can produce a little traffic. He would like the emergency use clearly defined by time of day, enforcement, and who is allowed to open and close the gate.

Mark Howard (Somerset Farms, Farmington, Utah) lives east of this subdivision. He wants to address the road that merges into a single lane, from two while getting off of the freeway. He is wondering if there could be signage placed somewhere where the lanes go to one so it prevents accidents. His planner neighbor asked him to inquire about the access coming out of the subdivision, and if it could be widened to four lanes for a better traffic transition.

Sharon Tru (Northridge Road, Somerset, Farmington, Utah) questioned how much property is actually being sold, which she believes is between 15 to 16 acres. She is concerned with the amount of deviations from the NMU zone in this project. For example, 168 units will be allowed on 18 acres, although Boyer is only purchasing 16. That would allow them to develop only 135 units. A good share of those will end up as rentals over time, which allows for more occupants per unit. She feels this is spot zoning and zoning for dollars. It is illegal and arbitrary to allow special treatment of a particular landowner. She would like Boyer to comply with the NMU zoning statutes and follow good development practices. Deviations from city code include details that have been overlooked such as dedicated bike pathways. The Devil is in the details.

Matt Poulson (Main Street, Farmington, Utah) is a life-long Farmington resident; he was raised in the home that he now lives in. He has similar concerns about the traffic (specifically the north access) and density. He said right now, it is difficult to get out of his own driveway, and the incoming properties will impact that even more. He is also concerned with the few rentals there will be (likely for moderate-income housing). Today's luxury development is tomorrow's urban blight.

Andrew Geperline (Somerset, Farmington, Utah) has lived in the area for about 20 years. He has a career in transportation engineering for 30+ years. He would like to be engaged free of charge in future decisions. He doesn't want his future neighbors to be hurt. He said this project is going to increase pedestrian movements in the intersection where the lanes go from four to two. He would like the City to look at safety and include mitigation. He wants some of the future funds for safety and mitigation to prevent a signal being needed. The Cherry Hill area across the street from this development is meant for children. Having a right-in, right-out would mitigate a lot of the potential problems.

Jake McIntire (Somerset, Farmington, Utah) indicated there is better use of this land. He wants to know about the proposed park on UDOT land. During an early conversation, residents were promised that there would be a park, playground, and sledding hill. If it is turned into a community green space, parking will be needed.

Patricia Anderson owns 3 acres across the street. She wanted to talk about the Development Agreement, which she believes offers too much flexibility. For example, the developer can drain the water off the land without first consulting the Army Corps of Engineers. The PMP allows for much flexibility and change, and does not take care of the important issues. She sent an email earlier (included at the end of the end of the minutes) about the state statute on the allowed number of units. Other people's land cannot be used to determine density. This plan is too general regarding exits on the north end. She would like the right-in, right-out option.

Matt Martinez (Somerset, Farmington, Utah) wondered about the studies mentioned at the previous meeting indicating an identified liquefaction risk. How will that be addressed? He grew up in Chicago, where he saw high density development properties change ownership over the years; promises made by the initial developer are not kept.

Kay Stuart (Somerset, Farmington, Utah) is concerned with the plan of some units being rentals, which would mean a lot of turnover. She indicated that for-sale, owner-occupied units would be a better option.

Chair **Frank Adams** opened the public hearing at 7:38 PM.

Commissioner **Sherlock** indicated that exploring a sledding hill spark should be noted. She is worried about children walking from the neighborhood to Cherry Hill and similar pedestrian access issues. She said she is scared about liquefaction, which should be kept in the developer's control. She is grateful that the developer included more parking.

Gibson answered the density question for the project area, which all together is 20 acres. The City owns 18.3, and is selling a bit over 15 acres to Boyer. The NMU zone requires the project go through a PUD process, which allows for bonus density. Use of the UDOT land has not been figured into the numbers. There is not much desire to see the UDOT portion improved, so the developer wants to leave it. The City may put future improvements there. The trail on the west end would connect to a larger network, which would take the place of bike lanes. Emergency lane agreement would mean there is a gate or bollards that only emergency service personnel have access to a key box of sorts. A 105-page traffic impact and count study has already been done in this area figuring for 265 units, much lower than is being presently proposed.

Commissioner **Behunin** had a comment regarding the north access. He wants to see a light or mitigation taken there. **Gibson** replied that the City Engineer has spoken with UDOT traffic control regarding this scenario, and it is the City's decision for that portion of Main Street north of Shepard. It's something to be explored in the coming steps, but the City has wanted to put a light there with or without development.

Commissioner **Turner** said while he was not here at the last meeting, he has looked at both plans and sees the differences. **Turner** also touched on the light issue as well at the north entrance and would like to see the right-in and right-out option. Commissioner **Kalakis** said the roundabout idea would actually work a little better in his opinion, and it would solve the right-in and right-out problem.

Chair **Adams** said he appreciates the heartfelt comments and understands the anxiety. He doesn't like to see Development Agreements left empty or hanging. He would rather they be complete. This one is lengthy and complete. **Adams** noted that the City cannot control all aspects of development such as liquefaction. Often other jurisdictions will be involved. He likes the idea of a roundabout, and signage where the lanes narrow from two to one. The extensive Staff Report addresses many of the issues raised tonight. He also said that what is being proposed is compliant with code and what the PUD allows.

Sherlock said she wants further study, particularly on the north end of the development of the flow of traffic in and out of the neighborhood, between there up to Highway 89 and continued to Cherry Hill, as was brought to the Commission's attention earlier in the meeting,

Adams suggested to keep it general, and ask that traffic issues be looked at as related where Mountain Road comes in north to Highway 89. Other Commissioners wanted a right-in and right-out to be added to the motion, as well as future funding be dedicated to the safety of that area. **Gibson** said all comments can be forwarded to the City, whether or not they are made part of the motion.

Sherlock said the Planning Commission should provide input to the City Council requesting further traffic studies and in-depth analysis of all types of traffic (pedestrian, cycle, automobile) that can include traffic lights, roundabouts, or right-in/right-out. Also, additional funds should be sought after to be able to make this plan work.

MOTION:

Kristen Sherlock made a motion that the Planning Commission **recommend approval** of the Schematic Subdivision Plan, Preliminary Planned Unit Development, and Development Agreement for the Brickmoor.

Findings 1-5:

1. The proposed development is consistent with the Farmington City General Plan and vision for the area.
2. The subdivision as designed creates a desirable neighborhood that is consistent with the NMU zone and Planned Unit Development purpose and standards.
3. As designed, the development can be serviced by required utility providers and establishes a street network capable of handling the number of units proposed.
4. The project creates a variety of housing while providing reasonable buffering and transitioning from abutting properties while creating a desirable streetscape along Main Street at the entry to the City.
5. The property supports and enhances the historic home/bakery which it is adjacent to while providing meaningful community benefits such as open space access and trails in addition to amenities created for the residents of Brickmoor. In addition to the proposed rent reduction on 9 townhome units, these improvements qualify as "other benefits" to help the project meet its moderate-income housing requirement.
6. Further traffic studies be completed for all modes of traffic – that consider traffic lights, roundabouts, or right-in-right-out; and that additional funds could potentially go towards traffic safety.

Supplemental Information 1-3:

1. Vicinity Map
2. Project Master Plan and Schematic Subdivision Plan
3. Trip Generation Statement

Tony Kalakis seconded the motion, which was unanimous.

Chair Frank Adams
Vice Chair Tyler Turner
Commissioner Tony Kalakis
Commissioner Kristen Sherlock
Commissioner Scott Behunin

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

OTHER BUSINESS

Item #3: City Council Reports, Approval of Minutes, Upcoming Items & Trainings

- a. Planning Commission Minutes Approval for August 21, 2025
 - **Kristen Sherlock** motioned to approve the minutes; **Scott Behunin** seconded the motion; all in favor.
- b. Gibson provided the City Council Report for September 2, 2025
 - The Council approved the Parks Master Plan and the General Plan after a couple of tweaks. It originally showed a future hillside annexation portion on the southeast end of town that the Council didn't want included in the future land use map. This was removed.
 - The Council approved the Lagoon project rezone. Lagoon committed to pay for a path connecting to the trail on the park's west side. This will help fund paving of a path from a bus stop along Park Lane heading down to the park.
 - Regarding the Development Agreement amendment for Gattrel Gardens, the Council agreed to let the developer keep the 1880s part of the historic home at 37 N., and demolish the parts made in the 1960s, which would allow for a bigger and more modernized garage.

ADJOURNMENT

Tyler Turner motioned to adjourn at 8:10 PM.

Chair Frank Adams
Vice Chair Tyler Turner
Commissioner Tony Kalakis
Commissioner Kristen Sherlock
Commissioner Scott Behunin

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



Frank Adams, Chair

Fw: Opposition to Use of Adjacent UDOT Property in Density Calculations – Brickmoor Development

From Lyle Gibson <lgibson@farmington.utah.gov>

Date Tue 9/2/2025 8:44 AM

To Carly Rowe <crowe@farmington.utah.gov>

For the record - Brickmoor.

LYLE GIBSON, AICP

COMMUNITY DEVELOPMENT DIRECTOR

801.939.9220

160 S MAIN, FARMINGTON UT 84025

FARMINGTON.UTAH.GOV



From: Frank Adams <fadams@farmington.utah.gov>

Sent: Monday, September 1, 2025 8:52 AM

To: Lyle Gibson <lgibson@farmington.utah.gov>; Shannon Hansell <shansell@farmington.utah.gov>; Paul Roberts <proberts@farmington.utah.gov>

Subject: Fw: Opposition to Use of Adjacent UDOT Property in Density Calculations – Brickmoor Development

I forward herewith further communication from Patricia Anderson for your consideration.

Frank

From: Patricia Andersen <patricia.a.andersen@gmail.com>

Sent: Monday, September 1, 2025 8:07 AM

To: tturner@farminton.utah.gov <tturner@farminton.utah.gov>; Frank Adams <fadams@farmington.utah.gov>; Joey Hansen <joey.hansen@farmington.utah.gov>; Kristen Sherlock <ksherlock@farmington.utah.gov>; George Kalakis <gkalakis@farmington.utah.gov>; Brian Shepherd <bshepherd@farmington.utah.gov>; Scott Behunin <sbehunin@farmington.utah.gov>; Carly Rowe <crowe@farmington.utah.gov>

Subject: Re: Opposition to Use of Adjacent UDOT Property in Density Calculations – Brickmoor Development

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Patricia Andersen

671 Somerset St, Farmington UT 84025

patricia.a.andersen@gmail.com

September 1, 2025

To: Frank Adams and Members of the Farmington City Planning Commission

Re: Opposition to Use of Adjacent UDOT Property in Density Calculations – Brickmoor Development

Dear Mr Adams and Planning Commission Members,

I am writing to formally object to the proposed Brickmoor development's attempt to include adjacent Utah Department of Transportation (UDOT) property in its housing density calculations. Based on my review of the County Land Use Code and Utah statutes, this approach is inconsistent with both local zoning requirements and state agency property restrictions.

1. Density Must Be Calculated on the Lot Area Owned or Controlled by the Applicant

Area zoning code defines lot area as land under unified ownership or control. Public right-of-way and state-owned transportation land are excluded unless legally transferred through deed, lease, or other formal instrument. As of September 1, 2025, UDOT property adjacent to this site remains under state ownership, with no recorded conveyance or lease to the developer in the County Recorder's Office.

2. UDOT Property Cannot Be Counted Without Formal Transfer

UDOT policy requires any private use of state transportation property to go through the surplus property process, subject to review for transportation needs. There is no record of such approval for this parcel. Using UDOT land in density calculations without legal control constitutes a material misrepresentation in the application.

3. Allowing This Precedent Would Undermine Zoning Integrity

Permitting a developer to count unrelated public land toward density sets a precedent that could erode established development standards and compromise infrastructure planning. This project's density, if calculated correctly, would exceed allowable limits under the current zoning district.

Request for Action

I respectfully request that the Planning Commission:

1. Require the applicant to demonstrate legal control of any parcel included in density calculations, with recorded documents from UDOT.
2. Exclude UDOT property from all density and lot coverage calculations unless such control is proven.
3. Postpone any approval until compliance with zoning definitions and state property procedures is verified.

Thank you for your attention to this matter and for upholding the integrity of our land use process. I am happy to provide supporting documentation, including county parcel maps and UDOT property records, upon request.

Sincerely,

Patricia Andersen

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Patricia Andersen
patricia.a.andersen@gmail.com

Fw: Opposition to Insufficient Ingress/Egress and Parking Protections – Brickmoor Development

From Lyle Gibson <lgibson@farmington.utah.gov>
Date Tue 9/2/2025 8:44 AM
To Carly Rowe <crowe@farmington.utah.gov>

For the Record - Brickmoor

LYLE GIBSON, AICP
COMMUNITY DEVELOPMENT DIRECTOR
801.939.9220
160 S MAIN, FARMINGTON UT 84025
FARMINGTON.UTAH.GOV



From: Frank Adams <fadams@farmington.utah.gov>
Sent: Monday, September 1, 2025 8:51 AM
To: Lyle Gibson <lgibson@farmington.utah.gov>; Shannon Hansell <shansell@farmington.utah.gov>; Paul Roberts <proberts@farmington.utah.gov>
Subject: Fw: Opposition to Insufficient Ingress/Egress and Parking Protections – Brickmoor Development

I forward herewith correspondence from Patricia Anderson for your consideration.
Frank

From: Patricia Andersen <patricia.a.andersen@gmail.com>
Sent: Monday, September 1, 2025 8:06 AM
To: tturner@farmington.utah.gov <tturner@farmington.utah.gov>; Frank Adams <fadams@farmington.utah.gov>; Joey Hansen <joey.hansen@farmington.utah.gov>; Kristen Sherlock <ksherlock@farmington.utah.gov>; George Kalakis <gkalakis@farmington.utah.gov>; Brian Shepherd <bshepherd@farmington.utah.gov>; Scott Behunin <sbehunin@farmington.utah.gov>; Carly Rowe <crowe@farmington.utah.gov>
Subject: Opposition to Insufficient Ingress/Egress and Parking Protections – Brickmoor Development

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Patricia Andersen
671 Somerset St, Farmington UT 84025
patricia.a.andersen@gmail.com
September 1, 2025

To: Frank Adams and Members of the Farmington City Planning Commission

Re: Opposition to Insufficient Ingress/Egress and Parking Protections – Brickmoor Development

Dear Mr Adams and Planning Commission Members,

I am writing to formally object to the proposed Brickmoor development's attempt to claim sufficient ingress/egress and parking on its site. I formally request that, for public safety, a UDOT traffic signal warrant study for a light at Mountain Road and Main Street in Farmington City be conducted prior to formalization, to include the development agreement for the proposed Brickmoor site as projected; and that the south emergency access, greater parking availability for housemates and guests, as well as planned natural and amenity spaces, be formalized in the development agreement.

Based on UDOT traffic signal warrant study requirements, a light at Mountain Road is not currently warranted. This applies to ingress and egress for the proposed 168 units, including housemates and guests.

1. Warrants 7 and 8 have been carefully discussed in Andrew Gemperline's August email to the city. His expertise indicates that warrant 7 "Crash Experience" is not currently met, and that waiting 1
2. Warrant 8 "Roadway Network" is also in question, given that proof of need is in question for lights well under UDOT's existing distance statutes. For this location, .25 miles is the smallest incren

Per the Manual on Uniform Traffic Control Devices, minimum standards must be met where possible.

Request for Action

I respectfully request that the Planning Commission:

1. Reduce density on the parcel and require a north right in, right out entrance/exit to the development, providing sufficient and safe access ahead of any further action.
2. Reduce density and increase extra parking to account for the real number of spaces needed.

3. Formally include 'emergency only' use for the South access, and maintain location standards by placing natural areas and amenities in the development agreement.

Thank you for your work on this as well as on density issues in North Farmington.

Sincerely,
Patricia Andersen

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Patricia Andersen
patricia.a.andersen@gmail.com

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**source paper**

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**From** Patricia Andersen <patricia.a.andersen@gmail.com>

**Date** Thu 9/4/2025 4:41 PM

**To** Carly Rowe <crowe@farmington.utah.gov>

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Hello,

This is the source paper for Patricia Andersen's email regarding the number of units per purchased acre for Brickmoor development by Boyer. I request it be put on record with "Re: Opposition to Use of Adjacent UDOT Property in Density Calculations -- Brickmoor." Add to it the following clarification: no property may be included in density calculations without a formal land transfer to the developer. Currently 15.75 planned acres for purchase by Boyer Company is the only land that may be calculated for density purposes of 9 units per purchased acre.

What Utah law says (state code)

- Municipal land-use powers (general): Cities set density rules by ordinance. Nothing in state code lets an applicant use someone else's land just because it's adjacent; density comes from local ordinance and the land included in the application.
- Transferable Development Rights (TDR): A city may adopt an ordinance creating "sending" and "receiving" zones so development rights from one parcel can be used on another. Without a TDR ordinance, a city may not allow the use of TDRs. (This is the typical lawful way to use off-site land to increase density.)
- Statute: Utah Code § 10-9a-509.7 and related definitions (§ 10-9a-103) for "sending/receiving zones."

Utah case law & authoritative guidance

- LD III LLC v. Mapleton City, 2020 UT App 41. The court discusses a development agreement/TDR framework; TDRs are a recognized tool to exceed base restrictions in a receiving area when authorized by ordinance. (Confirms the mechanism—not a free pass to count unrelated adjacent land.)
- Utah Property Rights Ombudsman (persuasive guidance):
- Advisory Opinion 118: A city must apply the ordinance's density method and may not calculate density by reference to surrounding properties.
- Advisory Opinion 208: When a code calculates density for a "planned development," it is computed using the gross acreage of the defined project area—i.e., the land within the application—unless the ordinance says otherwise.

Practical implications

1. Include it in the project: If you want to count adjacent land, you typically need ownership, a recorded option/contract + owner's written consent, or to make a joint application so that land is part

of the "project area" under the ordinance. (Many city codes define density by "gross/net project size" limited to the land under consideration for development.)

2. Use a TDR program: If the city has adopted a TDR ordinance, acquire rights from a "sending" parcel and apply them to your site in a "receiving" area. No TDR ordinance = no off-site density.

3. Development agreements/overlays: Some cities allow density averaging within a PUD/PRD or special district, but still within the approved project boundary; off-site land not in the application isn't counted unless the code explicitly allows it.

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Bottom line

- Not owned/not included land next to your project generally cannot be used in your density calculation under Utah law.
- Exceptions: (a) the adjacent land is brought into the project with the owner's consent so it's part of the site area counted

Best,

Patricia Andersen  
671 Somerset St, Farmington UT 84025

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Patricia Andersen  
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Brad Bornemeier



4:49 PM

Yes, technically, if the comment is made privately to me, I must disclose it to the Planning Department.

Here should be fine if you're okay with me sharing it with Lyle and Shannon.

Unread messages

5:20 PM

Ah ok. My comment is more about what's fueling the sale of the property, the fire station, not the BOYER'S planned proposal tonight. I was made aware that the planned fire station is going to be about 20k sqft. That's bigger than all of Layton's fire stations put together. There is no need for a station that big. So my comments point: if we reduce the size of the fire station by more than half then the cost will be less. Then the City doesn't need to get \$12mil+ from the sale to Boyer. We don't have to deal with 160+ living units in that small part of town. Just a thought. Thanks



Message

