FARMINGTON

HISTORIC BEGINNINGS • 1847

Farmington City Planning Commission

October 9, 2014

FARMINGTON CITY

H. JAMES TALBOT
MAYOR

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

DAVE MILLHEIM
CITY MANAGER

AGENDA
PLANNING COMMISSION MEETING
October 9, 2014

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah

Study Session: 6:00 p.m. – Conference Room 3 (2nd Floor)
Regular Session: 7:00 p.m. – City Council Chambers (2nd Floor)

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Planning Department prior to noon the day before the meeting.)

1. Minutes

2. City Council Report

SUBDIVISION AND REZONE APPLICATION

3. Jared Darger/Clearwater Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan approval for the Meadow View Phase II Conservation Subdivision consisting of 24 lots on 8.89 acres located at approximately 1725 West Spring Meadow Lane, and a zone change from A (Agriculture) to AE (Agriculture Estates) related thereto. (S-10-14 & Z-1-14)

CONDITIONAL USE

4. Amy Peterson (Public Hearing) – Applicant is requesting conditional use permit approval for a preschool as a home occupation on property located at approximately 250 South 1525 West in an AE (Agriculture Estates) Zone. (C-17-14)

5. James Walker (Public Hearing) – Applicant is requesting conditional use permit approval to store equipment used as part of a home occupation on 1 acre of property located at 154 East 200 North in an OTR (Original Townsite Residential) Zone. (C-18-14)

ZONE TEXT CHANGE

6. Farmington City (Public Hearing) – Applicant is requesting a recommendation for approval of a Text Amendment of Chapter 15 of the Zoning Ordinance regarding permitted and conditional uses in the BR Zone. (ZT-10-14)

OTHER BUSINESS

7. Joint City Council/Planning Commission discussion item and training session to review among other things, a possible text amendment of Chapters 1 and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions.

160 S MAIN P.O. BOX 160 FARMINGTON, UT 84025
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8. Miscellaneous, correspondence, etc.
    a. Request for Shed in Side Yard (Action Item)
    b. Other

9. Motion to Adjourn

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to take action 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.

Posted October 1, 2014

Eric Anderson
Associate City Planner

FARMINGTON CITY
PLANNING COMMISSION MEETING
September 18, 2014

STUDY SESSION

No Study Session was held for this Planning Commission meeting.

REGULAR SESSION

Present: *Chairman Brett Anderson, Commissioners Heather Barnum, Kris Kaufman and Rebecca Wayment, Associate City Planner Eric Anderson and Recording Secretary Lara Johnson. Commissioners Kent Hinckley and Alternate Commissioners Karolyn Lehn and Michael Nilson were excused.*

#1. Minutes

Heather Barnum made a motion to approve the Minutes from the September 4, 2014 Planning Commission meeting. **Kris Kaufman** seconded the motion which was unanimously approved.

#2. City Council Report

David Petersen gave a report from the City Council meeting on September 16, 2014. He explained the applicant requesting the Recreational Vehicle and Equipment Use in the BR Zone may have found a location in another city; at this time he will not be pursuing the zone text change to allow for the use within the BR Zone. The Plat Amendment and Minor Subdivision of Stephen's Property and the Final Plat for the Silverleaf Conservation Subdivision were approved. Also, the Planning Commission's recommendation to amend chapters 10, 11, 12 and 28 of the Zoning Ordinance was discussed as proposed, but the Council added flexibility for lot sizes in the AE zone based on case studies **David Petersen** presented. The official hearing for the amendment will be October 7, 2014.

ZONE TEXT CHANGE

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

Eric Anderson stated this item needs to be tabled.

Brett Anderson opened the public hearing at 7:21 p.m.

No comments were received.

Brett Anderson closed the public hearing at 7:21 p.m.

Motion:

Heather Barnum made a motion that the Planning Commission table this item. **Kris Kaufman** seconded the motion which was unanimously approved.

OTHER BUSINESS

Item #5. Miscellaneous: A) Request to Modify 1000 North Street Cross Section (Action Item)

David Petersen said in 2010, the City set aside funds to repave 1000 North Street east of 200 West as well as put in curb and gutter. As shown in the staff report, **David Petersen** said there is a large discrepancy of the back of curb as it was initially platted for a much wider road. The property owners abutting the road on the south side requested the City vacate all but 4-6' (for a sidewalk) of the remaining property; however, the City standard is 11.5' which provides for a 4' sidewalk and 7.5' park strip. The City conceptually approved it with proviso that the property owners participated in the cost of curb and gutter in exchange for the property. The curb and gutter was completed, and now Jared May, the sponsor of the petition, is requesting the final property vacation so he can subdivide his property. **David Petersen** said per the City Attorney, although four years have lapsed, there is no need to post another public hearing for the street vacation.

The DRC and Public Works recently reviewed the request and recommended the City vacate all but 11.5' if a sidewalk is planned for the future and only 6' if no sidewalk will be constructed. **Brett Anderson** asked if Public Works had any concerns with the decrease from 11.5' to 6'. **David Petersen** stated Public Works dislikes sidewalks on back of curb as snow builds up on the sidewalks from the snow plows during the winter.

David Petersen continued that the property owners may not want a sidewalk on back of curb and the City does not currently have money for the sidewalk, but the City may want to leave it as an option for the future.

Kris Kaufman asked for further clarification on if the property owners or the City would pay for the sidewalk. **David Petersen** stated the property owners were only responsible for assisting with the curb and gutter, not a sidewalk, in order for the City to vacate the property; the City should just leave space for a sidewalk to keep it as an option down the road.

Jared May, 984 Compton Rd., stated he needs to get up to 30,000 sq. ft. to subdivide his property. If the City vacates the property, but keeps a remaining 6' for sidewalk, he stated he would be able to subdivide. If the City would like 11.5' for a sidewalk and park strip, he is not sure if it would be enough for him to subdivide. **David Petersen** again reminded the Commission that in 2010, the City Council did conceptually approve 4-6' and the citizens paid for the curb and gutter with that expectation.

Brett Anderson said he feels a park strip on this small portion of the street would seem out of place as there are no other park strips in the area. He is comfortable moving forward with the 2010 City Council's conceptual approval. **Kris Kaufman** agreed.

Rebecca Wayment asked if 1000 North Street will ever become a thru-street as there is a stub road at the end of it. **David Petersen** said no as it would be impossible to meet any reasonable standards to make it drivable due to the extreme grade just east of the end of the street.

Motion:

Kris Kaufman made a motion that the Planning Commission recommend that the City Council vacate all but 6 feet of the southern part of the 1000 North Street r.o.w. the entire continuous length of said street east of 200 West as measured from the back of curb. **Rebecca Wayment** seconded the motion which was unanimously approved.

Findings for Approval:

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

Item #5. Miscellaneous: B) Zone Text Change of Permitted and Conditional Uses in BR Zone (Discussion Item)

Eric Anderson said during the last meeting, Commissioners discussed which uses to leave as permitted, conditional or remove completely. He stated the discussion stalled as staff and the Commissioners were not sure how much to "spell out" the permitted and conditional uses while still leaving the flexibility to approve or deny uses in the future.

Brett Anderson asked for clarification on Section 11-8-105 and if the six standards listed can be taken into account if approving or denying conditional uses. **Kris Kaufman** stated, based on his research, the standards can be taken into account and it is theoretically possible for a Planning Commission to deny a conditional use if there is evidence the use does not meet the standards and a Commission can't mitigate with reasonable conditions; however, case law leans toward conditional uses as permitted uses with conditions. He said courts often characterize cities that deny conditional uses as arbitrarily denying based on public clamor.

Kris Kaufman also added, based on another case he read, if a use is not listed, then it's assumed that it was purposefully left out so it cannot later be interpreted to fit into a broader category. **David Petersen** agreed; he explained auto sales are not listed as a use in the BR zone, but is included in other zones within the City. This means the City knew how to name it, but purposefully left it out of a permitted or conditional use in a particular zone. **Kris Kaufman** suggested cross-referencing uses in other chapters prior to removing the use from Chapter 15 regarding the BR Zone. **David Petersen** said Chapter 16 was the template for Chapter 15; if the use is listed in Chapter 15, it will most likely also be listed in Chapter 16 therefore the City is naming it in another section of the Ordinance and is then purposeful in deciding which uses it does not want for the BR Zone.

Rebecca Wayment asked for a list of permitted and conditional uses within the other zones so the Commissioners can cross-reference uses to better determine what permitted and conditional uses they would like to have for the City's downtown area. **David Petersen** suggested the Commissioners determine what uses they do not want for the downtown area and then staff will do a cross-reference of uses located in other areas of the Ordinance prior to the Commission's final

consideration. The Commissioners felt comfortable discussing uses they do not want during this meeting.

Staff and the Commissioners discussed each permitted and conditional uses and determined if they wanted to retain or remove the use from Chapter 15 regarding the BR Zone.

The Commissioners asked staff the reasoning behind the et cetera listed after neighborhood service establishment. **David Petersen** said it provides flexibility; residents can appeal a decision the zoning administrator makes or a zoning administrator may even come before the Planning Commission to discuss a use which could possibly be under the et cetera. The Commissioners still had concern with how broad it is for a permitted use.

Also, during the discussion, **Kris Kaufman** asked if it is possible to have a list of excluded uses. **David Petersen** said yes, as long as the use is listed in other zones within the City to show that it is not a preferred use for this specific zone.

At the end of the discussion, **David Petersen** asked the Commissioners if they would prefer to remove all but a few permitted uses and make the uses conditional. **Brett Anderson** felt it would be a good idea as it would allow the Commission the flexibility they want. **Eric Anderson** added the Commissioners could then include reasonable conditions to ensure the use is the best fit for the downtown area and the homes located there. **Heather Barnum** asked if it would deter businesses if there is a longer delay, more work and additional cost; she does not want businesses to view Farmington as uninviting. **David Petersen** said no, as businesses still have to come before the Planning Commission for a permitted use anyway. **Rebecca Wayment** likes the idea that the Commission would be able to put reasonable conditions on the use.

David Petersen suggested adding a preemptive section to the chapter stating the City's intent for the downtown area and desire for businesses to come, but that each use will be reviewed as a conditional use to ensure it is a good fit. The Commissioners were comfortable with the addition.

Item #5. Miscellaneous: C) Other

David Petersen briefly provided the Commission the same case studies that were presented to the City Council regarding the zone text amendments to Chapters 10, 11, 12 and 28. Upon review, the City Council decided to allow greater flexibility within the AE zone; a property owner located in an AE zone still has to adhere to what a yield plan or TDR can offer, but amended the Ordinance to allow a minimum lot size of 12,000 sq. ft.

ADJOURNMENT

Motion:

At 8:58 p.m., **Kris Kaufman** made a motion to adjourn the meeting which was unanimously approved.

_____

Brett Anderson
Chairman, Farmington City Planning Commission

Planning Commission Staff Report
October 9, 2014

Item 3: Request for Schematic Plan Approval and Zoning Map Amendment

Public Hearing:	Yes
Application No.:	S-10-14 & Z-1-14
Property Address:	1725 West 450 North
General Plan Designation:	RRD (Rural Residential Density)
Zoning Designation:	A to AE
Area:	8.89 Acres
Number of Lots:	24
Property Owner:	Clearwater Homes
Agent:	Jared Darger

Request: Applicant is requesting a recommendation for schematic plan approval and a rezone from A (Agriculture) to AE (Agriculture Estates).

Background Information

The applicant is seeking to expand the Meadow View Subdivision into Phase II development. In order to do that, the applicant will need to receive a zone change from A (Agriculture) to AE (Agriculture Estates) which will allow for higher density and will be consistent with all of the surrounding neighborhoods, including Meadow View Phase I. The general plan designates this property as RRD (Rural Residential Density) which sets a threshold between ½ acre and 5 acre lots as represented on a "preliminary sketch plan" or a residential density based on a subdivision yield plan.

The rezone portion of this application was before the Planning Commission on August 7th. However, the applicant didn't have a subdivision application at that time, so the Commission tabled the item until a schematic plan was submitted, so that the commissioners could see what was planned for the property. The schematic plan before you has been "grandfathered" in under the old conservation subdivision rules for the AE zone. Both the schematic plan and the yield plan meet all of the design requirements for lots within a conservation subdivision in the AE zone including: lot widths, area, etc.

The yield plan shows that 16 lots could be built on the property, the applicant would need to provide 30% open space (or 2.667 acres) to receive a density bonus of 20%, taking the total lot count to 19 (or an extra 3 lots). In addition to this density bonus, the applicant will be seeking for an additional 5 lots to be gained through a TDR transaction with the City; this transaction, if approved, will also count towards the 30% open space requirement.

The only remaining issue that must be addressed is the road layout. Currently, the subdivision ordinance does not allow for cul-de-sacs over 1000' for fire access and safety issues. The applicant has worked with staff, including the Fire Department to arrive at some possible alternative solutions. While some of these solutions may potentially change the layout of the subdivision, staff is confident that these changes will not adversely affect the overall layout enough to warrant a delay of this schematic plan. Chapter 12-3-010 of the subdivision ordinance states:

A schematic plan shall be required of all Subdividers. This provides the Subdivider with an opportunity to consult with and receive assistance from the City regarding the regulations and design requirements applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat.

The schematic plan is intended to provide the applicant with helpful information and suggestions before time and energy is exerted into the creation of a preliminary plat. While there are some issues that may change the layout when they are resolved, schematic plan is intended to raise those issues and attach conditions so that those issues will be addressed.

Suggested Motions

1. Move that the Planning Commission recommend that the City Council rezone the property as requested;

AND

2. Move that the Planning Commission recommend that the City Council approve the schematic plan for Meadow View Phase II subject to all applicable Farmington City codes and development standards and the following conditions:

    1. The cul-de-sac shall either shrink to meet the City standard, have a fire access road and easement punch through to 1525 West, or be replaced with a through road that connects to Spring Meadow Lane at Preliminary Plat;
    2. The applicant shall receive City Council approval of the TDR transaction in lieu of open space and that amount shall be determined through negotiations with the City Manager prior to Preliminary Plat;
    3. Any outstanding issues raised by the DRC at schematic plan shall be resolved prior to Preliminary Plat.

Findings

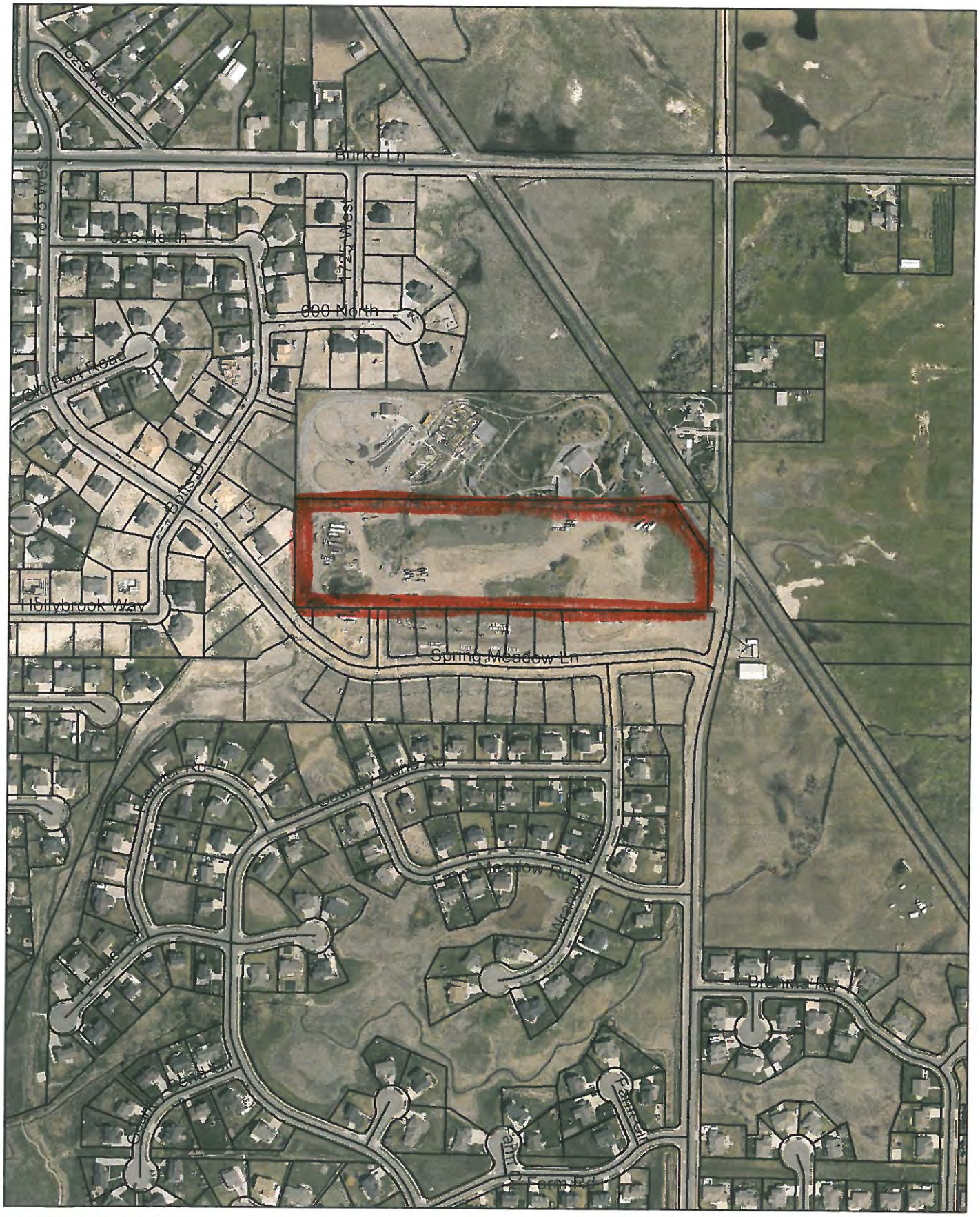
1. The proposed rezone is consistent with the General Plan;
2. The proposed rezone is consistent with the zoning for the surrounding area;
3. The proposed rezone will better enable other property owners to also rezone their property to AE in the future;
4. The schematic plan meets all of the requirements of a conservation subdivision in the AE zone including lot size and width;
5. The densities requested by the applicant reflect those in other surrounding developments or are less;

6. The open space that would be provided by the applicant, while significant (2.7 acres) could be better used elsewhere in the City where it could be consolidated as either a trail or a park.

Supplementary Information

1. Vicinity Map/Zoning Map
2. General Plan Future Land Use Map
3. General Plan Page 10-6
4. Schematic Plan
5. Yield Plan
6. Illustration of Density Bonus and TDR Transaction

Farmington City



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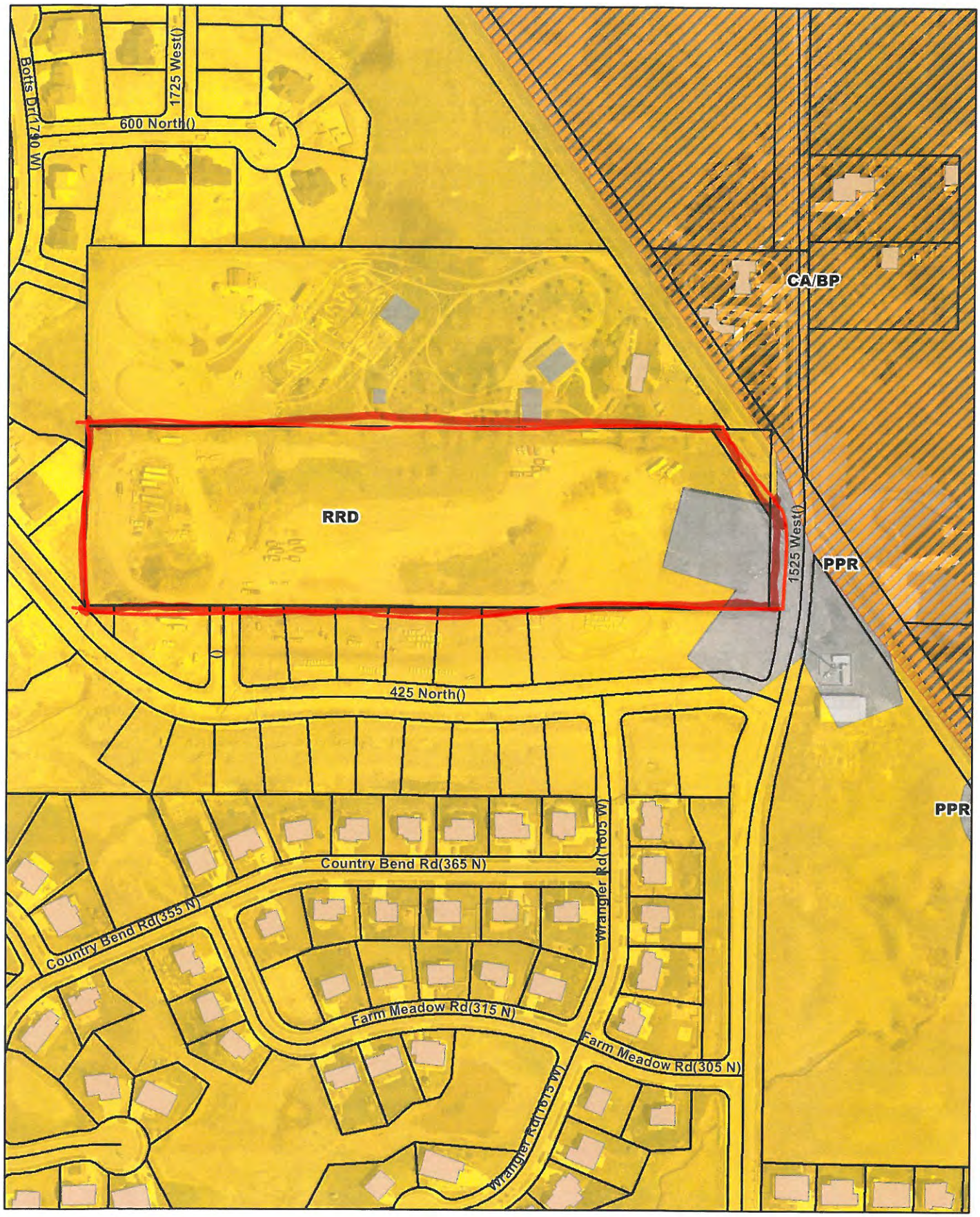
Farmington City



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RESIDENTIAL DISTRICT(S) STANDARDS AND DEFINITIONS

1. Residential Densities and Minimum Lot Sizes

The Farmington General Plan and the accompanying Future Land Use Plan Map classify relative residential densities as Very Low, Rural Residential, Low, Medium, High and Very High. Depending on the type of residential land uses proposed, this general characterization is based on either minimum lot sizes, or a range of unit/acre densities. As a distinction, Minimum Lot Size is the minimum size of actual lots as represented on a preliminary Sketch Plan. Residential Density is calculated based on the number of dwelling units per gross acre of ground as projected through a City-reviewed/accepted "Subdivision Yield Plan". (A Subdivision Yield Plan identifies the maximum number of lots possible after constrained and sensitive lands have been identified and incorporated within the particular subdivision.)

Relative density classifications for Farmington City residential zones and residential/commercial mixed use zones are as follows:

Minimum Lot Sizes and/or Residential Units/Acre	Relative Residential Density
Five (5) acres and above	Very Low Density
Less than five (5) acres, but greater than or equal to one-half (½) acre	Rural Residential
Less than 20,000 s.f., but greater than or equal to 10,000 s.f.	Low Density
Between four (4) and nine (9) dwelling units per acre	Medium Density
Between ten (10) and fifteen (15) dwelling units per acre	High Density
Sixteen (16) or more dwelling units per acre	Very High Density

NORTH

0 25 50 100

(IN FEET)
1 inch = 50 ft.

CONCEPT NARRATIVE

LOCATED AT:	FARMINGTON CITY
ORIGINAL PROPERTY	8.89 ACRES
SINGLE FAMILY LOTS	24
TOTAL DENSITY	2.70 UNITS/ACRE

ZONE REQUIREMENTS

ZONE:	AE (AGRICULTURE ESTATES)
LOT SIZE:	9000 SF
FRONTAGE:	75'
CUL-DE-SAC RADIUS:	55'
ROW WIDTH:	55'

DESIGNED BY:

FOCUS©
ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
www.focusutah.com

GENERAL NOTE:

INFORMATION PROVIDED IS THE FROM THE BEST AVAILABLE DATA AT TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. PLAN SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY.

NORTH

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(IN FEET)
1 inch = 50 ft.

CONCEPT NARRATIVE

LOCATED AT:	FARMINGTON CITY
ORIGINAL PROPERTY	8.89 ACRES
SINGLE FAMILY LOTS	25
TOTAL DENSITY	2.81 UNITS/ACRE

ZONE REQUIREMENTS

ZONE:	AE (AGRICULTURE ESTATES)
LOT SIZE:	9000 SF
FRONTAGE:	100'
CUL-DE-SAC RADIUS:	55'
ROW WIDTH:	55'

DESIGNED BY:

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NORTH

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(IN FEET)
1 inch = 50 ft.

CONCEPT NARRATIVE

LOCATED AT:	FARMINGTON CITY
ORIGINAL PROPERTY	8.89 ACRES
SINGLE FAMILY LOTS	24
TOTAL DENSITY	2.70 UNITS/ACRE

ZONE REQUIREMENTS

ZONE:	AE (AGRICULTURE ESTATES)
LOT SIZE:	9000 SF
FRONTAGE:	75'
CUL-DE-SAC RADIUS:	55'
ROW WIDTH:	55'

24 TOTAL LOTS

16 STANDARD LOTS
3 DENSITY BONUS LOTS
5 TDR LOTS

DESIGNED BY:

FOCUS©
ENGINEERING AND SURVEYING, LLC
502 WEST 8360 SOUTH
SANDY, UTAH 84070 PH: (801) 352-0075
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Planning Commission Staff Report
October 9, 2014

Item 4: Conditional Use Permit Approval for a Home Occupation (Preschool)

Public Hearing:	Yes
Application No.:	C-17-14
Property Address:	250 South 1525 West
General Plan Designation:	RRD (Rural Residential Density)
Zoning Designation:	AE (Agriculture Estates)
Area:	n/a
Number of Lots:	n/a
Property Owner:	Amy Peterson
Agent:	n/a

Request: *Conditional Use approval for a Home Occupation.*

Background Information

The applicant is requesting that the City approve a conditional use for a preschool. In order to obtain her Home Occupation permit, the applicant must first receive a conditional use permit. The applicant is planning on having 12 students in the morning and 12 students in the afternoon, but no more than twelve students total at once. Because of this, the applicant must get a conditional use permit.

Section 11-35-104(1)(a) of the Zoning Ordinance, which regulates Home Occupations states:

"(1) The following home occupations may be allowed only upon approval of a conditional use application by the Planning Commission and issuance of a Conditional Use Permit:

(c) Uses in which over eight (8) but not more than sixteen (16) individuals (including any natural, adopted, or foster members of the operator's household) are cared for or receive instruction in the home at any one time. Such uses may include dance instruction, aerobics classes, music lessons, preschools, child day care, crafts classes, and other similar uses. For all such uses, the Farmington City Building Official shall inspect the

facilities to ensure compliance with the requirements of the Uniform Building Codes."

Suggested Motion

Move that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards and the following condition, the preschool cannot have more than 12 students at one time in the preschool.

Findings for Approval

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
3. The location provides or will provide 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.
4. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.

Supplemental Information

1. Vicinity Map
2. Explanation Letter

Applicable Ordinances

1. Title 11, Chapter 8 – Conditional Uses
2. Title 12, Chapter 10 –Agriculture Zones
3. Title 12, Chapter 35 – Home Occupations

Farmington City

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The conditional use that I am applying for is for the use of a preschool. Within the preschool a group of small children between the ages of 3-5 will engage in activities that will prepare them to enter Kindergarten.

The preschool consist of two classes (am and pm) with twelve students in each class. There is one teacher and one assistant teacher to supervise and help conduct daily activities within the preschool.

The preschool has a separate private drive with appropriate parking with a large round-a-bout. The property is fenced and the preschool/residence resides several 100 feet from the main road.

The space to be used for the preschool area has approx. 650 square feet. It has a separate entrance from the residence along with separate water and restroom facilities.

Planning Commission Staff Report
October 9, 2014

Item 5: Conditional Use Permit Approval

Public Hearing:	Yes
Application No.:	C-18-14
Property Address:	154 East 200 North
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	OTR (Original Townsite Residential)
Area:	n/a
Number of Lots:	n/a
Property Owner:	James Walker
Agent:	n/a

Request: *Conditional use approval to store equipment in his yard as part of a Home Occupation.*

Background Information

The applicant is requesting that the City allow the use of his yard space to store landscape equipment (including a small tractor, a small excavator, and a couple of trailers) in his yard as part of a home occupation. In order to obtain a Home Occupation Permit the applicant must have a conditional use permit first.

Section 11-35-104(1)(c) of the Zoning Ordinance, which regulates Home Occupations states:

"(1) The following home occupations may be allowed only upon approval of a conditional use application by the Planning Commission and issuance of a Conditional Use Permit:

(c) 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."

Suggested Motion

Move that the Planning Commission approve the conditional use subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant works with the City to obtain all necessary business license permits;
2. The applicant implements screening, either through a fence or through landscaping to hide the yard from view;
3. Landscaping equipment will not be allowed to park on the street;
4. The size of vehicles used in conjunction with this home occupation shall not exceed one (1) ton capacity;
5. The permit is valid for two years, at which time the permit will be reviewed. If the property is sold by the applicant, the conditional use permit is terminated.

Findings for Approval

1. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
2. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
3. The location provides or will provide 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.
4. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.

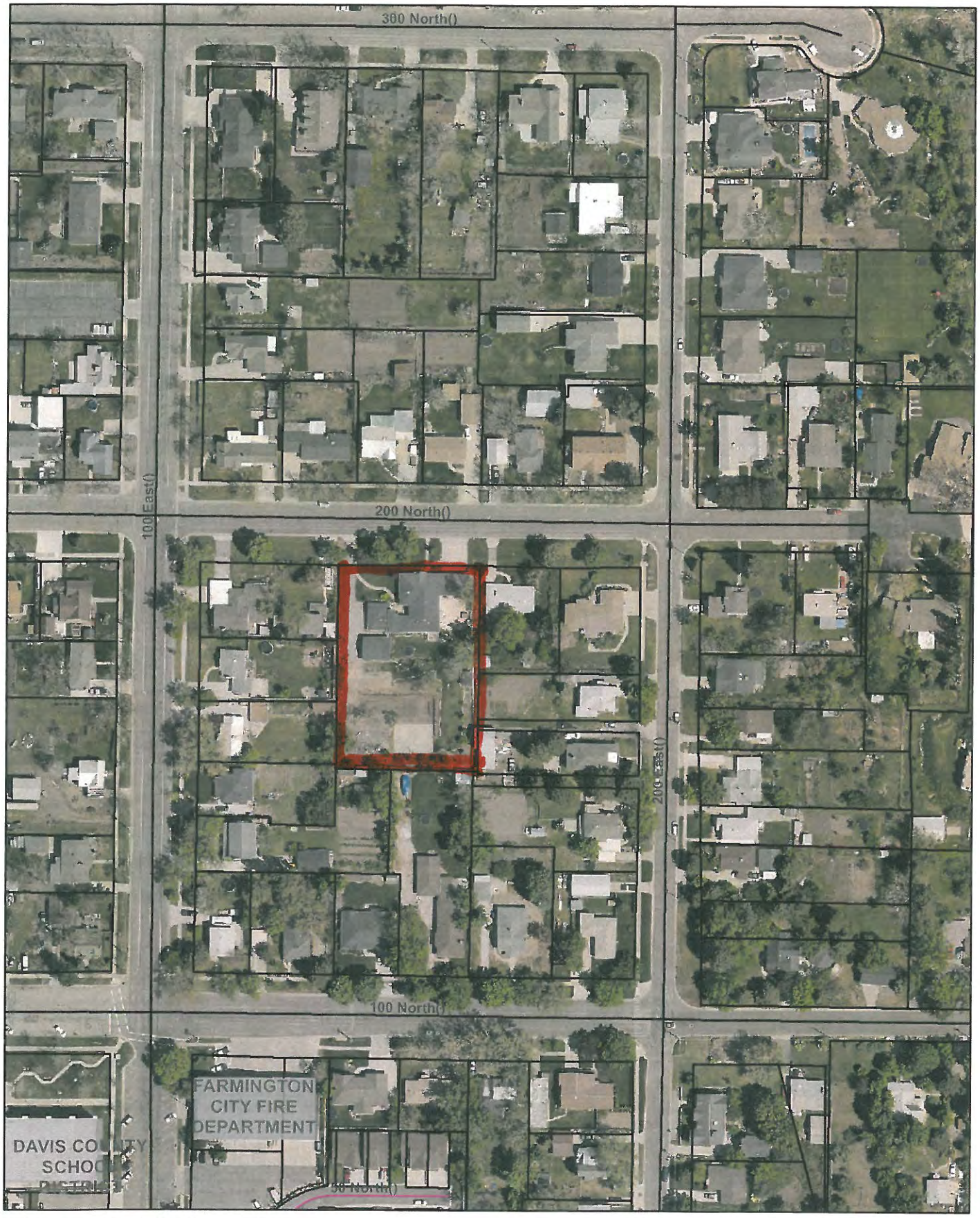
Supplemental Information

1. Vicinity Map
2. Title 11, Chapter 35

Applicable Ordinances

1. Title 11, Chapter 8 – Conditional Uses
2. Title 12, Chapter 17 – Original Townsite Residential Zone
3. Title 12, Chapter 35 – Home Occupations

Farmington City



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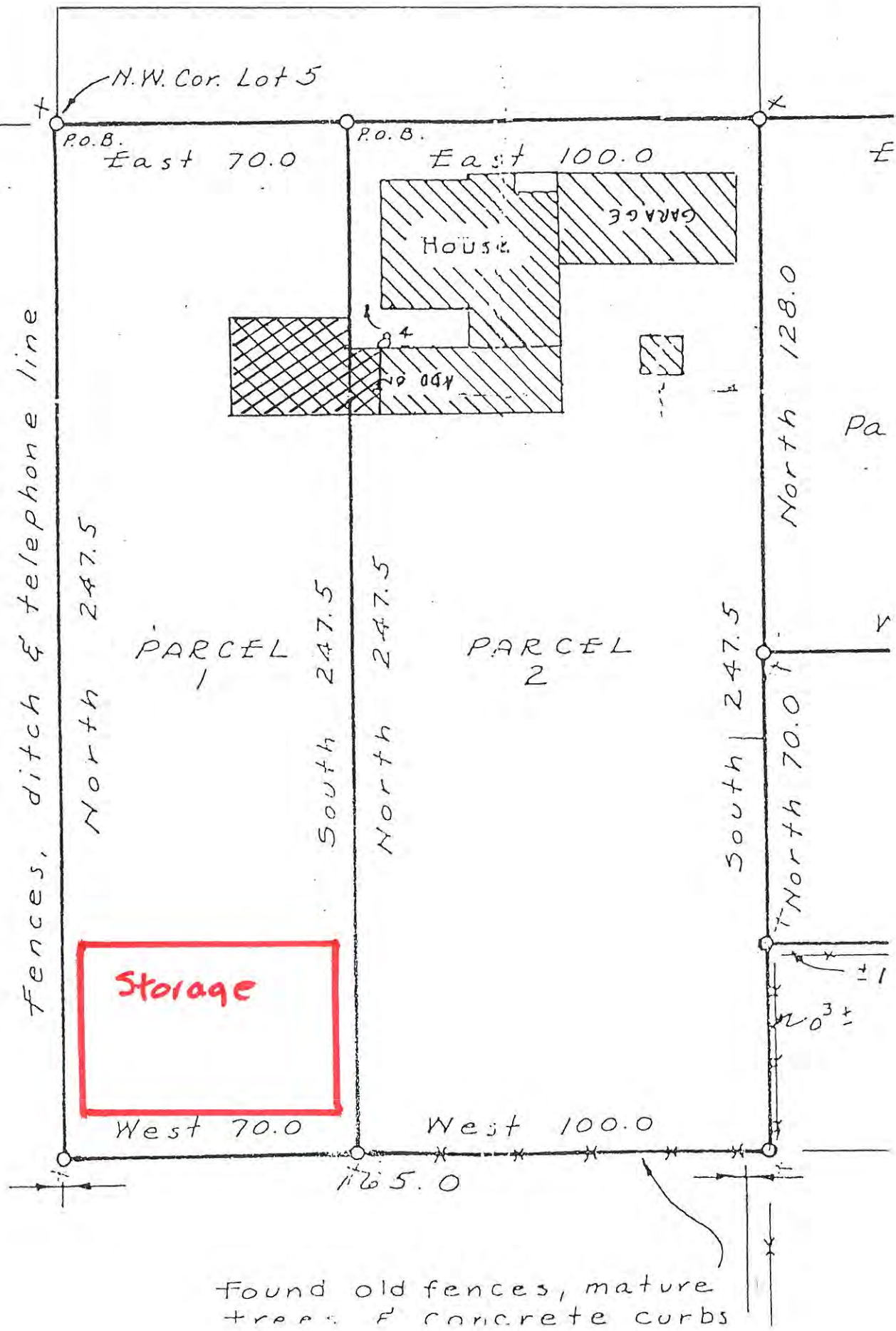
Farmington City,
9-17-2014

Re: Conditional use permit application
James M. Walker
154 E 200 N, Farmington

I would like to be able to store my equipment used in a landscape business in the back part of my lot. I have a small Kubota Tractor, a small mini-excavator and a couple of trailers.

Thank you,


N.W. Cor. Lot 5
P.O.B.
East 70.0
P.O.B.
East 100.0
House
Garage
North 128.0
Fences, ditch & telephone line
North 247.5
PARCEL 1
South 247.5
North 247.5
PARCEL 2
South 247.5
North 70.0
Storage
West 70.0
West 100.0
265.0
Found old fences, mature trees & concrete curbs

CHAPTER 35

HOME OCCUPATION

11-35-101 Purpose.
11-35-102 License Required.
11-35-103 Conditions.
11-35-104 Conditional Uses.
11-35-105 Exemptions.
11-35-106 Revocation.
11-35-107 Appeal.

11-35-101 Purpose.

(1) It is the purpose of this Chapter to establish guidelines, conditions, and requirements for limited non-agricultural business activities in residential and agricultural zones. For the purpose of this Chapter, "home occupation" is defined as an occupation or profession in which the associated activity or use is clearly incidental and secondary to the residential use of a dwelling unit, there is no alteration to the exterior of the dwelling unit to accommodate the occupation or profession, and such occupation or profession does not adversely affect the residential character of the surrounding neighborhood. A home occupation should be conducted in such a way that neighbors or passers-by would not, under normal circumstances, be aware of its existence.

(2) It is recognized that home occupation may be desirable to reduce "start up" costs for small businesses and to provide gainful employment within the community. However, if a home occupation grows to the point, or is conducted in such a manner, that the conditions of this Chapter are not met, the home occupation shall cease and any continuing business shall be moved to an appropriate location in a commercial zone.

11-35-102 License Required.

It shall be unlawful for any person or entity to engage in a home occupation in any agricultural or residential zone without first obtaining a home occupation business license to do so from the City Recorder. The procedure to be followed and applicable fees for a home occupation business license are set forth in the Business Licensing Regulations, Title 4, Farmington City Code.

11-35-103 Conditions.

Each home occupation shall comply with all of the following conditions:

(1) Only family members related by blood, marriage, or adoption who are bona fide residents of the dwelling unit shall be employed on said premises except that one (1) additional person may be employed as a secretary, computer operator, apprentice, or helper where there are no more than five (5) family members actively engaged in the home occupation.

(2) No exterior architectural or structural modifications shall be made to any dwelling unit to accommodate a commercial use in the dwelling.

(3) Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers, or causes fluctuations in line voltage outside the dwelling units, or uses which create noise, smell, sound, light, or vibration not normally associated with residential use, shall be prohibited.

(4) There shall be no display or sale of goods, wares, or merchandise upon said premises other than those produced upon the premises. Where the home occupation involves the sale of products, such products shall generally be delivered directly to the customer.

(5) One sign advertising the business may be permitted but shall be limited to one (1) square foot in area and shall be attached to the front face of the building or may be displayed in a window.

(6) The home occupation shall not generate substantially greater vehicular traffic than commonly associated with residential activities in the neighborhood in which it is located.

(7) The home occupation shall not create a hazard by using flammable materials, explosives or other dangerous or hazardous materials, or by keeping, raising or storing animals which are capable of inflicting harm or discomfort or endangering the health and safety of any person.

(8) The home occupation shall not create a demand for municipal services or community facilities in excess of those usually and customarily provided for residential uses.

(9) Not more than twenty-five percent (25%) of the floor area of a dwelling may be devoted to a home occupation, and/or storage of materials, equipment, or stock in trade associated with the occupation, except as provided in Section 11-35-104 below .

(10) 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 11-35-104 below.

(11) A foster home, child day care center, or preschool shall not have more than eight (8) children at one time except as provided in Section 11-35-104 below.

(12) Music, dancing teachers, or tutors shall be limited to not more than eight (8) pupils at one time except as provided in Section 11-35-104 below.

(13) The size of vehicles used in conjunction with a home occupation shall not exceed one (1) ton rated capacity. Off-street parking, in compliance with the provisions of this Title, shall be provided for all business and private vehicles associated with a residential property.

(14) There shall be complete conformity with all City and State codes, including business license regulations. Depending on the type of business, periodic inspections may be made as required by these codes or as deemed necessary or desirable by the City.

(15) The following uses, among others, shall not be allowed as home occupations:

(a) Barber shops and beauty salons except for a barber or beautician who has no assistants and sells no products except their skilled services;

(b) Kennels or animal hospitals;

(c) Commercial stables;

(d) Restaurants;

(e) Sale or repair of firearms;

(f) Repair shops or service establishments, except for the repair of electrical appliances, typewriters, televisions, cameras, or other similar small items.

11-35-104 Conditional Uses.

(1) The following home occupations may be allowed only upon approval of a conditional use application by the Planning Commission and issuance of a Conditional Use Permit:

(a) Uses in which over eight (8) but not more than sixteen (16) individuals (including any natural, adopted, or foster members of the operator's household) are cared for or receive instruction in the home at any one time. Such uses may include dance instruction, aerobics classes, music lessons, preschools, child day care, crafts classes, and other similar uses. For all such uses, the Farmington City Building Official shall inspect the facilities to ensure compliance with the requirements of the Uniform Building Codes.

Preschool and child day care uses shall submit documentation within thirty (30) days of approval that all Utah State Department of Social Services requirements have been met. The entire yard, or minimum outside area required by the State Social Services, shall be fenced;

(b) Uses where the applicant proposes to use more than twenty-five (25%) of the dwelling in connection with the business;

(c) 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;

(2) In evaluating a home occupation conditional use, the Planning Commission shall apply the review standards contained in Chapter 8 of this Title and, if applicable, site development standards contained in Chapter 7.

11-35-105 Exemptions.

(1) The following uses are exempt from the provisions of this Chapter:

(a) Sale of goods or services by City residents age 18 or under;

(a) Temporary home occupations such as garage sales, yard sales, or craft boutiques that occur not more than four (4) times a year with each event lasting not more than seventy-two (72) hours;

(b) Promotional meetings for the purpose of taking orders for merchandise, by invitation only, which occur not more than once each month;

(c) Community/neighborhood fund raisers which are sponsored and/or approved by the City;

(e) Other exemptions as specifically approved in writing by the City Council.

11-35-106 Revocation.

Violation of, or failure to comply with, the requirements of this Chapter may result in revocation by the Farmington City Council of the home occupation business license. Any activity presenting an immediate threat to the health, safety and welfare of the neighboring residents may be ordered terminated immediately by the Mayor under the powers given him to act in an emergency.

11-35-107 Appeal.

Any person or entity denied a home occupation business license shall have the right to appeal such denial to the City Council if a written request for an appeal is made to the City within thirty (30) days of the denial.

Chapter 35 Amended, 12/8/93, Ord. 93-44
11-35-104(1)(a) Amended, 12/6/95, Ord. 95-49
11-35-103(11) and 11-35-104(1)(a) Amended, 9/4/02, Ord. 2002-36
Amended 11-35-103 (15)(d) 4/19/06 Ordinance 2006-28
Amended 11-35-103(12), 5/18/10, Ordinance 2010-21
Amended 11-35-103(15), 6/5/12, Ordinance 2012-19

Planning Commission Staff Report
October 9, 2014

Item 6: Zone Text Change

Public Hearing:	Yes
Application No.:	ZT-10-14
Property Address:	N/A
General Plan Designation:	N/A
Zoning Designation:	N/A
Area:	N/A
Number of Lots:	N/A
Property Owner:	N/A
Agent:	N/A

Applicant is requesting a recommendation to amend the Zoning Ordinance by amending Chapter 17 of the Zoning Ordinance regarding permitted and conditional uses in the BR Zone.

See the attached amendments to Chapter 17.

	Chapter 15	Chapter 16
Use		
Agriculture	P	P
Business and Prof. Offices	P	P
Class A beer outlet	P	P
Commercial indoor rec.	C	C
Commercial outdoor rec.	C	P
Commercial Testing Lab	P	P
Convenience Store	C	C
Data Processing Services	P	P
Day Care, pre-school	P	P
Department Store		C
Fast Food	C	C
Financial Institutions	P	P
Fuel Sales/Storage	C	C
Funeral Home	P	P
Greenhouse Garden Center	C	C
Hotels and Motels	C	C
Lumber Yard	C	C
Neighborhood Grocery	C	C
Neighborhood Service Establishments	P	P
Nursing Home, Convalescent Ctr	C	
Pet Store or grooming	C	C
Printing, publishing	P	P
Residential Facilities for elderly	P	
Residential Facilities for handicapped	P	
Reception Center	P	C
Restaurants (traditional sit down)	C	C
Seasonal Fruit Produce Stand	P	P
Self Service Storage Facility	C	C
Small Auto Dealership	C	
Supermarkets		C
Veterinary Hospital		C

	Possibly Amend
	Leave As Is
C	Conditional
P	Permitted

CHAPTER 15

BUSINESS/RESIDENTIAL ZONE (BR)

11-15-010 Purpose.
11-15-020 Permitted Uses.
11-15-030 Conditional Uses.
11-15-040 Lot Standards for Residential Uses.
11-15-050 Lot Standards for Office/Commercial Uses.
11-15-060 Height Standards.
11-15-070 Design Standards.

11-15-010 Purpose.

The intent of this zone is to provide an area in the City for a mix of professional and government offices, limited commercial uses, and residential land uses. The BR Zone is an historic district and it is integral to the cultural heritage of Farmington City that the historic resources of the zone be preserved, rehabilitated, or restored where appropriate. The standards and guidelines contained herein are further intended to encourage compatibility between new and existing development, to enhance the physical appearance of the district, and, where applicable, to reinforce the historic character and development pattern of the district. It is the City's intention to foster economic growth and development within the BR zone, but given the historic nature of the district, most uses have been listed as conditional to give the City greater flexibility in administering and determining that new businesses reflect the cultural heritage within the zone.

11-15-020 Permitted Uses.

The following are permitted uses in the BR Zone subject to site development review. No other permitted uses are allowed, except as provided by Section 11-4-105(6):

~~(1) Agriculture;~~
~~(2) Business and professional offices;~~
~~(3) Class "A" beer outlet;~~
~~(4) Commercial testing laboratories;~~
~~(5) Data processing services;~~
~~(6) Day care, pre-school;~~
~~(7) Financial institutions;~~
~~(8) Funeral home;~~
~~(9) Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair styling, coin laundry, pharmacy, art supply/gallery, craft store, photo-copy center, etc.);~~
~~(10) Printing, publishing;~~
~~(11) Public park;~~
~~(12) Public utility lines and rights-of-way;~~
~~(13) Reception center;~~
~~(14) Research services;~~
~~(15) Residential facility for the elderly;~~
~~(16) Residential facility for the handicapped;~~
~~(17) Seasonal fruit/produce vendor stands;~~
~~(18) Signs complying with provisions of the Sign Ordinance;~~
(1) Single-family dwelling;

(2) Two-family dwelling;
~~(21) Uses customarily accessory to a listed permitted use.~~
~~(22) Home occupations complying with the Home Occupation Chapter of this Title, except as specified in Section 11-15-030 below.~~

11-15-030 Conditional Uses

The following are conditional uses in the BR Zone. No other conditional uses are allowed, except as provided by Section 11-4-105(6):

~~(1) Apartment dwelling group;~~
(1) Athletic/fitness center ~~or tennis club~~;
(2) ~~Car wash~~ Business and professional offices;
(3) ~~Commercial indoor recreation (movie theater, video arcade, bowling alley, etc.)~~ Class "A" beer outlet;
~~(5) Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.);~~
(4) Convenience store (sale of grocery items, non-prescription drugs, and/or gasoline from building with less than five thousand (5,000) square feet gross floor area);
(5) Day care, pre-school, that are not home occupations;
(6) Fast food establishments, attached (walk-in service only, no exterior walk-up or vehicle drive-thru service);
(7) ~~Fuel sales and/or storage~~ Financial institutions, excluding non-chartered financial institutions, as defined in Section 11-2-020 of this Title;
(8) Funeral Home;
(9) Greenhouse/garden center (retail or wholesale);
(10) ~~Multiple-family buildings with three or more units;~~ Hotels, motels, and bed & breakfasts, all not to exceed 5,000 square feet in size;
(11) Museums;
(12) ~~Nursing home, convalescent center;~~ Neighborhood grocery (grocery store not exceeding fifteen thousand (15,000) square feet in gross floor area);
(13) Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry-cleaning, hair-styling, pharmacy, art supply/gallery, craft store, photo-copy center, etc.);
(14) ~~Planned unit development or condominium, commercial;~~ Pet store or pet grooming establishment;
(15) ~~Planned unit development or condominium, residential;~~ Public and quasi-public uses except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer;
(16) ~~Public and quasi-public uses except the following prohibited uses: correctional/detention facilities, half-way houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer;~~ Reception center;
(17) ~~Public or quasi-public uses, material additions or modifications on a developed site;~~ Residential facility for the elderly;

(18) ~~Public utility substations, wireless transmission towers except as specified in Section 11-28-190, generating plants, pumping stations, and buildings;~~ Residential facility for the disabled;

(19) ~~Reduction of minimum setbacks for office/commercial buildings located next to residential uses within the BR zone (see Section 11-15-105(c);~~ Restaurant (traditional sit-down);

(20) ~~Restaurant (traditional sit-down);~~ Small auto dealership;

(21) ~~shopping center (commercial complex);~~ Mixed Use Development as defined in Section 11-18-102 of this title.

~~(23) Small Auto Dealership;~~

~~(24) Temporary uses;~~

~~(25) Uses customarily accessory to a listed conditional use.~~

~~(26) Home occupations as identified in Section 11-35-104 of this Title.~~

11-15-040 Lot Standards for Residential Uses.

(1) The minimum lot size for single-family residential uses in the BR zone shall be eight thousand (8,000) square feet. Dimensions, setbacks, maximum height of buildings, and related provisions for single-family residential uses in the BR zone shall comply with standards for the R zone as specified in Chapter 11 of this Title.

(2) Lot size, dimensions, setbacks, maximum height of buildings, and related provisions for multiple-family residential uses in the BR zone shall comply with standards specified in Chapter 13 of this Title.

(3) Development of apartment dwelling groups shall comply with provisions of Section 11-13-080 of this Title.

11-15-050 Lot Standards for Office/Commercial Uses.

(1) Building setbacks:

(a) Front and side yards. No setback is required for office/commercial buildings and structures except as specified in (c) below;

(b) Where office/commercial development in a BR zone share a common property line with a residential zone, the minimum setback for the yard(s) abutting the residential zone shall be the same as that required for such residential zone.

(c) Where office/commercial development in a BR zone share a common property line with a residential use within the zone, the minimum front, side, and rear yard setbacks shall be ten (10) feet unless, upon receipt and review of a conditional use application, a lesser, or no, setback is approved by the Planning Commission.

(d) Parking shall not be permitted within the minimum required setbacks.

(2) Minimum lot size: The minimum lot size for each separate office/commercial use in the BR Zone shall be one half (½) acre unless otherwise provided by a conditional use permit. This standard shall not apply to lots legally established prior to the effective date of this Chapter.

(3) Lot width: The minimum lot width for commercial or office uses in a BR zone shall be one hundred (100) feet unless otherwise provided by a conditional use permit. For individual lots with a single use, one hundred (100) feet of frontage shall be provided on a fully improved public street. These standards shall not apply to lots legally established prior to the effective date of this Chapter.

(4) Maximum lot coverage: The maximum percentage of lot coverage for all buildings and structures in a BR zone shall be fifty percent (50%).

11-15-060 Height Standards.

No building or structure in a BR Zone shall exceed forty (40) feet in height.

11-15-070 Design Standards.

(1) All areas of a developed site not occupied by buildings, required parking, driveways, sidewalks, or service areas, shall be appropriately landscaped with lawn, trees, shrubs, and other landscaping materials in accordance with an approved landscaping plan.

(2) Parking lots shall be provided with landscaping around the periphery and in islands and bays in the interior of the lot. The minimum width of such landscaping shall be ten (10) feet.

(3) For new office/commercial development, landscaping shall be required on a minimum of fifteen percent (15%) of the gross area of the site. For residential development, landscaping shall be required on forty percent (40%) of the gross area of the site. Gross area is interpreted as the total site area remaining after any required street dedication.

(4) Street trees shall be planted along the frontage of development sites and shall be spaced at not more than thirty (30) feet on center. The minimum caliper size for street trees shall be two (2) inches.

(5) In landscape buffers adjacent to residential zones or uses, a mix of evergreen and deciduous trees shall be planted at a ratio of not less than one (1) tree for each three hundred (300) square feet of landscape area. For listed conditional uses, this requirement may be increased if, in the opinion of the Planning Commission, additional screening or buffering is necessary on a specific site.

(6) All uses located in the zone shall be conducted entirely within a fully enclosed building. There shall be no outside storage of materials or equipment, other than motor vehicles licensed for street use, except as specifically approved by the Planning Commission in conjunction with a conditional use application.

(7) Trash storage and dumpsters shall be located in an area convenient for pick-up and shall be screened from view by a six (6) foot masonry wall.

(8) All new utility transmission lines shall be placed underground. Transformers, meters and similar apparatus shall be at or below ground level and shall be screened from public view by a wall or fence, landscaping, earth berming, or special architectural treatment acceptable to the Planning Commission.

(9) All uses shall be free from objectionable or excessive odor, dust, smoke, noise, radiation or vibration.

Chapter 14 Residential-Suburban R-S-20 Repealed 4/1/92, Ord. 92-08
Business Residential Zone BR Established 10/19/94, Ord. 94-42
11-14-103(19) Amended, 4/2/97, Ord. 97-17
Recodified from Chapter 14 to Chapter 15, 4/21/99, Ord. 99-19
11-15-040 Amended, 7/07/99, Ord. 99-33
11-15-050 Amended 8/01/01, Ord. 2001-28
11-15-030, Amended 8/6/03, Ord. 2003-31
11-15-020, Amended 4/19/06, Ord. 2006-28
11-15-030, Amended 4/19/06, Ord. 2006-28

Joint Planning Commission/City Council Staff Report
October 9, 2014

Item 7: Study Session/Discussion Item Only - Text Change of Chapters 1, 2, and 6 of the Subdivision Ordinance, and Other Discussion/Training Topics

Public Hearing:	No
Application No.:	ZT-9-14
Property Address:	N/A
General Plan Designation:	N/A
Zoning Designation:	N/A
Area:	N/A
Number of Lots:	N/A
Applicant:	Farmington City
Agent:	N/A

Applicant is requesting a recommendation to amend Chapters 1, 2, and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions and related chapters where necessary.

Background Information

The need for this text change arose because of an appeal by an applicant of a preliminary plat decision made by the Planning Commission that went to the City Council. When it was called to the City's attention that an appeal can't be made to the land use authority (i.e. the City Council is both the land use authority *and* the appeal body under the current ordinance), our City Attorney recommended that we alter the subdivision ordinance as it relates to the subdivision approval process. The text change will make it so that the Planning Commission will be a recommending body at Preliminary Plat and the approving body at Final Plat (i.e. the Land Use Authority). City Council will be the approving body at Preliminary Plat and in the event that an appeal is made of a final plat decision, it will be the City Council that acts as the appeals body.

In addition to these changes, staff would like some direction on whether to make Preliminary Plat a public hearing or not. And if so, should the Preliminary Plat be a public hearing only at Planning Commission or should it be at both Planning Commission and City Council. If the Planning Commission decides that a public hearing of Preliminary Plat is necessary, it is staff's preference to have it only at the Planning Commission level. That way, there will still be three public hearings, which is one more than is currently required, and the public comments can be incorporated into the Planning Commission's recommendation to City Council of Preliminary Plat action.

The City Attorney will be on hand to help with the discussion and to possibly train the Planning Commission and City Council on other issues.

Supplementary Information

1. Title 12, Chapter 1, proposed draft changes.
2. Title 12, Chapter 2, proposed draft changes.
3. Title 12, Chapter 6, proposed draft changes.

CHAPTER 1

GENERAL PROVISIONS

12-1-010 Short Title.
12-1-020 Purpose.
12-1-030 Interpretation.
12-1-040 Definitions.
12-1-050 Considerations.
12-1-060 General Responsibilities.
12-1-070 Appeal of Planning Commission Decisions.
12-1-080 Judicial Review of City Council Decisions.

12-1-010 Short Title.

This Title shall be known as the "Farmington City Subdivision Ordinance." This Title shall also be known as Title 12, Farmington City Code. It may be cited and pleaded under either designation.

12-1-020 Purpose.

(1) Purpose. The purpose of this Title, and any rules, regulations and specifications hereafter adopted, are to promote and protect the public health, safety and general welfare through provisions designed to:

(a) Provide for the harmonious and coordinated development of the City, and to assure sites suitable for building purposes and human habitation.

(b) Insure adequate open space for traffic, recreation, light, and air.

(c) Facilitate the conservation of, or production of, adequate transportation, water, sanitation, drainage and energy resources.

(d) Avoid scattered and premature subdivisions which would cause insufficient public services and facilities, or necessitate an excessive expenditure of public funds for the supply of such services and facilities.

(e) Preserve outstanding natural, cultural or historic features.

(2) Intent. This Title is designed to inform the Subdivider and public of the requirements and conditions necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are expressly delineated in this Title or other applicable ordinances. However, since it is impossible to cover every possibility, and there are some

aspects which do not lend themselves to being easily articulated, this Title allows the Planning Commission and City Council to impose reasonable conditions upon a Subdivider in addition to those expressly required, so long as such conditions do not conflict with any requirements set forth in this Title or other applicable ordinances.

12-1-030 Interpretation.

In their interpretation and application, the provisions of this Title shall be considered as minimum requirements. Where the provisions of this Title impose greater restrictions than any statute, other regulation, ordinance or covenant, the provisions of this Title shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provisions of this Title, the provision of such statute, other regulation, ordinance or covenant shall prevail. The provisions of this Title are not intended to abrogate any easement, covenant, or any other private agreement or restriction which is not inconsistent with these regulations.

12-1-040 Definitions.

Whenever any word or phrase used in this Title is not defined herein, but is defined in related sections of the Utah Code or in the Farmington City Zoning Ordinance, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive. The following terms as used in this Title shall have the respective meanings hereinafter set forth.

(1) Agricultural Use means land used for the production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural, industry or business.

(2) Alley means a public way which generally affords a secondary means of vehicular access to abutting properties and not intended for general traffic circulation.

(3) Applicant means the owner of land proposed to be subdivided or such owner's duly authorized agent.

(4) Bond means an agreement to install improvements secured by cash, a letter of credit, or escrow funds on deposit in a financial institution, or with the City, in an amount corresponding to an engineering estimate and in a form satisfactory to the City Attorney.

(5) Condominium means property conforming to the definition set forth in Section 57-8-3 of Utah Code Annotated, 1953, as amended. A condominium is also a "subdivision" subject to these regulations.

(6) Capital Project means an organized undertaking which provides, or is intended to provide, the City with a capital asset. "Capital Asset" is defined according to generally accepted accounting principles.

(7) City means Farmington City.

(8) City Council means the City Council of Farmington City.

(9) City Manager means the City Manager of Farmington City.

(10) Consolidated Fee Schedule means the schedule of fees adopted periodically by resolution of the City Council setting forth the various fees charged by the City.

(11) Cul-de-sac means a minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic.

(12) Dedication of Land refers to land set aside by the Subdivider to be used by the public, such land being conveyed to the City or other governmental entity.

(13) Developer means, as the case may be, either: (1) an applicant for subdivision approval; (2) an applicant for a building permit or another permit issued; or (3) the owner of any right, title, or interest in real property for which subdivision approval or site plan approval is sought.

(14) Dwelling Unit means one or more rooms in a dwelling, designed for or occupied by one family for living or sleeping purposes and having one but not more than one kitchen or set of fixed cooking facilities, other than hot plates or other potable cooling units or wet bars.

(15) Easement means a nonprofitable interest in property owned by another that entitles its holder to specific use on, under, or above said property.

(16) Final Plat means a map of a subdivision, required of all major subdivisions, which is prepared for final approval and recordation, which has been accurately surveyed, so that streets, alleys, blocks, lots and other divisions thereof can be identified; such plat being in conformity with the ordinances of the City and the Municipal Land Use Development and Management Act, set forth at Title 10, Chapter 9, Utah Code Annotated, 1953, as amended.

(17) Flag Lot means a lot that has been approved by the City with access provided to the bulk of the lot by means of a narrow corridor.

(18) Flood Damage Prevention Ordinance means the Farmington City Flood Control

and Storm Drainage Ordinance, as amended.

(19) Flood, One Hundred Year means a flood having a one percent (1%) chance of being equalled or exceeded in any given year.

(20) Flood, Ten Year means a flood having a ten percent (10%) chance of being equalled or exceeded in any given year.

(21) Flood Plain, One Hundred Year means that area adjacent to a drainage channel which may be inundated by a one hundred year flood.

(22) Freeway means a street with fully controlled access designed to link major destination points. A freeway is designed for high speed traffic with a minimum of four travel lanes.

(23) General Plan means the document adopted by the City which sets forth general guidelines for proposed future development of land within the City, as provided in Title 10, Chapter 9, Utah Code Annotated 1953, as amended. "General Plan" includes what is also commonly referred to as a "master plan."

(24) Lot means a parcel of land occupied or capable of being occupied by one (1) building or a group of buildings together with such yards, open spaces and yard areas as are required by this Title and the Farmington City Zoning Ordinance, and having frontage on a public street equal to fifty percent (50%) of the minimum required frontage for the lot except for flag lots.

(25) Lot Split means the division of a property which may be divided into no more than two (2) legal size lots.

(26) Major Street Plan means the plan which defines the future alignments of streets and their rights-of-way, including maps or reports or both, which has been approved by the Planning Commission and City Council. Also known as an "official map" as referred to in the Utah Municipal Land Use Development Act.

(27) Natural Drainage Course means any natural watercourse which is open continuously for flow of water in a definite direction or course.

(28) Owner means the owner in fee simple of real property as shown in the records of the Davis County Recorder's Office and includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, limited liability company, trust, private corporation, public or quasi-public corporation, or any combination thereof.

(29) Parcel of Land means a contiguous quantity of land, in the possession of, or

owned by, or recorded as the property of, the same owner.

(30) Planned Unit Development means a development designed pursuant to the Planned Unit Development Ordinance set forth in the Farmington City Zoning Ordinance. Such development is a subdivision and shall comply with the applicable provisions of these regulations.

(31) Planning Commission means the Farmington City Planning Commission.

(32) Planning Department means the Planning Department of Farmington City.

(33) Preliminary Plat means the initial map of a proposed land division or subdivision required for major subdivisions.

(34) Protection Strip means a strip of land bordering a subdivision, or a street within a subdivision, which serves to bar access of adjacent property owners to required public improvements installed within the subdivision until such time as the adjacent owners share in the cost of such improvements.

(35) Public Improvements means streets, curb, gutter, sidewalk, water and sewer lines, storm sewers, and other similar facilities which are required to be dedicated to the City in connection with subdivision, conditional use, or site plan approval.

(36) Public Way means any road, street, alley, lane, court, place, parkway, walk, public easement, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right-of-way.

(37) Public Works Department means the Public Works Department of Farmington City.

(38) Reservation of Land refers to land set aside for common use within a subdivision, such land to be developed and maintained by the Subdivider or by the residents of the subdivision.

(39) Right-of-way means a strip of land used or intended to be used for a street, sidewalk, sanitary or storm sewer, drainage, utility, railroad, or other similar use.

(40) Schematic Plan means a sketch prior to the preliminary plat for major subdivisions or prior to final plat in the case of minor subdivisions to enable the Subdivider to save time and expense in reaching general agreement with the Planning and Zoning Division as to the form of the plat and the objectives of these regulations.

(41) Sidewalk means a passageway for pedestrians, excluding motor vehicles.

(42) Street, Dead-end, means a street with only one outlet which is intended to be extended at a future time to connect with other streets and to provide future access for abutting properties.

(43) Street, Local means a street for which the principal function is access to abutting land. Traffic movement is a secondary function.

(44) Street, Major Collector, means a street which carries traffic from minor streets and minor collector streets to the arterial street system. The primary function of such streets is the movement of traffic. Providing access to abutting properties is a secondary function.

(45) Street, Minor Arterial, means a street for which the principal function is movement of large volumes of traffic from collector streets to freeways. Providing access to abutting land is a secondary function.

(46) Street, Minor Collector, means a street which carries traffic from minor streets to the collector and major street system. Such streets include the principal entrance streets of residential developments and the primary circulating streets within such developments.

(47) Street, Private means a privately owned and maintained way used, or intended to be used, for passage or travel by motor vehicles and to provide access to abutting properties.

(48) Street, Public means a public way, having a width of at least fifty (50) feet, used or intended to be used for passage or travel by motor vehicles and to provide access to abutting properties, which has been accepted and is maintained by the City.

(49) Subdivider means the owner of the real property proposed to be subdivided, including any successors or assigns.

(50) Subdivision means any land that is divided, redivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development, either on the installment plan or upon any and all other plans, terms and conditions including resubdivision. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument, and divisions of land for all residential and nonresidential uses, including land used or to be used for

commercial, agricultural and industrial purposes.

(51) Subdivision, Major means all subdivisions of ten (10) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities.

(52) Subdivision, Minor means any subdivision of land that results in nine (9) or fewer lots, provided that each lot thereby created has frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets.

(53) Survey Monument means a mark affixed to a permanent object along a line of survey to furnish a survey control.

(54) Utilities includes culinary water lines, pressure and gravity irrigation lines, sanitary and storm sewer lines, sub-surface drainage systems, electric power, natural gas, and telephone transmission lines, cable television lines, and underground conduits and junction boxes.

(55) Water and Sewer Improvement Districts means the Farmington Area Pressure Irrigation District and the Central Davis Sewer District and any other water or sewer improvement district existing or hereinafter organized, whichever has jurisdiction over the land proposed to be subdivided.

(56) Zoning Ordinance means the Farmington City Zoning Ordinance, as amended.

12-1-050 Considerations.

(1) General Plan. The General Plan shall guide the use of all land within the corporate boundaries of the City. The size and design of lots, the nature of utilities, the design and improvement of streets, the type and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the General Plan, the Zoning Ordinance, and other applicable ordinances.

(2) Natural Landscape. Trees, native land cover, natural watercourses, and topography shall be preserved when possible. Subdivisions shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with the Foothill Development Ordinance. The design of new subdivisions shall consider, and relate to, existing street widths, alignments and names.

(3) Community Facilities. Community facilities, such as parks, recreation areas trails, and transportation facilities shall be provided in the subdivision in accordance with General Plan standards, this Title, and other applicable ordinances and resolutions. This Title establishes procedures for the referral of information on proposed subdivisions to interested

boards, bureaus, and other governmental agencies and utility companies, both private and public, so that the extension of community facilities and utilities may be accomplished in an orderly manner, coordinated with the development of the subdivision. In order to facilitate the acquisition of land areas required to implement this policy, the Subdivider may be required to dedicate, grant easements over or otherwise reserve land for schools, parks, playgrounds, public ways, utility easements, and other public purposes as specified.

12-1-060 General Responsibilities.

(1) Subdivider. The Subdivider shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The City shall process said plats in accordance with the regulations set forth herein. The Subdivider shall not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until the necessary approvals as outlined herein have been obtained.

(2) Planning Department. The Planning Department shall review the plats for design; for conformity to the Master Plan and to the Zoning Ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this Title.

(3) Other Agencies. Plats of proposed subdivisions may be referred by the Planning Department to such City departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment. The Planning Department shall decide which agencies to refer proposed subdivision plats to. Subdividers shall be responsible for distributing plans to and coordinating the comments received from all public and private entities.

(4) Public Works and Engineer. The Public Works Department and City Engineer shall make comments as to engineering requirements for street widths, grades, alignments, and flood control, whether the proposed public improvements are consistent with this Title and other applicable ordinances and shall be responsible for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with transportation planning in the Planning Department.

(5) Planning Commission. The Planning Commission shall act as an advisory agency to the City Council at Preliminary Plat. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the Master Plan and Zoning Ordinance, and other pertinent documents. The Planning Commission shall recommend approval, approval with conditions, or disapproval of the preliminary plat to the City Council. The Planning Commission has final jurisdiction in the approval of subdivision plats, the establishment of requirements and design standards for public improvements, and the acceptance of lands and public improvements that may be proposed for dedication.

(6) City Attorney. The City Attorney shall verify, prior to recordation of a plat, that the form of the final plat is correct and acceptable, that the Subdivider dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report submitted by the Subdivider.

(7) City Manager. The City Manager acts as liaison between the Planning Commission, Planning Department staff, and the City Council. Prior to preliminary approval for a subdivision, the City Manager may review the proposed plat and receive written comments from the City Council on the plat. The comments may then be forwarded to the Planning Commission for evaluation. Upon final approval by the Planning Commission, the plat will be sent to the City Manager who will present it to the City Council.

(8) City Council. The City Council has final jurisdiction in the approval of Preliminary Plat. And shall consider appeals regarding the administration of the subdivision ordinance as provided herein.

12-1-070 Appeal of Planning Commission Decisions.

(1) City Council. Appeal may be made to the City Council from any decision, determination or requirement of the Planning Commission under this Title by filing with the City Recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made. Such notice shall set forth in detail the action and grounds upon which the Subdivider, or other interested person, deems himself or herself aggrieved.

(2) Hearing. The City Recorder shall set the appeal for hearing before the City Council to be held within a reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued by order of the City Council. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing. After hearing the appeal, the City Council may affirm, modify, or overrule the decision, determination or requirement appealed and enter any such order or orders as are in harmony with the spirit and purpose of this Title. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the City Council.

12-1-080 Judicial Review of City Council Decisions.

Any person aggrieved by any decision of the City Council under this Title may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of the decision by the City Council. No person may challenge in district court any land use decision made by the City under this Title until that person has exhausted his or her administrative remedies as provided herein.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-1-104 (now 12-1-040) Amended, 4-21-93, Ord. 93-18
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
Amended 12-1-050(3) & 12-1-060(3) 04/19/06, Ord. 2006-28
Amended 5-19-06, Ord. 2006-28

CHAPTER 2

CONTROL AND APPLICATION

12-2-010 Subdivision Control.
12-2-020 Required Plat Approval.
12-2-030 Transfer of Land.
12-2-040 Transfer of Land - Voidable.
12-2-045 Building Permits.
12-2-047 Certificates of Occupancy.
12-2-050 Penalties.

12-2-010 Subdivision Control.

It shall be unlawful for any owner, or agent of the owner, of any land within the corporate limits and jurisdiction of the City to subdivide such land unless and until:

(1) A plat, or metes and bounds description(s) based upon a survey as specified in Chapter 4 of this Title, of such subdivision is made in accordance with the requirements set forth herein;

(2) Approval of such plat or metes and bounds description(s) based upon a survey is secured as provided herein; and

(3) The approved plat, or metes and bounds description(s) based on a survey as approved herein, is recorded in the Office of the Davis County Recorder by the City Recorder or, in the case of a metes and bounds description, by the Subdivider.

12-2-020 Required Plat Approval.

No plat of any subdivision shall be recorded in the County Recorder's Office until it has been submitted and approved as provided herein ~~and unless a recommendation has been received from the Planning Commission and it has been approved by the City Council~~ by the Planning Commission and such approvals are entered in writing on the plat by the ~~Mayor~~ Chair of the Planning Commission. A plat shall not be approved if such plat is in conflict with any provision or portion of the General Plan, Major Street Plan, Zoning Ordinance, this Title, or any other State law or City ordinance.

12-2-030 Transfer of Land.

Land shall not be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure thereon, until the final subdivision plat is recorded in the Davis County Recorder's Office in accordance with this Title and any applicable provisions of State Law, and until the

improvements required in connection with the subdivision have been constructed or guaranteed as provided herein.

12-2-040 Transfer of Land - Voidable.

No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions of this Title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this Title is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in bankruptcy, within one (1) year after the date of execution of the deed of conveyance, sale or contract to sell, but the deed of conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor, or person contracting to sell, or his assignee, heir or devisee.

12-2-045 Building Permits.

12-2-045 Building Permits.

(a)____No building permit shall be issued for any structure within a subdivision until the final subdivision plat is recorded in the Davis County Recorder's Office, a bond is provided acceptable to the City ensuring the adequate installation of required public improvements and utilities, and the required improvements and utilities have been installed and are operable as provided herein. No building permit shall be issued for any structure within a subdivision until all sanitary sewer, storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and gutter, streets, other underground utilities located under the street surface, and required grading and drainage improvements, are installed and fully functional, as determined by the City, providing continuous access and/or service to the lot. Notwithstanding the foregoing, for condominium projects only, permits for footings and foundations which are accompanied by a certificate of survey by a licensed surveyor verifying its location, may be issued by the City Council, subject to compliance with applicable requirements, including adequate access for emergency vehicles, prior to the installation of utilities and street improvements. For purposes of this Section, street improvements shall require asphalt or concrete hard surfacing of the streets, except as otherwise provided in Subsection (b).

(b) A building permit may be issued by the City for the construction of a structure within a subdivision prior to application of hard surfacing of the streets within the subdivision under the following conditions:

(1) The street improvements are being constructed during the months when cold weather prohibits the laying of a hard

surface on the street.

(2) The streets shall be completed with all utilities, rough grading, and all-weather road base sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base, including road base gradation and thickness, shall be determined by the City Engineer upon review and consideration of applicable soils reports, drainage factors and existing topographic conditions of the property.

(3) The developer enters into an agreement with the City that the developer will take responsibility to ensure that the road is accessible for emergency vehicles and construction traffic at all times, including snow removal and other required maintenance.

(4) The developer enters into an agreement with the City that developer will hard surface the road as soon as weather permits and as authorized by the City. If developer fails to do so, the City can declare the developer in default of the applicable improvements bond agreement and may withdraw any or all of the funds from the bond and cause the improvements to the street to be constructed, completed and/or repaired in accordance with the terms and procedures set forth in the bond agreement for the withdrawal of funds.

(5) The building contractor, property owner, and building permit applicant enters into an Assumption of Risk Agreement acknowledging the lack of hard surface streets within the subdivision and developer's obligation regarding maintenance and access of the same and assuming the risk of proceeding with construction under such circumstances pursuant to the terms and conditions set forth herein.

(6) No certificate of occupancy shall be granted by the City for any structure within the subdivision until all streets are hard surfaced.

12-2-047 Certificates of Occupancy.

No building within a subdivision shall be occupied until a certificate of occupancy has been issued for such structure by the City. No certificate of occupancy shall be issued for any structure within a subdivision by the City until all required improvements for the subdivision are complete, including the hard surfacing of the streets, all required street signs are installed for the subdivision and house numbers are placed on the structure, all required utilities are installed providing service to the structure, and all other applicable ordinance provisions have been satisfied.

12-2-050 Penalties.

It shall be a Class "C" misdemeanor for any person to fail to comply with the provisions of this Title. In addition to any criminal prosecution, the City may pursue any other legal remedies provided by law to ensure compliance with this Title including, but not limited to, instituting an injunction, mandamus, abatement, or other appropriate actions, or proceedings to prevent, enjoin, abate, or remove the unlawful use or act.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-2-045 and 12-2-047 Enacted, 3-21-01, Ord. 2001-01
12-2-030 and 12-2-045 and 12-2-047 Amended, 4-04-01, Ord. 2001-13
Title12-2-045 amended, July 11, 2006, Ord. 2006-45

CHAPTER 6

MAJOR SUBDIVISIONS

12-6-010 Preliminary Plat - Purpose.
12-6-020 Application and Fees.
12-6-030 Preliminary Plat - Preparation and Required Information.
12-6-040 Soil Report.
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12-6-060 Planning Commission Action.
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12-6-090 ~~Final Plat - Purpose.~~ Notification of Action.
12-6-100 ~~Filing Deadline, Application and Fees.~~ Effect of Approval of the Preliminary Plat.
12-6-110 ~~Final Plat - Preparation and Required Information.~~ Final Plat – Purpose.
12-6-120 ~~Data to Accompany Final Plat.~~ Filing Deadline, Application and Fees.
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12-6-140 ~~Planning Commission Action.~~ Data to Accompany Final Plat.
12-6-150 ~~City Council Action~~. Evaluation of Final Plat.
12-6-160 ~~Disapproval by the City Council.~~ Planning Commission Action.
12-6-170 ~~Security Bond - Subdivider~~. Disapproval by the Planning Commission.
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12-6-190 ~~Recording of Plat.~~ Delay Agreement.
12-6-200 ~~Expiration of Final Approval~~. Recording of Plat.
12-6-210 Expiration of Final Approval.

12-6-010 Preliminary Plat - Purpose.

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall, in all respects, be in compliance with the provisions of this Title and any other applicable ordinances.

12-6-020 Application and Fees.

The Subdivider of a major subdivision, after completing the schematic plan required by this Title, shall file an application for preliminary plat approval with the Planning Department on a form prescribed by the City, together with one reproducible copy and two (2) prints of the preliminary plat. At the same time, the Subdivider shall pay an application fee as published in the Consolidated Fee Schedule of the City. The Planning Department will determine if the appropriate

plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the Planning Department, and the Subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities.

12-6-030 Preliminary Plat - Preparation and Required Information.

(1) Form. The preliminary plat shall be clearly and legibly drawn with approved waterproof drawing ink at a scale not less than one inch (1") equaling one hundred (100) feet . The plat shall be so drawn that the top of the sheet is either north or east, whichever accommodates the drawing best. Dimensions shall be in feet and decimals thereof and bearings in degrees, minutes and seconds.

(2) Required Information. The following information shall be included on or with the preliminary plat:

(a) A vicinity sketch at a scale of not less than one thousand (1000) feet to the inch which defines the location of the subdivision within the City;

(b) The name of the subdivision. Such subdivision names shall not duplicate or nearly duplicate the name of any subdivision in the City or in the incorporated and unincorporated area of Davis County;

(c) The name and address of the Subdivider and his or her agent, if applicable;

(d) If the Subdivider is represented by an agent, there shall be a statement from the recorded owner authorizing the Agent to act;

(e) The name and address of the person, firm or organization preparing the preliminary plat and a statement indicating the recorded owner's permission to file the plat;

(f) The date, north point, written and graphic scales;

(g) A legal description to define the location and boundaries of the proposed subdivision;

(h) The location, names and existing widths of adjacent streets;

(i) The names and numbers of adjacent subdivisions and the names of owners of adjacent unplatted land;

(j) The contours, at one (1) foot intervals, for predominant ground slopes within the subdivision between level and five percent (5%), and two (2) foot contours for

predominant ground slopes within the subdivision over five percent (5%). Such contours shall be based on Davis County datum. The closest City survey monument shall be used and its elevation called out on the map. Survey monument information shall be obtained from the Davis County Surveyor or City Engineer;

(k) At the discretion of the City, a grading plan showing, by appropriate graphic means, the proposed grading of the subdivision. Contours should be consistent with Subsection (j). Proposed subdivisions located in the Foothill Zone shall comply with requirements of the Farmington City Foothill Development Ordinance set forth in the Zoning Ordinance;

(l) The location of all isolated trees worthy of preservation with a trunk diameter of four (4) inches or greater, within the boundaries of the subdivision, and the outlines of groves or orchards;

(m) The boundaries of areas subject to one hundred (100) year flooding or storm water overflow, as determined by the City, and the location, width and direction of flow of all watercourses, including all existing and proposed irrigation and natural runoff channels and courses;

(n) The existing use or uses of the property and the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines drawn to scale;

(o) A statement of the present zoning and proposed use of the property, as well as proposed zoning changes, whether immediate or future;

(p) Location and dimensions of proposed sites to be dedicated or reserved for open space or recreational use;

(q) Any proposed lands to be reserved in private ownership for community use;

(r) The locations, proposed names, widths and a typical cross section of curbs, gutters, sidewalks and other improvements of the proposed street and access easements;

(s) Layout of all lots, including the average and minimum lot size, lot divisions, and consecutive numbering;

(t) Preliminary location and size of sanitary sewers, water mains, pressurized irrigation lines, and any other public or private utility;

(u) The dimensions and locations of all existing or proposed dedications, easements, and deed restrictions. These shall include easements for drainage,

sewerage and public utilities;

(v) Preliminary indication of needed storm drainage facilities with preliminary runoff calculations and location, size, and outlets of the drainage system;

(w) The location of any of the foregoing improvements which may be required to be constructed beyond the boundaries of the subdivision shall be shown on the subdivision plat or on the vicinity map as appropriate;

(x) If it is contemplated that the development will proceed by phases, the boundaries of such phases shall be shown on the preliminary plat along with the estimated construction schedule for each phase;

(y) The words "Preliminary Plat - Not to be Recorded" shall be shown on the plat.

12-6-040 Soil Report.

(1) Form. A soil report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the State of Utah, shall be required prior to preliminary approval of any subdivision plat. The soil report shall include, among other things, a description of the soil types and characteristics on the site, describe whether or not ground water was encountered in any of the test borings and at what elevation it was encountered, and shall identify the location of any seismic zones or flood zones on the property.

(2) Investigation. If the soil report indicates the presence of critically expansive soils, high water table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water, premature deterioration of the public improvements, or which would represent a public health hazard, a soil investigation of each lot in the subdivision may be required by the City Engineer. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application.

12-6-050 Evaluation of Preliminary Plat.

The Planning Department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the Planning Department, and the Subdivider shall distribute plans for comment to all appropriate public and private entities. After reviewing the plans, each of the public agencies and utilities

will provide the acknowledgment letter to the Subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the Subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, Water and Sewer Improvement Districts, the Public Works Department, the City Engineer, and the Fire Department. The Planning Department will also provide the City Manager with one (1) full set of plans for comment and review.

12-6-060 Planning Commission Action.

Upon receipt of the preliminary plat, the Planning Commission shall examine the plat to determine whether the plat conforms with the schematic plan and with all changes requested and all requirements imposed as conditions of acceptance. If the Planning Commission determines that the plat is in conformity therewith, it shall recommend approval of the plat. If the Planning Commission determines that the preliminary plat does not fully conform to the schematic plan as approved, it shall advise the Subdivider of the changes or additions that must be made for approval. After the plat is approved by the Planning Commission, the Subdivider shall be responsible for notifying the Planning Department when the application is ready to go to the City Council for preliminary plat approval. If such notification is not given within twelve (12) months from the date of final approval by the Planning Commission, such approval shall be null and void. This time period may be extended for up to twelve (12) months for good cause shown if the Subdivider petitions the Planning Commission for an extension prior to the expiration date. Only one (1) extension may be granted.

12-6-070 City Council Action.

(1) The City Council shall not be bound by the recommendations of the City Departments, the Planning Commission or the City Manager, and may set its own conditions and requirements consistent with this Title.

(2) Within a reasonable time following the recommendation of the preliminary plat by the Planning Commission and receipt of the same from the Planning Department upon notification from the Subdivider, the City Council shall consider the plat. If the City Council determines that the plat is in conformity with the requirements of this Title, other applicable ordinances and any reasonable conditions as recommended by the City departments, Planning Commission, City Manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the preliminary plat.

12-6-080 Disapproval by the City Council.

If the City Council determines that the preliminary plat is not in conformity with this Title or other applicable ordinances, or any reasonable conditions imposed, it

shall disapprove the plat specifying the reasons for such disapproval. Within one (1) year after the City Council has disapproved any plat, the Subdivider may file with the Planning Department a plat altered to meet the requirements of the City Council. No plat shall have any force or effect until the same has been approved by the City Council.

~~12-6-060 Planning Commission Action.~~

~~Within a reasonable time after the filing of a preliminary plat of a subdivision and any other information required, the Planning Commission shall act thereon. If the Planning Commission finds that the proposed plat complies with the requirements of this Chapter and that it is satisfied with the plat of the subdivision, it shall approve, or approve with conditions, the plat. If the Planning Commission finds that the proposed plat does not meet the requirements of this Title or other applicable ordinances, it shall deny approval of such plat.~~

~~12-6-070~~ 12-6-090 Notification of Action.

The Planning Department shall notify the Subdivider, in writing, of the action taken by the ~~Planning Commission~~ City Council. One (1) copy of the plat and accompanying conditions, if applicable, and the minutes of the City Council meeting shall be retained in the permanent file. Notification of the approval of the preliminary plat shall be authorization for the Subdivider to proceed with the preparation of detailed plans and specifications for the improvements required by City ordinances and the City Council, and with the preparation of the final plat.

~~12-6-080~~ 12-6-100 Effect of Approval of the Preliminary Plat.

Approval of the preliminary plat shall in no way relieve the Subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all City standards.

~~12-6-090~~ 12-6-110 Final Plat - Purpose.

The purpose of the final plat is to require formal approval by the Planning Commission ~~and City Council~~ before a major subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this Title. The final plat and improvement plans submitted shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure. Pursuant to Section 10-9-805, Utah Code Annotated, 1953 as amended, the ~~City Council~~ Planning Commission designates the ~~Mayor~~ Planning Commission Chair as its agent to sign final subdivision plats. The ~~Mayor~~ Planning Commission Chair shall not sign any final plat until such plat has been approved by the Planning Commission ~~and~~

~~the City Council~~ in accordance with the provisions set forth herein.

~~12-6-100~~ 12-6-120 Filing Deadline, Application and Fees.

The Subdivider shall file an application for final plat approval with the Community Development Department on a form prescribed by the City, together with one reproducible copy and prints of the final plat, the number of which shall be determined by City staff, and all required fees. The preliminary plat shall become null and void unless the Subdivider submits an application for and obtains final plat approval for all phases encompassing the area of the preliminary plat within twelve (12) months after approval or conditional approval of the preliminary plat by the ~~Planning Commission~~ City Council, except as otherwise provided for by written agreement with the City. This time period may be extended for up to twelve (12) months for good cause shown if the Subdivider petitions the ~~Planning Commission~~ City Council in writing for an extension prior to the expiration date of the preliminary plat together with any applicable fees. Only one (1) extension of the preliminary plat approval may be granted. In the event the final plat approval expires, or the City does not grant an extension of final plat approval, or the City does not re-approve a previously approved final plat, the preliminary plat approval shall also expire, unless 12 months has not lapsed from the date of its approval and/or a 12 month extension of time has been granted as provided herein

~~12-6-110~~ 12-6-130 Final Plat - Preparation and Required Information.

(1) The final plat shall consist of a sheet of approved mylar to the outside or trim line dimensions of nineteen by thirty (19" x 30") , and the border line of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inch (1½") on the left margin of the sheet for binding, and not less than a one-half inch (½") margin in from the outside or trim line around the other three edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or east, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the mylar with approved waterproof black drawing ink.

(2) The final plat shall be drawn at a scale of not less than one inch (1") equaling one hundred feet (100'), and the workmanship on the finished drawing shall be neat, clear and readable.

(3) The plat shall be signed by all required and authorized parties and the final drawings shall contain all information set forth in this Section. The location of the subdivision within the City shall be shown by a small scale vicinity map on the first sheet.

(4) The title of each sheet of the final plat shall consist of the approved name and

unit number of the subdivision in bold letters, and if applicable, the words “a Planned Unit Development (PUD)” or “a Conservation Subdivision”, followed by the words "Farmington City" at the top of the sheet.

(5) Wherever the City Engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be identified by lot and block numbers, subdivision name and place of record, or other proper designation.

(6) An accurate and complete boundary survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground shall close within a tolerance of one (1) foot to twenty thousand (20,000) feet of perimeter.

(7) The final plat shall show all survey, mathematical information, and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius, and arc length of curves, and such information as may be necessary to determine the location of the beginning and ending points of curves.

(8) All lots, blocks, and parcels offered for dedication for any purpose shall be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision with no omissions or duplications. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase two would be numbered 201, 202, 203, etc.

(9) The plat shall show the right-of-way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown.

(10) All streets within the subdivision shall be assigned a name. Numerical

names are preferred. Streets which have an alphabetic name shall also be assigned a coordinate reference number which conforms to the numbering system adopted by the City. All numbering shall be accomplished by the City Building Official.

(11) The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.

(12) If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a one hundred (100) year flood.

(13) The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the Subdivider under the direction of the City Engineer. The following required monuments shall be shown on the final plat:

(a) The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;

(b) All right-of-way monuments at angle points and intersections as approved by the City Engineer.

(14) The title sheet of the map shall show the name of the engineer or surveyor, the scale of the map and the number of sheets. The following certificates, acknowledgments and description shall appear on the title sheet of the final maps, and such certificates may be combined where appropriate:

(a) Registered land surveyor's "Certificate of Survey;"

(b) Owner's dedication certificate;

(c) Notary public's acknowledgment for each signature on the plat;

(d) A description of all property being subdivided with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the County and commence from Section corners of known location, bearing, and distance. The description shall also include reference to any vacated area with the vacation ordinance number indicated;

(e) Blocks for authorized signatures of the Planning Commission, City

Engineer, Benchland Irrigation, Central Davis Sewer District, and City Attorney, ~~and City Council~~ shall be provided along the bottom or right side of the plat. A block for the Davis County Recorder shall be provided in the lower right corner of the plat.

(f) Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law, by this Title or by the City Attorney;

(g) Prior to recordation of the plat, the Subdivider shall submit a current title report to be reviewed by the City Attorney. A "current" title report is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.

(15) A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the City for the proposed subdivision in accordance with the provisions of this Title.

(16) When a subdivision contains lands which are reserved in private ownership for community use, the Subdivider shall submit, with the final plat, the name, proposed articles of incorporation, and bylaws of the owner or organization empowered to own, maintain and pay taxes on such lands.

(17) An address shall be placed on each lot shown on the final plat. Addresses shall conform to the established grid system for Davis County and shall include optional addresses for corner lots.

~~12-6-120~~ 12-6-140 Data to Accompany Final Plat.

At the time a final plat of a subdivision is submitted to the City, the Subdivider shall also submit the following documents:

(1) Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.

(2) Design data, assumptions and computations for proper analysis in accordance with sound engineering practice, along with appropriate plan, section, and profile sheets for all public improvements.

~~12-6-130~~ 12-6-150 Evaluation of Final Plat.

(1) Planning Department. The Planning Department will determine if the final plat submission is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the Planning Department, and the Subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities.

(2) Reviewing Entities. After reviewing the plans, each of the public agencies and utilities will provide the acknowledgment letter to the Subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the Subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, Water and Sewer Improvement Districts, the Public Works Department, the City Engineer, and the Fire Department.

(3) Additional Reviews. In cases where Subdivider's submission or plat is incomplete, incorrect or otherwise fails to comply with Farmington City ordinances and/or development standards as determined by the City and where such failure makes additional or repeat reviews on the part of the City Engineer and/or other consultants to the City necessary, Subdivider shall be required to resubmit the plans to those reviewing entities that will be effected by changes. After reviewing the plans, each of the public agencies and utilities will provide the acknowledgment letter to the Subdivider indicating whether the plans are acceptable or need to be revised. This process shall continue until all reviewing entities have accepted the plans.

(4) Within a reasonable time after receipt of a final plat and approval or comments from all appropriate reviewing entities, the Planning Department shall include the final plat on the Planning Commission agenda and prepare a report on the plat's compliance with the General Plan, City Ordinances, Rules and Regulations. The plat and the report of the City Planning Department shall then be presented to the Planning Commission.

12-6-160 Planning Commission Action.

(1) The Planning Commission shall not be bound by the recommendations of the City Departments or the City Manager, and may set its own conditions and requirements consistent with this Title.

(2) Within a reasonable time following the approval of receipt of the final plat from the Planning Department upon notification from the Subdivider, the Planning Commission shall consider the plat. If the Planning Commission determines that the plat is in conformity with the requirements of this Title, other applicable ordinances and any reasonable conditions as recommended by the City departments, City Manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.

12-6-170 Disapproval by the Planning Commission.

If the Planning Commission determines that the final plat is not in conformity with this Title or other applicable ordinances, or any reasonable conditions

imposed, it shall disapprove the plat specifying the reasons for such disapproval. Within one (1) year after the Planning Commission has disapproved any plat, the Subdivider may file with the Planning Department a plat altered to meet the requirements of the Planning Commission. No plat shall have any force or effect until the same has been approved by the Planning Commission.

~~12-6-140 Planning Commission Action.~~

~~Upon receipt of the final plat, the Planning Commission shall examine the plat to determine whether the plat conforms with the preliminary plat and with all changes requested and all requirements imposed as conditions of acceptance. If the Planning Commission determines that the plat is in conformity therewith, it shall recommend approval of the plat. If the Planning Commission determines that the final plat does not fully conform to the preliminary plat as approved, it shall advise the Subdivider of the changes or additions that must be made for approval. After the plat is approved by the Planning Commission, the Subdivider shall be responsible for notifying the Planning Department when the application is ready to go to the City Council for final plat approval. If such notification is not given within twelve (12) months from the date of final approval by the Planning Commission, such approval shall be null and void. This time period may be extended for up to twelve (12) months for good cause shown if the Subdivider petitions the Planning Commission for an extension prior to the expiration date. Only one (1) extension may be granted.~~

~~12-6-150 City Council Action.~~

~~(1) The City Council shall not be bound by the recommendations of the City Departments, the Planning Commission or the City Manager, and may set its own conditions and requirements consistent with this Title.~~

~~(2) Within a reasonable time following the approval of the final plat by the Planning Commission and receipt of the same from the Planning Department upon notification from the Subdivider, the City Council shall consider the plat. If the City Council determines that the plat is in conformity with the requirements of this Title, other applicable ordinances and any reasonable conditions as recommended by the City departments, Planning Commission, City Manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat.~~

~~12-6-160 Disapproval by the City Council.~~

~~If the City Council determines that the plat is not in conformity with this Title or other applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval. Within one (1)~~

~~year after the City Council has disapproved any plat, the Subdivider may file with the Planning Department a plat altered to meet the requirements of the City Council. No plat shall have any force or effect until the same has been approved by the City Council.~~

~~12-6-170~~ 12-6-180 Security Bond - Subdivider.

Prior to the installation of or any work on any required public improvements, the Subdivider shall enter into a security bond agreement acceptable to the City to insure completion of all public improvements required to be installed in the subdivision. The bond agreement shall be in a form and contain such provisions as approved by the City Attorney. The bond agreement shall include, but not be limited to, the following:

(a) Incorporation by reference of the final plat and all accompanying data required herein which is used to compute the cost of the improvements by the City Engineer;

(b) Completion of the improvements within a period of time not to exceed two (2) years from the date the bond agreement is executed;

(c) The improvements shall be completed to the satisfaction of the City and according to City standards, as established by the City Engineer and as specified in Chapter 8 of this Title;

(d) The bond amount shall be equal to one hundred twenty percent (120%) of the City Engineer's estimated cost of the public improvements to be installed;

(e) The City shall have exclusive control over the bond proceeds and they may be released only upon written approval of the City Manager;

(f) The bond proceeds may be reduced upon request of the Subdivider as the improvements are installed. The amount of the reduction shall be determined by the City. Such requests may be made only once every thirty (30) days and no reductions shall be authorized until such time as the City has inspected the improvements and found them to be in compliance with City standards. All reductions shall be by the written authorization of the City Manager;

(g) If the bond proceeds are inadequate to pay the cost of the completion of the improvements according to City standards for whatever reason, including previous reductions, the Subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until the improvements are completed or, with City Council approval, a new bond, satisfactory to the City, has been executed and delivered to the City to insure completion of the remaining improvements;

(h) If, upon written demand by the City after expiration of the time period, bond proceeds are not transferred to the City within thirty (30) days, the City's costs of obtaining the proceeds, including attorney's fees and court costs, shall be deducted from the bond proceeds;

(i) Upon receipt of the bond proceeds, after the expiration of the time period, the costs of completion shall include reimbursement to the City for the costs of administration incurred by the City in obtaining the completion of the improvements;

(j) The Subdivider shall agree to hold the City harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the City certifies the improvements as complete;

(k) The bond agreement shall be one of the following types as dictated by the City:

(i) A Cash Bond Agreement accompanied by a cashier's check or a money market certificate made payable only to the City;

(ii) An Escrow Bond Agreement and an escrow account with a financial institution Federally insured; or

(iii) A Letter of Credit Bond Agreement accompanied by an irrevocable letter of credit with a financial institution Federally insured.

(l) The City reserves the right to reject any bond. The bonds required by this Section are for the sole benefit of the City. The bonds are not for the benefit of any individual citizen or identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;

(m) The time period for the completion of the required public improvements may be extended in the following manner upon approval of the City Council;

(i) The Subdivider may submit a new bond for approval.

(ii) The existing bond may be extended upon payment, by the Subdivider, of the actual administrative costs incurred in reevaluating the sufficiency of the bond amount.

~~12-6-180~~ 12-6-190 Delay Agreement.

In lieu of the bond requirements outlined above, at the City's sole option, the

Subdivider may be permitted to execute an agreement, in a form acceptable to the City Attorney, delaying the installation of any or all of the public improvements required pursuant to this Title.

~~12-6-190~~ 12-6-200 Recording of Plat.

After City Council approval, completion of the required public improvements or filing of the bond agreement described herein, and signing of the plat by the Mayor, the plat shall be presented by the City Recorder to the Davis County Recorder for recordation.

~~12-6-200~~ 12-6-210 Expiration of Final Approval.

If the plat is not recorded within six (6) months from the date of City Council approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the City Manager. The Subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the City. If any of the fees charged as a condition of subdivision approval, including but not limited to, inspection fees, parks fee, flood control fees, as well as the amounts the City uses to estimate bonds to insure completion of improvements, have increased, the City Manager may require that the bond estimate be recalculated and that the Subdivider pay any applicable fee increases as a condition of granting the extension.

Title 6 (now Title 12) Amended, 6-06-91, Ord. 91-21
6-6-113 (now 12-6-130) Amended, 2-03-92, Ord. 93-04
Title 12 Amended and Recodified, 6-19-96, Ord. 96-24
12-6-170 Amended, 2-03-99, Ord. 99-05
12-6-170 Amended, 6-21-00, Ord. 2000-23
Chapter 6, Amended 4-19-06, Ord. 2006-28
Amended 12-6-170 10/20/2009, Ord 2009-53
Amended 12-6-110 (1) & (14)(e), 5/18/10, Ord. 2010-20
Amended 12-6-110 (4) 05/18/2011, Ord 2011-10
Amended 12-6-100 05/17/2011, Ord 2011-10
Amended 12-6-170 06/05/2012. Ord 2012-23
Amended 12-6-170 05/07/2013 Ord 2013-0

Farmington City

Tuesday, February 24, 2009 10:44:54 AM
M:\Projects\Current\BaseMap.mxd

0 70 140 280 420 Feet

Dear Farmington City,

I am trying to send you the below email, but can only find that of the City Mayor on your website. Unfortunately I will need to email the below message to him because it requires an image to be attached. Could you give me some email addresses that I can send the image to?
I recently had a conversation with I believe Melissa, followed by Eric in the zoning department (departments and names might be incorrect due to my inability to write stuff down). They were both friendly and very helpful.

The issue is regarding a shed I wish to build. I attempted to explain my situation over the phone regarding the situation, however Eric and I werenâ€™t understanding each other in regards to placement of the shed.

The numbers on the pictures are possible shed locations. The arrows are view interruptions.
Option A. is my desired location, however not allowed due to city code. I wasnâ€™t quite sure as to why it is not allowed to be built right there. Seeing as that is a philosophical situation and the rules are the rules, I wonâ€™t ask and simply abide with whatever reasons the city has.

Option B. is the proposed location by the city. Please make note that that would place it in my view of the sunset. In addition it would sit in a VERY weird location in the middle of my yard (not pressed up against anything). Highly undesirable.

Option C. Well within my legal rights to build there, and actually a preferred location for me (seeing as it is garage to garage) were it not that I am trying to do my neighbors a favor and not blocking their view. You can't blame a citizen for trying to keep the peace can you!

Option D. Is unacceptable and not even open for discussion. I will not trudge through the snow to get to my shed nor pore large amounts of unnecessary concrete to make a walkway to the shed. The shed is to store multi purpose vehicles which cannot be driven on the grass.

Thank you for having stayed with me this long into the email.

Now the issue I have is that the ONLY common sense location that benefits the city by maintaining the peace between property owners is option A. I was informed that I may file a petition (He called it something else) to have my request approved. The problem is that this costs 150$!!!!! Am I paying for the committee to go to dinner during this review? Obviously I would be providing the research material for this discussion, so what prep is there done by the committee that could possibly lead to this tremendous charge? Also the result timeline is HAZY. I was told it could take however long it takes, probably around 3 weeks. I would really like to get this done before the snow freezes so I can pour my concrete.

As a citizen of Farmington City, I am asking for someone to hear me out regarding this issue. The answer is simple! Make everyone happy and approve my request based on common sense, not a trial by committee in which I am not guaranteed anything.

The location of the disputed area is 449 HollyBrook Way.

Zimbra **eanderson@farmington.utah.gov**

Re: Michael Blom Shed Location

From : Eric Anderson <eanderson@farmington.utah.gov> Mon, Oct 06, 2014 07:39 AM
Subject : Re: Michael Blom Shed Location
To : Mike Blom <mb@masteryconnect.com>

Thanks Mike. We'll put you on the agenda for Thursday.

Sent from my iPhone

On Oct 5, 2014, at 9:41 PM, Mike Blom <mb@masteryconnect.com> wrote:

To whom it may concern,

My desire is to build a shed in my side yard. In the graphic below you will see the location of where my shed would be placed. I have spoken with the three neighbors whose homes will have a view of my shed and they are 100% behind me building the it.

<PastedGraphic-2.png>

The reason I wish to build the shed in this location and not others is best explained when looking at a graphic that is further zoomed out.

<PastedGraphic-1.png>

Option A is the desired location
Option B would distort my view of the wetlands and sunset. It also would sit in a weird spot not really tied or pressed up to anything.
Option C, even though a desirable location, and within my rights to build at, would block my neighbors view of the wetlands and sunset. We love our neighbors and would hate to have a shed come in the way of that. I think the city could agree on happy neighbors = happy citizens.
Option D. Due to the shape of my property (it being very elongated) option D is a very bad location for the convenience of the location of my shed. It would require walking through the snow to get to it, pouring a lot of concrete to safely drive back and forth to, and it would just plain be an eye soar in such a weird location, as well as blocking the views of what makes these homes so great.

I have full faith that the board will understand my reasoning and approve me to build in the side yard. It is the only logical location where I am hindering myself and my neighbors the least.

Thank you!

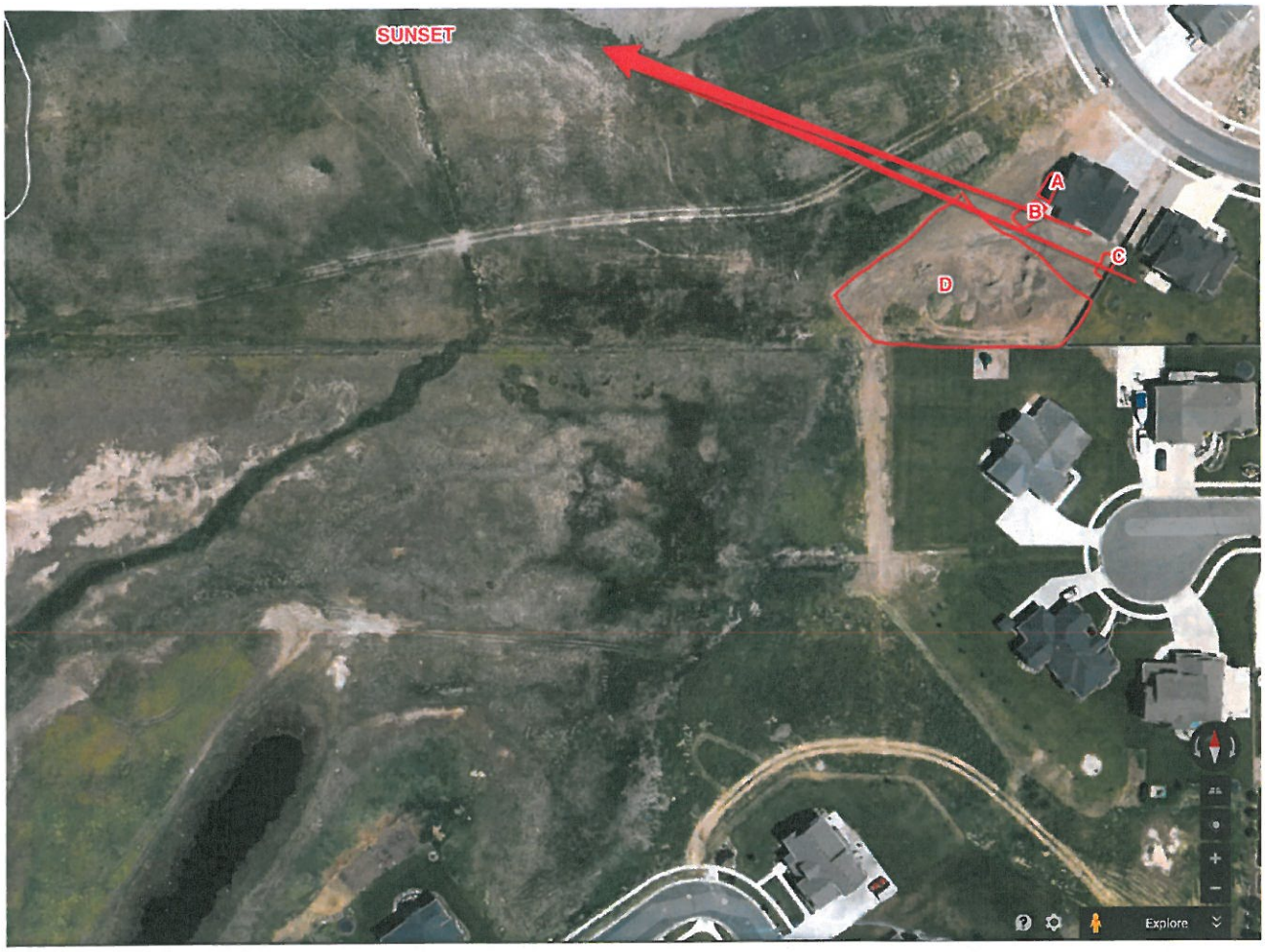
Michael Blom
801-309-8319
blom@usa.com; mb@masteryconnect.com

From : Mike Blom <mb@masteryconnect.com> Sun, Oct 05, 2014 09:40 PM
Subject : Michael Blom Shed Location 2 attachments
To : eanderson@farmington.utah.gov

To whom it may concern,

My desire is to build a shed in my side yard. In the graphic below you will see the location of where my shed would be placed. I have spoken with the three neighbors whose homes will have a view of my shed and they are 100% behind me building the it.

The reason I wish to build the shed in this location and not others is best explained when looking at a graphic that is further zoomed out.



Option A is the desired location
Option B would distort my view of the wetlands and sunset. It also would sit in a weird spot not really tied or pressed up to anything.
Option C, even though a desirable location, and within my rights to build at, would block my neighbors view of the wetlands and sunset. We love our neighbors and would hate to have a shed come in the way of that. I think the city could agree on happy neighbors = happy citizens.
Option D. Due to the shape of my property (it being very elongated) option D is a very bad location for the convenience of the location of my shed. It would require walking through the snow to get to it, pouring a lot of concrete to safely drive back and forth to, and it would just plain be an eye soar in such a weird location, as well as blocking the views of what makes these homes so great.

I have full faith that the board will understand my reasoning and approve me to build in the side yard. It is the only logical location where I am hindering myself and my neighbors the least.

Thank you!

Michael Blom
801-309-8319
blom@usa.com; mb@masteryconnect.com

PastedGraphic-2.png
948 KB

PastedGraphic-1.png
2 MB