



FARMINGTON CITY

PLANNING COMMISSION

January 04, 2024



FARMINGTON

MORE TIME FOR LIVING

PLANNING COMMISSION MEETING NOTICE AND AGENDA Thursday January 04, 2024

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 6:30 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. Any emailed comments for the listed public hearings, should be sent to crowe@farmington.utah.gov by 5 p.m. on the day listed above.

Oath of Office administered for new Planning Commission members.

CONDITIONAL USE/SITE PLAN APPLICATIONS – public hearing on item 1

1. Andrea & Andrew Gooch – Applicant is requesting consideration of a conditional use permit. The requested use is a home occupation which will allow the owner to rent the detached accessory structure to other parties for storage, on the property located at 912 S 500 W. in the AE (Agricultural Estates) zone. (C-13-23)

ZONE TEXT AMENDMENTS – public hearing

2. Farmington City – Applicant is requesting additional text and amendments to multiple sections of Title 11, ZONING REGULATIONS, and TITLE 12, SUBDIVISION REGULATIONS. The amendments are proposed to modify the process by which subdivisions and boundary line adjustments are considered, allowing flexibility in lot size without increasing the total number of lots or density.

OTHER BUSINESS

4. Miscellaneous, correspondence, etc.
 - a. Minutes Approval from 12.07.2023
 - b. City Council Report from 01.02.2024
 - c. Detached ADU Ownership Discussion
 - d. 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, the Utah Public Notice website at www.utah.gov/pmnn, and emailed to media representatives on January 2, 2024. Carly Rowe, Planning Secretary



Farmington City Planning Commission Staff Report January 4, 2024

Item 1: Conditional Use – Home Occupation: Accessory Building Storage

Public Hearing: Yes
Application No.: C-12-23
Property Address: 912 West 500 South
General Plan Designation: RRD (Rural Residential Density)
Zoning Designation: AE (Agricultural Estates)
Area: 0.53 acres
Number of Lots: 1
Property Owner: Andrea and Andrew Gooch
Agent: Andrea and Andrew Gooch

Request: *The applicant is seeking approval for a home occupation conditional use which will allow the owner to rent the detached accessory structure to other parties for storage.*

Background Information

The applicants reside at 473 S 950 W and also own the property at 912 W 500 S. These properties are adjacent to each other. The 912 S property includes a main dwelling and large detached accessory building. The accessory building was permitted in 2018 under prior ownership. The previous property owner had a home occupation business license for an electrical business, but they did not apply for a conditional use as required by 11-35-040 3, which states that a conditional use is required for use of an accessory building in conjunction with a home occupation. The current applicant/property owner would like to utilize the accessory building as a for-rent storage unit where neighbors' recreational vehicles, equipment, etc. may be stored.

The current applicant/property owner, contacted the City earlier in 2023 regarding options to adjust their properties rear and side boundaries to incorporate the accessory building at 912 W 500 S into their property at 473 S 950 W where they live. The shift would not create any new lots. However, after review of the zoning ordinance, Staff determined that options to shift property lines were limited and likely untenable: the movement of the property lines would cause the 912 W 500 S property to come into noncompliance with the agricultural lot size, frontage and/or setbacks. Staff

recommended that the applicant's best option would be to propose a zone text amendment or zone change.

The applicant proposed a zone text amendment to amend the Schedule of Uses for the agricultural zones to create a new use: Accessory Structure Operation. The new use would be allowed only in the Agricultural Estates (AE) zone and the suggested definition included very specific elements which were aimed at preventing the use except in the most specific of situations. Staff recommended denial for the zone text amendment on November 16, 2023, but the Planning Commission tabled the item to form a subcommittee to further explore the issue and discuss possible solutions.

The subcommittee determined that using the existing ordinances was preferred over modifying the code. The findings of the subcommittee members were that ambiguities in the home occupation code ([Title 11, Chapter 35](#)) should be interpreted in favor of the applicant. The subcommittee reasoned that 11-35-030 J, would allow the Commission to consider the applicant's request as a conditional use as provided by 11-35-040 2 and 3.

11-35-050 J:

Conduct Within Dwelling: The home occupation shall be conducted entirely within the dwelling and shall be clearly incidental, secondary and compatible to the residential use of the dwelling. The home occupation shall not occupy or use any accessory building, yard space or activity outside the main building, or an attached garage to the extent that vehicle parking is displaced, unless approved by the Planning Commission as provided in section 11-35-040 of this chapter. (Ord. 1993-44, 12-8-1993)

11-35-040 2 and 3:

2. Uses where the applicant proposes to use more than twenty five percent (25%) of the dwelling in connection with the business.

3. Any use where outside storage, use of an accessory building or exclusive use of an attached garage is anticipated or requested in conjunction with the home occupation.

Considering the new direction from the subcommittee, the Planning Commission recommended denial of the zone text amendment on December 7, 2023. The applicant then applied for a home occupation CUP, which is being considered today. The Commission is instructed by the above ordinances to consider the conditional use according to 11-8-050 Conditional Use Standards.

Suggested Motion

Move that the Planning Commission approve the home occupation conditional use to allow only the rental of space within the accessory building for storage of vehicles, boats, and related personal property, subject to all applicable Farmington City development standards and ordinances, including the following conditions:

1. All storage must take place within the accessory structure, no outside storage may be permitted.
2. The accessory building may not be used for any Prohibited Uses as written in 11-35-030 O.
3. The CUP shall comply with 11-35-030 Conditions A-O.
4. The owner of the accessory building rental operation must live on the property where the accessory building is located or on an adjacent lot.
5. Access of customers/tenants to their rental space shall be restricted after 10pm until 7am.

Findings for Approval:

1. **Necessity:** The proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community;
2. **Compliance:** The proposed use does comply with the regulations and conditions in this title for such use;
3. **Comprehensive Plan:** The proposed use conforms to the goals, policies and governing principles of the comprehensive plan for Farmington City; which classifies this area as rural-residential density.
4. **Compatibility:** The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing and proposed development; no site improvements which drastically change the area or site are being proposed.
5. **Adequate Improvements:** Adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation are available or may be provided; The property is sufficiently large enough to contain upwards of 4 parking spaces for the accessory conditional use, as well as 2+ parking spaces for the residential use, as required in 11-32.
6. **Use Not Detrimental:** With compliance with the above conditions, the use is unlikely 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. The proposed use should not be considered detrimental:
 - a. It will not cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;
 - b. It will not unreasonably interfere with the lawful use of surrounding property; or

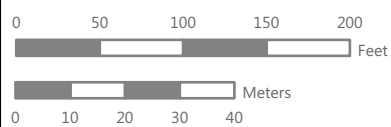
- c. It will not create a need for essential municipal services which cannot be reasonably met

Supplemental Information

1. Vicinity Map
2. Ordinance changes as described by ZT-20-23
3. Staff report for ZT-20-23 from November 16, 2023



VICINITY MAP
912 West 500 South



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.

11-2-020: DEFINITIONS OF WORDS AND TERMS:

Accessory Structure Operation: The act of a property owner letting an accessory structure on their property to others for the storage of vehicles, boats, and related personal property. The property’s main use must be residential dwelling and only pertains to an accessory structure and not the primary structure’s attached garage. The accessory structure must be at least 2,500 square feet. There must be a paved or gravel approach leading from a public right-of-way to the structure. The property owner must live on-site on the parcel/lot or in an abutting parcel/lot. Property owners shall be responsible for the maintenance and upkeep of the accessory structure. Property owners and users shall comply with all relevant provisions of the Farmington Municipal Code, including but not limited to building codes, fire codes, and health and safety regulations. There shall be complete conformity with all City and State codes. The additional use of the accessory structure shall not generate substantially greater vehicular traffic than commonly associated with residential activities in the neighborhood in which it is located. Hours of use of the structure are limited to typical business hours of 7 am - 10 pm. Periodic inspections may be made as required by these codes or as deemed necessary or desirable by the City. Accessory structure operation is limited to only the AE zone.

11-10-020: SCHEDULE OF USES:

The following table identifies permitted uses by the letter “P” and conditional uses by the letter “C”. The letter “X” indicates that the use is not allowed. Uses not listed shall not be allowed, except as provided in subsection 11-4-050F of this title:

Use	Agricultural Zones		
	AA	A	AE
Use	Agricultural Zones		
	AA	A	AE
Accessory dwelling unit	P	P	P
Accessory living quarters	C	X	X
Accessory Structure Operation	X	X	P
Agriculture	P	P	P
Boarding kennel	X	C	X
Class A animals (small animals)	P	P	P
Class B animals (large animals)	P	P	P
Class C animals (commercial farming)	P	P	C
Class D animals (dangerous animals)	X	X	X
Daycare, preschool (16 students or less)	X	C	C
Fruit and vegetable stands for sale of produce grown on the premises	P	P	P

Home occupations complying with provisions of the home occupation chapter of this title, except as specified in section 11-35-040 of this title	P	P	P
Home occupations specified in section 11-35-040 of this title	C	C	C
Internal accessory dwelling unit	P	P	P
Public school	X	C	C
Public uses	X	C	C
Public utility installations (not including lines and rights-of-way)	C	C	C
Quasi-public uses	X	C	C
Radio, television and telephone transmission and relay towers and facilities, except as specified in section 11-28-190 of this title	C	C	C
Residential facilities for the elderly	X	C	C
Residential facilities for the disabled	P	P	P
Signs complying with title 15 of this Code	P	P	P
Single-family dwelling	P	P	P
Sportsman's kennel (3 to 5 dogs for noncommercial use)	C	C	C
Trails and parks	C	C	C
Uses customarily accessory to a listed conditional use	C	C	C
Uses customarily accessory to a listed permitted use	P	P	P
Veterinary clinic	C	C	C

(Ord. 2017-13, 5-16-2017; amd. Ord. 2020-7, 5-5-2020; Ord. 2021-25, 9-21-2021; Ord. 2022-62, 12-6-2022; Ord. 2023-13, 3-14-2023; Ord. 2023-40, 6-20-2023)



Farmington City Planning Commission Staff Report November 16, 2023

Item 4: Zone Text Amendment –Schedule of Uses in Agricultural Zones

Public Hearing: Yes
Application No.: ZT-20-23
Applicant: Andrea and Andrew Gooch

Request: *The applicant is seeking a recommendation regarding a zone text amendment establishing the definition of ‘Accessory Structure Operation’ in Chapter 11-2 Definitions, and amending the SCHEDULE OF USES in Chapter 11-10 to determine where an Accessory Structure Operation is permitted and by which process it must be considered.*

Background Information

The applicants reside at 473 S 950 W and also own the property at 912 W 500 S. The 912 S property includes a main dwelling and large detached accessory building. The applicant would like to utilize the accessory building as a for rent storage unit where neighbors’ recreational vehicles, equipment, etc. may be stored. Storage units are not a permitted use in the Agricultural zones. The purpose of this zone text amendment is to update 11-10-020 of the Zoning Ordinance, which outlines the schedule of uses in Agricultural Zones. Additionally, the applicant wishes to establish the definition of “Accessory Structure Operation”. The new use would be allowed only in the Agricultural Estates (AE) zone and the created definition has been requested to include very specific elements which are aimed at preventing the use except in the most specific of situations.

City staff has informed the applicant of their general concern for allowing such a use, without the ability to understand all the potential consequences. Having expressed this concern, suggestions from the City have been given to the applicant that will help narrow the occurrence of such a use making it more suitable.

Suggested Motion

Move that the Planning Commission recommend the City Council deny the amendments to Farmington Code 11-2 DEFINITIONS and 11-10-020 SCHEDULE OF USES.

Findings:

1. The requested use of Accessory Structure Operation does not meet the purposes of Title 11 as stated in 11-1-020 as it does not:
 - a. Lessen congestion in the streets
 - b. Secure safety from fire, panic and other dangers, and provide adequate light and air

- c. Encourage the orderly growth and expansion of the city and avoiding the overcrowding of land and the undue concentration of population.
 - d. Foster the city's industries and encourage the development of an attractive and beautiful community.
- 2. The requested use of Accessory Structure Operation does not comply with 11-6-020 D Planning Commission Review for Proposed Amendments, as the definition:
 - a. Is not reasonably necessary
 - b. The proposed amendment is not in the public interest of those residing in the AE zones.
 - c. Is not consistent with the General Plan.

Supplemental Information

- 1. Requested edits to 11-2 Definitions and 11-10-020 Schedule of Uses
- 2. Map showing example property 912 W 500 S
- 3. Map of areas zoned AE



Farmington City Planning Commission Staff Report January 4, 2024

Item 2: Zone Text Amendments to modify the process by which alternate lot sizes are considered.

Public Hearing: Yes
Application No.: ZT-1-24
Applicant: Farmington City

Request: *The proposed amendments suggest allowing alternate lot sizes under a conventional subdivision process.*

Background Information

Before August of 2021, the city ordinances allowed a subdivision to include a variety of lot sizes without requiring open space, moderate income housing, or the PUD process. Under these ordinances, a developer would provide a yield plan indicating the number of lots they could produce using standard lot sizes and dimensions, then staying within that proven density, the developer could vary the size and dimension of lots to better arrange a project. The minimum lot size and frontage requirements were established in Chapter 11-12.

When the city adopted its Moderate Income Housing ordinance in August of 2021, the adopted ordinance required that a developer provide open space, moderate income housing, or some other benefit in order to qualify for *additional lots*, but these items were also required in order to be able to vary lot dimensions even without obtaining additional units or density. It was soon after determined that requiring moderate income housing or open space without granting additional density was not the intent. The city adopted a clarifying ordinance in October of 2021 in which *alternate lot sizes* could be permitted for subdivisions which did not seek additional density.

While the clarifying ordinance was approved by the city council, the modified text was never updated or codified in the city's books. Having been involved in the ordinance updates, staff has been operating consistent to the most recent and proper ordinance; however, the missing text needs to be brought back and should be reconciled with the newly updated subdivision ordinance approved in late 2023.

Suggested Motion

Move the Planning Commission recommend the enclosed ordinance to the Farmington City Council.

Findings

1. The proposed text amendments to the city ordinance clarify conflicting provisions found in the existing text.
2. As proposed, the proposed changes reflect what staff believes was the intended direction of the city council in 2021 and is consistent with the recently approved process for subdivision review and approval.
3. The proposed text changes will allow flexibility for property owners to better make use of their land while maintaining the number of homes or lots anticipated by the zoning district.

Supplemental Information

- Draft Changes to Title 11 and 12

Draft Changes to Title 11 and 12

*Language in red with underline or strikethrough represents a proposed change.

**Language in red without an underline was previously approved but never codified.

11-10-040: LOT AND SETBACK STANDARDS:

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

Zone	<u>Conventional Lot Area</u>	Lot Width	
		Interior	Corner
AA	10 acre	150'	160'
A	2 acre	100'	110'
AE	1 acre	100'	110'

2. Standards: Lot width, setback, and other dimensional requirements for **conventional and** additional lots may meet such standards set forth in Chapter 12 of this Title, **but the number of lots in the subdivision cannot exceed the total number of lots resulting from the respective yield plan.**

11-11-050: MINIMUM LOT AREA, WIDTH AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks for conventional layout subdivision development in single-family residential zones:

Zone	Conventional Lot Area In Square Feet	Lot Width	
		Interior	Corner
R	16,000	75'	85'
LR	20,000	85'	95'
S	30,000	95'	100'
LS	40,000	100'	110'

2. Standards: Low width, setback, and other dimensional requirements for **conventional and** additional lots may meet such standards set forth in Chapter 12 of this Title, **but the number of lots in the subdivision cannot exceed the total number of lots resulting from the respective yield plan.**

12-1-040: DEFINITIONS:

Conventional Subdivision: Any exclusively residential subdivision of property for single family, two-family, or townhome development which meets all development standards adopted by ordinances and all minimum lot size and frontage requirements identified by the applicable zoning district.

Non-Conventional Subdivision: Any subdivision which is not a Conventional Subdivision, including but not limited to 1 or more of the following processes or considerations:

- a. Planned Unit Development (PUD),
- b. Conservation Subdivision,
- c. Subdivision which includes ~~alternative lot sizes and frontages~~additional lots, or which deviates from development standards for public improvements,
- d. Subdivision which includes Commercial, Industrial, or Multifamily Development
- e. Any subdivision requiring a Project Master Plan (PMP) or similar approval memorialized by a development agreement.

FARMINGTON CITY
PLANNING COMMISSION
December 07, 2023

WORK SESSION

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

The Planning Commission reviewed facts and statistics regarding Farmington City before going over the regular session agenda items.

REGULAR SESSION

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

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

SUBDIVISION/SITE PLAN APPLICATIONS – no public hearing

Item #1 Shivang Hospitality LLC – Applicant is requesting Final Site Plan and Final Subdivision approval for the proposed Farmington Station Parkway Phase II subdivision which will include a hotel, located at 332 West Park Lane on 4.15 acres of property in the OMU (Office Mixed Use) zone. (SP-6-22, S-13-22)

Farmington Station Parkway Phase II is a proposed two-lot, one parcel subdivision located in the OMU zone on the west/south side of the curve of Station Parkway and Burke Lane. The applicant has proposed the southern lot, Lot 201, as a hotel use. Lot 202 does not currently have a proposal but will follow the OMU zoning. Finally, there is a remainder parcel northwest of Shepard Creek, which will remain a parcel until such a date as it is developed. At that point, the plat will be amended to convert the parcel to a buildable lot. The City Council approved the schematic site plan and schematic subdivision plan on June 7, 2022.

Commissioner Mortensen encouraged the property owner to plant large trees to help establish mature landscaping more quickly.

MOTION

Tyler Turner made a motion that the Planning Commission approve the final plat for Farmington Station Parkway II, a two-lot subdivision; and that the Planning Commission approve the final site plan for Farmington Station Parkway Phase II Lot 201. Both subject to all applicable City ordinances and development standards.

Findings 1-3:

1. The applicant adds another hotel use for visitors to Farmington, which enhances the local economy of the City.
2. The project is consistent with the previously approved Schematic Plat and Site plan, the City's Master Plan, and meets the goals and purposes of the Zoning Ordinance.
3. The development proposal improves the Shepard Creek Trail connection, and provides open space, from Cook Lane to Station Parkway.

Supplemental Information 1-4:

1. Vicinity Map
2. Final Subdivision Plat

- 3. Final Site Plan – Lot 1
- 4. Building Elevations

Samuel Barlow seconded the motion, which was unanimously approved.

- Chair Erin Christensen X Aye ___Nay
- Vice Chair John David Mortensen X Aye ___Nay
- Commissioner Samuel Barlow X Aye ___Nay
- Commissioner Frank Adams X Aye ___Nay
- Commissioner Mike Plaizier X Aye ___Nay
- Commissioner Tyler Turner X Aye ___Nay
- Commissioner Larry Steinhorst X Aye ___Nay

ZONE CHANGE – public hearing

Item #2 Davis County – Applicant is requesting consideration of an addendum to a Development Agreement to consider a sign package proposal for the Western Sports Park project at 151 South 1100 West. Signs are being considered as part of the existing Agriculture Planned (AP) district and include an electronic message sign and wall signs. (Z-3-23)

Assistant Community Development Director/City Planner Lyle Gibson presented this agenda item. In April of 2023, following the recommendation of the Planning Commission, the City Council approved a Development Agreement (DA) and General Development Plan (GDP) that granted the Agricultural Planned District (AP) overlay zone at the subject property. The DA allowed for the redevelopment of the property in a move away from the traditional equestrian and fairground-type use to what Davis County has branded as the Western Sports Park (WSP). The site plan for this project has also previously received approval and the project has been under construction for some time.

As is often the case, the sign program or details are looked at separate from the site plan and building plans. The County is looking to finalize the details for the signage on site with the Supplemental Development Agreement as proposed.

Typically, signage in the A zone where the project is located are subject to the following regulations:

15-5-010: AGRICULTURAL AND RESIDENTIAL ZONES:

Signs in agricultural districts A, AE and AA, and residential districts R, LR, S, LS, OTR, R-2, R-4 and R-8, are subject to all standards set forth in this title and to the following additional standards:

A. Permitted Signs: Only the following signs are permitted in agricultural and residential districts:

1. Monument signs;
2. Nameplate signs;
3. Open house signs;
4. Political signs;
5. Project identification signs;
6. Property signs;
7. Temporary signs advertising garage or yard sales, craft boutiques or sale of fruits and vegetables during the normal harvest season.

B. Project Identification Signs: Apartment developments, condominium projects and residential subdivisions may have one project identification sign indicating only the name of the development. Such signs shall be either wall or monument signs and shall be not more than thirty two (32) square feet in size.

C. Nameplate Signs: One nameplate sign may be used for each dwelling unit. No permanent signs other than nameplates are permitted on individual lots.

D. Monument, Wall Signs For Public Uses: One monument or wall sign, not to exceed thirty two (32) square feet, may be permitted in conjunction with a public use, quasi-public use or public utility installation.

E. Monument, Wall Signs In R-4, R-8: One monument or wall sign, not to exceed sixteen (16) square feet, may be permitted in an R-4 or R-8 zone for a daycare center or professional office.

F. Monument Signs In OTR Zone: One monument sign, not to exceed sixteen (16) square feet, may be permitted for a nonconforming professional office in the OTR zone.

G. Temporary Signs For Fruit, Vegetable Sales: Temporary signs advertising sale of fruits and vegetables during the normal harvest season shall not exceed a total of thirty two (32) square feet for all signs on the premises.

H. Temporary Home Occupations: Temporary home occupations, such as a garage or yard sale, or craft boutiques, may have a maximum of one temporary on premises sign and two (2) temporary off premises signs for each event. Each sign shall not exceed six (6) square feet in one area. The number of events on an individual residential lot shall not exceed four (4) in any calendar year.

I. Distance to Property Line: No on premises sign shall be located closer than one foot (1') to any property line so long as the site distance for vehicles entering traffic is not compromised.

Rather than follow these limited provisions, under the AP District the County may seek permission from the City to deviate from the usual requirements under new rules which are established and outlined in a Development Agreement.

Electronic Message Sign

Many signs are included with the request. One item of note is the interest in an Electronic Sign, which is not generally permitted in the A zone. For many years there was an electronic message sign on the northwest corner of the property as shown in FIGURE 1.



FIGURE 1

When the County pursued an approval to remodel and expand the old Legacy Events Center, they wanted to ensure that they would be allowed to continue having an electronic message sign to help advertise the facility and events. To solidify this right, the original DA includes provisions related to signage on the property. Section 5 of the DA specifically states:

5. Alternative Development Standards. Pursuant to Utah Code Ann. § 10-9a-532(2)(a)(iii), this Development Agreement contains terms that conflict with, or is different from, a standard set forth in the existing land use regulations that govern the Property. This Agreement, which has undergone the same procedures for enacting a land use regulation, overrides those conflicting standards as it relates to this Project, as follows:

c) Electronic Message Sign. All signage for the Project shall comply with Farmington City Sign Regulations except that the Property shall be permitted one (1) Electronic Message Sign which shall comply with the design standards of Farmington City Code 15-4-030 and 15-5-060 with a limit on operations to turn off after 10pm until 6am. Any deviations from the code or applicable development standards sought related to the sign shall undergo the process for a supplemental or amended development agreement.

Additional terms exist within the agreement related to the shared participation, use and maintenance of this Electronic Message Sign.

Apart from size requirements regulated by the structure type the sign is on, Farmington City does contain provisions in code which regulate details related to an Electronic Message Sign.

15-4-030: ELECTRONIC MESSAGE SIGNS:

The following standards shall govern the use of electronic message signs. The nighttime and daytime illumination of an electronic message sign shall conform with the criteria set forth in this section:

A. **Illumination Measurement Criteria:** The illuminance of an electronic message sign shall be measured with an illuminance meter set to measure foot-candles accurate to at least two (2) decimals. Illuminance shall be measured with the electronic message sign off, and again with the electronic message sign displaying a white image for a full color capable electronic message sign, or a solid message for a single color electronic message sign. All measurements shall be taken perpendicular to the face of the electronic message sign at the distance determined by the total square footage of the electronic message sign as set forth in the "Sign Area Versus Measurement Distance" table in this section:

SIGN AREA VERSUS MEASUREMENT DISTANCE

Area Of Sign (Square Feet)	Measurement Distance (Feet)
10	32
50	71
100	100
200	141

Note: For signs with an area in square feet other than those specifically listed in the table, the measurement distance may be calculated with the following formula: The square root of the product of the sign area and 100.

B. **Measurement Difference:** The difference between the off and solid message measurements using the electronic message sign measurement criteria shall not exceed 0.3 foot-candle at night.

C. **Automatic Dimming Technology:** Electronic message signs shall come equipped with automatic dimming technology that must automatically adjust the sign's brightness in direct correlation with ambient light conditions not to exceed fifteen percent (15%) of full brightness at night and eighty five percent (85%) of full brightness at day.

D. **Minimum Hold Time:** The minimum hold time between messages, for an electronic message sign, shall be no less than three (3) seconds. Any such sign with a hold time less than three (3) seconds shall be considered an animated sign and shall be prohibited.

E. **Images:** Fading, transitioning or dissolving of images shall occur on an electronic message sign of no less than one second, but not to exceed 1.5 seconds, to reduce the abrupt "flashing" effect as the message on the sign changes from one image to another.

F. **Color LED:** All images on electronic message signs shall be full color RGB LED (light emitting diode). (Note: The RGB color model is an additive color model in which red, green and blue light are added together in various ways to reproduce a broad array of colors. The name of the model comes from the initials of the 3 additive primary colors: red, green and blue.)

G. **Traveling Messages:** Traveling messages are prohibited.

H. **Prohibited Hours:** Electronic message signs must be turned off between the hours of twelve o'clock (12:00) midnight and six o'clock (6:00) A.M.

The applicant has indicated that their sign will be functionally capable of meeting these provisions. They are not seeking approval to deviate from these items except that they have previously agreed to turn the sign off at 10 pm. Rather, they are looking to confirm the size and location of the sign. As proposed, this sign would stand 21 feet tall, being 9 feet wide. The electronic message component of the sign is the top 14 feet covering 126 square feet. It would produce light with internal illumination. The Chevron on Park Lane is comparable in size, and it can also be compared to the University of Utah Healthcare sign. This sign would be shorter than those by about 8 or 9 feet. This function and look would face both the east and west. The bottom is static and made up of the WSP logo. The Commission has the flexibility to suggest modifications and limitations. The ordinance already triggers some controls.

Wall Signs:

The northernmost and southernmost façade of the main buildings are proposed to include large wall signs with the WSP logo. Within the A zoning district, on a public building there is a standard wall sign maximum of 32

square feet (essentially the size of a 4' x 8' piece of plywood). The proposed signage for this project includes a wall sign on the south façade which covers approximately 2,000 square feet and another on the façade facing Clark Lane, which covers approximately 4,600 square feet. These large signs are not illuminated. Other wall signs are included which face internally and will be much smaller in scale with some details still to be determined. Typical commercial sign requirements are 10% of the façade. These are about 10% and 20% as proposed.

Other signage:

All other signs such as directional, traffic, and parking location signs are identified and located in the included site plan exhibit.

Applicant Scott Smith (Millcreek, Utah), who is part of the design team with Method Studio Architects, addressed the Commission. Because this is such a prominent façade for those coming in from outside the community, this is more like a billboard. It will be a vinyl graphic on the siding of the building. It would not be lit and would only be viewed during the day. Everything now is still in design, so these are only examples. The smaller signs will be lit for wayfinding for directional and traffic purposes. A monument sign not connected to the building will be for photo opportunities. He plans that signs can be interchangeable in case they need to be used for another event, such as the Olympics or national sports tournament. Davis County will use the electronic sign 80% of the time, and Farmington City will use it 20% of the time. It will be used to advertise calendar events, upcoming tournaments, and event sponsors. The sign on the west has already been totally removed because they want to shift everyone's view to the east coming from Park Lane.

Commissioners wondered if the sign could be reduced in size, and commented on the color of the proposed logo. They wondered if the electronic sign could only have still images rather than moving video sort of images. Gibson said moving, animated images would not be allowed by Farmington ordinance (Section 15-4-030). Height, size, and location are the only deviations being requested at this point, so everything else would need to adhere to the City ordinance.

Chair Erin Christensen opened the public hearing at 7:33 pm.

Mike Seely (28 S. 1100 W., Farmington, Utah) asked if the marquee would be on Clark Lane, which it will. He asked if any signage would be on 1100 West.

Chair Erin Christensen closed the public hearing at 7:34 pm.

Smith said there will not be any lit or big signs on 1100 West. The only sign on 1100 West will be painted on the siding. The windows along 1100 West will be low for natural lighting, and there will be an exit door. He is hoping most of the public traffic would be coming off Park Lane. Most of the other areas on 1100 West and by the sheriff's complex would be exits.

Gibson said most of the signage is finalized for wayfinding and traffic. There are stop signs and exit signs on 1100 West. The Commission can approve size parameters and have a percentage maximum for coverage. Signage is never permanent, as logos change over time and rebranding may be necessary. Size and location details are more important. Substantial changes would need to come through Staff for future approvals. To get an additional sign on 1100 West, the applicant would have to come before the Commission for approval.

Smith said the document doesn't show details on the east side. They may need signage there in the future facing the plaza.

Community Development Director David Petersen said signs further than 25 feet from a public street are not intended to be seen from adjacent streets. The area of the sign is much greater than 10% of the building. However, there is flexibility in the AP District. The Commission may want to ask to tap the brakes due to off-site advertising content that could be included on the electronic sign, since Smith said some event sponsors may be included on the sign. This may be a content issue. Billboard companies, CenterCal and their tenants, and legislators are watching this item very closely. He doesn't want to set a precedence with outdoor signage

including off-site content, even if it is an upcoming Farmington community play. He would like to have this item tabled to allow time to check with the City Attorney about this.

Christensen said this agreement does not address content, just size and location of signs. Smith said this could be considered a mural or architectural feature instead of a sign. They are happy to do whatever the City decides for sign and size. Christensen said the ordinance can be consulted for definitions.

Commissioner Frank Adams said the size of the sign concerns him. The large sign on the side of the building on 1100 West may misdirect traffic to go further down 1100. He wants to know who owns the brand, as the artist may need to be paid for it if it is to be removed. Smith said Discover Davis owns the brand.

Commissioner Sam Barlow said the look and design is good, as it is built into the columns. Covering windows is a concern, as it could deteriorate the architectural design and set a precedence. Commissioners said no matter what, motorists will probably go down 1100 West, even if it is not the preferred entrance. It will be a problem no matter what is done with the signage on the building. Christensen said she doesn't have a problem with the big sign because it is a unique use, which is why the AP District was placed on the property.

Commissioners want to be careful about setting a precedence. Gibson said those developments in the mixed use zones are being done under Development Agreements, which in theory could offer deviations from the underlying zone. Petersen wondered what direction Google maps will take traffic to, and how to make corrections to Google wayfinding. Although he does want to address content implications, he also doesn't want to hold the County up.

MOTION:

John David Mortensen made a motion to table this agenda item in order to have discussions with the City Attorney on any content implications and regulations. The time would give the applicant time to come up with wayfinding signs and what those would look like, a smaller concept for all signs, especially the north side, and come back with an east side concept.

Tyler Turner seconded the motion, which was unanimously approved.

- Chair Erin Christensen X Aye ___ Nay
- Vice Chair John David Mortensen X Aye ___ Nay
- Commissioner Samuel Barlow X Aye ___ Nay
- Commissioner Frank Adams X Aye ___ Nay
- Commissioner Mike Plaizier X Aye ___ Nay
- Commissioner Tyler Turner X Aye ___ Nay
- Commissioner Larry Steinhorst X Aye ___ Nay

ZONE TEXT AMENDMENTS – public hearing on item 4 only

Item #3 Andrea & Andrew Gooch – Applicant is requesting consideration of additional text and amendments to Title 11: ZONING REGULATIONS establishing the definition of “Accessory Structure Operation” in Chapter 11-2 Definitions, and amending the SCHEDULE OF USES in Chapter 11-10 to determine where an Accessory Structure Operation is permitted and by which process it must be considered. (ZT-20-23) (Tabled on 11.16.2023)

City Planner/GIS Specialist Shannon Hansell presented this agenda item. The applicants reside at 473 S. 950 W. and also own the property at 912 W. 500 S. The 912 S. property includes a main dwelling and large detached accessory building. The applicant would like to utilize the accessory building as a for-rent storage unit where

neighbors' recreational vehicles, equipment, etc. may be stored. Storage units are not a permitted use in the Agricultural zones. The purpose of this zone text amendment is to update 11-10-020 of the Zoning Ordinance, which outlines the schedule of uses in Agricultural Zones. Additionally, the applicant wishes to establish the definition of "Accessory Structure Operation." The new use would be allowed only in the Agricultural Estates (AE) zone, and the created definition has been requested to include very specific elements which are aimed at preventing the use except in the most specific of situations. Hansell said the AE is a large portion of Farmington, and this use in an accessory structure could be considered commercial.

City Staff has informed the applicant of their general concern for allowing such a use, without the ability to understand all the potential consequences. Having expressed this concern, suggestions from the City have been given to the applicant that will help narrow the occurrence of such a use, making it more suitable.

The Planning Commission reviewed and tabled the proposed amendment on November 16, 2023. The Commission formed a subcommittee to review the ordinance and propose a different ordinance amendment that would not create a new use in the AE zone. Instead, the subcommittee recommended reviewing Chapter 35 Home Occupations. Because of this direction change, Staff is recommending that the Planning Commission recommend denial for the amendments to 11-2 and 11-10 as outlined in the November 16, 2023 proposal. This recommendation for denial is intended to steer the amendment towards Home Occupation ordinances, rather than Agricultural zone ordinances.

Christensen said it seems like a bigger change to the statute with greater unknowns. This feels more like a home occupation, which happens to be on the lot next door. It could work despite the off-site nature under the Home Occupations chapter as a Conditional Use Permit. One of the renters of the home on that property could help operate the business, which puts them on site. The subcommittee's recommendation was to deny under the current application, but give Staff some time to bring a new application under the Conditional Use process, and bring amendments under the Home Occupation ordinance.

Applicant Andrew Gooch (473 S. 950 S., Farmington, Utah) said he appreciated the subcommittee exploring other options. He understands the need to limit the scope in order to allow the requested use.

Gibson said one of the conditions and findings that the subcommittee considered was the actual owner was adjacent, which is unique to this application. It could be on condition that the owner remain adjacent to the property. Other conditions would include hours of operation. Adams said the code prohibits having hazardous materials in the structure, and vehicles can't be worked on in it. Instead, it is for passive use storage only, which would limit traffic. Christensen said the number of renters should be limited, which would also help limit the traffic. The size of the building should be limited as well, or subordinate in size to the main dwelling. The future process would address these conditions and any others needed. Gibson said the applicant has the option to withdraw the application and proceed with the conditional use route.

MOTION:

Tyler Turner made a motion that the Planning Commission recommend the City Council deny the amendments to Farmington Code 11-2 DEFINITIONS and 11-10-020 SCHEDULE OF USES, in order to explore amendments to 11-35 HOME OCCUPATIONS.

Findings 1-2:

1. The requested use of Accessory Structure Operation does not meet the purposes of Title 11 as stated in 11-1-020 as it does not:
 - a. Lessen congestion in the streets.
 - b. Secure safety from fire, panic and other dangers, and provide adequate light and air.
 - c. Encourage the orderly growth and expansion of the City and avoiding the overcrowding of land and the undue concentration of population.
 - d. Foster the city's industries and encourage the development of an attractive and beautiful community.

2. The requested use of Accessory Structure Operation does not comply with 11-6-020 D Planning Commission Review for Proposed Amendments, as the definition:
 - a. Is not reasonably necessary.
 - b. The proposed amendment is not in the public interest of those residing in the AE zones.
 - c. Is not consistent with the General Plan.

Supplemental Information 1-3:

1. Requested edits to 11-2 Definitions and 11-10-020 Schedule of Uses
2. Map showing example property 912 W. 500 S.
3. Map of areas zoned AE

Larry Steinhorst seconded the motion, which was unanimously approved.

- | | |
|-----------------------------------|----------------|
| - Chair Erin Christensen | X Aye ____ Nay |
| - Vice Chair John David Mortensen | X Aye ____ Nay |
| - Commissioner Samuel Barlow | X Aye ____ Nay |
| - Commissioner Frank Adams | X Aye ____ Nay |
| - Commissioner Mike Plaizier | X Aye ____ Nay |
| - Commissioner Tyler Turner | X Aye ____ Nay |
| - Commissioner Larry Steinhorst | X Aye ____ Nay |

Item #4 Farmington City – Applicant is requesting a consideration of additional text and amendments to Chapter 32, OFF STREET PARKING, LOADING AND ACCESS, of Title 11: ZONING REGULATIONS. The amendments are proposed to establish new parameters around what portions of a front yard can be paved and used for vehicle parking and access. (ZT-22-23).

Petersen presented this agenda item. The City's Storm Water Official, Brent White, administers and implements, among other things, federal, state, and local stormwater regulations for the City. In so doing, he reviews all commercial and residential site plans including site plans for single- and two-family dwellings. Paved residential driveways are an acceptable impervious surface as per Section 11-32-030 E. of Chapter 32 of the Zoning Ordinance, and this subparagraph also seems to imply a gravel driveway is also an allowed surface. White is requesting that the City clarify this Section to ensure that pavement and gravel are approved surfaces. [Note: He is okay with either material]. In meeting this request, Staff found that it may be reasonable to make modifications to Section 11-32-060 A.1. as well.

Commissioner Barlow said there are many examples of this throughout Farmington, where cement has been poured without the property owner getting permission first. Petersen said this does not address walkways between a sidewalk and front door. There is not a minimum green requirement in front yards. Commissioners said allowing parking on the side of a house would keep vehicles off the road, which is helpful especially in a snow storm.

Chair Erin Christensen opened and closed the public hearing at 8:54 pm due to no comments received.

MOTION

John David Mortensen made a motion that the Planning Commission recommend the City Council approve the following amendments to Sections 11-32-030 E. and Section 11-32-060 A.1. of Chapter 32 of the Zoning Ordinance.

11-32-030: GENERAL PROVISIONS:

- E. Parking In Front Yard or Side Corner Yard: No portion of a ~~required~~ front yard or side corner yard shall be used for parking, except for the paved **or gravel** driveway area. No portion of a ~~required~~ front yard or side corner yard, other than driveways leading to a garage or properly designated parking space, shall be paved or graveled to encourage or make possible the parking of vehicles thereon.

11-32-060: ACCESS TO OFF STREET PARKING AND LOADING SPACES:

- A. Ingress And Egress: Adequate ingress and egress to all uses shall be provided as follows:
 - 1. Residential driveways shall be not more than twenty feet (20') in width when serving as access to two (2) properly designated spaces, or thirty feet (30') in width when serving as access to three (3) properly designated parking spaces as measured at the front or side corner property line. "Properly designated parking spaces" shall include spaces in a garage, carport or on a parking pad located to the side of a dwelling and not located within the ~~minimum front yard setback~~ or **required side corner yard setback**. Additional driveway width for access to a rear yard, for more than three (3) properly designated parking spaces, or for multiple-family residential developments, ~~or for a different location of a properly designated parking space than set forth herein~~, may be reviewed by the planning commission as a special exception. Residential driveways shall be designed at a width which is the minimum necessary to provide adequate access to designated parking spaces.

Findings 1-2:

- 1. Impervious surface is a key element related to stormwater run-off. Clarifying allowed surface types for residential driveways will help the City in its administration of its regulations.
- 2. Impervious surface increases run-off sometimes to the detriment of the environment and may result in costlier infrastructure to handle the additional stormwater for the City to construct, operate, and maintain. Limiting residential driveway surface area to what is necessary helps the community to achieve its goals and objectives of managing stormwater runoff.

Frank Adams seconded the motion, which was unanimously approved.

- Chair Erin Christensen X Aye ___Nay
- Vice Chair John David Mortensen X Aye ___Nay
- Commissioner Samuel Barlow X Aye ___Nay
- Commissioner Frank Adams X Aye ___Nay
- Commissioner Mike Plaizier X Aye ___Nay
- Commissioner Tyler Turner X Aye ___Nay
- Commissioner Larry Steinhorst X Aye ___Nay

OTHER BUSINESS

Item #5 Miscellaneous, correspondence, etc.

- a. Minutes Approval from November 16, 2023
 - i. Tyler Turner motioned to approve the minutes from the above date. Mike Plaizier seconded the motion. Erin Christensen abstained, as she was not able to read them yet.
 - Vice Chair John David Mortensen X Aye ___Nay
 - Commissioner Samuel Barlow X Aye ___Nay
 - Commissioner Frank Adams X Aye ___Nay
 - Commissioner Mike Plaizier X Aye ___Nay
 - Commissioner Tyler Turner X Aye ___Nay
 - Commissioner Larry Steinhorst X Aye ___Nay
- b. City Council Report from December 5, 2023.
 - i. Gibson said the Council discussed preliminary plat for the PUD of the Gattrell property, deliberating on the Commission’s conditions. Any changes to the historic homes would maintain eligibility for the national register. They did not implement timing of improvements for the historic structures, since there are current tenants in them. The direction was to keep the homes. The Council let the developer off the hook on the open space requirement recommended by the Commission.
 - ii. The Council followed the Commission’s recommendation for the Acer Trees home business off the frontage road. It got more colorful during the Council’s public hearing than it did at the Commission’s hearing, as a neighbor shared his concerns.

- iii. The Council tabled the designation of Main Street Historic Landmark District in order to hold a question-and-answer session with affected landowners. The Council held a canvass of the election, where all three incumbents were re-elected.
- c. Review of 2024 PC Calendar. Gibson said Commission meetings are the first and third Thursdays of the month, except in February and December. In April, there would not be a meeting held over spring break. The July 4 meeting would be canceled. There will be one meeting in December.

Steinhorst motioned to approve the 2024 calendar. Plaizier seconded the motion.

- Chair Erin Christensen X Aye ___ Nay
- Vice Chair John David Mortensen X Aye ___ Nay
- Commissioner Samuel Barlow X Aye ___ Nay
- Commissioner Frank Adams X Aye ___ Nay
- Commissioner Mike Plaizier X Aye ___ Nay
- Commissioner Tyler Turner X Aye ___ Nay
- Commissioner Larry Steinhorst X Aye ___ Nay

d. Election of Chair and Vice Chair for 2024.

- i. Erin Christensen nominated John David Mortensen for the Chair position. Mortensen accepted the nomination.

- Chair Erin Christensen X Aye ___ Nay
- Vice Chair John David Mortensen X Aye ___ Nay
- Commissioner Samuel Barlow X Aye ___ Nay
- Commissioner Frank Adams X Aye ___ Nay
- Commissioner Mike Plaizier X Aye ___ Nay
- Commissioner Tyler Turner X Aye ___ Nay
- Commissioner Larry Steinhorst X Aye ___ Nay

- ii. Tyler Turner nominated Frank Adams for the Vice Chair Position. Adams accepted the nomination.

- Chair Erin Christensen X Aye ___ Nay
- Vice Chair John David Mortensen X Aye ___ Nay
- Commissioner Samuel Barlow X Aye ___ Nay
- Commissioner Frank Adams X Aye ___ Nay
- Commissioner Mike Plaizier X Aye ___ Nay
- Commissioner Tyler Turner X Aye ___ Nay
- Commissioner Larry Steinhorst X Aye ___ Nay

e. Other

- i. Petersen said the Commission is invited to the training before the January 16, 2024, City Council meeting at 6 p.m. Commissioners are supposed to have four hours of training each year. The City Attorney will provide training on ex parte contact, conflicts of interest, rules, and procedures.
- ii. This was the last meeting with Mike Plaizier and Larry Steinhorst. They will receive recognition on the January 2, 2024, City Council meeting for all of their dedication over the last four to five years. Gibson said the alternates were appointed to one year, and often they move up into Commissioner seats. The City advertised the two open Commission positions as well as two open alternate positions, and received multiple applications. The Mayor will present nominations at the January 2, 2024, Council meeting. Joey Hansen, who expressed interest in filling a Commission seat, was in attendance.

ADJOURNMENT

Mike Plaizier motioned to adjourn. Larry Steinhorst seconded the motion.

- **Chair Erin Christensen** X Aye ___Nay
- **Vice Chair John David Mortensen** X Aye ___Nay
- **Commissioner Samuel Barlow** X Aye ___Nay
- **Commissioner Frank Adams** X Aye ___Nay
- **Commissioner Mike Plaizier** X Aye ___Nay
- **Commissioner Tyler Turner** X Aye ___Nay
- **Commissioner Larry Steinhorst** X Aye ___Nay

Erin Christensen, Chair



160 SOUTH MAIN
FARMINGTON, UT 84025
FARMINGTON.UTAH.GOV

CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the Farmington City Council will hold a regular meeting on **Tuesday, January 2, 2024** 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. If you wish to email a comment for any of the listed public hearings, you may do so to dcarlile@farmington.utah.gov

WORK SESSION – 6:00 p.m.

- Conflict of Interest forms
- 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

PRESENTATION:

- Oath of Office for Newly Elected City Council Members
- Recognize Mike Plaizier and Larry Steinhorst for their service on the Planning Commission

BUSINESS:

- Zone Text Amendment – Residential Driveway Material Type and Parking in Front and Side Corner Yards

SUMMARY ACTION:

- Resolution appointing Kristen Sherlock and Joey Hansen to serve as members of the Planning Commission
- Resolution appointing Brian Shepherd and Spencer Klein to serve as alternate members of the Planning Commission
- Approval of Minutes for 12.05.23
- Approval of Minutes for 12.06.23

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 and the Utah Public Notice website at www.utah.gov/pmnl. Posted on December 30, 2023