



**FARMINGTON CITY**

**PLANNING COMMISSION**

**September 21, 2023**



# FARMINGTON

MORE TIME FOR LIVING

## PLANNING COMMISSION MEETING NOTICE AND AGENDA

Thursday September 21, 2023

Notice is given that Farmington City Planning Commission will hold a regular meeting at City Hall 160 South Main, Farmington, Utah.

A work session and training will be held at **6:45 PM** prior to the **regular session which will begin at 7:00 PM** in the Council Chambers.

The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website at [farmington.utah.gov](http://farmington.utah.gov).

Any emailed comments for the listed public hearings, should be sent to [crowe@farmington.utah.gov](mailto:crowe@farmington.utah.gov) by 5 p.m. on the day listed above.

### **SPECIAL EXCEPTION APPLICATION – public hearing**

1. Brandon and Michelle Harden – Applicant is requesting a special exception approval to encroach into the rear setback of the property, located at 644 S Daniel Dr. in the AE (Agricultural Estates) zone.

### **CONDITIONAL USE APPLICATION – public hearing**

2. Farmington Flex / Andrew Hiller – Applicant is requesting conditional use approval to use space in the Farmington Flex development for Gymnasium/Indoor Sports in part of building 3 at 1261 South 650 West in the LM&B (Light Manufacturing and Business) zone (C-10-23)

### **OTHER BUSINESS**

3. Miscellaneous, correspondence, etc.
  - a. Minutes Approval 09.07.2023
  - b. City Council Report 09.19.2023
  - c. Other

*Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to act on the item; OR 2. If the Planning Commission feels, there are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.*

***CERTIFICATE OF POSTING** I hereby certify that the above notice and agenda were posted at Farmington City Hall, the State Public Notice website, the city website [www.farmington.utah.gov](http://www.farmington.utah.gov), and emailed to media representatives on September 19, 2023.*

*Carly Rowe, Planning Secretary*



# Farmington City Planning Commission Staff Report September 21, 2023

## Item 1: Special Exception –Rear Setback

Public Hearing: Yes  
Application No.: M-11-23;  
Property Address: 644 S Daniel Drive  
General Plan Designation: AG (Agriculture Preservation Very Low Density)  
Zoning Designation: AE (Agricultural Estates)  
Area: 0.31 ac  
Number of Lots: 1  
Property Owner: Brandon and Michelle Harden  
Applicant: Brandon Harden

Request: *The applicants are seeking approval for a special exception to the minimum rear yard setback of 30 feet in the AE zone.*

### Background Information

The applicant is requesting a special exception to exceed the minimum rear setback of 30 feet prescribed by FCC 11-12-090.

The applicant wishes to construct a 12-foot wide deck off the back of their existing home. Reducing the distance from the dwelling to the rear yard property line to 18 feet as shown on their site plan.

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

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

1. Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the City as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception.
2. The Planning Commission shall not authorize a special exception unless the evidence presented establishes the proposed special exception:
  - a. Will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity;
  - b. Will not create unreasonable traffic hazards;
  - c. Is located on a lot or parcel of sufficient size to accommodate the special exception.

### Suggested Motion

Move that the Planning Commission approve the special exception for a reduced rear setback of 18 feet for the property at 644 S Daniel Drive, subject to all applicable Farmington City development standards and ordinances.

**Findings:**

1. The building department has approved the building permit, therefore it is reasonable to assume that the reduced rear yard will not be detrimental to the health, safety or general welfare of persons residing or working the vicinity, or injurious to property or improvements in vicinity.
2. The property is of sufficient size to accommodate the special exception
3. The existence of a deck in a rear yard is unlikely to create traffic hazards.

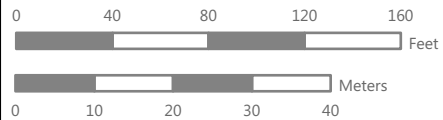
**Supplemental Information**

1. Vicinity Map
2. Site plan
3. Information from applicant



# VICINITY MAP

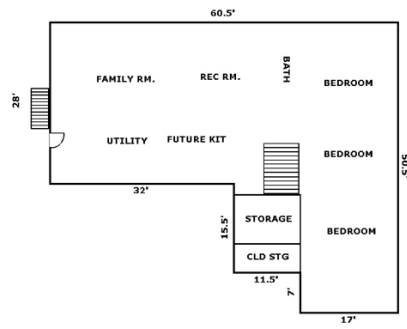
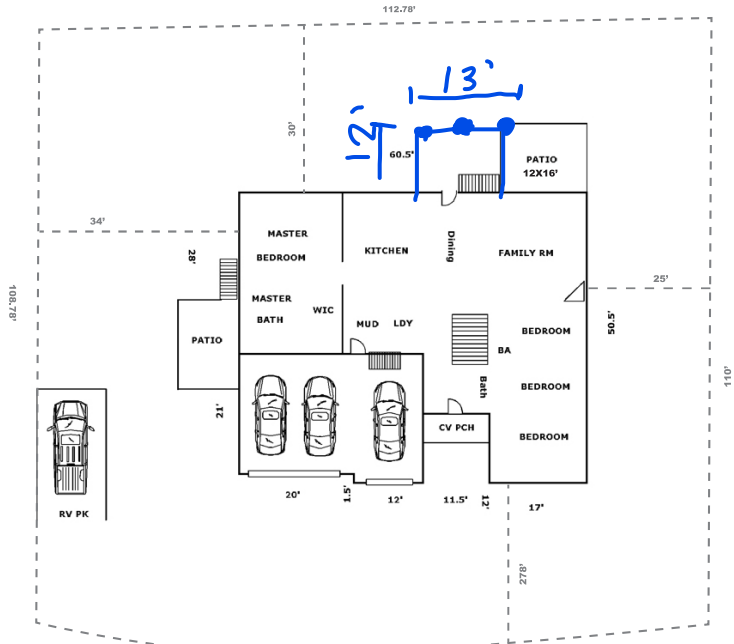
644 S Daniel Dr



Disclaimer: This map was produced by Farmington City GIS and is for reference only. The information contained on this map is believed to be accurate and suitable for limited uses. Farmington City makes no warranty as to the accuracy of the information contained for any other purposes.

### Building Sketch

Borrower/Client	Brandon Harden		
Property Address	644 S Daniel Dr		
City	Farmington	County	Davis
Lender	Quicken Loans Inc.	State	UT
		Zip Code	84025



TOTAL Sketch by a la mode, inc.

#### Area Calculations Summary

Living Area		Calculation Details
First Floor	2197.25 Sq ft	$28 \times 32 = 896$ $28.5 \times 38.5 = 1097.25$ $12 \times 17 = 204$
<b>Total Living Area (Rounded):</b>	<b>2197 Sq ft</b>	
<b>Non-living Area</b>		
3 Car Attached	690 Sq ft	$21 \times 20 = 420$ $12 \times 22.5 = 270$
Basement	2254.75 Sq ft	$28 \times 32 = 896$ $28.5 \times 43.5 = 1239.75$ $7 \times 17 = 119$

Dear Farmington Planning Commission,

Thank you for taking the time to consider our application for a *special exception* for our deck. Unfortunately we will be out of the country during the planning commission meeting, but our Contractor Jordan Boyd with JStar Construction will be available to answer any questions you may have regarding our deck and its construction. (801) 317-7022

We are hoping to add a 12 foot deep by 13 foot long deck to the rear of our home. The deck will sit above the ground at 7 feet in height. The edge of the deck will sit at approx 21 feet from the back property line. I measured the distance from the property line to the house where the deck will attach and it is about 33 feet.

We have a barn that sits in the field behind our house. Mature trees line our property line at the west and obscure our view of that back property and barn (see the center photo). We can see a little into our south and north neighbors yards, but we could see into them with the deck that was previously on the house (see other photos).

We hope that this deck will meet the standard and value of Farmington and its residence and will enhance our yard.

Thank you again for your consideration.  
Brandon and Michelle Harden

Looking toward south neighbor



View from back of the house



Looking toward north neighbors





**Farmington City  
Planning Commission Staff Report  
September 21, 2023**

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**Item 2: Conditional Use Permit – Gymnasium / Indoor Sports Facility**

Public Hearing: Yes  
Application No.: C-10-23  
Property Address: 1261 South 650 West (Building 3)  
General Plan Designation: LM (Light Manufacturing)  
Zoning Designation: LM&B (Light Manufacturing and Business)  
Area: 9.41 Acres  
Number of Lots: 1  
Property Owner: Farmington Legacy LLC  
Applicant: Andrew Hiller

Request: *The applicant is seeking a conditional use permit to locate a tumbling and gymnastics business into nearly completed space of the Farmington Flex development.*

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**Background Information:**

The item was tabled at the previous meeting (09/07) because the applicant was not present for questions regarding the new use. The property owner has interest from a gymnastics and tumbling business who would like to locate in Unit 4 of Building 3 at the Farmington Flex development. The building they are moving into is a new construction that has received previous approvals for the shell construction. They are working on the tenant improvements for their use and seeking a conditional use permit to complete their business license approvals.

The use is allowed with a conditional use permit and is similar to other gym/rec facilities in the immediate area previously approved by the Planning Commission. As a conditional use, the presumption is to approve the use so long as conditions can be imposed to mitigate potential detrimental impacts if necessary.

In the opinion of staff the use does not create negative impacts which would require mitigation beyond the generation of traffic meriting consideration of the impacts due to vehicle parking.

Farmington City Code (FCC), 11-8-050 Conditional Use Standards (E), states that uses shall have adequate improvements such as parking and loading spaces. Per FCC 11-32-040: Minimum Parking Spaces Required. Such a facility would fit best as a commercial recreation use which parking requirement is identified as one to be determined by the Planning Commission.

The applicant has recently requested similar approvals from the Planning Commission within the development. Since review of the other user, the applicant has since obtained more interest and has a better understanding of users throughout his development. With this understanding of parking needs, a parking analysis for the site has been provided with this report for consideration.

The other indoor sports user at the site was approved at a parking ratio of 2.5 / 1,000 sq. ft. The applicant has based available parking of this same requirement.

**Suggested Motion:**

Staff Recommends that the Planning Commission approve the requested conditional use permit with the parking ration at a minimum of 2.5 spaces per thousand as is provided on site without the need to add additional conditions.

**Findings:**

1. The proposed use is moving into an already approved building.



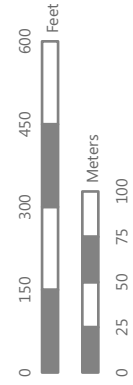
2. Potentially impacted businesses fall within the same project and parking can be further managed by the property owner.
3. At a parking ration of 2.5 stalls per 1,000 sq. ft. it is anticipated that the facility will be able to provide sufficient parking for its customers/users.

Supplemental Information

1. Vicinity Map
2. Site Plans and parking counts
3. Photos of Site



Disclaimer: This map was produced by Farmington City GIS and is for reference only. The information contained on this map is believed to be accurate and suitable for limited uses. Farmington City makes no warranty as to the accuracy of the information contained for any other purposes.



# VICINITY MAP

Farmington Flex





**SAMUEL J. BRADY**  
ARCHITECTS

200 E. South Temple  
Salt Lake City, Utah 84111  
(801) 585-1752  
www.sbrbrady.com

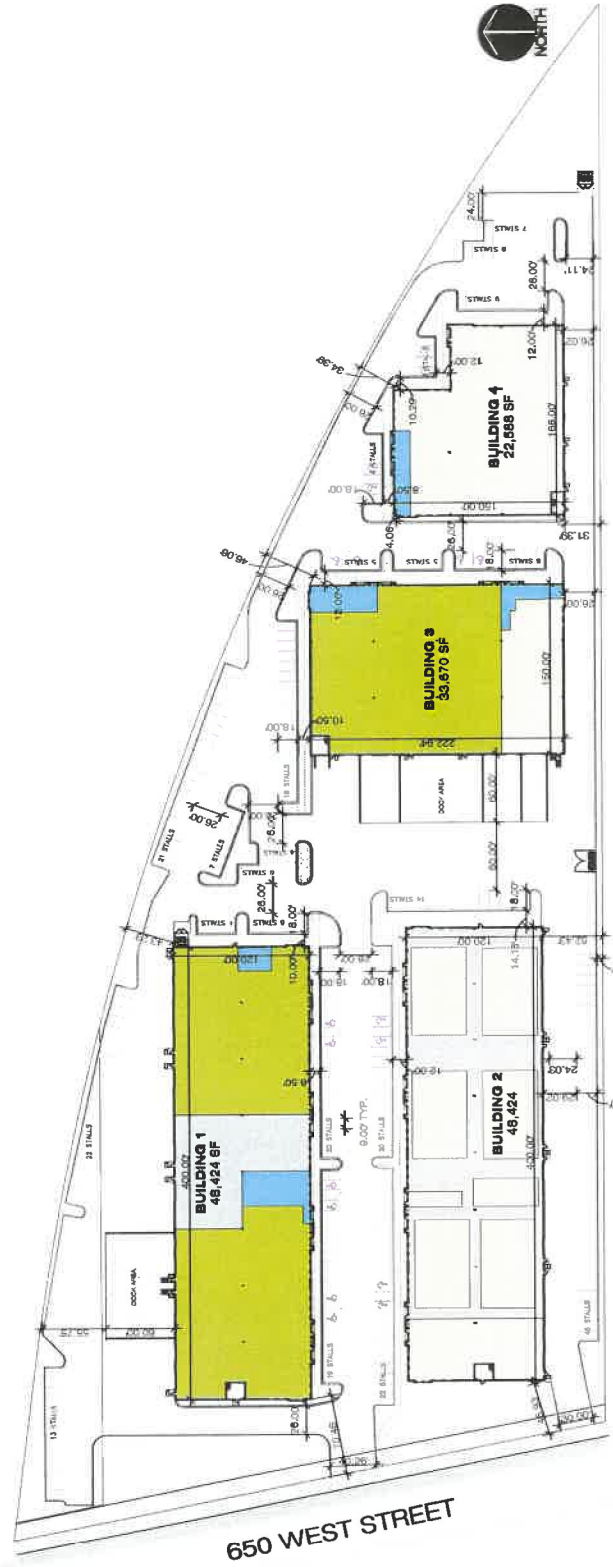
**PARKING CALCULATIONS**  
FARMINGTON FLEX  
FARMINGTON, UTAH  
ATRUM INVESTMENTS

SITE PLAN

SCALE: 1" = 50'-0"  
AUGUST 11, 2023  
2071901SE.dwg

**AS.2**

MAXIMUM ESTIMATED PARKING USAGE SCHEDULE	
MONDAY - FRIDAY 8:00 AM - 5:00 PM	100 CARB
MONDAY - FRIDAY 8:00 PM - 10:00 PM	200 CARB
SATURDAY - SUNDAY 8:00 AM - 10:00 PM	200 CARB
PARKING STALLS PROVIDED	
	284



650 WEST STREET



**SAMUEL J. BRADY ARCHITECTS**

200 E. South Terryle  
Salt Lake City, Utah 84111  
(801) 586-1752  
www.sambrady.com

BUILDING 1		
WAREHOUSE	38,700 SF	87
PROFESSIONAL OFFICE	27,000 SF	64
INDUSTRIAL	31,000 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 84		

BUILDING 2		
WAREHOUSE	45,154 SF	131
PROFESSIONAL OFFICE	27,000 SF	64
INDUSTRIAL	31,000 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 181		

BUILDING 3		
WAREHOUSE	58,577 SF	164
PROFESSIONAL OFFICE	27,000 SF	64
INDUSTRIAL	31,000 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 51		

BUILDING 4		
PROFESSIONAL OFFICE	1,211 SF	4
INDUSTRIAL	1,400 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 87		

BUILDING 5		
WAREHOUSE	40,000 SF	111
PROFESSIONAL OFFICE	27,000 SF	64
INDUSTRIAL	31,000 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 181		

BUILDING 6		
WAREHOUSE	40,000 SF	111
PROFESSIONAL OFFICE	27,000 SF	64
INDUSTRIAL	31,000 SF	18
PERM. REVENUE	NA	NA
PARKING STALLS REQ'D	181	
PARKING STALLS REQ'D: 181		

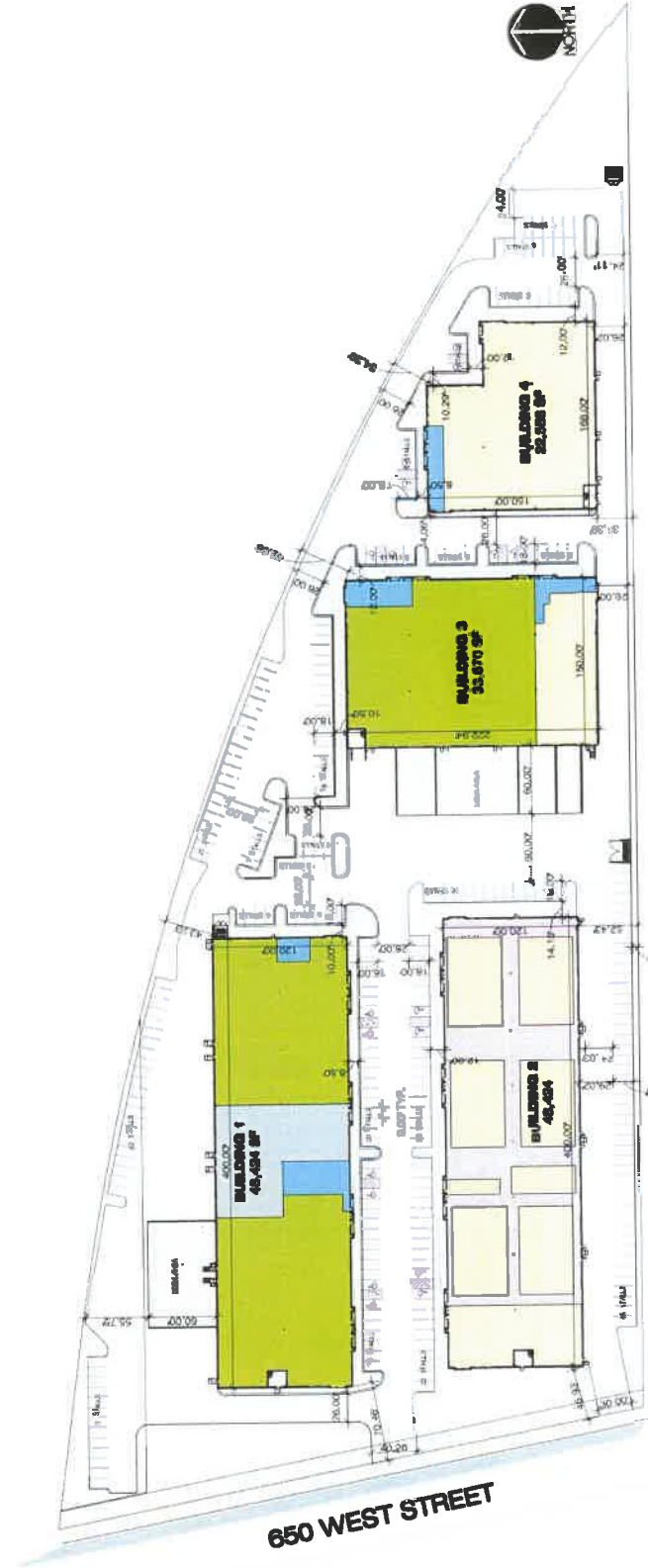
PARKING SUMMARY		
BUILDING 1	PARKING STALLS REQ'D	84
BUILDING 2	PARKING STALLS REQ'D	181
BUILDING 3	PARKING STALLS REQ'D	81
BUILDING 4	PARKING STALLS REQ'D	87
BUILDING 5	PARKING STALLS REQ'D	283
BUILDING 6	PARKING STALLS REQ'D	284

**PARKING CALCULATIONS**  
FARMINGTON FLEX  
1281 SOUTH 650 WEST  
FARMINGTON, UTAH  
ATKINS INVESTMENTS

SITE PLAN

SCALE: 1" = 50'-0"  
DATE: 11.10.2013  
20171013E.dwg

**AS.1**



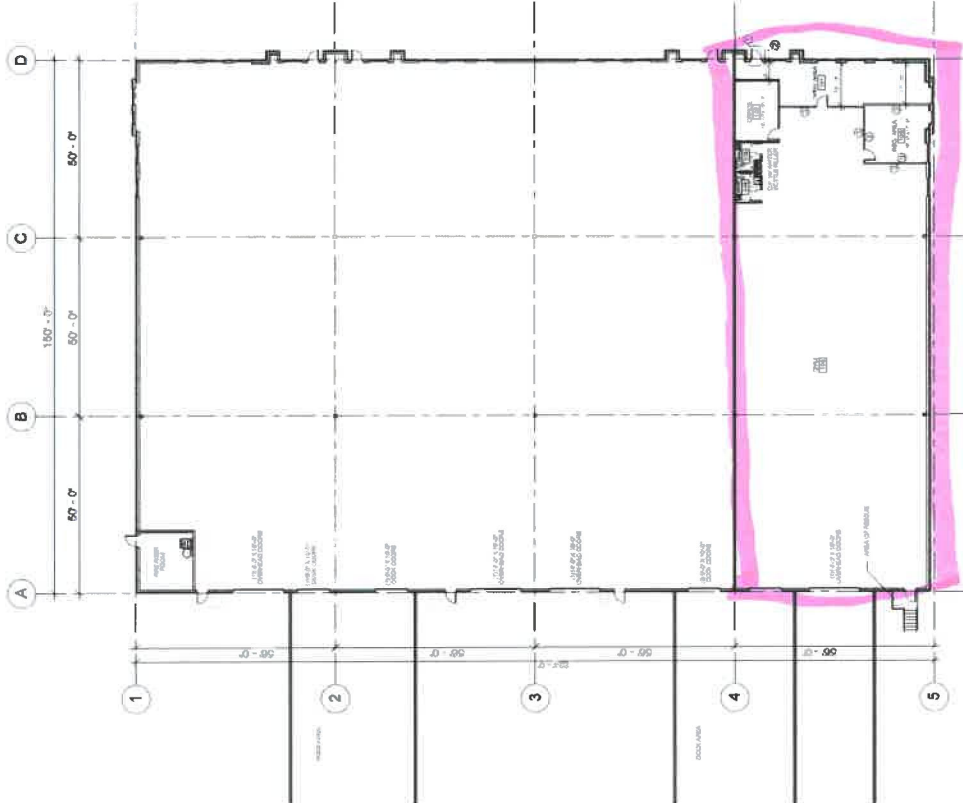


**SAMUEL J. BRADY**  
ARCHITECTS

200 S. South Temple  
Suite 150  
Salt Lake City, Utah 84111  
(801) 598-1732  
www.sabrady.com

NOTE: THIS DRAWING IS PROVIDED FOR INFORMATION ONLY AND IS NOT FOR CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.

**WARHORS GYMNASTICS**  
BUILDING 3  
1261 SOUTH 650 WEST  
FARMINGTON, UTAH



**MAIN FLOOR**  
FLOOR PLAN

SCALE: 1/8" = 1'-0"  
AUGUST 10, 2023  
2270804



**A1.1**

**FLOOR PLAN NOTES**

- EXISTING STICK FR INSULATION INTERIOR FINISH TO REMAIN.
- PER IBC TABLE 601, ALL PRIMARY STRUCTURAL ELEMENTS TO BE 1-HOUR FIRE RATED.
- EXISTING 1-HOUR FIRE RATED PARTITION WALLS TO REMAIN.
- ILLUMINATION ALONG PATH OF TRAVEL FOR EXIT DISCHARGE PREVIOUSLY APPROVED.
- EXISTING KNOX BOX FOR FIRE DEPARTMENT ACCESS TO REMAIN. PROVIDE NEW AS REQUIRED. FIELD DETERMINE.

**KEY NOTES**

- PROVIDE NEW AIR CURTAIN THAT COMPLIES WITH IECC 2021, SECTION C402.5.9 EXCEPTION #7: DOORS THAT HAVE AN AIR CURTAIN WITH A VELOCITY OF NOT LESS THAN 5.0 FEET PER SECOND SHALL BE PROVIDED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. MANUAL OR AUTOMATIC CONTROLS SHALL BE PROVIDED THAT WILL OPERATE THE AIR CURTAIN WITH THE OPENING AND CLOSING OF THE DOOR. AIR CURTAINS AND THEIR CONTROLS SHALL COMPLY WITH SECTION C402.5.8.
- EXISTING CONCRETE LANDING TO REMAIN: 5'-0" MIN. X 9'-0" MIN., SLOPE NOT TO EXCEED 2% SLOPE AND CROSS SLOPE.
- PROVIDE 1/2" OSB SHEATHING ON WALL IN PLACE OF 6" GYPSUM BOARD.

**WALL TYPES**

- EXIST. THU-LIP CONCRETE THERMAL MASS WALL SYSTEM W/ 2" RIGID R-10 INSULATION. TOTAL WALL R-VALUE: 17
- EXIST. 6" METAL STUD W/ 5/8" GLASSROO SHEATHING AND 1-1/2" DRYWIT EPS SYSTEM ON EXTERIOR SIDE. METAL STUD CAVITY W/ R-21 BATT INSULATION @ METAL STUD CAVITY.
- EXIST. 1-HOUR FIRE RATED SHAFI WALL.
- NEW 5-5/8" W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE. COORD. STUD GAUGE. SIZEZ PER MANUF. LOAD DEFLECTION LIMIT REQUIREMENTS.
- ALTERNATE: 1/2" OSB SHEATHING ON EXTERIOR SIDE. R-11 BATT INSULATION. EXTEND TO DECK. PROVIDE COORD. MECHANICAL SOUND BOOTS.
- NEW 5-5/8" W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE. COORD. STUD GAUGE. SIZEZ PER MANUF. LIMITING HEIGHT TABLES @ PSF LOAD & U240 DEFLECTION LIMIT REQUIREMENTS.
- NEW 6" METAL STUDS W/ 5/8" TYPE 1X OVR. 80 EACH SIDE. COORD STUD GAUGE. SIZEZ PER MANUF. LIMITING HEIGHT TABLES @ PSF LOAD & LOAD DEFLECTION LIMIT REQUIREMENTS.
- NEW 1/2" OSB PARTITION WALL @ 5/8" 24 GAUGE METAL STUDS @ 24" O.C. W/ 5/8" GYPSUM BOARD (TYPE X) EACH SIDE OR IF NOTED OTHERWISE. PROVIDE STRUCTURAL SUPPORT AS REQUIRED FOR PARTITION WALLS. PROVIDE TOP CAP. SEE DETAIL 04A.3.

GENERAL CONTRACTOR SHALL CHALK-LINE ALL NEW WALLS FOR ARCHITECTS REVIEW. PROVIDE CONSTRUCTION TO ENSURE THAT SPACE BUILD-OUT MEETS TENANT REQUIREMENTS.

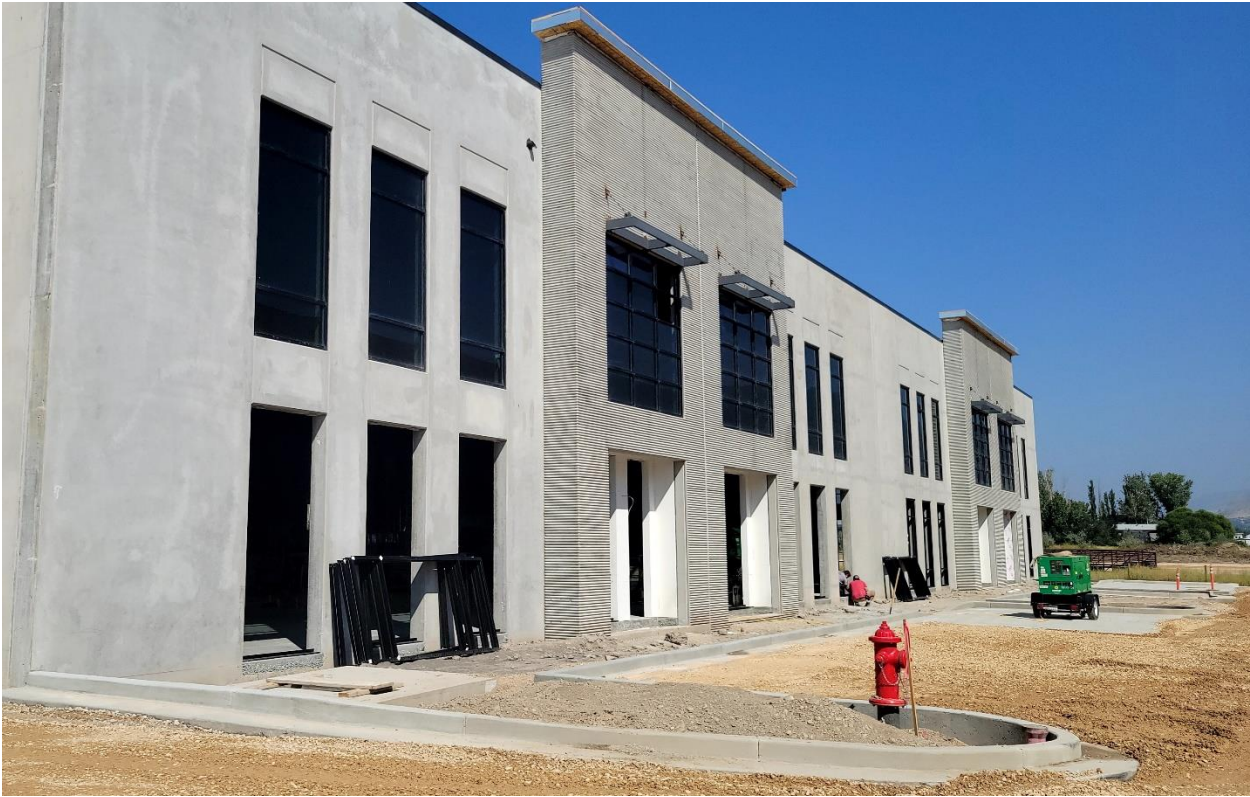
**Buildings 1 and 2 looking towards 650 West (8/31/23)**



**Building 3 - west side (8/31/23)**



Building 3 – (8/31/23)



**FARMINGTON CITY**  
**PLANNING COMMISSION**  
September 07, 2023

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**WORK SESSION**

**Present:** Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Tyler Turner, and Mike Plaizier.

**Staff:** Community Development Director David Petersen, Planning Director Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioners Samuel Barlow; and Alternates Clay Monroe and Alan Monson.

City Planner/GIS Specialist **Shannon Hansell** explained the foothill ordinance agenda item. Staff is trying to prepare the Commission for discussion of this zone text amendment. She explained an overlay zone. For example, an "OTR-F" on a zoning map means the base zoning is Original Townsite Residential (OTR), with a Foothill (F) overlay. This means there is an extra set of rules on top of the base zone. Other overlays include the Planned Unit Development (PUD), Agriculture Planned (AP) District, and Scenic Byway Overlay Zone around Legacy Parkway. Anything with an overlay zone is a legislative decision.

Planning Director **Lyle Gibson** said the OTR zone sets the lot size and architecture standards. The Foothill overlay zone deals with slope and topography of the land you are building on. Overlay zones mean the City has done something unique, and they remind Staff to look at the unique agreements that have been memorialized.

**Hansell** said foothill areas need to be regulated differently due to topography. The foothill area is very narrow. At its widest point, Farmington is 3.5 miles wide, spanning from the lake bottom to mountains very quickly. The landslides in North Salt Lake and Draper remind why foothill overlays are important. They help regulate environmentally sensitive areas more closely. It is also important to get emergency vehicles to the foothills quickly in the case of an emergency. The foothills are close to National Forest Service land, where fires can quickly spread into wildfires on the mountainside. Water pressure is important not only for personal use, but for fire suppression. Storm water is also a big concern.

Staff predicts 200 acres in the southeast bench area may be annexed into Farmington in the future, and it is all foothill area. Staff would like to update the Foothill Overlay before this area is annexed. There have not been any applications yet. They feel property owners will band together in the future to present an annexation application so they can develop their property. This annexation area has some pretty steep slopes. Staff would like to protect current residents as well as the City when those applications come.

**Gibson** said developers and qualified engineers verify details, not the City. The City doesn't design subdivisions, and it is not good for the City to be in the situation where they are approving risky or potentially dangerous development. On the flip side, the City must allow landowners their property rights to develop. The rules help define the line between the two interests. Each community has their own foothill standards, and they vary even along the Wasatch Front. Developers have hinted at developing up to 1,800 units in those 200 acres on Farmington's southeast bench. These need to be built safely on the slopes, and they also need to be serviced by emergency vehicles.

The City wants to be ahead of the annexation curve. On 400 North, there are residences in the foothills, and there have been some struggles. Community Development Director **David Petersen** has been spearheading recent drafts of this ordinance, looking closely at Centerville's and other Wasatch Front cities' ordinances. **Gibson** said portions of the ordinance have been relocated in the effort is to make the language flow better and read easier. He asked Commission members to keep that in mind when they review the changes and offer feedback. It has become problematic that when developers build roads in approved foothill subdivisions and then begin grading for building pads, they cut more than they needed to. Fights have developed between buyers and developers about where the original grades were. Changing grades and modifying topography have been a challenge. Retaining of land can only be done for less than 30% grade, which is a common figure among cities. Public roads and driveways are not built over 14% grade. Cutting into 40% slopes is not allowed. Structures, including retaining walls and fences, cannot be placed on land with more than 30% grade. Vegetation is important to prevent soil erosion. People can build and engineer retaining at 45% per building code, but it is expensive. Building permits are required for building anything over 4 feet in height, but new language would prohibit of series of walls. Soils reports detailing site-specific soil types, saturation, and percolation will be required in certain cases.

**Hansell** said there haven't been any recent applications in the annexation area. If someone were to come forward, the City would require a slope map showing anything over 30% marked in red as unbuildable, and buildable areas marked in green. Lots would require 5,000 square feet of contiguous buildable area. That may not be enough to build mansions. It is hard to predict how many buildable lots would be in that area. **Gibson** said four or five years ago, Davis County essentially down-zoned every unincorporated area of the county in order to get out of the development business. The County has typically been more rural, with lots of at least 5 acres. Currently those property owners in the foothills have no right to develop. In order to get the right as well as utilities to develop, they would need to be annexed into Farmington. Since water pressure that high up would be a concern, the City could compel construction of a water tank and needed infrastructure before annexation is granted. Davis County's Little Valley was constructed prior to the County's recent downzone.

**Gibson** said tonight is an introduction to this foothill overlay zone. He welcomes questions and feedback from the Commission. If the City is pursuing pending legislation, any new development may be held to the standards of that new legislation. He said the City wanted to get the ball rolling, even though the draft is young.

**Hansell** pointed out the Key Bank application agenda item, and said she recommends removing the awning/canopy in order to facilitate better redevelopment of the building in the future. However, it may not be required per ordinance. Commissioners said other banks have awnings.



## REGULAR SESSION

**Present:** Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Tyler Turner, and Mike Plaizier. **Staff:** Community Development Director David Petersen, Planning Director Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioners Samuel Barlow; and Alternates Clay Monroe and Alan Monson.

Chair Erin Christensen opened the meeting at 7:03 PM.

## SPECIAL EXCEPTION APPLICATION – public hearing

### **Item #1 Key Bank – Applicant is requesting a special exception approval to have a drive through as part of a financial institution at 529 North Station Parkway in the GMU (General Mixed Use) zone (M-10-23).**

City Planner/GIS Specialist **Shannon Hansell** presented this agenda item. Key Bank has applied for site plan approval with City Staff for a new branch located at 529 Station Parkway. As part of this project, the applicant has proposed a drive-up window with three lanes. Drive-up windows are allowed only as special exceptions in the mixed-use zones. The purpose of the special exception requirement is to allow additional consideration on design to minimize the impact of drive-up windows, as the goal of the mixed-use zones is to promote walkable and pedestrian oriented scales and uses. To better align with the purpose of the mixed-use zones, several conditions can be implemented such as positioning the drive-up opposite of the primary frontage, and to remove the overhead awning. The awning can introduce difficulty in redeveloping the building in the future; once in place, they are unlikely to be removed, even if the building use changes. Some solutions to the awning are to detach the awning (such as with Mountain America Credit Union at 495 N. Station Parkway), or to remove it entirely (such as with Bank of America at 423 N. 1075 W.).

On May 16, 2017, the City Council approved a zone text amendment to Chapter 18 allowing for financial institutions in the GMU zone to have drive-up windows through special exception, as set forth in Section 11-3-045 of the Zoning Ordinance, “A special exception has less potential impact than a conditional use but still requires careful review of such factors as location, design, configuration, and/or impacts to determine the desirability of authorizing its establishment on any given site.”

A special exception, therefore, is to be treated similarly to a conditional use, and must be a public hearing. The approval standards, as set forth in Section E specify that: “Conditions may be imposed as necessary to prevent or minimize adverse effects upon other property or improvements in the vicinity of the special exception, upon the city as a whole, or upon public facilities and services. These conditions may include, but are not limited to, conditions concerning use, construction, character, location, landscaping, screening, parking and other matters relating to the purposes and objectives of this title. Such conditions shall be expressly set forth in the motion authorizing the special exception.”

Applicant **Ben Gingrich**, project architect on behalf of KeyBank/HSB Architects, talked about the awning for the drive-up, which was positioned to avoid viewing from Station Parkway. It is an attached canopy over the drive-up that includes three lanes: an ATM/night drop and two auto-teller lanes with video screens. While it is possible to run vacuum tubes underground, it is more challenging. Therefore, the vacuum tubes have been designed to go upwards through the awning. The detached awning at Mountain America Credit Union example provided by Staff was designed for that particular site plan and is directly visible from Station Parkway. Key Bank is providing better screening. An attached canopy is better for the functionality of this site. Since this is an urban infill situation, they felt it would be better to have the lanes tighter against the building for a smaller footprint. Key Bank is a national bank with other branches throughout Utah.

**Stacie Flaisman**, retail design manager of Key Bank, addressed the Commission. Key Bank started as a merger of two banks (Key Bank and Society Bank) in 1994. Key was in Utah prior to the 1994 merger. The amount of due diligence and market planning done before planning this branch was extensive. Key does not have short-term leases. They try not to install vacuum tubes underground for longevity and maintenance purposes. Often, they leak and water seepage is a problem if they are underground.

**Gingrich** said this is built very well for longevity, unlike other retail establishments. Detached awnings put the branch at a hardship because the ATM is out in the open and more difficult to service. There is not a one-size-fits all solution, and they are in favor of an attached canopy. Drive-ups are becoming a common part of buildings.

**Erin Christensen** opened and closed the public hearing at 7:20 PM due to no comments received.

## **MOTION**

**Tyler Turner** made a motion that the Planning Commission approve the drive-up window special exception for Key Bank at 529 Station Parkway, subject to all applicable Farmington City development standards and ordinances.

## **Findings for Approval 1-3:**

1. The drive-up window has sufficient stacking space (12 spaces) to accommodate the use.
2. The drive-up window is oriented away from the primary frontage on Station Parkway.

3. The drive-up window use has been successfully implemented at other locations in the mixed-use zones, such as Mountain America Credit Union (495 N. Station Parkway) and Chase Bank (100 N. Station Parkway).

**Supplemental Information 1-3:**

1. Vicinity Map
2. Key Bank Site Plan and Elevations
3. Drive Up Examples

**Frank Adams** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye ____Nay
Vice Chair John David Mortensen	X Aye ____Nay
Commissioner Larry Steinhorst	X Aye ____Nay
Commissioner Frank Adams	X Aye ____Nay
Commissioner Mike Plaizier	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay

**CONDITIONAL USE APPLICATION – public hearing**

**Item #2 Farmington Flex / Andrew Hiller – Applicant is requesting conditional use approval to use space in the Farmington Flex development for Gymnasium/Indoor Sports in part of Building 3 at 1261 South 650 West in the LM&B (Light Manufacturing and Business) zone (C-10-23)**

Planning Director **Lyle Gibson** presented this agenda item. This property is on the south edge of town. The property owner has interest from a gymnastics and tumbling business that would like to locate in Unit 4 of Building 3 at the Farmington Flex development. The building they are moving into is a new construction that has received previous approvals for the shell construction. They are working on the tenant improvements for their use and seeking a conditional use permit to complete their business license approvals.

The use is allowed with a conditional use permit and is similar to other gym/rec facilities in the immediate area previously approved by the Planning Commission. As a conditional use, the presumption is to approve the use so long as conditions can be imposed to mitigate potential detrimental impacts if necessary. In the opinion of Staff, the use does not create negative impacts that would require mitigation beyond the generation of traffic meriting consideration of the impacts due to vehicle parking.

**Gibson** said it would be difficult to hold gymnastics meets or tournament at this location. Parking is available directly in front. Uses on the other side of the building would also share some of the front parking. The other user in this building is a warehouse, which is requesting an expansion. They primarily use their space for shipping/warehousing from 9 a.m. to 5 p.m., and they don't have a lot of customers visiting. They will be using the loading bays more than the front parking. The gymnastics use is primarily after school from 3 to 8 p.m. As such, there would be only a small overlap of time between the two uses of the building. There are 294 parking stalls provided, and the maximum use anticipated is 260. Staff's recommendation is to approve the application as proposed.

Farmington City Code (FCC), 11-8-050 Conditional Use Standards (E), states that uses shall have adequate improvements such as parking and loading spaces. Per FCC 11-32-040: Minimum Parking Spaces Required, such a facility would fit best as a commercial recreation use which parking requirement is identified as one to be determined by the Planning Commission.

The applicant has recently requested similar approvals from the Planning Commission within the development. Since review of the other user, the applicant has since obtained more interest and has a better understanding of users throughout his development. With this understanding of parking needs, a parking analysis for the site has been provided for consideration. The other indoor sports user at the site was approved at a parking ratio of 2.5 / 1,000 square feet. The applicant has based available parking of this same requirement.

**Gibson** said the Commission saw this flex building site plan previously without knowing the uses. The original parking ratio that was requested has been met and exceeded, as the applicant was able to acquire more land from UDOT on the north end. The process is that each user comes in for conditional use approval as they fill the space. The busiest times would be evenings and weekends, when there may be as many as 200 cars on the site. However, 294 stalls are provided. Building 2 is constructed and Kongo currently occupies it. Building 4 has been approved as MetaSoccer. The parking needs of future tenants of this site were figured into the parking tables provided by the applicant.

Commissioners said they would like to get further details from the applicant, and considered putting a prohibition on meets/tournaments as a condition of approval. Applicants should attend public meetings in order to answer questions. They questioned the traffic flow including drop-offs and pick-ups. **Gibson** said 26 feet is the traditional two-lane approach. Seventeen notifications of this public hearing were sent out, representing all property owners within 300 feet of the site.

**MOTION**

**Tyler Turner** made a motion that the Commission **table** the requested conditional use permit and **continue** the public hearing to the next available meeting for the applicant to attend.

**Samuel Barlow** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye ____Nay
Vice Chair John David Mortensen	X Aye ____Nay
Commissioner Larry Steinhorst	X Aye ____Nay
Commissioner Frank Adams	X Aye ____Nay
Commissioner Mike Plaizier	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay

**ZONE TEXT AMENDMENTS – public hearings unless noted otherwise with item.**

**Item #3 Farmington City – Additional text and amendment to Title 16, STORMWATER REGULATIONS. The proposed amendments are to update definitions and to clarify what permitting is needed before disturbing land. (ZT-15-23)**

**Hansell** presented this agenda item. Title 16 of the City Code describes Stormwater Regulations. Title 11 of City Code describes Zoning Regulations. There is some overlap in the two titles regarding certain definitions and permitting requirements. In the interest of protecting the City’s stormwater systems and environmentally sensitive areas, such as foothills and wetlands, the Stormwater Official has proposed changes to Title 16. These changes must be reviewed by the Planning Commission as they have implications for land use and Title 11. Definitions would be added for aquifer recharge areas, environmentally sensitive areas, frequently flooded areas, and steep slope. Another change is the stormwater permits required section. The Stormwater Official was fine with the grammatical and clarification changes proposed earlier by **Chair Christensen**. **Gibson** said there are some references in the foothill section that relate to stormwater, but they will be distinct and separate.

**Erin Christensen** opened and closed the public hearing at 7:45 PM due to no comments received.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission recommend that the City Council approve the proposed zone text changes to Section 16-1-090 Definitions and changes to 16-3-010 City Stormwater Permit Required, including definitions in 16-1-090 and corrections proposed by Chair.

**Findings for Approval 1-2:**

1. Clarifying definitions helps property owners and the City by reducing confusion caused by subjectivity.
2. Defining the type of permit required in 16-3-010 outlines a clearer path to protect environmentally sensitive areas.

**Supplemental Information 1-3:**

1. Proposed changes (in red type) to 16-1-090 Definitions
2. Proposed changes (in red type) to 16-3-010 Stormwater Permit Required
3. Corrections proposed by the chair

**John David Mortensen** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye ____Nay
Vice Chair John David Mortensen	X Aye ____Nay
Commissioner Larry Steinhorst	X Aye ____Nay
Commissioner Frank Adams	X Aye ____Nay
Commissioner Mike Plaizier	X Aye ____Nay
Commissioner Tyler Turner	X Aye ____Nay

**Item #4 Farmington City – Applicant is requesting Additional text and amendments to Section 11-28-140: FENCES, and Section 11-18-160: OPEN STORAGE IN RESIDENTIAL ZONES of Chapter 11-28: SUPPLEMENTARY AND QUALIFYING REGULATIONS, and Chapter 11-2, DEFINITIONS, of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider matching requirements in residential zoning districts to residential developments in other zones. (ZT-11-23)**

**Gibson** presented this agenda item. The current City Ordinances have regulations related to fencing and open storage in order to foster clean, vibrant residential neighborhoods. The presumption is that the way land is used in a residential neighborhood is different than what one may expect to find in a commercial, industrial, or true agricultural setting.

As written, the sections of ordinance under consideration only apply to residential zones. This has proved problematic in multiple circumstances where nearly all of the residential neighborhoods west of I-15 are actually located in an agricultural zoning district, the Agricultural Estates (AE) zone. In practice these provisions have probably been applied to these subdivisions and neighborhoods, but when push comes to shove, the ability to enforce these provisions has fallen short if they are not in a Residential (R) zone.

The proposed definition of “residential area” includes: lots in any residential subdivision or any property on which a dwelling is located, except for lots or parcels located within the AA or A zoning districts. Tractors and trailers, as well as unique fencing, are expected in AA and A zoning districts.

Erin Christensen opened and closed the public hearing at 7:50 PM due to no comments received.

Gibson said the heights of fences—8 feet in rear and side yards (for privacy among neighbors), as well as 6 feet in street-facing corner side and front yards (affecting pedestrians and visibility)—can be discussed. Fences are usually 6 feet, as anything over 7 feet requires a building permit.

**MOTION**

Larry Steinhorst made a motion that the Planning Commission recommend approval of the proposed changes to the zoning ordinance in Chapter 11-2 and Sections 11-28-140 and 11-28-160, and additional changes as presented by Staff.

**Findings for Approval 1-2:**

1. The proposed changes impose regulations on neighborhoods that while developed under an agricultural designation are residential in nature.
2. The regulations support characteristics of residential development and match requirements for neighborhoods and homes built within a residential zoning district.

**Supplemental Information 1-2:**

1. Zoning Map
2. Draft Ordinance Changes

Frank Adams seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____Nay
Vice Chair John David Mortensen	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay
Commissioner Mike Plaizier	X Aye _____Nay
Commissioner Tyler Turner	X Aye _____Nay

**Item #5 (Public hearing previously held) Farmington City – Applicant is requesting Additional text and amendments to Section 11-17-050: ACCESSORY BUILDINGS AND STRUCTURES (INCLUDING ATTACHED OR DETACHED GARAGES), of Chapter 11-17: ORIGINAL TOWNSITE RESIDENTIAL ZONE (OTR), of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider changes to the percent of garage that may occupy the front plane of a home. (ZT-13-23)**

Gibson presented this agenda item. It is proposed that side-loaded garages, with windows and fenestration consistent with the main building, should not be considered as part of the overall garage percentage of the front of the structure. Staff agrees with comments received from the Planning Commission’s review of this agenda item on August 17, 2023, regarding the word “combination” to mean the total front width of all garages shall not exceed the specified percentage standard. The draft is intended to further clarify this distinction and to except side-loaded garages from the front face percentage requirements. Gibson said it is appropriate to encourage side-load garages in the OTR so they can’t be identified from the street.

**MOTION**

Samuel Barlow made a motion that the Planning Commission recommend that the City Council approve a zone text change to Section 11-17-050 D. sub-paragraph 2. of Chapter 17 of the Zoning Ordinance (the OTR zone), including the changes as proposed by Staff in tonight’s meeting, namely Option 2:

*"Attached garages constructed even with the front setback line, or that are set back (or recessed) from the front setback less than a distance equal to half the depth of the main building shall comprise no more than thirty three percent (33%) of the front plane of the home on lots greater than eighty five feet (85') in width, and up to forty percent (40%) on lots less than eighty five feet (85') in width if for every percentage point over thirty three percent (33%) the garage is set back (or recessed) an additional one foot (1') behind the front plane of the home. Side loaded garages where windows, openings and fenestration of the front façade thereof are consistent with such features of the main building and where the garage door does not face the street are an exception to this standard."*

**Findings for Approval 1-2:**

1. Side entry garages, if done right, minimize the unappealing appearance of the garage door to the passerby.
2. Side entry garages only work on wider lots, and these type of lots have appropriate street frontage to better accommodate homes with more garage space and provide opportunities to minimize the greater mass and scale which often accompany such larger garages.

Larry Steinhorst seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye _____Nay
Vice Chair John David Mortensen	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay

Commissioner Mike Plaizier  
 Commissioner Tyler Turner

X Aye \_\_\_\_\_Nay  
 X Aye \_\_\_\_\_Nay

**Item #6 Farmington City – Applicant is requesting amendments to Chapter 11-30: FOOTHILL DEVELOPMENT STANDARDS, of the Farmington City ZONING REGULATIONS. The proposed amendments are to reconfigure/modify the foothill ordinance review and approval process consistent with the Subdivision and Zoning Ordinances, add some architectural design standards, emphasize the no-build standards of steep slope areas, and to implement other miscellaneous changes. (ZT-14-23)**

**Gibson** presented this agenda item. The City recently has struggled on the interpretation of existing code regarding foothill areas east of Main Street. On August, 17, 2023, the Planning Commission continued this agenda item, including the public hearing, to September 7, 2023. Moreover, the notice for the public hearing was re-posted to include amendments to Chapter 2 of the Zoning Ordinance (as well as Chapter 30).

Recent applications of the City’s decades-old foothill development standards revealed that Chapter 30 of the Zoning Ordinance can be a better document. City Staff welcomes improvements to this part of the City code. Major changes (see “marked up” draft and “clean copy” enclosed in Staff Report) for Planning Commission consideration include, among other things:

- o Review and approval procedures, which are no longer at the end of the Chapter, are more consistent with the City’s subdivision, Planned Unit Development (PUD), and site plan review processes; moreover, the review and approval body related to foothill standards is also now consistent with other City processes.
- o Required reports and plan provisions are now part of the review and approval procedures instead of imbedded here and there with development standards.
- o Development standards are not in conflict with items that are development standards.
- o There is a new section related to “Architectural Design” (similar to what is found in other municipalities) for Planning Commission and City Council consideration.

The latest draft in this report includes comments from Planning Staff, the City Engineer, and the City Attorney. Adjustments will clarify existing rules so interpretation battles are unnecessary. Adjustments will also enhance intent when facing anticipated infill and annexed development. **Gibson** welcomed Commission feedback as the draft is further refined.

The proposed reorganization of the Chapter is summarized in the table below:

Chapter 30 Reorganization Summary		
Section	Existing	Proposed
11-30-010	Purpose	Purpose
11-30-020	Definitions	Definitions
11-30-030	Scope and Application	Scope and Application
11-30-040	Density, Lot Size, Width And Characteristics	Density, Lot Size, <del>Set Back, Width</del> And Characteristics
11-30-050	Required Plans And Development Standards	<del>Review And Approval Procedure, And Required Reports and Plans</del>
11-30-060	Bonding Requirements	<del>Development Standards</del>
11-30-070	Review And Approval Procedure	<del>Architectural Design</del>
<del>11-30-080</del>	<del>N/A</del>	<del>Bonding Requirements</del>

As this is a recognized draft, Commissioners asked if it was appropriate to hold a public hearing at this point. **Gibson** said additional public hearings could be held when it is closer to a finished product. Commissioners want more details such as where the 30% slope standard came from. **Adams** said he doesn’t like the use of the word “view” in Paragraph B9 of 11-30-10, because it implies a resident’s right to a view that may not exist. He does not want language to confer a right to an unobstructed view. The views “of” the foothills were also considered. **Gibson** said Staff is still discussing lighting and night views. Wildland urban interface for fire protection is not thoroughly addressed and may not be relevant. Building heights are not addressed in the overlay zone, but rather in the underlying zones. This item may be on an upcoming agenda in a month’s time.

**Erin Christensen** opened and closed the public hearing at 8:02 PM due to no comments received.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission **table** consideration of the proposed zone text changes to allow time for:

1. Staff to incorporate comments from the Planning Commission;
2. Additional input from the City Engineer, Building Department, City Attorney, Planning Staff; and
3. Feedback from and the City’s Stormwater Official, Public Works Department, Fire Department, and others.

**Supplemental Information 1-2:**

1. Draft Changes to Chapter 2 and Chapter 30 of the Zoning Ordinance-Clean Copy
2. Draft Changes to Chapter 2 and Chapter 30 of the Zoning Ordinance-Marked Up Copy.

**Frank Adams** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye	_____	Nay
Vice Chair John David Mortensen	X Aye	_____	Nay
Commissioner Larry Steinhorst	X Aye	_____	Nay
Commissioner Frank Adams	X Aye	_____	Nay
Commissioner Mike Plaizier	X Aye	_____	Nay
Commissioner Tyler Turner	X Aye	_____	Nay

**OTHER BUSINESS**

**Item #8 Miscellaneous, correspondence, etc.**

a. Minutes Approval August 17, 2023

i. **Tyler Turner** made a motion to approve the minutes as listed above. **Larry Steinhorst** seconded the motion, which was unanimously approved.

Chair Erin Christensen	X Aye	_____	Nay
Vice Chair John David Mortensen	X Aye	_____	Nay
Commissioner Larry Steinhorst	X Aye	_____	Nay
Commissioner Frank Adams	X Aye	_____	Nay
Commissioner Mike Plaizier	X Aye	_____	Nay
Commissioner Tyler Turner	X Aye	_____	Nay

b. City Council Report 09.05.2023

i. **Gibson** provided a report on the September 5, 2023, City Council meeting. Farmington High School was successful in adding "Phoenix Way" as an additional street name on 650 West. The Council also discussed and voted to correct the clerical error regarding Commerce Drive and Arrowgate Drive. Originally, Commerce Drive was going to go through the Arrowgate townhome subdivision. Commerce Drive was changed to Innovator Drive, and the road was realigned to no longer take the original route through Arrowgate. Therefore, the street on the plat was changed to Arrowgate Drive. Lastly, the Kaysville-Farmington boundary adjustment that was noticed has been withdrawn, as Kaysville backed out. The 6-acre property is near the West Davis Corridor exchange. Kaysville feels there will be more potential for revenue than associated costs for maintenance such as snow removal.

**ADJOURNMENT**

**Tyler Turner** made a motion to adjourn at 8:25 pm.

\_\_\_\_\_  
Chair, Erin Christensen



160 SOUTH MAIN  
FARMINGTON, UT 84025  
[FARMINGTON.UTAH.GOV](http://FARMINGTON.UTAH.GOV)

## CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the Farmington City Council will hold a regular meeting on **Tuesday, September 19, 2023** at City Hall 160 South Main, Farmington, Utah. A work session will be held at 6:00 pm in Conference Room 3 followed by the regular session at 7:00 pm in the Council Chambers. The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website [www.farmington.utah.gov](http://www.farmington.utah.gov). If you wish to email a comment for any of the listed public hearings, you may do so to [dcarlile@farmington.utah.gov](mailto:dcarlile@farmington.utah.gov)

### WORK SESSION – 6:00 p.m.

- Discussion of regular session items upon request

### REGULAR SESSION – 7:00 p.m.

#### **CALL TO ORDER:**

- Invocation – Brigham Mellor, City Manager
- Pledge of Allegiance – Melissa Layton, Councilmember

#### **PUBLIC HEARINGS:**

- Main Street Landmark Register Request
- Zone Text Amendment regarding Garage Placement Standards in the OTR Zone
- Zone Text Amendment regarding fences and open storage.
- Business License Regulations – Fireworks Outlets
- Amendments to Section 6-1-027: PROPERTY OWNERS' ASSOCIATIONS to eliminate the requirement for property owners' associations to pay a fee to be registered with the city.
- Zone Text Amendment regarding Tile 16 Stormwater Regulations

#### **BUSINESS:**

- Consolidated Fee Schedule (CFS) Update

#### **GOVERNING BODY REPORTS:**

- City Manager Report
- Mayor Anderson & City Council Reports

#### **ADJOURN**

**CLOSED SESSION** – Minute motion adjourning to closed session, for reasons permitted by law.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability, please contact DeAnn Carlile, City recorder at 801-939-9206 at least 24 hours in advance of the meeting.

*I hereby certify that I posted a copy of the foregoing Notice and Agenda at Farmington City Hall, Farmington City website [www.farmington.utah.gov](http://www.farmington.utah.gov) and the Utah Public Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn). Posted on September 14, 2023*