

WORK SESSION: A work session will be held at 5:00 p.m. at the Red Barn located at 1200 West Red Barn Lane to review plans for the area. The City Council will then attend an open house and ribbon cutting at the Public Works building located at 720 West Clark Lane at 5:30 p.m. The regular work session will begin at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to discuss the updated financial model of the City and to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, October 7, 2014, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

REPORTS OF COMITTEES/MUNICIPAL OFFICERS

7:05 Presentation from the Parks and Recreation Department to the Huntsman Cancer Center

7:10 Continuation of Updated Financial Model Discussion

PUBLIC HEARINGS:

7:40 Zone Text Amendments for Chapters 10, 11, 12 and 28

PRESENTATION OF PETITIONS AND REQUESTS:

7:50 1000 North Street Vacation

SUMMARY ACTION:

8:00 Minute Motion Approving Summary Action List

1. Approval of Minutes from September 16, 2014
2. Change Order for Public Works Expansion
3. Approval of Resolution Adopting the Storm Drain Master Plan

GOVERNING BODY REPORTS:

8:05 City Manager Report

1. Police and Fire Monthly Activity Reports for August
2. Police Activity Report for September
3. Executive Summary for Planning Commission held September 18, 2014
4. Design of West Side Storm Drain Basin

8:15 Mayor Talbot & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for litigation and potential property acquisition.

DATED this 3rd day of October, 2014.

FARMINGTON CITY CORPORATION

By: 
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

S U B J E C T: Roll Call (Opening Comments/Invocation) Pledge of Allegiance

It is requested that Councilmember John Bilton give the invocation/opening comments to the meeting and it is requested that Councilmember Jim Young lead the audience in the Pledge of Allegiance.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

**S U B J E C T: Presentation from the Parks and Recreation Department to the
Huntsman Cancer Center**

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Neil Miller, Parks and Recreation Director will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR
DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL
DAVE MILLHEIM
CITY MANAGER

City Council Closed Meeting Staff Report

To: Honorable Mayor and City Council
From: Neil Miller, Parks and Recreation Director
Date: September 26, 2014

**SUBJECT: FESTIVAL DAYS CHARITY MOTORCYCLE RIDE CHECK
PRESENTATION TO HUNSTSMAN CANCER FOUNDATION**

RECOMENDATION

To present a check to the Huntsman Cancer Foundation, represented by Sally Montgomery, in the amount of \$2547.00, funds which were raised through our Festival Days Charity Motorcycle Ride. Check to be paid as follows: \$370 from GL 67-371-610 and \$2177 from GL 67-371-740.

BACKGROUND

On July 11, 2014, we held our first annual Farmington Festival Days Charity Motorcycle Ride. The charity, Huntsman Cancer Institute, Breast Cancer Research, was chosen by the event chair, Kris Hanson. Funds were raised through participant registration, purchase of raffle tickets and a live auction for two custom painted mini fridge and a custom painted hotdog cooker. With the help of the Davis County Sheriff's Officers and Farmington City Police, 89 riders and passenger participated in a ride beginning at Forbush Park onto Main Street, continuing on to Highway 89, through Trappers loop and into Eden. After a brief stop in Eden the group returned to Farmington for dinner, sponsored by Smiths, the raffle drawing and live auction.

Respectfully Submitted

Neil Miller
Parks and Recreation Director

Review and Concur

Keith Johnson
Assistant City Manager

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

S U B J E C T: Continuation of Updated Financial Model Discussion

ACTION TO BE CONSIDERED:

None

GENERAL INFORMATION:

Keith Johnson, Assistant City Manager/Finance Director will be making this presentation.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: Keith Johnson, Assistant City Manager

Date: October 2, 2014

Subject: **FINANCIAL UPDATE WITH FY 2014 UNAUDITED BALANCES PUT INTO THE FINANCIAL FORECAST.**

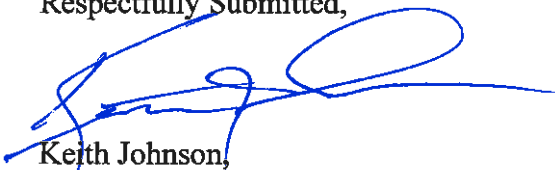
BACKGROUND

Enclosed you will find some worksheets and graphs showing the General Fund balances with unaudited figures and those figures being put into the financial forecast and what they do in changing the forecast. We wanted to provide a snapshot of where we are and where we are going based on current trends.

We will discuss these in great detail on Tuesday at the City Council meeting. There are four things that we want you to remember as we review these figures and forecast.


1. Station Park has brought over a million dollars to the City this past year in sales taxes and without this the City would not have been able to hire 2 new police officers or 2 full time fire captains or do some of the other things that the City has done the past couple of years.
2. The City cannot continue to have increases in expenditures of 8.5 % as we did this past year in 2014.
3. Any decisions that have large financial ramifications either positive or negative, must be considered as they will affect the future and the forecast that we have.
4. There may be some item, project or priority that may not be included in this forecast that should be done, therefore we need to be open to changes that may come along that could affect this forecast. If there is such an item, then we need to discuss it and make changes to this forecast, as the priorities set by the Council modify in future years.

Respectfully Submitted,



Keith Johnson,
Assistant City Manager

Review and Concur,



Dave Millheim,
City Manager

**FARMINGTON CITY CORPORATION BUDGET
GENERAL FUND BALANCE**

BUDGET

	Actual Amounts	Amended Budget	Original Budgeted Unrestricted	Restricted Class C	Restricted Liquor Law
Audited Balance 6-30-13	1,423,256	1,423,256	1,423,256	115,928	20,346
Projected Revenue 6-30-2014	7,835,253	7,639,056	6,695,984	600,000	20,680
Projected Expenditures 6-30-2014	7,675,008	7,928,149	7,185,621	715,000	39,000
Projected Balance 6-30-2014	<u>1,583,501</u>	<u>1,134,163</u>	933,619	928	2,026
	<u>Approved Budget</u>	<u>Approved Budget</u>			
Budget Revenue 6-30-2015	7,529,984	7,529,984		600,000	20,000
Budget Expenditures 6-30-2015	7,883,595	7,883,595		578,000	18,000
Budget Balance 6-30-2015	<u>1,229,890</u>	<u>780,552</u>		22,000	2,000

State Required Fund Balance 6-30-2014

7,529,984	7,529,984
x 25%	x .05
<u>1,882,496</u>	<u>376,499</u>

State Required Fund Balance 6-30-2015

7,529,984	7,529,984
x .25	x .05
<u>1,882,496</u>	<u>376,499</u>

Farmington City
Amended Budget Fiscal Year Ending 6-30-2014

	Adopted FYE 6-30-14 Budget	Revisions	Amended FYE 6-30-14 Budget	FY 14 Actual	Difference Between Budget to Actual
General Fund Revenues:					
Property Tax	1,610,000	140,000	1,750,000	1,773,611	23,611
Vehicle Registration Fees	175,000	10,000	185,000	186,525	1,525
Sales Tax	2,650,000	400,000	3,050,000	3,087,473	37,473
Franchise Tax/Fee	1,280,000	130,000	1,410,000	1,473,651	63,651
Transient Room Tax	5,000	0	5,000	6,744	1,744
License /permits	513,500	165,500	679,000	691,139	12,139
Federal /State Grants	596,000	33,058	629,058	603,230	-25,828
Public Safety	75,000	1,030	76,030	73,226	-2,804
Development Fees	57,000	63,964	120,964	103,256	-17,708
Cemetery Fees	24,700	2,000	26,700	35,250	8,550
Shared Court Revenue	200,000	0	200,000	211,843	11,843
Interest	7,100	-200	6,900	8,040	1,140
Miscellaneous	97,684	23,400	121,084	176,907	55,823
Contributions & Transfers	0	0	0	0	0
Sub-total	7,290,984	968,752	8,259,736	8,430,893	171,157
RDA Loan Pmt	0	0	0	0	0
Appropriated Fund Balance	568,637	-146,224	422,413	0	-422,413
Total	7,859,621	822,528	8,682,149	8,430,893	-251,256
General Fund Expenditures:					
Legislative	100,450	5,800	106,250	102,893	-3,357
Administrative	607,975	-1,000	606,975	589,568	-17,407
Engineering	67,000	-6,000	61,000	53,477	-7,523
Planning / Zoning	548,119	36,090	584,209	546,480	-37,729
Police	2,026,845	3,855	2,030,700	1,991,268	-39,432
Fire	795,428	-10,528	784,900	769,805	-15,095
Emergency Preparedness	2,500	3,000	5,500	5,107	-393
Inspection	414,113	22,692	436,805	409,675	-27,130
Streets	846,998	13,602	860,600	827,071	-33,529
General Government Buildings	450,163	0	450,163	446,052	-4,111
Parks / Cemetery	724,857	-17,613	707,244	667,368	-39,876
General Recreation	362,387	1,316	363,703	354,572	-9,131
Loan to RDA	0	0	0	0	0
Miscellaneous	33,000	-9,800	23,200	17,975	-5,225
Transfer to Capital Funds	879,786	781,114	1,660,900	1,629,400	-31,500
Sub-total	7,859,621	822,528	8,682,149	8,410,710	-271,439
Appropriated Fund Balance Increase	0	0	0	20,183	20,183
Total	7,859,621	822,528	8,682,149	8,430,893	-251,256

**Ten-year General Fund Forecast
Actual-Revised Scenario 10/3/2014**

	Projections From 2011	Actual 2011	Actual 2012	Actual 2013	Actual 2014	Fund Balance Actual 2014
Fund Balance 2011						1,839,830
FY 2012 Econowest estima	349,629	70,512	-	-		
FY 2012 Actual	-	(596,751)	(708,535)	(708,535)	(708,536)	1,131,295
FY 2013 Actual	(114,704)	(100,033)	(101,515)	428,233	428,233	1,559,528
FY 2014	160,278	190,781	120,135	15,251	23,752	1,583,280
FY 2015	171,662	219,207	306,571	183,691	22,663	1,605,943
FY 2016	4,705	71,086	191,806	68,135	(132,098)	1,473,845
FY 2017	(93,697)	(7,374)	109,946	(9,267)	(289,099)	1,184,746
FY 2018	(217,698)	(110,072)	(19,948)	(134,288)	(459,940)	724,807
FY 2019	(417,251)	(287,096)	(217,675)	(325,931)	(617,189)	107,618
FY 2020	(535,321)	(381,320)	(329,965)	(431,789)	(763,913)	(656,295)
FY 2021	(785,253)	(603,717)	(561,340)	(662,990)	(761,488)	(1,417,783)
FY 2022	(914,601)	(705,691)	(671,473)	(767,574)	(789,611)	(2,207,394)

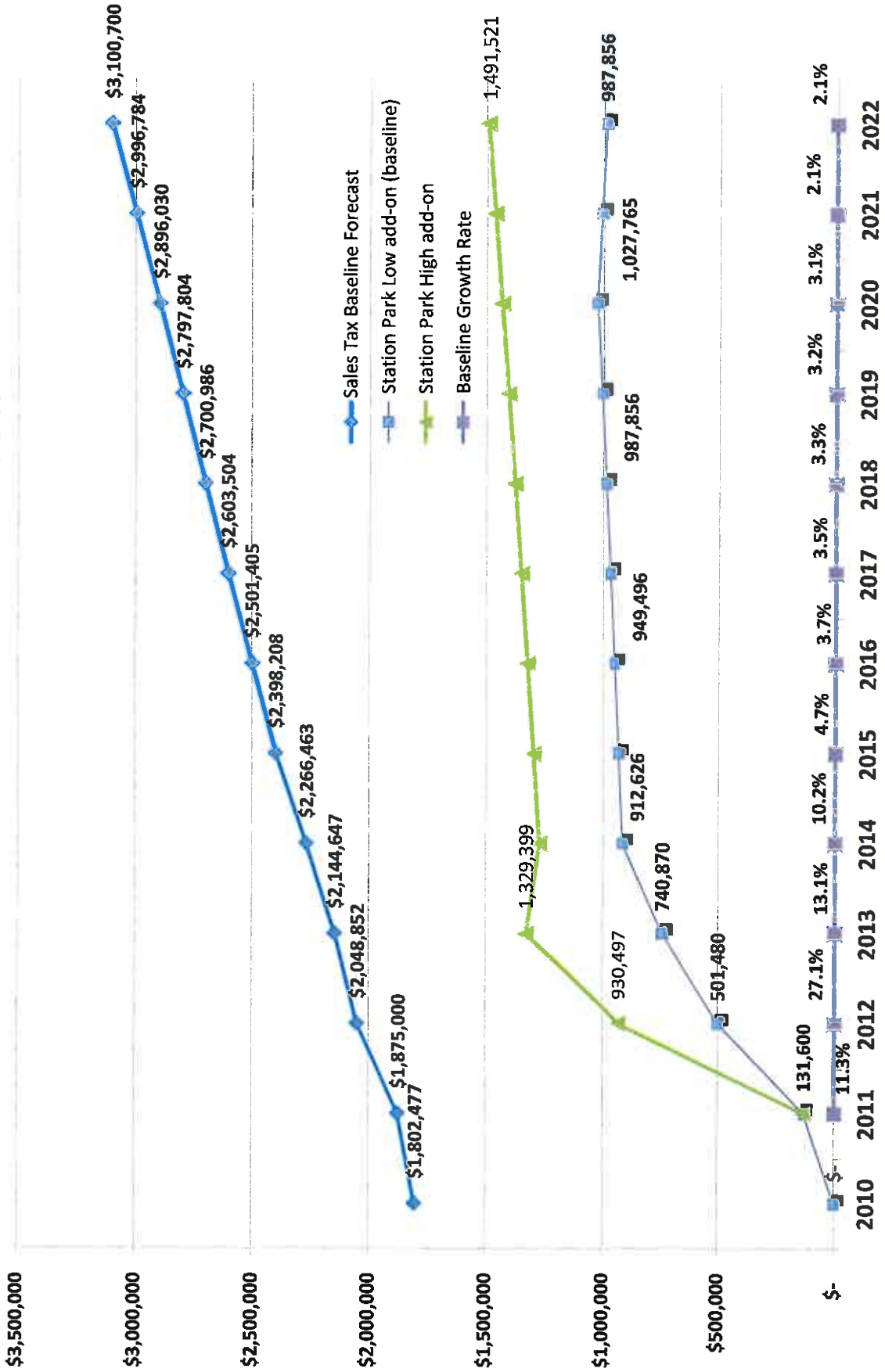
**General Fund
Revenue Expenditures
Actual-Revised Baseline Scenario**

	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018
Farmington Revenues							
Sales Tax Forecast (baseline)	\$ 1,886,741 2.6%	\$ 1,938,198 2.7%	\$ 2,015,993 4.0%	\$ 2,101,969 4.3%	\$ 2,188,576 4.1%	\$ 2,277,045 4.0%	\$ 2,360,047 3.6%
Station Park Low add-on (baseline)	493,505 20.8%	643,480 8.5%	1,071,480 19.6%	1,173,271 6.1%	1,237,801 4.6%	1,293,502 4.2%	1,345,242 3.8%
	\$ 2,380,246	\$ 2,581,678	\$ 3,087,473	\$ 3,275,240	\$ 3,426,377	\$ 3,570,547	\$ 3,705,289
Property Tax Forecast (current)	1,554,366 7.67%	1,556,912 2.3%	1,733,760 11.4%	1,756,000 1.3%	1,797,712 2.4%	1,838,515 2.3%	1,878,429 2.2%
Econowest model estimates							
Franchise & Energy Taxes	1,278,127 6.5%	1,397,037 9.3%	1,480,395 6.0%	1,500,000 1.3%	1,529,558 2.0%	1,561,472 2.1%	1,593,351 2.0%
Econowest model estimates							
Station Park Low add-on							
Licenses & Permits Forecast	637,390 -22.1%	969,777 52.1%	691,139 -28.7%	518,000 -25.1%	493,184 -4.8%	483,184 -2.0%	393,184 -18.6%
Econowest model estimates							
Class C Road Distribution	578,707 3.3%	601,983 4.0%	575,171 -4.5%	600,178 4.3%	616,376 2.7%	625,287 1.4%	634,167 1.4%
Econowest model estimates							
Vehicle Fee In-Lieu of Property Tax	176,196 -0.4%	178,429 1.3%	186,525 4.5%	190,000 1.9%	193,258 1.7%	199,228 3.1%	205,188 3.0%
Actual & Estimates							
All Other	842,457	894,815	680,001	541,984	573,386	604,930	638,210
Fund Balance Appropriation	708,535						
Total General Revenues	\$ 8,156,024 17.3%	\$ 8,180,631 0.3%	\$ 8,434,464 3.1%	\$ 8,381,402 -0.6%	\$ 8,629,851 3.0%	\$ 8,883,164 2.9%	\$ 9,047,818 1.9%

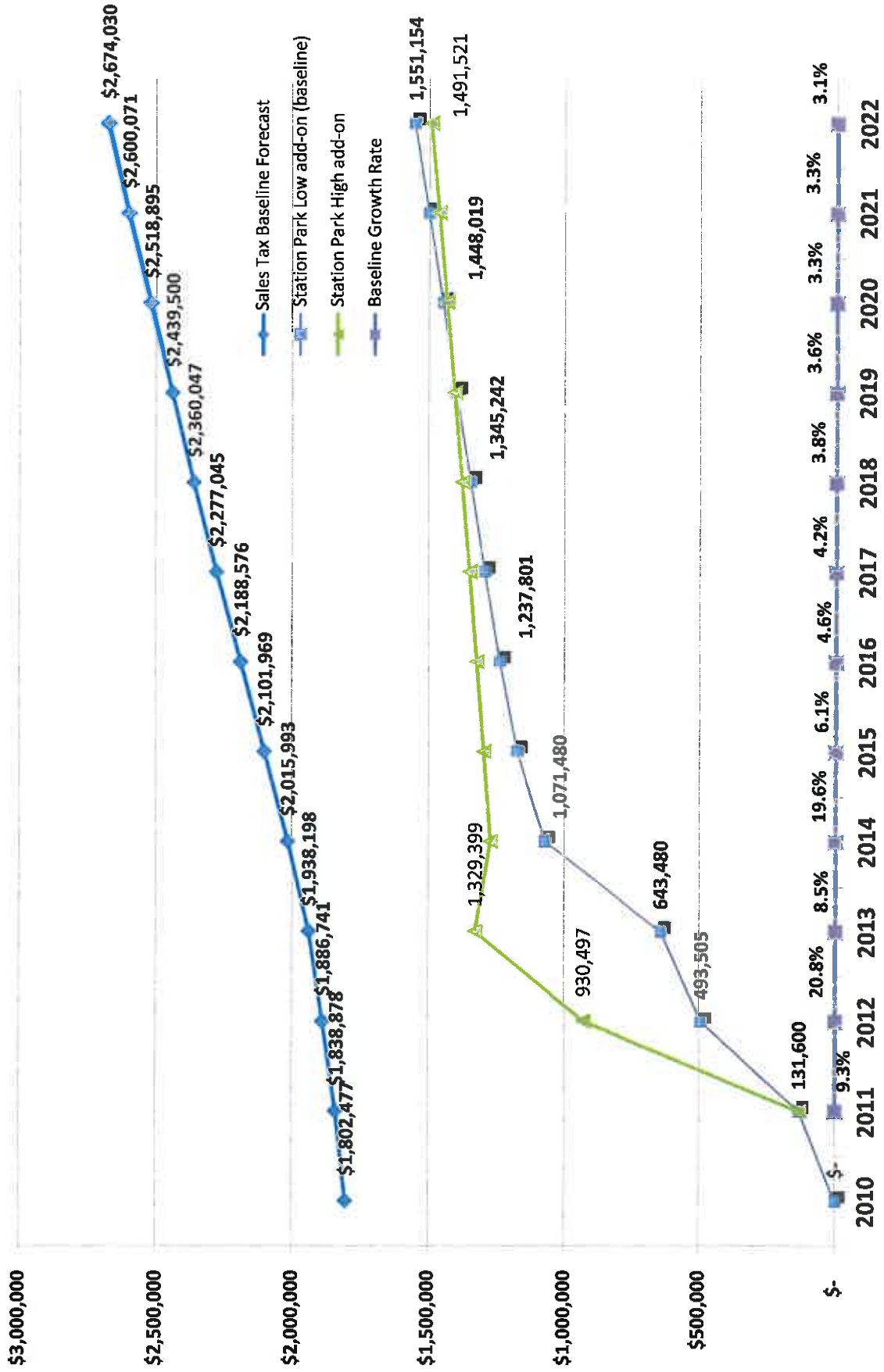
**General Fund
Revenue Expenditures
Actual-Revised Baseline Scenario**

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Annual Pe Growth FY
Farmington Revenues					
Sales Tax Forecast (baseline)	\$ 2,439,500 3.4%	\$ 2,518,895 3.3%	\$ 2,600,071 3.2%	\$ 2,674,030 2.8%	3.55%
Station Park Low add-on (baseline)	1,399,052 3.6%	1,448,019 3.3%	1,498,699 3.3%	1,551,154 3.1%	12.13%
	\$ 3,838,552	\$ 3,966,914	\$ 4,098,770	\$ 4,225,183	
Property Tax Forecast (current)	1,917,472 2.1%	1,955,665 2.0%	1,992,352 1.9%	2,029,475 1.9%	2.70%
Econowest model estimates					
Franchise & Energy Taxes	1,625,194 2.0%	1,657,108 2.0%	1,682,923 1.6%	1,707,852 1.5%	2.94%
Econowest model estimates					
Station Park Low add-on	-	-	-	-	
Licenses & Permits Forecast	323,034 -17.8%	329,700 2.1%	308,672 -6.4%	291,575 -5.5%	-7.52%
Econowest model estimates					
Class C Road Distribution	643,017 1.4%	651,928 1.4%	664,890 2.0%	677,087 1.8%	1.58%
Econowest model estimates					
Vehicle Fee In-Lieu of Property Tax	211,139 2.9%	217,109 2.8%	227,779 4.9%	233,208 2.4%	2.84%
Actual & Estimates					
All Other	673,320	710,362	749,442	790,672	
Fund Balance Appropriation					
Total General Revenues	\$ 9,231,729 2.0%	\$ 9,488,785 2.8%	\$ 9,724,829 2.5%	\$ 9,955,051 2.4%	2.01%

Sales Tax Forecasts



Revised Sales Tax Forecasts 2013



**General Fund
Revenue Expenditures
Actual-Revised Baseline Scenario**

	Fiscal Year 2012	Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020
Department Expenditures									
Administration									
Admin. Ongoing	533,888	536,701	589,568	627,222	644,780	668,629	692,472	752,866	777,407
One-timers	1.7%	0.5%	9.9%	6.4%	2.8%	3.7%	3.6%	8.7%	3.3%
Planning & Zoning									
P&Z ongoing	509,309	573,525	546,480	563,828	580,625	583,147	604,991	608,898	629,842
One-timers	12.1%	12.6%	-4.7%	3.2%	3.0%	0.4%	3.7%	0.6%	3.4%
Police									
Police ongoing	1,777,570	1,858,322	1,991,268	2,055,186	2,151,341	2,218,542	2,339,581	2,394,152	2,517,295
One-timers	6.7%	4.5%	7.2%	3.2%	4.7%	3.1%	5.5%	2.3%	5.1%
Fire									
Fire ongoing	20,000		60,000	25,000	60,000		65,000		70,000
One-timers	576,200	595,587	769,805	819,722	871,277	908,911	958,044	1,004,695	1,072,508
Fire ongoing	26.2%	3.4%	29.3%	6.5%	6.3%	4.3%	5.4%	4.9%	6.7%
Inspection									
Inspection extras	364,339	408,363	409,675	414,607	417,069	426,854	436,576	444,073	453,248
One-timers	12.3%	12.1%	0.3%	1.2%	0.6%	2.3%	2.3%	1.7%	2.1%
Streets									
Street ongoing	735,788	823,392	827,071	849,227	879,205	905,835	930,869	1,012,099	1,033,930
One-timers	6.7%	11.9%	0.4%	2.7%	3.5%	3.0%	2.8%	8.7%	2.2%
Buildings									
Buildings ongoing	388,995	387,571	446,052	491,452	518,478	541,655	565,595	597,523	613,133
One-timers	13.8%	-0.4%	15.1%	10.2%	5.5%	4.5%	4.4%	5.6%	2.6%
Parks									
Parks ongoing	15,000		30,000	20,000	50,000		50,000		60,000
One-timers	689,707	708,354	667,368	737,840	861,431	992,430	1,012,753	1,027,945	1,107,183
One-timers	3.0%	2.7%	-5.8%	10.6%	16.8%	15.2%	2.0%	1.5%	7.7%
Recreation									
Rec. ongoing	53,345	53,345	53,345	53,345	53,345	53,345	53,345	53,345	53,345
One-timers	5.2%	3.1%	6.3%	16.0%	4.0%	14.9%	3.2%	4.0%	3.9%
Engineering Dept									
Miscellaneous	37,110	30,673	23,082	23,548	13,901	14,194	14,484	14,701	14,977
Legislative	94,686	92,588	102,893	110,970	112,635	115,004	117,359	119,119	121,349
Transfers Out									
Equipment (police, fire vehicles)	1,688,637	1,045,385	1,077,400	809,777	825,973	839,180	851,211	859,303	867,268
B&C Transfer (public works vehicle)	436,500	358,500	552,000	377,425	387,612	393,215	398,799	404,365	409,968
Total Expenditures	\$ 8,156,025	\$ 7,752,398	\$ 8,410,712	\$ 8,358,739	\$ 8,761,950	\$ 9,172,263	\$ 9,507,758	\$ 9,848,917	\$ 10,252,698
	27.6%	-4.9%	8.5%	-0.6%	4.8%	4.7%	3.7%	3.6%	4.1%
Surplus / (Deficit)	\$ (708,536)	\$ 428,233	\$ 23,752	\$ 22,663	\$ (132,098)	\$ (289,099)	\$ (459,940)	\$ (617,189)	\$ (763,913)

**General Fund
Revenue Expenditures
Actual-Revised Baseline Scenario**

	Fiscal Year 2021	Fiscal Year 2022	Annual Pe Growth FV
Department Expenditures			
Administration	800,701 3.0%	824,327 3.0%	4.44%
Admin. Ongoing			
One-timers			
Planning & Zoning	629,848 0.0%	634,567 0.7%	2.22%
P&Z ongoing	(20,000)	(15,000)	
One-timers			
Police	2,566,544 2.0%	2,615,581 1.9%	3.94%
Police ongoing			
One-timers			
Fire	\$ 1,122,076 4.6%	\$ 1,194,345 6.4%	7.56%
Fire ongoing			
One-timers			
Inspection	\$ 459,299 1.3%	\$ 467,482 1.8%	2.52%
Inspection extras	(10,000)	(10,000)	
One-timers			
Streets	\$ 1,062,156 2.7%	\$ 1,088,713 2.5%	4.00%
Street ongoing	0		
One-timers			
Buildings	\$ 628,060 2.4%	\$ 643,549 2.5%	5.16%
Buildings ongoing			
One-timers			
Parks	1,127,050 1.8%	1,148,459 1.9%	5.23%
Parks ongoing			
One-timers			
Rec. Admin	\$ 561,472 2.5%	\$ 571,523 1.8%	5.86%
Rec. ongoing			
One-timers			
Engineering Dept	91,943	97,459	7.79%
Miscellaneous	15,245	15,535	-8.34%
Legislative	123,526	125,873	2.89%
Transfers Out			
Equipment (police, fire vehicles)	880,277	891,459	-6.19%
B&C Transfer (public works vehicle)	418,120	425,790	-0.25%
Total Expenditures	\$ 10,486,317 2.3%	\$ 10,744,662 2.5%	2.79%
Surplus / (Deficit)	\$ (761,488)	\$ (789,611)	

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

PUBLIC HEARING: Zone Text Amendments for Chapters 10, 11, 12 and 28

ACTION TO BE CONSIDERED:

1. Hold the public hearing.
2. Approve the enclosed enabling ordinance amending chapters 10, 11, 12 and 28 of the Zoning Ordinance.

GENERAL INFORMATION:

See enclosed staff report prepared by David Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: October 7, 2014

SUBJECT: **ZONE TEXT AMENDMENTS—CHAPTERS 10, 11, 12, AND 28**

RECOMMENDATION

1. Hold a public hearing and receive public comment; and
2. Approve the enclosed enabling ordinance amending chapters 10, 11, 12 and 28 of the Zoning Ordinance.

BACKGROUND

The Planning Commission prepared, held public hearings, and recommended the enclosed text changes to chapters 10, 11, 12, and 28 of the Zoning Ordinance related to conventional and conservation subdivision standards and transfer of development rights. They met for several hours over many weeks, including a 2 hour study session, to make ready these changes. The proposed amendments include, among other things, the bullet points set forth below:

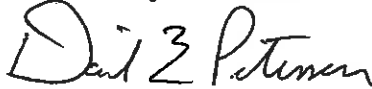
- Limiting conservation subdivisions to larger parcels and an overlay zone specific only to certain areas of the community;
- Providing alternative lot sizes for all other areas of the City, which may be realized at the sole discretion of the City, by: 1) transfer of development rights, or 2) conveying land/easements for public benefit;
- Eliminating bonuses, and difficult and cumbersome standards, from the conservation subdivision ordinance;
- Allowing for consideration of waivers of conservation subdivision provisions only if certain standards are met;
- Moving the TDR section from Chapter 12 to Chapter 28 making it applicable to other sections in the Zoning Ordinance; and
- Recommending that the City Council approve Conservation Subdivisions and TDRs as legislative acts (not as administrative functions).

The City Council began its review of the Commission's recommendations on September 2, 2014. In the process they held two public hearings (which includes the hearing scheduled for tonight, October 7, 2014), and two lengthy and productive study sessions. The recommendation of the Planning Commission was well received. Moreover, the Council decided to add further language providing a lot averaging mechanism in non-conservation subdivisions in the AE and LS zones only whereby one is allowed a 12,000 square foot minimum lot size so long as the total number of lots does not exceed the total number permitted via the yield process as set forth in Chapter 12 of this Title.

SUPPLEMENTARY INFORMATION

1. Enabling Ordinance, which includes:
 - a. Chapter 12 changes;
 - b. Proposed overlay zone;
 - c. Chapter 10 changes;
 - d. Chapter 11 changes;
 - e. Chapter 28 changes (TDR);

Respectively Submitted



David Petersen
Community Development Director

Review and Concur



Dave Millheim
City Manager

FARMINGTON, UTAH

ORDINANCE NO. 2014 -

AN ORDINANCE AMENDING CHAPTERS 10, 11, 12, OF THE ZONING ORDINANCE REGARDING CONVENTIONAL AND CONSERVATION SUBDIVISION LOT SIZES, AND OTHER STANDARDS, AND RELOCATING AND ENACTING TDR (TRANSFER OF DEVELOPMENT RIGHT) PROVISIONS SET FORTH IN CHAPTER 12 TO CHAPTER 28.

WHEREAS, the Planning Commission has held public hearings in which the proposed text amendments to Chapters 10, 11, 12, and Chapter 28 of the Zoning Ordinance were thoroughly reviewed and the Planning Commission recommended that these changes be approved by the City Council; and

WHEREAS, the Farmington City Council has also held public hearings pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Amendment. Sections 11-10-030, 11-10-040, 11-11-040, 11-11-050 of Title 11 (The Zoning Ordinance) of the Farmington City Municipal Code are hereby amended to read in their entirety as set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

Section 2. Amendment. Chapter 12 of Title 11 (The Zoning Ordinance) of the Farmington City Municipal Code is hereby amended to read in its entirety as set forth in Exhibit "B" attached hereto and by this reference made a part hereof.

Section 3. Enactment. Section 11-28-240 of Title 11 (The Zoning Ordinance) of the Farmington City Municipal Code is hereby enacted to read in its entirety as set forth in Exhibit "C" attached hereto and by this reference made a part hereof.

Section 4. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 5. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 7th day of October, 2014.

FARMINGTON CITY

H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT "A"

11-10-030 **Conservation Subdivision Development Options.**

Residential subdivisions within agriculture zones **greater than 5 acres in size, or located in the Conservation Subdivision Overlay Zone, as described on the Farmington City Zoning Map, may be developed as a non-Conservation Subdivision in accordance with the standards set forth in this Chapter. Alternatively, subdivisions within agriculture zones may be developed as a Conservation Subdivision may be developed** in accordance with the provisions of Chapter 12 of this Title providing innovative and flexible design opportunities.

11-10-040 **Lot and Setback Standards**

(1) The following shall be the minimum lot areas, widths, and main building setbacks in agricultural zones:

Zone	Lot Area	Alternative Lot Size	Lot Width		Front	Side	Side Corner	Rear
			Interior	Corner				
AA	10 acre	5 acre	150'	160'	40'	15' min., total 30'	30'	40'
A	2 acre	1 acre	100'	110'	30'	10' min., total 24'	25'	30'
AE	1 acre	12,000 s.f.*	100'	110'	30'	10' min., total 24'	25'	30'

* The total number of lots in the subdivision shall not exceed the total number of lots allowed as per the Yield Plan process set forth in Chapter 12 of this Title.

(2) **Alternative Lot Size.**

- (a) **The alternative lot size is limited to subdivisions whereby the City approves a transfer of development right as set forth in Chapter 28 of this Title; or obtains improved or unimproved land in fee title, or easement, for public purposes—such as parks, trails, detention basins, etc. The value of which, and the total number of lots related thereto, shall be determined by the City at its sole discretion as part of the subdivision process.**
- (b) **The alternative lot size is not available for subdivision consisting of 5 acres or more, ~~and or~~ for subdivisions located in the Conservation Subdivision Overlay zone.**

(23) **Lot coverage:** Not more than twenty-five percent (25%) of the gross area of a lot shall be covered by the main building, accessory buildings, or other structures in the A zone and lots greater than 0.75 acres in size in the AE zone, and not more than ten percent (10%) of the gross area of a lot for the AA zone. On lots less than 0.75 acre in size the lot coverage requirements for accessory buildings and structures set forth in Chapter 11 of this Title shall apply. (See below)

(34) **Area required for Class "B" animals:** Not more than two (2) horses or cows or four (4) sheep, goats, pigs or similar size animals shall be kept on a one-half (1/2) acre lot. For lots larger than one-half (1/2) acre, one (1) additional horse or cow or two (2) additional sheep, goats, pigs, or similar size animals may be kept for each five thousand (5,000) square feet over one-half

(1/2) acre. Animals younger than six (6) months in age shall not be counted in determining the total number of animals on the lot.

(45) Area required for Class "C" animals: The minimum lot size for Class "C" animals (commercial farming) shall be five acres. Class "C" animal operations shall not include hog, mink, turkey and chicken farms.

(56) Area required for Sportsman Kennel: The minimum lot size for a Sportsman Kennel shall be one acre.

(67) Land within green belt corridors, waterways, and trail dedications shall not be used in calculating final lot area in Conservation Subdivisions.

(78) Accessory buildings and structures:

- (1) Accessory buildings, except those listed in paragraph (b) below, shall be located in the rear yard, shall be separated from the main building by a distance in compliance with applicable building codes, shall be at least five (5) feet from all property lines and shall be fifteen (15) feet from a dwelling on an adjacent lot. Accessory buildings shall not be built over utility easements that may run along the side and rear property lines.
- (2) No farm animal structure, hay barn, stable, silo, coop, corral or other similar building or structure which is accessory to the agricultural use of land may be located closer than ten (10) feet to any side or rear boundary line or one hundred (100) feet to any public street or to any dwelling on adjacent properties. This provision shall not apply to pastures.
- (3) A detached accessory building, or other architecturally compatible structure as approved by the Planning Commission, may be located in the side yard of a lot providing that a separation is maintained from the residence in compliance with applicable building codes, and all front and side setbacks are provided as specified in Section 11-10-040 and the rear setback is provided as specified in Section 11-10-040(7)(a). In no event shall an accessory building encroach into the front yard beyond the nearest corner of the main building.
- (4) Equipment or materials stored or located in accessory buildings, yards, or structures in AE zones shall be permitted only for the personal use of the occupants of the property. No such storage or use related to a non-agricultural commercial business shall be allowed.

(89) Transmission towers, except as specified in Section 11-28-190, shall be set back from all property lines a distance equal to the height of the tower plus thirty (30) feet.

11-11-040 **Conservation Subdivision Development Options.**

Subdivisions within the single-family residential zones **greater than 10 acres in size, or located in the Conservation Subdivision Overlay Zone, as described on the Farmington City Zoning Map, may be developed as a non-Conservation Subdivision in accordance with the standards set forth in this Chapter. Alternatively, subdivisions within the single-family residential zones may be developed as a Conservation Subdivision may be developed** in accordance with the provisions of Chapter 12 of this Title providing innovative and flexible design opportunities.

11-11-050 Minimum Lot Area, Width, and Setback Standards.

(a) The following shall be the minimum lot areas, widths, and main building setbacks for Conventional Layout subdivision development in single-family residential zones:

Zone	Lot Area in s.f.		Lot Width		Front	Side	Side Corner	Rear
		Alternative Lot size	Interior	Corner				
R	16,000	8,000	75'	85'	25'	8' min., total 18'	20'	30'
LR	20,000	10,000	85'	95'	25'	10' min., total 22'	20'	30'
S	30,000	15,000	95'	100'	25'	10' min., total 22'	20'	30'
LS	40,000	12,000*	100'	110'	30'	10' min., total 24'	25'	30'

* The total number of lots in the subdivision shall not exceed the total number of lots allowed as per the Yield Plan process set forth in Chapter 12 of this Title.

(b) **Alternative Lot Size.**

- (1) The alternative lot size is limited to subdivisions whereby the City approves a transfer of development right as set forth in Chapter 28 of this Title; or obtains improved or unimproved land in fee title, or easement, for public purposes—such as parks, trails, detention basins, etc. The value of which, and the total number of lots related thereto, shall be determined by the City at its sole discretion as part of the subdivision process.
- (2) The alternative lot size is not available for subdivision consisting of 10 acres or more, and or for subdivisions located in the Conservation Subdivision Overlay zone.

(c) In zones allowing Class “B” animals, twenty thousand (20,000) square feet shall be required for two (2) sheep or goats or for one (1) horse or cow.

EXHIBIT “B”

CHAPTER 12

CONSERVATION SUBDIVISION AND (CS) OVERLAY ZONE DEVELOPMENT STANDARDS

- 11-12-010 Purpose.
- 11-12-020 Applicability.
- 11-12-030 Definitions.
- 11-12-040 Development Options.
- 11-12-050 Approval Process.
- 11-12-060 Development Activities Prohibited.
- 11-12-065 Waiver.
- 11-12-068 Fee in Lieu; conservation Land Dedication.
- 11-12-070 Subdivision Yield Plan.
- 11-12-080 Sensitive Area Designation Plan.
- 11-12-085 Master Development Plan.
- 11-12-090 Dimensional Standards.
- 11-12-100 Design Standards.
- ~~11-12-110 Transfer of Development Rights/Lots. (TDR)~~
- 11-12-120 Use Regulations.
- 11-12-130 Conservation Land Design Standards.
- 11-12-140 Permanent Protection of Conservation Lands.
- 11-12-150 Ownership of Conservation Lands.
- 11-12-160 Maintenance of Conservation Lands.

11-12-010 Purpose.

The purpose of this Chapter is to provide for subdivision development within the CS Overlay Zone and elsewhere in Farmington City ~~Farmington City~~ in a manner that:

(a) Protects constrained and sensitive lands, including those areas containing sensitive and undevelopable features such as steep slopes, floodplains and wetlands, by setting them aside from development;

(b) Conserves conservation and open space land, including those areas containing unique or natural features such as meadows, grasslands, tree stands, streams, stream corridors, flood walls, berms, watercourses, farmland, wildlife corridors and/or habitat, historical buildings and/or sites, archeological sites, and green space, by setting them aside from development;

- (c) Provides greater design flexibility and efficiency in the siting of services and infrastructure, including the opportunity to reduce length of roads, utility runs, and the amount of paving required for residential development;
- (d) Reduces erosion and sedimentation by the retention of existing vegetation and the minimization of development on steep slopes and other constrained and sensitive lands;
- (e) Provides for a diversity of lot sizes to accommodate a variety of age and income groups and residential preferences, so that the community's population diversity may be enhanced;
- (f) Provides incentives for the creation of greenway systems and open space within the City for the benefit of present and future residents;
- (g) Implements adopted City policies to conserve a variety of irreplaceable and environmentally sensitive resource lands as set forth in the Comprehensive General Plan;
- (h) Implements adopted land use, environment, natural hazards, transportation, and community policies, as identified in the Comprehensive General Plan;
- (i) Protects areas of the City with productive agricultural soils for continued agricultural use by conserving blocks of land large enough to allow for viable farm operations;
- (j) Creates neighborhoods with direct visual and/or recreational access to constrained, sensitive and conservation land;
- (k) Provides for the conservation and maintenance of constrained, sensitive and conservation land within the City to achieve the above-mentioned goals;
- (l) Provides incentives and design alternatives for landowners to minimize impacts on environmental resources such as, sensitive lands, wetlands, floodplain, and steep slopes, and to minimize disturbance of natural or cultural features such as, mature woodlands, tree lines, wildlife habitats and corridors, historic buildings, and floodplain walls;
- (m) Provides standards accommodating to some extent the varying circumstances and interests of individual landowners and the individual characteristics of their properties; and
- (n) Conserves scenic views and elements of the City's rural and scenic character and minimizes perceived density by minimizing views of new development from existing roads.

11-12-020 Applicability.

a. Any lot or parcel located within the CS Overlay Zone, as shown on the Official Zoning Map, depicted within the Future Land Use Map of the General Plan shall be subject to the standards and regulations of this Chapter. The CS is in an overlay zone. Such standards and regulations are intended to be in addition to the existing standards and regulations of the underlying zone of the property and other applicable regulations of this Zoning Ordinance.

AND

Any lot or parcel located in agriculture and single family residential zones greater than 5 and 10 acres respectively and not located in the CS Overlay Zone.

b. The election to apply and develop property as a ~~C~~conservation ~~S~~ubdivision is voluntary and provided to developers as an alternative to development of property as a Conventional Subdivision pursuant to other applicable provisions of this Title. The intent of this Chapter and the Conservation Subdivision options is to encourage the creation and development of flexibly-designed open space subdivisions. Conservation Subdivisions may be developed within applicable agricultural and residential zones of the City. Conservation Subdivisions shall be developed in accordance with and subject to the development standards, conditions, procedures and regulations of this Chapter and with all other applicable subdivision ordinances and zoning regulations of the City which are not otherwise in conflict with the provisions of this Chapter.

11-12-030 Definitions.

For purposes of this Chapter, the following words shall have the meanings set forth herein:

(a) Conservation Land. Conservation land means land containing unique, historic, cultural, archeological, natural or other significant features, including, but not limited to, meadows, grasslands, tree stands, streams, stream corridors, flood walls, berms, watercourses, farmland, wildlife corridors and/or habitat, historic buildings and/or sites, archeological sites, and open space.

(b) Constrained and Sensitive Land. Constrained and sensitive land means land which is generally unbuildable and which contains constrained and sensitive features including, but not limited to, wetlands, floodplains, steep slopes, faults and other geologically or environmentally sensitive features.

11-12-040 ~~Development Options.~~

Developers desiring to develop property as a Conservation Subdivision in accordance with and subject to the development standards, conditions, procedures and regulations of this Chapter may submit a subdivision application for residential development at the base density permitted in the relevant zone provided herein which may result in more lots than using conventional lot dimensions standards set forth in Chapters 10 and 11 of this Title. The development must utilize a conservation design which sets aside and preserves all constrained and sensitive lands, natural hazards and resources, and provides the required percentage of conservation land within the development. ~~are provided the following Conservation Subdivision development options. These options are provided as an incentive to encourage developers to designate, preserve and protect a greater percentage of their property as permanent open space.~~

~~———— (a) ——— Option One: Basic Conservation. Option One Conservation Subdivision provides for residential development at the base density permitted in the relevant zone plus any corresponding density incentive as provided herein for Option One Conservation Subdivisions. In order to obtain the full density incentive permitted herein for an Option One Conservation Subdivision, the development must utilize a conservation design which sets aside and preserves all constrained and sensitive lands, natural hazards and resources, and provides the required percentage of conservation land within the development.~~

~~———— (b) ——— Option Two: Enhanced Conservation. Option Two Conservation Subdivision provides for residential development at the base density permitted in the relevant zone plus any corresponding increased density incentive as provided herein for Option Two Conservation Subdivisions. In order to obtain the increased density incentive provided herein for an Option Two Conservation Subdivision, the development must utilize a conservation design which sets aside and preserves all constrained and sensitive lands, natural hazards and resources, and provides the required increased percentage of conservation land within the development.~~

11-12-050 Approval Process.

Applications for a Conservation Subdivision shall be submitted and processed in accordance with the requirements and procedures set forth in the City Subdivision Ordinance, including submission and approval of schematic, preliminary and final plans or plats, and any additional procedural requirements set forth in this Chapter, including, but not limited to, submission of a Subdivision Yield Plan, Sensitive Area Designation Plan and/or Master Development Plan.

The Planning Commission shall consider all applications for conservation subdivisions and prepare a recommendation to the City Council as an amendment to the Zoning Ordinance in accordance with Chapter 6 of this Title and the Municipal Land Use Development, and Management Act as set forth in the Chapter 9a of the Utah State Code. The City must provide notice of meetings and public hearings, and required third party notices, related thereto. As part of its recommendation, the Planning Commission and the City Council must determine whether or not a proposed conservation subdivision meets

the purpose of this chapter and the review standards set forth in Chapter 6 and elsewhere in the Farmington City Code.

11-12-060 Development Activities Prohibited.

In order to ensure the preservation and enhancement of existing conditions of certain property within the City, including, but not limited to, constrained and sensitive lands, natural and cultural resources, wildlife habitat and other unique and sensitive lands, no new development activity shall be permitted on property proposed for development as a Conservation Subdivision prior to final plat approval as provided herein. Upon final plat approval, all development activity shall be conducted in accordance with and subject to applicable permit and development approval processes required by City Ordinances, rules and regulations. For purposes of this Section, "development activity" shall include any disturbance or alteration of the property in any way, but shall not include continuation of any currently existing permitted use of the property.

11-12-065 Waiver.

Subject to the provisions set forth herein, any provision of this Chapter may be waived by the City upon a vote of not less than four (4) members of the City Council. Such waiver(s) shall be granted only in limited circumstances as deemed appropriate and necessary by the City Council. No waiver shall be granted absent a finding of good cause based upon specific special circumstances attached to the property. No waiver should be granted that would be contrary to the public interest or contrary to the underlying intent of this Chapter. Any waiver of the required minimum conservation land dedication shall require comparable compensation, off-site improvements, amenities or other consideration of comparable size, quality and/or value.

Good cause as referenced herein shall include, but not be limited to the following standards:

(1) The subdivision shall be located within a half mile of an existing public park located within the Farmington City limits. This distance shall be determined by the actual walking distance from the subdivision to the park.

(2) In the event the park is located off-site pursuant to sub-paragraph 1, or on-site, a waiver shall not result in usable park space less than 1 acre in size.

(3) A waiver shall not result in lots, or building set-backs, smaller than the minimum lot size.

(4) All subdivision standards regarding dead-end street length, ingress and egress, and block dimensions shall be met.

(5) No waiver shall result in the creation of additional lots or a flag lot.

11-12-068 Fee in Lieu; Conservation Land Dedication.

In the event a proposed conservation land dedication does not, in the City's legislative discretion, produce sufficient public benefit, the City may require the payment of a fee in lieu of the dedication of conservation land. The fee to be paid to the City shall be established as follows:

- (1) The City shall establish the amount of the fee to be paid by determining the value of land of the same general characteristics as the conservation land dedication which would be required absent the application of the provisions of this section. The City's determination of value may be based on land sales data in the City's possession or reasonably available, and the basis of the City's determination shall be made available to the Applicant.
- (2) In the event the Applicant disagrees with the City's determination of the amount of the fee in lieu, the Applicant may, at its sole expense, submit an appraisal report from a licensed and Certified General Appraiser to establish the value of the proposed conservation land dedication. The value as established in a qualifying appraisal shall be the amount of the fee in lieu of conservation land dedication.
- (3) Any amount received by the City in lieu of conservation land dedication shall be set aside solely for open space and/or park acquisition and/or development.

11-12-070 Subdivision Yield Plan.

All applications for a Conservation Subdivision shall include a Subdivision Yield Plan prepared in accordance with the provisions set forth herein. The Subdivision Yield Plan is utilized to determine and calculate the base number of dwelling units for any given property to be developed as a Conservation Subdivision.

(a) **Subdivision Yield Plan.** Applicants shall prepare a Subdivision Yield Plan for the proposed project showing how the property within the project could be developed under a Conventional Subdivision layout using the dimensional standards set forth in Subsection (c). The Subdivision Yield Plan is not intended to propose or permit the actual development of the property in accordance with the dimensional standards set forth herein, but is prepared merely to determine the base number of dwelling units to be used in calculating the permitted number of dwelling units and lot size for the actual Conservation Subdivision. No subdivision may be developed in accordance with the dimensional standards set forth in Subsection (c) or a proposed Subdivision Yield Plan.

(b) **Realistic Layout.** The Subdivision Yield Plan must be drawn to scale and must exhibit a realistic layout reflecting a Conventional Subdivision layout that could

reasonably be expected to be implemented in consideration of dimensional standards set forth herein and calculating and addressing the presence of non-buildable or infrastructure areas, including, but not limited to, rights-of-way, public improvement areas, wetlands, floodplains, steep slopes, restricted areas subject to the Farmington City Foothill Development Standards, and existing easements or encumbrances. A sample Subdivision Yield Plan is set forth in Exhibit "A," attached hereto and incorporated herein by this reference, providing an example of a hypothetical Yield Plan for land zoned Large Suburban.

(c) Dimensional Standards. The Subdivision Yield Plan shall reflect the following dimensional standards:

Subdivision Yield Plan Dimensional Standards			
Zone	Lot Area	Lot Width	
		Interior	Corner
R (Residential)	8,000 s.f.	75'	85'
LR (Large Residential)	10,000 s.f.	85'	95'
S (Suburban)	15,000 s.f.	95'	100'
LS (Large Suburban)	20,000 s.f.	100'	110'
AE (Agriculture Estates)	½ Acre	100'	110'
A (Agriculture)	1 Acre	100'	110'
AA (Agriculture-Very Low Density)	5 Acre	150'	160'

(d) Approval. The Subdivision Yield Plan must be approved in writing by the City Planner for compliance with the standards and provisions of this Section prior to the submission of a Schematic Plan for a Conservation Subdivision.

11-12-080 Sensitive Area Designation Plan.

All applications for a Conservation Subdivision shall include a Sensitive Area Designation Plan prepared in accordance with the provisions set forth herein. The Sensitive Area Designation Plan shall identify all constrained and sensitive lands within the property boundaries and within four hundred (400) feet outside of the property boundaries, including, but not limited to, floodplains, wetlands, steep slopes, and restricted areas as regulated by the Farmington City Foothill Development Standards. The Sensitive Area Designation Plan shall also clearly identify all natural or cultural resources present on the property and within four hundred (400) feet outside of the property, including, but not limited to, geographic features, including, but not limited to, meadows, grasslands, tree stands, streams, stream corridors, flood walls, berms, watercourses, farmland, wildlife corridors and/or habitat; historic buildings and/or sites;

archeological sites; cultural features and green space. Some, but not all, of certain constrained and sensitive lands are designated and shown on the Farmington City Resources and Site Analysis Plan which may be utilized by applicants for the purpose of preparing a Sensitive Area Designation Plan. Applicants are solely responsible for checking and ensuring the accuracy and designation of constrained and sensitive lands and natural and cultural resources on the Sensitive Area Designation Plan for their particular project and applicable adjacent property. If site analysis, surveying and/or identification of constrained and sensitive lands and natural and cultural resources require entry onto adjacent properties, applicants are solely responsible for obtaining all required permits and/or approvals for such entry and analysis, surveying and/or identification.

11-12-085 Master Development Plan.

When deemed necessary or desirable by the City, application and approval for a Conservation Subdivision may require the submission and approval by the City of a Master Development Plan and/or Development Agreement. Such Master Development Plan and/or Development Agreement may be required by the City at any stage of the subdivision approval process.

11-12-090 Dimensional Standards.

~~(a) — Density. The permitted density for development within a Conservation Subdivision shall be determined in accordance with the following chart, hereinafter referred to as the “Development Incentive Chart.” The percentage increases noted as the “multiplier” in the Chart are percentage increases from the base density identified in the approved Subdivision Yield Plan for the proposed development.~~

~~(b) — Minimum Required Conservation Land. All Conservation Subdivisions shall provide at least the minimum percentage of conservation land within the Conservation Subdivision in accordance with the following chart, hereinafter referred to as set forth in the “Development Incentive Chart” in Subsection (a). The minimum percentage of required conservation land for any given Conservation Subdivision shall be calculated based upon the total acreage of property within the proposed subdivision less areas containing constrained and sensitive lands. Required conservation land shall not include any constrained or sensitive lands as defined herein. Except as otherwise provided herein, conservation land shall not be included within any residential lot.~~

Option One – Development Incentive Chart				
Zone	Conservation Land	Incentive Multiplier	Typical Lot Area	Lot Size Minimum
R	10%	0%	7,200 s.f.	6,500 s.f.

Option One – Development Incentive Chart				
Zone	Conservation Land	Incentive Multiplier	Typical Lot Area	Lot Size Minimum
LR	10%	0%	9,000 s.f.	7,500 s.f.
S	15%	0%	12,750 s.f.	9,000 s.f.
LS	25%	5%	14,286 s.f.	10,000 s.f.
AE	25%	5%	14,286 s.f.	10,000 s.f.
A	30%	10%	25,455 s.f.	14,000 s.f.
AA	30%	10%	138,600 s.f.	14,000 s.f.

Option Two – Development Incentive Chart				
Zone	Conservation Land	Incentive Multiplier	Typical Lot Area	Lot Size Minimum
R	15%	10%	6,182 s.f. 6,800 s.f.	5,500 s.f.
LR	15%	10%	7,727 s.f. 8,500 s.f.	6,500 s.f.
S	20%	15%	10,435 s.f. 12,000 s.f.	8,000 s.f.
LS	30%	20%	11,667 s.f. 16,000 s.f.	9,000 s.f.
AE	30%	20%	11,667 s.f.	9,000 s.f.
A	40%	20%	20,000 s.f.	12,000 s.f.
AA	40%	20%	108,900 s.f.	12,000 s.f.

(e) Lot Area. The lot area and minimum lot size for lots within a Conservation Subdivision shall be determined in accordance with the Development Incentive Chart set forth in Subsection (a). The typical lot area is likely to be much closer in size to the established threshold for each zone because that lot size can be delivered by developers while still meeting the minimum conservation land requirements set forth herein.

(d) Lot Width at Building Line. The minimum lot width at the building line for main buildings within a Conservation Subdivision shall be seventy-five (75) feet, except in the R and LR zones the minimum lot width shall be sixty (60) feet.

(e) Street Frontage. The minimum street frontages for lots within a Conservation Subdivision shall be determined in accordance with the street frontage regulations provided for the relevant zone.

(f) Yard Regulations. The builder or developer of a Conservation Subdivision may consider variations in the principal building position and orientation, but shall observe the following minimum standards for buildings within a Conservation Subdivision. Exceptions to these minimum setback regulations may be approved by the City, in its sole discretion, during plat approval process when deemed appropriate and desirable under the circumstances.

i. Front Setback. The minimum front yard setback for main buildings in a Conservation Subdivisions shall be twenty (20) feet . Notwithstanding the foregoing, the minimum front yard setback for attached garages which extend past the front of the dwelling towards the front property line in any Conservation Subdivision shall be thirty (30) feet.

ii. Rear Setback. The minimum rear yard setback for main buildings within a Conservation Subdivisions shall be thirty (30) feet.

iii. Side Setback. The minimum side yard setback for main buildings within a Conservation Subdivision shall be ten (10) feet for lots within the S, LS, AE, and AA zones, and a minimum of five (5) feet for lots within the R and LR zones but the total of both sides set backs in the R and LR zones shall be no less than 13 feet.

iv. Side Corner Setback. The minimum side corner setback for main buildings within a Conservation Subdivision shall be fifteen (15) feet from the property line in compliance with clear vision standards set forth in Section 11-28-150 of this Title.

v. Accessory buildings on lots less than ½ acre in size shall be located at least six (6) feet to the rear of the dwelling, shall not encroach on any recorded easement, shall not occupy more than twenty-five percent (25%) of the rear yard, and shall be located at least fifteen (15) feet from any dwelling on an adjacent lot. Such buildings may be located within one (1) foot of the side or rear property line. Accessory buildings shall, without exception, be subordinate in height and area to the main building.

vi. Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not less than ten (10) feet from any side or rear property line and one hundred (100) feet from any public street or from any dwelling on an adjacent property.

vii. A detached garage, or other architecturally compatible structure as approved by the Planning Commission, may be located in the side yard of a lot providing that a six (6) foot separation is maintained from the residence and all front, side, and rear setbacks are provided as specified in Section 11-11-050.

viii. On double-frontage lots, accessory buildings shall be located not less than twenty-five (25) feet from each street upon which the lot has frontage.

(g) Building Height on lots less than one-half (½) acre.

(1) Main buildings:

i. Main buildings shall not exceed twenty-seven (27) feet in height;

ii. No dwelling or structure shall contain less than one story.

(2) Accessory buildings or structures shall not exceed fifteen (15) feet in height unless an increased height is approved by the Planning Commission after review of a conditional use application filed by the property owner. No fee shall be assessed for such application.

(h) Accessory buildings on lots greater than ½ acre in size shall meet the setback and height requirements of the underlying zone in which they are located.

11-12-100 Design Standards.

(a) Individual Lots. Individual lots in Conservation Subdivisions shall be laid out pursuant to the dimensional standards set forth herein. Except as otherwise provided for herein, individual residential lots shall not encroach upon or contain any of the required minimum designated conservation land for the Subdivision or any constrained or sensitive lands, as defined herein.

~~(b) — Buffer from Road. All new dwellings shall be arranged and located a minimum of eighty (80) feet from all external roads with a functional classification higher than a local street.~~

(c) Views of Houselots. Views ofouselots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the City's landscaping requirements for residential subdivisions.

~~(d) Access. Houselots shall be accessed from interior streets, rather than from roads bordering the tract.~~

~~(e) Abut Conservation Lands. At least half of the lots shall directly abut conservation land or face conservation land across a street.~~

(f) Conservation Lands. Standards pertaining to the quantity, quality, configuration, use, permanent protection, ownership, and maintenance of the conservation land within a Conservation Subdivision shall be complied with as provided herein.

(g) Constrained and Sensitive Lands. Restrictions and regulations regarding the preservation, protection, ownership and maintenance of constrained and sensitive lands within a Conservation Subdivision shall be complied with as provided herein.

~~(h) Size. In no event shall any parcel of conservation land be less than 1 acre in size.~~

11-12-110 Transfer of Development Rights/Lots. (TDR)

~~(a) Transfer Lots. Property proposed for conservation land and constrained and sensitive land, if located in a designated receiving zone, may be replaced by one, or more than one, "Transfer Lot". A Transfer Lot is a lot that could have been developed elsewhere in the City, but instead is platted in the place of proposed conservation land, and where money paid to the owner of property located in a designated sending zone by a developer to transfer the lot, and increase the overall residential density of his project. Such lots shall be known and referred to as "Transfer Lots" and must be approved by the City in conjunction with subdivision approval. A Transfer Lot is not the result of a waiver set forth in this Chapter.~~

~~(b) Sole Discretion. The City has the sole authority to designate sending and receiving zones where such transfer lots are used and may do so by resolution~~

~~(c) Any sending zone parcel once a transfer lot density right is taken off the sending zone parcel loses the associated density right unless a future city council decision approves an up zoning to the sending zone parcel.~~

~~(d) Minimum Transfer Lot Size and Dimensional Standards. The minimum acreage required for any Transfer Lot replacing conservation land shall be determined in accordance with the development incentive chart (option two) and dimensional standards provided in Section 11-12-090.~~

~~(e) Any cash payment which results from an agreement regarding a Transfer Lot shall be set aside for the acquisition or improvement of open space and/or park land only, and not for any other use.~~

~~_____ (f) _____ The open space acquired involving a Transfer Lot shall be in proximity to the receiving area for said Lot based on the service area or nature of the open space acquired. The service area, whether it is related to a regional facility, community parks, a neighborhood park, etc., shall be determined as set forth in the General Plan~~

~~_____ (g) _____ If open space realized in whole or in part by a Transfer lot is moved to another location, transfer lot density rights must be recalculated based upon the characteristics of the new sending zone parcel and in consideration on what as already been transferred to the previous location.~~

~~_____ (h) _____ For larger conservation subdivisions greater than 20 acres in size, ten percent of the land must remain as open space and cannot be used by Transfer Lots.~~

~~_____ (i) _____ Agreement. A Transfer Lot must be approved by development agreement between the City and the respective owners, acceptable to and at the sole discretion of the City. The development agreement shall be recorded prior to or contemporaneous with the recording of the final plat which contains the Transfer Lot, and the agreement may include, but not be limited to, the following:~~

~~(1) _____ Anticipated value of the Transfer Lot to be paid from the receiving lot owner to the sending lot owner;~~

~~(2) _____ Method of payment for the transfer lot(s) value and when the payment is to be made;~~

~~(3) _____ Cost of improvements, including design costs, and the timing of construction;~~

~~(4) _____ Other costs such as City fees and finance costs, and the timing of the paying thereof;~~

~~(5) _____ Land cost total to be paid to the owner and when this payment to the owner will be made; and~~

~~(6) _____ Developer profit percentage.~~

11-12-120 Use Regulations.

(a) Subdivision. Subject to use and development restrictions of constrained and sensitive lands as set forth herein, land within Conservation Subdivisions may be used for the following purposes:

(1) Permitted Uses. Any uses permitted in the relevant zone.

- (2) Conservation Land. Conservation land, subject to the use and development restrictions of conservation land as set forth herein.
- (3) Accessory Uses. Any permitted accessory uses as provided in the relevant zoning regulations.

(b) Conservation Land. Conservation land may be used for the following purposes:

- (1) Permitted Uses. The following uses are permitted in conservation land areas:
 - (a) Conservation of open land in its natural state; e.g., meadow, grassland, tree stands, farmland, etc.
 - (b) Agricultural and horticultural uses, including raising crops or Class “B” livestock and associated buildings that support an active, viable agricultural or horticultural operation, excluding commercial livestock operations involving swine, poultry, and mink.
 - (c) Pastureland for sheep, cows and horses.
 - (d) Equestrian facilities for Class “B” animals.
 - (e) Underground utility easements for drainage, access, sewer or water lines, or other public purposes.
 - (f) Above-ground utility and street rights-of-way may traverse conservation land if permitted under City Ordinances; provided, areas encumbered by such facilities and/or rights-of-way shall not be counted towards the minimum required conservation land for the Subdivision.
- (2) Conditional Uses. The following uses shall be considered as conditional in conservation land areas:
 - (a) Agricultural uses, not otherwise permitted, including Class “C” Animals, but excluding commercial livestock operations involving swine, poultry and mink.
 - (b) Wholesale nurseries and associated buildings that are specifically needed to support active, viable horticultural operations.

- (c) Silviculture, in keeping with established standards for selective harvesting and sustained-yield forestry.
 - (d) Neighborhood open space uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact.
 - (e) Active non-commercial recreation areas, such as playing fields, playgrounds, courts, and bikeways.
 - (f) Golf courses, not including miniature golf.
 - (g) Water supply and sewage disposal systems, and storm water detention areas designed, landscaped, and available for use as an integral part of the conservation land.
 - (h) Fencing, when deemed necessary and appropriate for the particular use, condition, purpose and/or location of the conservation land.
- (3) Prohibited Uses. Except as otherwise approved and permitted by the City as a permitted or conditional use in conjunction with the Conservation Subdivision approval, the following uses shall be considered prohibited in conservation land areas:
- (a) Any residential, commercial or industrial activity;
 - (b) Any development, construction or location of any man-made modification or improvements such as buildings, structures, roads, parking lots, or other improvements;
 - (c) Any filling, dredging, excavating, mining, drilling, or exploration for and extraction of oil, gas, minerals or other resources from the property;
 - (d) Any dumping or storing of ashes, trash, garbage or junk;
 - (e) Burning of any materials, except as necessary for agricultural, drainage and fire protection purposes;
 - (f) The use of motor vehicles, including snowmobiles, all-terrain vehicles, motorcycles and other recreational

vehicles, except as may be necessary to maintain and operate the property and/or utility facilities within the property;

- (g) Hunting or trapping for any purpose other than predatory or problem animal control;
 - (h) Advertising of any kind or nature and any billboards or signs; provided, directory and information signs may be displayed describing the easement and prohibited or authorized use of the same;
 - (i) Any cutting of trees or vegetation, except as necessary for fire protection, thinning, elimination of diseased growth, control of non-native plant species, maintenance of landscaped areas, and similar protective measures or those activities relating to permitted agricultural uses;
 - (j) The change, disturbance, alteration, or impairment of significant natural ecological features and values of the property or destruction of other significant conservation interests on the property;
 - (k) The division, subdivision or de facto subdivision of the property;
 - (l) Changing the topography of the property by placing on it any soil, dredging spoils, land fill, or other materials, except as necessary to conduct specific permitted purposes;
and
 - (m) All other uses and practices inconsistent with and detrimental to the stated objectives and purpose of the easement.
- (4) Constrained and Sensitive Lands. No development or residential uses shall be permitted within constrained and sensitive lands.

11-12-130 Conservation Land Design Standards.

Designated conservation land within a Conservation Subdivision shall meet the following standards:

- (a) Significant Areas and Features. Conservation land should include the most unique and sensitive resources and locally significant features of the property within

the Subdivision such as meadows, grasslands, tree stands, streams, stream corridors, flood walls, berms, watercourses, farmlands, wildlife corridors and/or habitat, historic buildings and/or sites, archeological sites, cultural features, green space, scenic views, etc.

(b) **Contiguous Land.** Conservation lands within a development shall be contiguous to provide for large and integrated open space areas within the Subdivision. Non-contiguous parcels of conservation lands may be approved by the City during plat approval process upon a finding that such exception is necessary and/or desirable based upon consideration of the size of the project, the size of the conservation parcels, the types of features and resources included within the conservation lands, and other relevant considerations. Long thin strips of conservation land (less than one hundred (100) feet wide) are prohibited, unless approved by the City during plat approval process upon a finding that such configuration of the conservation land is necessary and/or desirable to connect other significant areas, to protect linear resources such as streams or trails, or to provide a buffer.

(c) **Open Space Network Connection.** Conservation land within a Conservation Subdivision shall be designed and laid out as part of a larger continuous and integrated open space system in general accordance with the Farmington Resource and Site Analysis Plan to ensure that an interconnected network of open space will be provided throughout the City.

(d) **Visibility.** Conservation land shall be located and designed within the Conservation Subdivision to add to the visual amenities of neighborhoods and to the surrounding area by maximizing the visibility of internal open space. Such enhanced visibility of conservation land may be accomplished through design and location of such open space as terminals at the ends of streets or along “single-loaded” street segments, particularly along the outside edges of street curves, and by maximizing the visibility of external open space as perimeter “greenbelt” conservation land.

(e) **Resource Uses.** A substantial amount of the minimum required conservation land may be devoted to active resource uses such as agriculture, horticulture, or equestrian uses; provided, at least ~~twenty percent (20%)~~ a portion of the minimum required conservation land remains available for the common use and enjoyment of the subdivision residents or the public.

(f) **Recreational Uses.** A substantial amount of the minimum required conservation land may be comprised of active recreation facilities such as playing fields, golf courses, tennis courts, etc., exclusive of parking lots; provided, at least ~~twenty percent (20%)~~ a portion of the minimum required conservation land remains available for common use and enjoyment of the subdivision residents or the public.

(g) **Buffering.** Conservation land shall be designed to provide buffers and to protect scenic views as seen from existing roadways and from public parks. Where the

proposed development abuts a national forest or other public park, open space, wildlife sanctuary or preserve, a natural greenway buffer at least fifty (50) feet wide shall be provided within the development along its common boundary with said land, within which no new structures shall be constructed, nor shall any clearing of trees or understory growth be permitted (except as may be necessary for street or trail construction or fire safety). Where this buffer is unwooded, the City may require vegetative screening to be planted at developer's sole cost and expense and/or that the buffer be managed to encourage natural forest succession through 'no-mow' policies and the periodic removal of invasive alien plant and tree species.

(h) **Pedestrian Access.** Developer shall provide adequate pedestrian access to conservation land which is open to public or resident use.

(i) **Maintenance Access.** Developer shall provide sufficient maintenance access to all conservation land and constrained and sensitive lands within the Conservation Subdivision.

(j) **Landscaping.** All conservation land that is not wooded, farmed, or maintained as conservation meadows, grassland, or other approved open space, shall be landscaped at developer's sole cost and expense in accordance with landscaping requirements for subdivisions.

11-12-140 Permanent Protection of Conservation Lands.

(a) **Conservation Easement.** All conservation land shall be permanently restricted from future development by a conservation easement or other method of protection and preservation acceptable to the City. Under no circumstances shall any development be permitted in the conservation land at any time, except for those permitted or conditional uses listed herein and approved in conjunction with the Conservation Subdivision. All conservation easements, or other acceptable method of protection and preservation of the conservation land within a Conservation Subdivision, shall be approved by the City and recorded prior to or concurrent with the recording of the final plat for the Conservation Subdivision.

(b) **Terms and Conditions.** All conservation easements, or other acceptable method of protection and preservation of the conservation land within a Conservation Subdivision, shall be in substantially the same form as the standard conservation easement form provided by the City and shall include, at a minimum, the following terms and/or conditions:

- (1) legal description of the easement;
- (2) description of the current use and condition of the property;
- (3) permanent duration of easement;
- (4) permitted and conditional uses;
- (5) prohibited development and/or uses;
- (6) maintenance responsibilities and duties; and

(7) enforcement rights and procedures.

(c) Grantee. Unless otherwise approved by the City, the grantee of a conservation easement shall consist of one of the following acceptable entities which entity shall be qualified to maintain and enforce such conservation easement: land trust, conservation organization or governmental entity. The City may, but shall not be required to, accept, as grantee, a Conservation Easement encumbering conservation lands within a Conservation Subdivision, provided there is no cost of acquisition to the City for the easement and sufficient access to and maintenance responsibilities regarding the conservation land are provided.

11-12-150 Ownership of Conservation Lands.

(a) Undivided Ownership. Unless otherwise approved by the City and subject to the provisions set forth in this Chapter, the underlying fee ownership of the conservation land shall remain in single ownership and may be owned and maintained by one of the following entities: homeowners' association, land trust, conservation organization, governmental entity, or private individual.

(b) Property subject to a conservation easement, or other acceptable method of protection and preservation, shall not be subdivided.

(c) Owners' Association. Conservation land may be held in common ownership by a condominium homeowners' or other acceptable owners' association, subject to all of the provisions for owners' associations set forth in State regulations and the City's Subdivision regulations. In addition, the following regulations shall be met:

- (1) A description of the organization of the proposed association, including its by-laws, and all documents governing ownership, maintenance, and use restrictions for conservation land, including restrictive covenants for the Subdivision, shall be submitted by the developer with the Preliminary Plat application.
- (2) The proposed association shall be established and operating (with financial subsidization, if necessary) prior to or concurrent with the recording of the Final Plat for the Subdivision.
- (3) Membership in the association shall be mandatory for all purchasers of property within the Subdivision and their successors in title.
- (4) The association shall be responsible for maintenance and insurance of conservation land.
- (5) The by-laws of the association and restrictive covenants for the Subdivision shall confer legal authority on the association to place a lien on the real property of any member who falls delinquent in dues. Such dues shall be paid with the accrued

interest before the lien may be lifted.

- (6) Written notice of any proposed transfer of conservation land by the association or the assumption of maintenance for the conservation land must be given to all members of the association and to the City no less than thirty (30) days prior to such event.
- (7) The association shall have adequate staff to administer, maintain, and operate such conservation land.

11-12-160 Maintenance of Conservation Lands.

(a) **Costs.** Unless otherwise agreed to by the City, the cost and responsibility of maintaining conservation land shall be borne by the owner of the underlying fee of the conservation land.

(b) **Plan.** The developer shall submit a Maintenance Plan providing for and addressing the means for permanent maintenance of the conservation land within the proposed Conservation Subdivision with the Preliminary Plat application for the Subdivision. The Maintenance Plan shall provide the following:

- (1) The Plan shall define ownership.
- (2) The Plan shall establish necessary regular and periodic operation and maintenance responsibilities for the various kinds of open space (e.g., lawns, playing fields, meadow, pasture, wetlands, stream corridors, hillsides, cropland, woodlands, etc.).
- (3) The Plan shall estimate staffing needs, insurance requirements, and associated costs, and define the means for funding the maintenance of the conservation land and operation of any common facilities on an on-going basis. Such funding plan shall include the means for funding long-term capital improvements as well as regular yearly operating and maintenance costs.
- (4) At the City's discretion, the applicant may be required to escrow sufficient funds for the maintenance and operation costs of common facilities for up to one year.

(c) **Approval.** The Maintenance Plan must be approved by the City prior to or concurrent with Final Plat approval for the Subdivision. The Maintenance Plan shall be recorded against the property and shall include provisions for the City's corrective action rights as set forth herein. Any changes or amendments to the Maintenance Plan shall be approved by the City.

(d) Failure to Maintain. In the event that the organization established to maintain the conservation land and the common facilities, or any successor organization thereto, fails to maintain all or any portion thereof in reasonable order and condition, the City may assume responsibility, as a right but not an obligation, for maintenance, in which case any escrow funds may be forfeited and any permits may be revoked or suspended.

(e) Corrective Action. The City may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property owner and may include administrative costs and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the City in the County Recorder's office. The Maintenance Plan and all other documents creating or establishing any association or conservation organization for the property shall reference the City's corrective action authority set forth herein and shall be recorded against the property.



Farmington City

Legend

landarea

NOTES

 Conservation Subdivision Overlay Zone

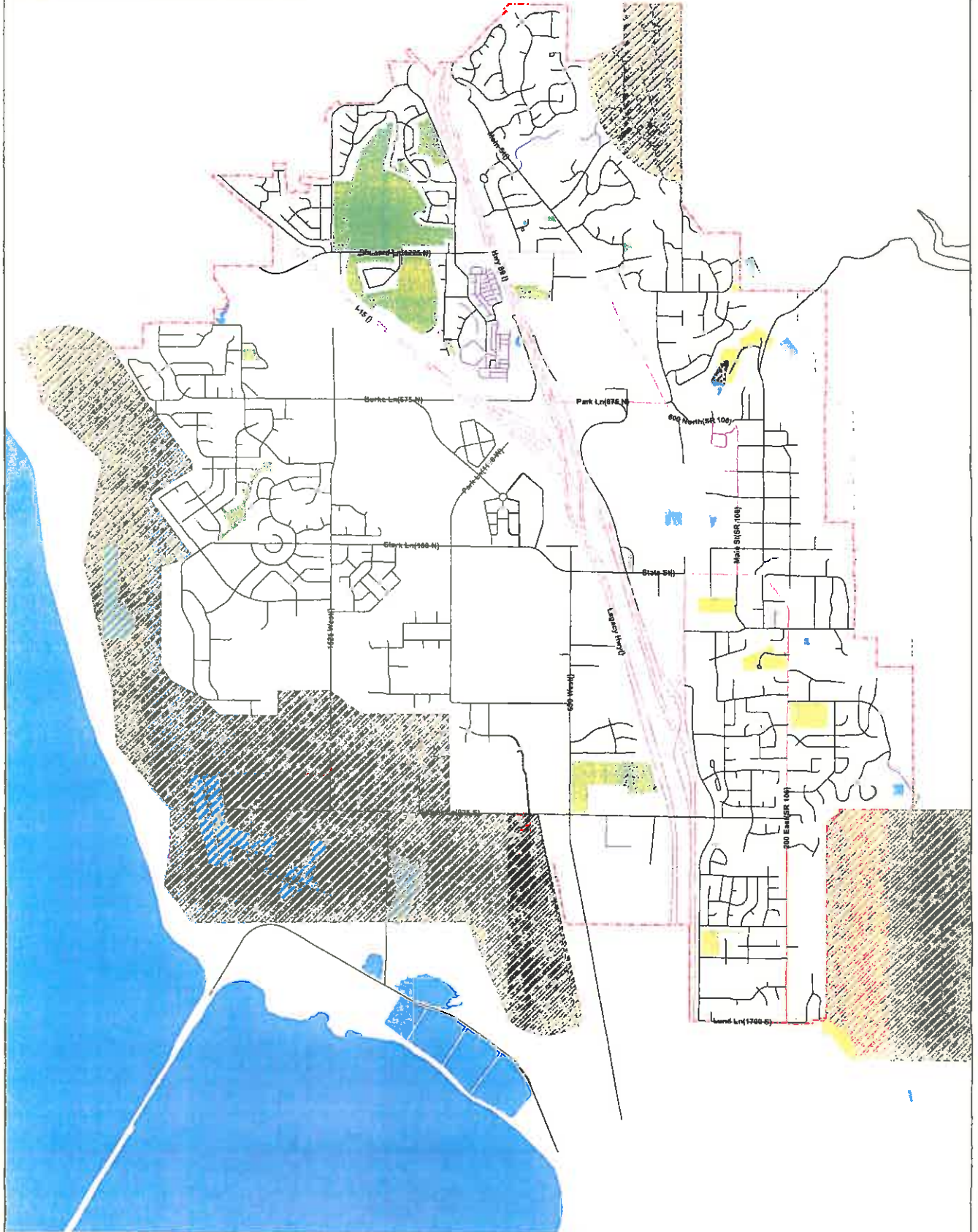


EXHIBIT "C"

11-28-240 Transfer of Development Rights/Lots. (TDR)

(a) **Transfer Lots.** Property proposed for conservation land and constrained and sensitive land, if located in a designated receiving zone, may be replaced by one, or more than one, "Transfer Lot". A Transfer Lot is a lot that could have been developed elsewhere in the City, but instead is platted in the place of proposed conservation land, and where money paid to the owner of property located in a designated sending zone by a developer to transfer the lot, and increase the overall residential density of his project. Such lots shall be known and referred to as "Transfer Lots" and must be approved by the City in conjunction with subdivision approval. A Transfer Lot is not the result of a waiver set forth in this Chapter.

(b) **Sole Discretion.** The City has the sole authority to designate sending and receiving zones where such transfer lots are used and may do so by resolution

(c) Any sending zone parcel once a transfer lot density right is taken off the sending zone parcel loses the associated density right unless a future city council decision approves an up zoning to the sending zone parcel.

(d) **Minimum Transfer Lot Size and Dimensional Standards.** The minimum acreage required for any Transfer Lot replacing conservation land shall be determined in accordance with the development incentive chart (option two) and dimensional standards provided in Section 11-12-090.

(e) Any cash payment which results from an agreement regarding a Transfer Lot shall be set aside for the acquisition or improvement of open space and/or park land only, and not for any other use.

(f) The open space acquired involving a Transfer Lot shall be in proximity to the receiving area for said Lot base on the service area or nature of the open space acquired. The service area, whether it is related to a regional facility, community parks, a neighborhood park, etc., shall be determined as set forth in the General Plan

(g) If open space realized in whole or in part by a Transfer lot is moved to another location, transfer lot density rights must be recalculated based upon the characteristics of the new sending zone parcel and in consideration on what as already been transferred to the previous location.

(h) For larger conservation subdivisions greater than 20 acres in size, ten percent of the land must remain as open space and cannot be used by Transfer Lots.

(i) **Agreement.** A Transfer Lot must be approved by development agreement between the City and the respective owners, acceptable to and at the sole discretion of the City. The development agreement shall be recorded prior to or contemporaneous with the recording of the final plat which contains the Transfer Lot, and the agreement may include, but not be limited to, the following:

- (1) Anticipated value of the Transfer Lot to be paid from the receiving lot owner to the sending lot owner;
- (2) Method of payment for the transfer lot(s) value and when the payment is to

be made;

- (3) Cost of improvements, including design costs, and the timing of construction;
- (4) Other costs such as City fees and finance costs, and the timing of the paying thereof;
- (5) Land cost total to be paid to the owner and when this payment to the owner will be made; and
- (6) Developer profit percentage.

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

SUBJECT: 1000 North Street Vacation

ACTION TO BE CONSIDERED:

See staff report for recommendation.

GENERAL INFORMATION:

See staff report prepared by David Petersen.

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: David E. Petersen, Community Development Director

Date: October 7, 2014

SUBJECT: **1000 North Street Vacation**

ALTERNATIVE RECOMMENDATIONS

- A. Move that the City Council approve the enclosed ordinance pursuant to the recommendation of the Planning Commission and vacate all but 6 feet of the southern part of the 1000 North Street r.o.w. the entire continuous length of said street east of 200 West as measured from the back of curb.

Findings for Approval

1. It is unlikely that the City will construct a sidewalk on this side of r.o.w., but enough space will be set aside for a 6 foot wide sidewalk if the City decides to do so in the future.
2. A six foot wide sidewalk handles snow stacking better than a 4 foot side sidewalk.
3. Most of the sidewalks in the neighborhood are located at the back of curb with no park strip.
4. Adjacent property owners will realize an increase in square footage for their parcels.

- OR -

- B. Move that the Planning Commission recommend that the City Council vacate all but 11.5 feet of the southern part of the 1000 North Street r.o.w. the entire continuous length of said street east of 200 West as measured from the back of curb.

Findings for Approval

1. It is unlikely that the City will construct a sidewalk on this side of r.o.w., but enough space will be set aside for its standard 4 foot wide sidewalk and a 7.5 park strip if the City decides to do so in the future.
2. A 4 foot sidewalk with 7.5 wide park strips handles snow stacking better than sidewalks built to the back of curb and also provides space for street trees.

3. Adjacent property owners will realize an increase in square footage for their parcels, but not as much as the other alternative. This will result in slightly lower property taxes than the other option.

BACKGROUND

The City re-built 1000 North Street east of 200 West (Compton Road) in 2011. The right-of-way was established as part of the original town site and was initially platted much wider than the 56 foot width now used for local streets. A group of abutting property owners petitioned the City on September 15, 2010 to narrow the south side of the r.o.w. some 17 to 20 feet to allow space for a 4 to 5 foot wide sidewalk to abut the back of curb. The City standard is 11.5 feet which provides room for a 4 foot sidewalk and a 7.5 foot park strip. The City Council considered and conceptually approved the petition on November 2, 2010. They could not actually approve the ordinance because the curb and gutter had not been set making it difficult for a surveyor to provide the precise legal description for the portion of the r.o.w. to be vacated. Now, the sponsor of the petition, Jared May, desires to move forward with the street vacation because the curb and gutter were completed some time ago.

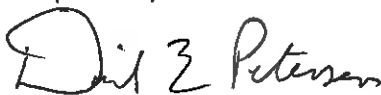
Notwithstanding the foregoing, the City did not yet follow its process set forth in Section 12-8-100 of the Subdivision Ordinance regarding adjustments to its standard street cross section (see attached). This must be done to let the City determine how much r.o.w. should be vacated and was referenced in a staff memo to the City Council dated October 29, 2010.

The City's Development Review Committee (DRC) recommend that the City either leave 11.5 feet of r.o.w. for future side treatments or leave 6 feet and never install a sidewalk on the street. The DRC recommendation is mostly influenced by the City's desire to have some place to stack snow not on a sidewalk. The Planning Commission recommendation is set forth in motion A above.

SUPPLEMENTARY INFORMATION

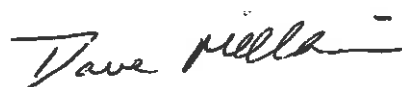
1. Vicinity Map.
2. Ordinance.
3. Aerial map of the street.
4. Petition and property owner map.
5. Letter from Jared May, September 15, 2010.
6. Staff memo from David Petersen (October 29, 2010).
7. City Council Minutes, November 2, 2010.
8. Section 12-8-100 of the Subdivision Ordinance.

Respectively Submitted



David Petersen
Community Development Director

Review and Concur



Dave Millheim
City Manager

FARMINGTON CITY, UTAH

ORDINANCE NO. 2014 -

AN ORDINANCE VACATING A CERTAIN PORTION OF THE SOUTH SIDE OF THE 1000 NORTH STREET PUBLIC RIGHT OF WAY BETWEEN COMPTON ROAD (200 WEST) AND APPROXIMATELY 100 WEST WITHIN FARMINGTON CITY, STATE OF UTAH.

WHEREAS, the governing body of Farmington City received a recommendation from the Planning Commission regarding a request from Jared May, et. al. ("Petitioner") to vacate a certain portion of the south side of the 1000 North Street public right-of-way between Compton Road (300 West) and 200 West; and

WHEREAS, said request is for the vacation of a portion of the 1000 North Street public right-of-way approximately six-hundred feet (600') in length by _____ feet (____) in width; and

WHEREAS, the governing body of Farmington City has determined that there is good cause for the requested vacation and it will not be detrimental to the general interest of the public to grant the same; and

WHEREAS, the Farmington City Council has caused all required public notices to be given, and has held all appropriate public hearings regarding such vacation; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Street Vacation. The City Council of Farmington City hereby declares that a portion of the south side of the 1000 North Street right-of-way approximately six-hundred feet (600') in length by ____ feet in width between Compton Road (200 West) and 100 West as more particularly described in Exhibit "A," attached hereto and incorporated herein, is hereby vacated.

Section 2. Rights not Affected. The action of the City Council vacating a portion of the public right-of-way provided herein shall operate as a relinquishment of the City's fee therein, provided that nothing herein shall be construed to vacate, impair or otherwise affect any real property interest, easement, right-of-way, holding or franchise right therein of any public utility or other property owner, governmental or private.

Section 3. Recorded. A certified copy of this Ordinance shall be recorded in the office of the Davis County Recorder, State of Utah, and the necessary changes made on the official plats and records of the County to accomplish the purpose thereof.

Section 4. Effective Date. This ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this ____ day of October, 2014.

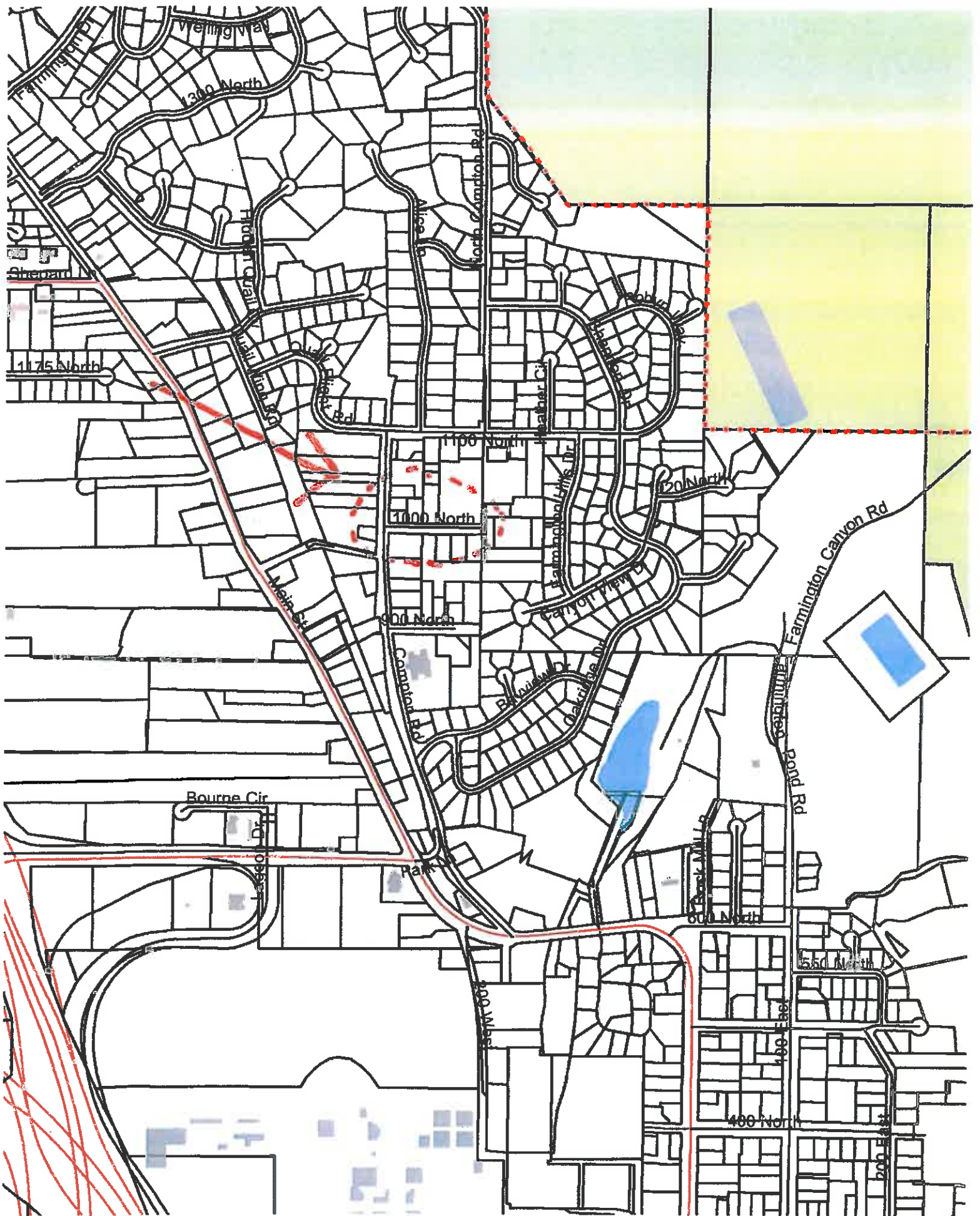
FARMINGTON CITY

H. James Talbot, Mayor

ATTEST:

Holly Gadd, City Recorder

EXHIBIT "A"





08-052-001
JAMES E. ...

08-052-002
ERRIN, J JAY &
0

08-052-0194
AURA V
1038 N 300 W

W 1000 N

08-052-003
ON, DAN R
1022 N 300 W

08-052-004
E, R BRUCE
278 W 1000 N

08-052-0137
SCOTT M & DENIS

08-052-003
INS: ROBERT
1022 N 300 W

1000 North()

08-052-002
BAKER, TODD EDWARD
0

200 West()

08-052-0083
JAY, JARED
34 N COMPTON RD

08-052-0084
RY, GLEN L
21 W 1000 N

Y MCGEE

08-052-0085
BEN
1000 N

08-052-0086
MAY, FRANK

08-052-0087
ERRIN, ROSS & GLEN M
203 W 1000 NORTH

08-052-0088
CALLAWAY, DEAN & RUBY
942 N 300 WEST

08-052-0235
ROSS, J & COL

08-052-0152
ARBON, TERRON L & NICHELLE
1000 N COMPTON RD

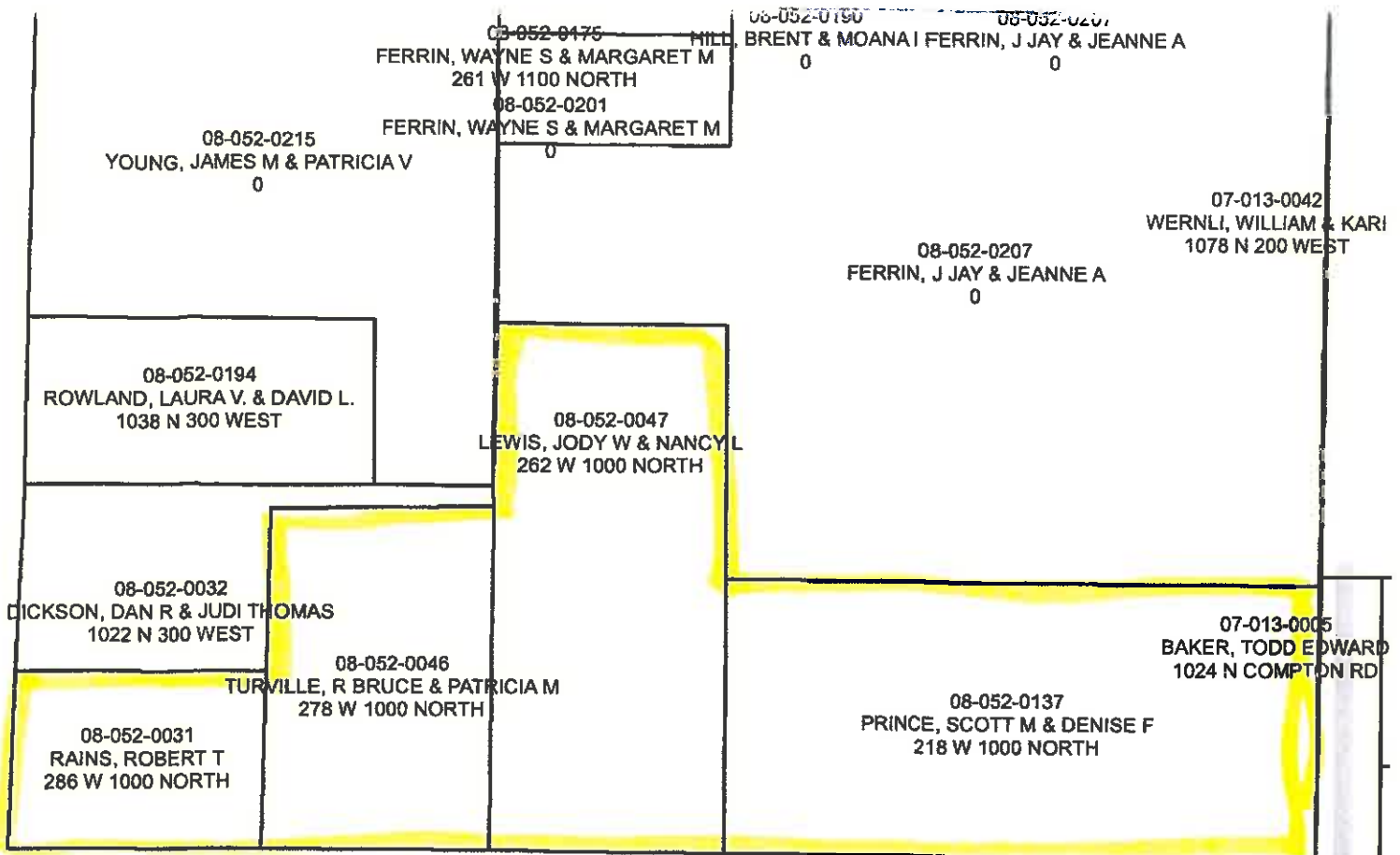
FARMINGTON CITY

PETITION FOR STREET VACATION, DEDICATION, OR NAME CHANGE

September 15, 2010

1. Currently our dead end street, 1000 North, is without sidewalk, curb, and gutter on the south and has curb and gutter on the north only. Redefining 1000 North will beautify the streetscape, provide a consistent setback line, and add safety comparable to other streets in the area. In my instance, it will also allow me to divide my slightly narrow lot to construct another home on Compton Road (300 West). With the vacation I can potentially get a third lot. I am asking that the vacation of right of way be 4 or 6 feet behind the curb back rather than the 11.5 feet. This will culminate a 4 or 6 foot sidewalk without a park strip.

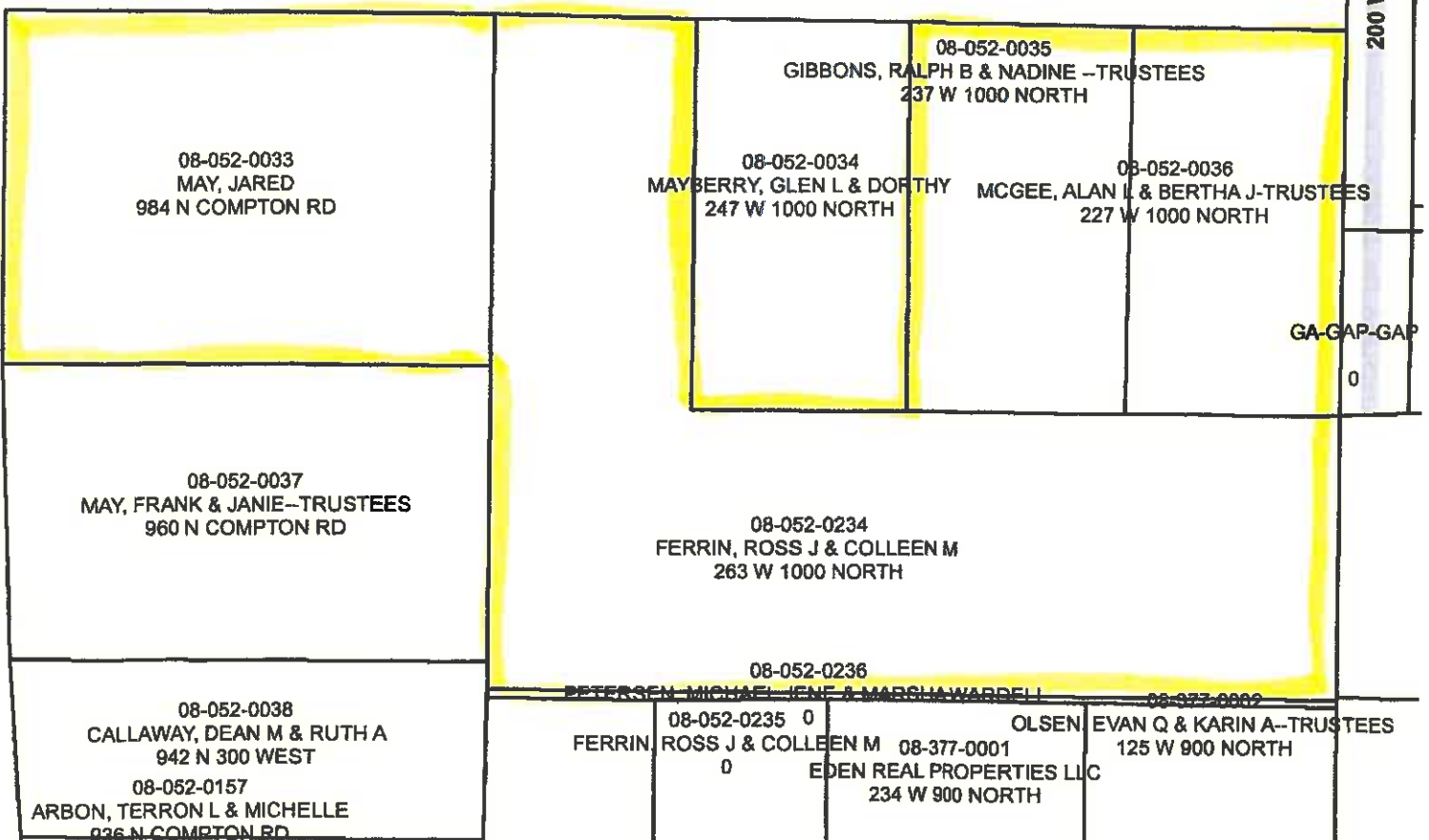
4. Jared & Lisa May, 984 Compton Rd
Ross & Colleen Ferrin, 263 West 1000 North
Glen & Dorothy Mayberry, 247 West 1000 North
Ralph & Nadine Gibbons, 237 West 1000 North
Bertha McGee, 227 West 1000 North
Scott & Denise Prince, 218 West 1000 North
Jody & Nancy Lewis, 262 West 1000 North
Bruce & Patricia Turville, 278 West 1000 North
Robert Rains, 286 West 1000 North



1000 North()

07-013-0024
BAKER, TODD EDWARD

200 West()



September 15, 2010

Farmington Mayor Scott C. Harbertson

Farmington City Council

160 S Main

Farmington, UT 84025

Dear Mayor Harbertson & City Council,

I am submitting this letter together with my application for street vacation of 1000 North on the south side right of way. In connection with the city's planned replacement of the water line and road, I am committed to participate in the placement of curb and gutter the entire length of my property. I only ask that the city reconstruct the paved portion of 1000 North at 27 feet, the current city standard. My motive of this request is to get a third lot and to maximize the square footage of these lots.

Sincerely,

A handwritten signature in black ink that reads "J.T. May". The letters are cursive and somewhat stylized.

Jared May

984 Compton Road

Farmington, UT 84025

801-451-6941

801-390-5035



FARMINGTON CITY

SCOTT C. HARBERTSON
MAYOR

JOHN BILTON
RICK DUTSON
CORY R. RITZ
JIM TALBOT
SID YOUNG
CITY COUNCIL

MAX FORBUSH
CITY MANAGER

* MEMORANDUM * * *

To: Mayor and City Council

From: David E. Petersen, Community Development Director

Date: October 29, 2010

Re: Proposed 1000 North Street Vacation

As you may be aware, the City, in cooperation with nine affected properties owners, is preparing to improve 1000 North Street between Compton Road (300 West) and approx. 200 West. Additional property will be benefitted thereby east of 200 West. Improvements include, among other things, a new water line, curb and gutter, and asphalt paving. An enclosed aerial photograph shows considerable un-improved right-of-way between the north property lines of owners on the south side of the street and the existing edge of asphalt—approximately 30 feet. The City received a petition from all but one of the affected property owners requesting that the City vacate a south portion of the 1000 North Street right-of-way to the southerly edge of a future sidewalk from Compton Road to 200 West. The petitioners are also requesting a 6 foot wide sidewalk at the back of curb instead of the standard 7.5 foot park strip and 4 foot sidewalk (see enclosed letter and request from Jared May dated September 15, 2010).

The location of the curb and gutter is not set; therefore, the precise width of any right-of-way to be vacated is not known. Moreover, if it is determined that there is some merit to a 6 foot sidewalk behind back of curb, the Council cannot approve a departure from the standard street cross section without receiving a recommendation from the Planning Commission.

Staff recommends that the Council table consideration of the enclosed ordinance to vacate a south portion of the 1000 North street right-of-way until the location of the curb and gutter is fixed by the City Engineer and until a recommendation is received from the Planning Commission regarding the street cross section including the location of the sidewalk proposed by the property owners.

cc: Max Forbush, City Manager

FARMINGTON CITY, UTAH

ORDINANCE NO. 2010 -

AN ORDINANCE VACATING A CERTAIN PORTION OF THE SOUTH SIDE OF THE 1000 NORTH STREET PUBLIC RIGHT OF WAY BETWEEN COMPTON ROAD (300 WEST) AND APPROXIMATELY 200 WEST WITHIN FARMINGTON CITY, STATE OF UTAH.

WHEREAS, the governing body of Farmington City received a recommendation from the Planning Commission regarding a request from Jared May, et. al. ("Petitioner") to vacate a certain portion of the south side of the 1000 North Street public right-of-way between Compton Road (300 West) and 200 West; and

WHEREAS, said request is for the vacation of a portion of the 1000 North Street public right-of-way approximately six-hundred feet (600') in length by _____ feet (____') in width; and

WHEREAS, the governing body of Farmington City has determined that there is good cause for the requested vacation and it will not be detrimental to the general interest of the public to grant the same; and

WHEREAS, the Farmington City Council has caused all required public notices to be given, and has held all appropriate public hearings regarding such vacation; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:

Section 1. Street Vacation. The City Council of Farmington City hereby declares that a portion of the south side of the 1000 North Street right-of-way approximately six-hundred feet (600') in length by ____ feet in width between Compton Road (300 West) and 200 West as more particularly described in Exhibit "A," attached hereto and incorporated herein, is hereby vacated.

Section 2. Rights not Affected. The action of the City Council vacating a portion of the public right-of-way provided herein shall operate as a relinquishment of the City's fee therein, provided that nothing herein shall be construed to vacate, impair or otherwise affect any real property interest, easement, right-of-way, holding or franchise right therein of any public utility or other property owner, governmental or private.

Section 3. Recorded. A certified copy of this Ordinance shall be recorded in the office of the Davis County Recorder, State of Utah, and the necessary changes made on the official plats and records of the County to accomplish the purpose thereof.

Section 4. Effective Date. This ordinance shall become effective upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on _____

FARMINGTON CITY

Scott C. Harbertson, Mayor

ATTEST:

Margo Lomax, City Recorder

sand which has made his driveway muddy, and he requested that would like to have their gravel back.

The Public Hearing was closed at 7:30 p.m.

Motion

Cory Ritz made a motion to approve the Ordinance renaming the easterly section of Burke Lane “Red Barn Lane” and the westerly part from Station Parkway, west to 1525 West, “Station Parkway” and to retain the name of “Burke Lane from 1525 West to 1875 West. The motion was seconded by **Sid Young** and approved by Council Members **Bilton, Dutson, Ritz, and Young**.

(PUBLIC HEARING): CONSIDERATION OF ORDINANCE TO VACATE A CERTAIN PORTION OF THE SOUTH SIDE OF THE 1000 NORTH STREET PUBLIC RIGHT OF WAY BETWEEN COMPTON ROAD (300 WEST) AND APPROXIMATELY 200 WEST (Agenda Item #6)

Mayor Harbertson referred to a letter from **Jared May** in which he requested a vacation of 1000 North on the south side of the 1000 North right of way and committed to participate in the placement of curb and gutter the entire length of his property. He asked the City to reconstruct the paved portion of 1000 North at the City’s width standard of 27 feet in order to maximize the square footage of his lots. **Mr. May** said he obtained signatures from each resident on the street regarding the sidewalk except for one owner who lives in Arizona.

Public Hearing

Mayor Harbertson opened the Public Hearing at 7:40 p.m. There was no one from the public to speak concerning this item, and the Public Hearing was closed.

Motion

John Bilton made a motion to conceptually approve the Ordinance vacating a certain portion of the south side of the 1000 North street public right of way between Compton Road (300 West) and approximately 200 West to be contingent upon abutting property owners entering into an agreement with the City to participate in the cost of the curb and gutter. The motion was seconded by **Cory Ritz**, and it was approved by Council Members **Bilton, Dutson, Ritz, and Young**.

CONSIDERATION OF ORDINANCE TO VACATE A RIGHT-OF-WAY LOCATED AT APPROXIMATELY 1100 WEST BEGINNING AT BURKE LANE AND EXTENDING SOUTH APPROXIMATELY 1200 FEET WITHIN THE PARK LANE COMMONS DEVELOPMENT – THE HAWS COMPANIES (Agenda Item #7)

(1) A payback agreement entered into between Farmington City and the developer who installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the City's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah Impact Fees Act. The payback agreement is not mandatory, but may be used at the option of the City Manager, upon approval of the payback agreement by the City Council. The amount of the payback to the developer shall be determined by the City Council after receiving a recommendation from the City Engineer after considering the improvements or facilities required or benefitting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of adjacent projects.

(2) The City shall, in all cases, be immune and not liable for any payments to the developer if the payback agreement is determined to be unenforceable. The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The City shall not be responsible for collection of amounts from third parties.

12-8-100 Administrative Review for Public Street Standards Not Listed

(1) The City Council, after receiving a recommendation from the Planning Commission, may review and approve street standards not listed in the Farmington City Development Standards but shall consider only modifications and alternatives to Standard Street Intersections, Typical Cul-de-sac, and Standard Roadway Sections. The Planning Commission shall not consider changes to remaining standards including, but not limited to, Submittals, Quality Control, Site Preparation, Grading, Excavating, Backfilling and Compaction, Base Course, Asphalt/ Concrete, Curbs, Gutters, Drive Aprons, and Walks, Slurry Sealing, Restoration of Existing Improvements, Storm Drainage Systems, Boundary Markers and Survey Monuments, Geo-textiles, and Concrete Reinforcement. Notwithstanding the foregoing, amendments to the Farmington City Development Standards may be approved from time to time by resolution of the City Council.

(2) An application requesting a street standard not listed shall be filed with the City Planner. The application shall include a detailed description of the proposed standard and other such information as may be required.

(3) The City Planner, City Engineer, City Public Works Director, and any other City official as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter a recommendation shall be provided to the Planning Commission.

(4) The final determination by the City Council and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the Community Development Department.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-8-101 (now covered under 12-8-010) Amended, 4-21-93, Ord. 93-18
6-8-102 (now 12-8-020(1)) Amended, 2-15-95, Ord. 95-05
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-8-090 Enacted, 5-17-00, Ord. 2000-21
12-8-100 Enacted, 10-04-00, Ord. 2000-39

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

SUBJECT: Minute Motion Approving Summary Action List

1. Approval of Minutes from September 16, 2014
2. Change Order for Public Works Expansion
3. Resolution Adopting the Storm Drain Master Plan

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.

FARMINGTON CITY COUNCIL MEETING

September 16, 2014

WORK SESSION

Present: Mayor Jim Talbot, Council Members John Bilton, Brigham Mellor, Cory Ritz and Jim Young, Assistant City Manager/Finance Director Keith Johnson, Development Director David Petersen, Building Official Eric Miller, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. City Manager Dave Millheim and Council Member Doug Anderson were excused. Youth City Council Members Mallory Hogge, Jessica Stevens and Emily Hess attended the Regular Session.

Legacy Events Center Parking Issues

Police Chief **Wayne Hansen** suggested painting (red) the entire length of the curb on the west side of the Legacy Center and using “No Parking” signs or signs similar to those on State and Main Streets: “No parking except abutting property owners and their guests—violators will be cited and/or vehicles towed.” (signs installed to prohibit Lagoon parking). The **Mayor** suggested “No Special Events Parking” signs and said he met with Davis County Commissioner **John Petroff** who liked the idea of painting the curb red. **Chief Hansen** pointed out that the signs would need to be crafted so that they would not negatively impact residents in the area. **Brigham Mellor** suggested visiting the area, and following a brief discussion, the Council decided to tour the area prior to making a decision regarding signage and/or painting.

The Council discussed several other issues/agenda items.

REGULAR SESSION

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Brigham Mellor** and the Pledge of Allegiance was led by **Mayor Talbot**.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meeting held September 4, 2014

The Summary was included in the staff report.

Introduction of new Police Officer/Administration of Oath of Office

Mayor Talbot introduced **Alex Averett** as a new Police Officer for Farmington City and **Holly Gadd** administered the Oath of Office.

PUBLIC HEARINGS:

Public Hearing of the City Council of Farmington City regarding:

- A. The issuance of the General Obligation Bonds in an amount not to exceed \$6,000,000 (the “Bonds”); and**
- B. The approval of a Local Sales and Use Tax of up to 0.1% to fund and support Recreational, Cultural, and other Organizations and Facilities;**

and to allow public input regarding:

- (i) The issuance of Bonds;**
- (ii) The Recreation Sales Tax; and**
- (iii) Any potential economic impact that the improvements, facilities or properties financed in whole or in part with the proceeds of the Bonds may have on the private sector and related matters.**

Public Hearing:

The Public Hearing was opened at 7:20 p.m.

Hank Semadeni, 247 East 600 South, spoke in behalf of senior citizens—75% who are retired widows with pensions—all of whom are experiencing real financial pinches. The cost of health care—and the need for it—has risen, and utility costs continue to rise. 74% of them shop in Centerville and Bountiful where they already pay the RAP tax.

Robert Welch, 1352 North 1670 West, is in favor of the RAP tax. He has coached for 10 years in almost every sport, and Farmington does not have enough facilities. While it may be a burden on some people, the City needs more green space for team sports.

Melissa Frasure, 642 North 1875 West, is in favor of the Bond/RAP tax and feels that the City has done a good job addressing needs vs. wants. She pointed out that property taxes have not increased since 2002. Farmington has a serious lack of gym space, and the new gym/park will accommodate current and future needs. 90% of Lagoon patrons and 60% of Station Park shoppers do not live in Farmington but will be paying the tax.

The Public Hearing was closed at 7:35 p.m.

Mayor Talbot thanked the residents for their comments and said he has tried to be careful with the City’s funds. **Brigham Mellor** pointed out that the Bond is tied to property tax, the RAP tax is tied to sales tax, and they are not flat taxes but are related to the amount of money spent. The benefits of character building exercises weigh more on the side of spending the extra dollars. **John Bilton** said the City has tried to do the most possible with the least impact—being fiscally conservative is a tough balancing act—the City wants to serve a wide group of ages. The \$6 million bond will not cover the entire cost of the project, but the Council wanted a minimal amount of impact for all residents, especially those on fixed incomes.

Zone Text Change to Amend the Zoning Ordinance to include Recreational Vehicle and Equipment Use (BR Zone)

The applicant removed this item from the agenda.

Plat Amendment and Minor Subdivision of Brent Stephens' Property

David Petersen said the applicant would like to subdivide his property and split the rear .25 acres. He referred to a map of The Grove PUD Subdivision and said four property owners are involved with this request. The Grove HOA has accepted the new lot into their PUD which benefits them by having an additional homeowner to pay dues.

Michael Fisher, 4351 S. Riverfront Road, said he and his wife are excited to be part of this PUD and have met all the requirements.

The Public Hearing was opened at 7:50 p.m. There were no comments and it was closed.

Motion:

John Bilton made a motion to approve the metes and bounds subdivision of Brent Stephens' property and the minor plat of The Grove at Farmington Creek P.U.D. Amended and Extended as shown on the plat map, subject to all applicable Farmington City ordinances and development standards and the following condition and findings:

1. The applicant shall receive deeds to the remnant pieces of property from the owners of Lots 12, 17 and 18 of The Grove Subdivision.

The motion was seconded by **Cory Ritz** and unanimously approved.

Findings for Approval

1. The project is consistent with the standards as determined by The Grove PUD Subdivision in which it will be included.
2. The applicant has worked through the issues raised by the DRC and has addressed these issues on the subdivision plat.

Zone Text Amendments for Chapters 10, 11, 12 and 28

The Public Hearing was opened at 7:55 p.m.

Motion:

Jim Young made a motion to continue the Public Hearing regarding Zone Text Amendments for Chapters 10, 11, 12 and 28 until the October 7, 2014 meeting. **John Bilton** seconded the motion which was unanimously approved.

SUMMARY ACTION

Summary Action List

1. Approval of Minutes from September 2, 2014
2. Final Plat for the Silverleaf Conservation Subdivision

Motion:

Brigham Mellor to approve two items on the Summary Action List with several amendments to the Minutes as discussed during the work session. **Jim Young** seconded the motion which was unanimously approved.

DISCUSSION ITEMS:

Zone Text Changes

Motion:

Brigham Mellor made a motion to move the zone text changes discussion to the next Council meeting. **Cory Ritz** seconded the motion which was unanimously approved.

GOVERNING BODY REPORTS:

Assistant City Manager

- **Keith Johnson** reported that the City's art supplies are currently stored in two facilities; staff members suggested building a mezzanine in the new storage units to store the supplies in one location. The contractor said he could build it in 3-4 weeks at a cost of \$35,000. The Council agreed that it was a good idea, and staff will submit a formal request for approval on October 7, 2014.
- The Shop will be completed in a couple of weeks, and he encouraged the Council to schedule a tour.
- The final cost of the 650 West improvements is \$78,000.
- On February 4, 1999, the City drafted an agreement with a resident to sell (for \$1,000) a strip of property at Moon Park to settle a property line issue with a deadline of June 30, 1999. The resident never purchased the property or relocated the fence, and now his children would like to purchase the property (2,886 square feet or .06 acres). The Council advised the City Manager to meet with the owners and work out a reasonable deal.
- He asked if the Council wanted to host an open house regarding the Bond/RAP tax election. **Jim Young** said it would be a good opportunity to educate residents and answer questions, and they should not leave anything to chance. **Keith Johnson** agreed to contact

the grass roots committee regarding the idea and asked **John Bilton** and **Jim Young** to send any emails or comments to him by Tuesday at noon.

Mayor – Jim Talbot

- **Rich Haws** invited the **Mayor** and City Council to meet at the Red Barn during a work session to receive an update of their future plans, and the **Mayor** would like to accept the invitation.
- **Mr. Dygart** continues to push hard against the Symphony Homes development.
- He and **Neil Miller** met with Davis School District officials who said they will not assist with funding for the new gym; however, if the gym is located on 1100 West they will allow the City to use the South Weber Maintenance Agreement (DSD would pay all of the utilities, maintenance and expenses for nine months of the year).
- He met with Davis County Commissioner **John Petroff** regarding the possibility of obtaining tourism dollars for the new gym/park. He pointed out that Center Point Theater in Centerville received \$1 million and the Recreation Center in Bountiful received \$2 million. **Mr. Petroff** said the City should submit a plan and the **Mayor** suggested the possibility of bridges to connect the City and County parks.
- He attended the roundabout beautification committee meeting.
- He and **Cory Ritz** will host the Town Hall meeting on Wed., September 17th at 8:00 p.m.

City Council

John Bilton

- He asked about complaints regarding Victoria's Secret—the Mayor said he received 2 emails so he spoke with Station Park managers who said Victoria's Secret is a national corporation, so if they place something offensive on the sidewalk Station Park can respond, but if it is inside the store they cannot.

ADJOURNMENT

Motion:

Cory Ritz made a motion to adjourn the meeting. The motion was seconded by **Brigham Mellor** and unanimously approved, and the meeting was adjourned at 9:45 p.m.

Holly Gadd, City Recorder
Farmington City Corporation

FARMINGTON CITY



H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Mayor and City Council

From: Keith Johnson, Assistant City Manager

Date: October 1, 2014

Subject: **APPROVAL OF CHANGE ORDER FOR PUBLIC WORKS MEZZANINE WITH SQUIRES CONSTRUCTION.**

RECOMMENDATION

Approve the enclosed change order for \$35,000 with Squires Construction to add a mezzanine to the storage building.

BACKGROUND

Parks and Recreation would like to add a mezzanine to part of the shop storage building in order to put all of the arts and plays stuff that is in the 2 semi - containers inside the building, so we can get rid of those 2 semi - containers. Squires Construction, the contractor that is doing the expansion, can do this as a change order. It will cost around \$35,000 to do this and the contractor can do it over the next few weeks while they are still here. We think this is a good price and it will be cheaper now than if we have them come back at some later date.

This \$35,000 would be over and above what we had originally budgeted, but we can take it all or part from the utility funds, so as to not affect the General Fund at all. In addition we could use \$10,000 or so from the arts and plays fund to help pay for it. That fund has \$41,000 in it.

Respectfully Submitted,

Review and Concur,

Keith Johnson,
Assistant City Manager

Dave Millheim,
City Manager

CHANGE ORDER

Order No. 1
Date: 9-16-2014
Agreement Date: _____

NAME OF PROJECT: Public Works Addition

CITY: Farmington

CONTRACTOR: Squires Construction

The following changes are hereby made to the CONTRACT DOCUMENTS:

Description:

A mezzanine will be constructed in two of the existing storage building bays to be used by the Parks Department for storage of equipment and items for the plays.

Justification:

The existing storage bays are tall to accommodate the storage of large dump trucks, this results in wasted overhead space when being used for other purposes. It is proposed to build a mezzanine in two of the existing storage bays to be used by the Parks Department. A portion of the mezzanine will be used solely for the purpose and use of storing equipment, props, and other needed items for the theater / play group. It is proposed to use money from the play account and the utility funds to pay for the added costs.

Change to CONTRACT PRICE:

Change Order Amount: \$ 35,000.00

Change to CONTRACT TIME:

The CONTRACT TIME will be (~~increased~~) (decreased) by TBD calendar days.

The date for completion of all work will be TBD (Date).

Ordered by: _____
(City)

Accepted by: _____
(Contractor)

Additional Work Authorization

Squires Construction
 1125 West 725 North
 Centerville, Utah 84014
 O: 801.299.0121 F: 801.299.0120

Wednesday, September 10, 2014

Attention:
 RE: Farmington City Public Works and Leisure
 RE: Change Request 013

In regards to the aforementioned project, we respectfully request that the following funds be added to the contract.

CONTRACTOR	ACTIVITY	QNTY	S/UNIT	COST
	Existing Warehouse Mezzanine			
	Wood framing and floor package.			\$ 17,620
	Metal stud framing and drywall.			\$ 6,200
	Electrical			\$ 3,200
	Concrete material and labor. (Sawcutting and concrete removal by city.)			\$ 1,200
	New metal man door.			\$ 820
	Sawcut wall, steel lintel, and block removal.			\$ 762
	*Engineering stamp by city. Drafting and drawings by Squires Construction.			
	Profit & Overhead		10%	\$ 2,980
			TOTAL:	\$ 32,782

Time extension resulting from the change is 0 days.

Reason for Change 1) Owner Request 2) City Request 3) Design Omission / Change 4) VE Idea 5) Other

The additional work noted above is to be performed under same conditions as specified in original contract unless otherwise stipulated:

Authorized Signature: _____
 Title: _____
 Date: _____

We hereby agree to furnish labor and material-complete in accordance with the above stated price.

Contractor Signature: _____
 Title: _____
 Date: _____



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Chad Boshell, City Engineer
Date: October 7, 2014
SUBJECT: **RESOLUTION ADOPTING THE STORM DRAIN MASTER PLAN**

RECOMMENDATION

1. By minute motion, **approve** the attached resolution which adopts the storm drain master plan.

BACKGROUND

The City and CRS has completed an update to the storm drain master plan. The previous master plan was completed in 2007. The storm drain master plan presents public improvements and policies to manage and regulate storm water runoff caused by development to help mitigate flooding and environmental impacts. The plan examines the existing storm drain system and impacts of future development. Existing and future deficiencies are identified and the preferred solution and cost estimates presented. The storm drain master plan will soon be used to update the capital facilities plan and impact fee study. City staff has reviewed the master plan and recommend that it be approved.

SUPPLEMENTAL INFORMATION

1. Resolution
2. Copies of the Storm Drain Master can be obtained at City Hall

Respectively Submitted

Chad Boshell
City Engineer

Reviewed and Concur

Dave Millheim
City Manager

RESOLUTION 2014 -XX

**A RESOLUTION ADOPTING THE STORM DRAIN
MASTER PLAN**

WHEREAS, the City Council of Farmington City has previously adopted a storm drain master plan which was last adopted in 2007; and

WHEREAS, the City Council has determined that it is necessary or desirable to protect and promote the health, safety, and welfare of the citizens of Farmington City to adopt a storm drain master plan; and

WHEREAS, the City Engineer has recommended an updated storm drain master plan for the orderly operation and development of the City and the protection of its facilities for the benefit of the residents of the City and the City Council has accepted this recommendation;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Farmington City, State of Utah, as follows:

Section 1. Adoption. The City Council of Farmington City hereby adopts a storm drain master plan which can be viewed at Farmington City Hall and by this reference made a part hereof. Copies of the storm drain master plan shall be made available to City staff and other interested persons in accordance with the policies and procedures of the City regarding records.

Section 2. Severability Clause. If any section, part, or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts, and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 7th day of October, 2014.

FARMINGTON CITY

H. James Talbot
Mayor

ATTEST:

Holly Gadd, Recorder

CITY COUNCIL AGENDA

For Council Meeting:
October 7, 2014

SUBJECT: City Manager Report

1. Police and Fire Monthly Activity Reports for August
2. Police Activity Report for September
3. Executive Summary for Planning Commission held September 18, 2014
4. Design of West Side Storm Drain Basin

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.



Farmington City Police Department 2014 - Summary Cont.

	Average	Total
Cases	182.25	1458

Reports		
Officer	78.88	
Crime	78.25	
Accident	22.75	
Supp	38.63	182

Citations		
Total	108.50	868
Traffic	76.38	
Speed	269.00	
Parking	2.25	
Other	30.38	

Activities	2463.50	19708
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Investigations	Working	41.88	
	# Reports	38.13	305



Farmington City Fire Department



Monthly Activity Report

August 2014



Emergency Services

Fire / Rescue Related Calls: 32
All Fires, Rescues, Haz-Mats, Vehicle Accidents, CO Calls, False Alarms, Brush Fires, EMS Scene Support, etc...

Ambulance Related Calls: 83 / Transported 39 (47%)
Medicals, Traumatic Incidents, Transfers, CO Calls w/ Symptomatic Patients, Medical Alarms, etc...

Calls Missed / Unable to adequately staff: 6

Urgent EMS Related Response Times (AVG): 4.9 Minutes GOAL 4 minutes or less (+.9min.)

Urgent Fire Related Response Times (AVG): 6.9 Minutes GOAL 4 minutes or less (+ 2.9min.)

PT Department Man-Hours (based on the following 28-day pay periods Aug 8th and Aug 22nd)

Part-Time Shift Staffing:	1,493	Budgeted 1,380	Variance + 113 (36 Hazard Staffing Hrs. From July)
Part-Time Secretary:	80	Budgeted 80	Variance - 0
Part-Time Fire Marshal:	62	Budgeted 80	Variance - 18
Full-Time Captains:	N/A	48/96 Hour Schedule	Variances / Overtime 18
Full-Time Fire Chief:	N/A	Salary Exempt	
Training & Drills:	69.5		
Emergency Callbacks:	197	FIRE 35 Hrs. / EMS 162 Hrs.	
Special Event Hours:	72	(YTD) 246	
Total PT Staffing Hours:	1,973.5	(YTD) 16,208	

Monthly Revenues & Grant Activity YTD

Ambulance:	Prev. Month	Calendar Year	FY 2015
Ambulance Services Billed (previous month):	\$ 64,590.90	\$305,606.22 YTD	\$113,895.95
Ambulance Billing Collected (previous month):	\$ 29,839.49	\$166,511.06 YTD	\$64,173.94
<i>Variances:</i>	<i>-\$34,751.41</i>	<i>-\$139,095.16 YTD</i>	<i>-\$49,722.01</i>

Grants / Assistance / Donations:

Grants Applied For:

None \$0 \$126,500 YTD

Grants / Funds Received / Awarded:

None \$0 \$32,700 YTD

Scheduled Department Training (To Include Wednesday Evening Drills) & Man Hours

Drill # 1– Officers Monthly Meeting & Training:	19	
Drill #2– FIRE – ICS Venue Training / County Fair Ground	36	Avg. Wednesday Night Drill Att.
Drill #3– FIRE – Road Driving Course (Fire & EMS)	36	FFD Personnel This Month: 12
Drill #4– EMS – HIPPA Law & BBP Classes	24	

Other:

Total Training / Actual Attended: 115 2,296 YTD

Fire Prevention & Inspection Activities QTY

Business Inspections: 6
Fire Plan Reviews & Related: 8
Station Tours & Public Ed Sessions: 16

Health, Wellness & Safety Activities QTY

Reportable Injuries: 0 1 YTD
Physical Fitness / Gym Membership Participation % 100%
Chaplaincy Events: 6

FFD Committees & Other Internal Group Status

Process Improvement Program (PIP) Submittals: 0 4 YTD

Active FFD Committees: Emergency Medical Services (EMS), Apparatus & Equipment, Fire Apparatus & Equipment, Rescue – Heavy Rescue, Water, Rope & Related Equipment, Wildland Apparatus & Equipment, Health, Wellness & Safety, Charity / Fund Raiser, Fire Prevention & Pub-Ed, Haz-Mat, Building and Facilities.

Additional Narrative:

Call volumes (and call-types) followed typical seasonal trends with very high demand placed on services during Lagoon's peak weekends, County Fair events and Station Park concerts. FFD experienced very high call volumes during weekend hours that will prompt future "Hazard Staffing" requests in 2015. Emergent EMS response times averaged 4.9 minutes and Emergent FIRE response times averaged 6.9 minutes. Six calls resulted in no-staffing or short-staffing of apparatus (on-duty crew attending to other calls and/or part-time staffing not available due to availability). Ambulance transport percentages came in at 47%, slightly lower than normal due to higher percentage of precautionary calls during various venues. Collections of revenues continue with little predictability due to collection & mandated billing variables. FFD exceeded the typical staffing hours due Hazard Staffing and filling vacation hours for fulltime staff. FFD responded to more serious and fatal incidents during the month of August than previous months. As a county seat, our resources become more challenged than other communities, especially when operating multiple venues at the same time. Training focused on Leadership Development - Reading Smoke / Modern Structures, ICS & Venue Command Processes, Driver Operator Training – Freeway and Road, HIPPA Law Updates and

Annual Blood Borne Pathogens Update training. FFD was approached by Ross Equipment SLC / Pierce Manufacturing in regards to a "Demo" articulating 116' aerial device (Bronto) at a discounted price. After much evaluation, research and follow-up, FFD is hopeful the City Council will approve the purchase (September 2nd) providing all financial obligations can be met.

A final "Shout Out" to our department members who have met the challenges during the last couple of months. We are truly blessed to have these public servants on our team!

*Please feel free to contact myself at your convenience with questions, comments or concerns:
Cell (801) 643-4142 or email gsmith@farmington.utah.gov*

Respectfully,

Guido Smith
Fire Chief

Proud Protectors of Your Life and Property – Since 1907



Over 100 Years of Community Pride & Ownership!



Farmington City Police Department 2014 - Summary Cont.

Average		Total
Cases	182.22	1640

Reports		
Officer Crime	80.22	
Accident	77.33	
Supp	22.89	206

Citations	Total	
Traffic	108.11	973
Speed	76.33	
Parking	32.56	293
Other	2.00	
	30.22	

Activities	2465.11	22186
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Investigations	Working	
# Reports	43.89	330
	36.67	



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

DOUG ANDERSON
JOHN BILTON
BRIGHAM N. MELLOR
CORY R. RITZ
JAMES YOUNG
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council
From: Eric Anderson, Associate Planner
Date: September 26, 2014
SUBJECT: EXECUTIVE SUMMARY FOR PLANNING COMMISSION HELD ON
SEPTEMBER 18, 2014

RECOMMENDATION

No action required.

BACKGROUND

The following is a summary of Planning Commission review and action on September 18, 2014 [note: four commissioners attended the meeting—Chair Brett Anderson, Rebecca Wayment, Kris Kaufmann, and Heather Barnum; excused commissioner was Kent Hinckley and alternate commissioners Karolyn Lehn and Michael Nilson. Commissioner Mack McDonald is no longer on the commission as he has moved to Kaysville.

Item #3 – Farmington City (Public Hearing) – Applicant is requesting a recommendation for approval of a Text Amendment of Chapters 1, 2, and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions and related chapters where necessary. (ZT-9-14)

Voted to table the item until the October 9, 2014 Planning Commission meeting so that the City Attorney and City Council could attend a joint session with the Planning Commission to discuss this text change at that time. Please Note: Staff did not properly post notice for the City Council joint session at the 9-18-2014 meeting and thus the item had to be canceled and pushed to next time.

Vote: 4-0

Item #4 – Miscellaneous, correspondence, etc.

- a. Request to Modify 1000 North Street Cross Section (Action Item)

Voted to recommend that the City Council vacate the right-of-way up to 6'. The 6' is intended to leave enough room for a sidewalk in the event that the City ever desires one in the future.

b. **Zone Text Change of Permitted and Conditional Uses in BR Zone (Discussion Only)**

After closely examining the permitted and conditional uses in the BR Zone, the Planning Commission has given staff direction on how to move forward and change the ordinance to better fit the vision for downtown Farmington. Staff will amend the ordinance to reflect these changes and have this ZT Change ready for a Planning Commission recommendation on October 9, 2014. Of note was a reduction of permitted uses and moving several permitted uses to conditional uses; this allows the City more flexibility in attaching conditions of approval to a use.

c. **Other**

Respectfully Submitted



Eric Anderson
Associate Planner

Review & Concur



Dave Millheim
City Manager



FARMINGTON CITY

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CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

City Council Staff Report

To: Honorable Mayor and City Council

From: Chad Boshell, City Engineer

Date: October 7, 2014

SUBJECT: **DISCUSS THE CLARK LANE STORM DRAIN DETENTION BASIN**

DISCUSSION

The City is in the process of obtaining proposals from consultants to design the Clark Lane Storm Drain Detention Basin which is to be paid with storm drain impact fees. This basin will allow for immediate and future development north of Clark and Park Lanes. Due to the wetlands and basin possibilities consultants will meet with the Army Core of Engineers before they submit a proposal to provide the City with a more accurate proposal.

BACKGROUND

The Avenues at the Station is installing a temporary storm drain detention basin for their subdivision. The permanent detention basin for this development and future developments located north of Park Lane is to be located within the 25 acres of conservation land that the City owns south of Clark Lane and west of the D&RG Rail Trail. This detention basin is on the old storm drain mater plan and the new one, it is impact fee eligible. With the new development being constructed and planned it is now necessary to design and construct this basin.

SUPPLEMENTAL INFORMATION

Wetland Delineation

Respectively Submitted

Chad Boshell
City Engineer

Reviewed and Concur

Dave Millheim
City Manager

CITY COUNCIL AGENDA

For Council Meeting:
October 3, 2014

SUBJECT: Mayor Talbot & City Council Reports

NOTE: Appointments must be scheduled 14 days prior to Council Meetings; discussion items should be submitted 7 days prior to Council meeting.