



HISTORIC BEGINNINGS • 1847

Farmington City Planning Commission

January 8, 2015



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

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

DAVE MILLHEIM
CITY MANAGER

**AMENDED
AGENDA
PLANNING COMMISSION MEETING
January 8, 2015**

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

Study Session: 6:30 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. Farmington City (Public Hearing) – Applicant is requesting a recommendation for Schematic Plan approval for the “Park Lane Plat.” The purpose of the subdivision is to memorialize, as per a previous agreement, what has already taken place regarding the realignment of 1100 West and Park/Clark Lane, which resulted in the reconfiguration and creation of parcels in the vicinity of said realignment.
4. Jason Harris/Fieldstone Homes -Applicant is requesting a recommendation for Final Plat approval for the proposed Farmington Park Conservation Subdivision Phase I consisting of 19 lots on 7.458 acres located at approximately 1100 West and Glover Lane in an AE zone. (S-4-14)
5. Phil Holland/Wright Development – Applicant is requesting Preliminary Plat approval for the proposed Tuscan Grove Subdivision consisting of 9 lots on 3.55 acres on property located at approximately 1470 South and 200 East in an LR Zone. (S-14-14)

PROJECT MASTER PLAN

6. Ernie Wilmore/ICO Development (Public Hearing) – Applicant is requesting approval for the proposed Residences at Station Parkway Project Master Plan consisting of a 432 unit apartment complex (7 apartment buildings total) on 12.95 acres on property located at approximately 600 North and Station Parkway in a TMU (Transit Mixed Use) Zone. (PMP 1-14)

ZONE TEXT CHANGE

7. Farmington City – Applicant is requesting a recommendation for a text amendment to Chapters 1, 2, 3, and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions and related chapters where necessary. (ZT-9-14)
8. Farmington City – (Public Hearing) – Applicant is requesting a recommendation for a text amendment to Chapter 18 of the Zoning Ordinance as it relates to the Regulating Plan, in the vicinity of Station Parkway, Grand Avenue (west of Station Parkway), and Park Lane, and amendments to standards in Chapter 18 for rights-of-way, large footprint buildings, and other related standards therein. (ZT-11-14)

OTHER BUSINESS

9. Miscellaneous, correspondence, etc.
 - a. Other

10. 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 January 2, 2015



Eric Anderson
Associate City Planner

**FARMINGTON CITY
PLANNING COMMISSION MEETING
December 11, 2014**

STUDY SESSION

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

Item #3. Justin Atwater/Pembridge Heathrow Holdings – Schematic Plan Approval for Parkwalk Downs Subdivision

David Petersen said staff does not have any concerns with the Schematic Plan. The applicant is requesting a TDR for 2 additional lots, totaling 4 lots for the subdivision. **David Petersen** said a resident that lives on 650 West called regarding the Weber Basin secondary water line that will be going to the new subdivision. Currently, the resident that called, and the surrounding residents, do not have access to Weber Basin; with the development of the new subdivision, they would like a line to be extended to them. **David Petersen** explained that Weber Basin is not the City, but is a separate entity. The City has no authority to grant an extension of a secondary water line to residents.

Item #4. Nick Mingo/Ivory Homes – Final Plat Approval for Farmington Hollow Conservation Subdivision Phase I

David Petersen said this subdivision is now being split into two phases; staff does not have any concerns with the Final Plat.

Item #5. Farmington City – Approval for Text Amendment of the Sign Ordinance for the OTR Zone

David Petersen explained the history of the previous zoning of the OTR Zone and reviewed the ordinance for non-conforming signs within the OTR Zone. He explained Cal Fadel has owned a Farmers Insurance business on State Street since 1982; the insurance company is now requiring updated signs with the new logo, but the City's current non-conforming sign clause within the ordinance restricts it. Amending the ordinance, as proposed in the staff report, would allow Mr. Fadel to replace his sign.

Kris Kaufman asked if there are other businesses located within the OTR Zone that may also qualify for a non-conforming sign. **David Petersen** said no, but in light of preserving historic homes, the City allows for a professional office within a historic building anywhere in the City as an adaptive reuse as long as structure remains eligible for the National Register for Historic Buildings. These businesses may request a sign, but in most cases it would require a zone text change to do so.

David Petersen added that Mr. Fadel went before the Board of Adjustment for approval, but the ordinance restricts any such change. The City Attorney said the only way to allow him to make changes is to amend the text. **David Petersen** and staff discussed restrictions that may be placed on the signs, which included the sign cannot be backlit and cannot exceed 12 sq. ft.

REGULAR SESSION

Present: Commissioners Kris Kaufman, Bret Gallacher, Rebecca Wayment and Alternate Commissioner Karolyn Lehn, Community Development Director David Petersen and Recording Secretary Lara Johnson. Chairman Brett Anderson, Commissioners Heather Barnum and Kent Hinckley, Alternate Commissioners Michael Nilson and Associate City Planner Eric Anderson were excused.

#1. Minutes

Karolyn Lehn made a motion to approve the Minutes from the November 11, 2014 Planning Commission meeting. **Rebecca Wayment** seconded the motion which was unanimously approved.

#2. City Council Report

David Petersen gave a report from the City Council meeting on December 2, 2014. Tuscany Grove Schematic Plan was approved, and the Eastridge Estates Final Plat was moved off the agenda as the developer is still working with neighboring property owners on the purchase of abutting pieces of land. The City Council consented to the Station Parkway Cross Section Modification. **David Petersen** also said the Council announced Cabela's Retail Store will be coming to Farmington. **Kris Kaufman** asked the City Council's final vote of the Meadowview Phase II Subdivision. **David Petersen** said the Council approved the Schematic Plan with no open space, no TDR, but with a trail and with increased lot sizes.

SUBDIVISION AND REZONE APPLICATION

#3. Justin Atwater/Pembridge Heathrow Holdings (Public Hearing) - Applicant is requesting a recommendation for Schematic Plan approval for the proposed Parkwalk Downs Subdivision consisting of 4 lots on 2 acres located at approximately 520 South 650 West in an AE Zone (S-17-14)

David Petersen said this is two acres located near 500 South and 650 West. He explained 650 West and 500 South are planned to be a minor collector roads with a 66' ROW; however, much of 500 South between 1100 West and 650 West is only 50' in width. Since this street is lacking in ROW, the City is requesting the applicant dedicate an additional 8'. When the property across the street is developed, the City will request the remaining 8' from that property owner so there will be a total of 66' of ROW. **David Petersen** also explained if curb, gutter, park strip and sidewalk were put in during the development, it's elevations may not line up with City improvements in the future. As a result, the City would like the property owners to enter into an extension agreement so the property owners can pay their share of the improvements when it comes time for the improvements to be constructed. Also, the developer is requesting a TDR for 2 lots.

Justin Atwater, 940 Willowmere Dr., Kaysville, explained he is not a traditional developer as he is looking at the property for more personal reasons. He would like a nice place for his parents to live and is looking for a return on investment. He also said he is currently working with the City Manager on the 2 TDR lots.

Kris Kaufman opened the public hearing at 7:24 p.m.

Larry Jung, 302 W. State Street, owns the “L” shaped property at 544 S. 650 W. which is adjacent to the proposed development. He said he has and will continue to maintain livestock on his property. Although he is not opposed to the proposed subdivision, he expressed concern that his livestock will be in the proposed lots’ backyards. He asked if there is any kind of barrier that can be required as there is currently just a chain link fence. He does not want children bothering his livestock or being hurt by trying to pet or feed the animals.

Don Francis, 578 S 650 W., said he lives three lots to the south of the proposed subdivision. Although he would like the properties to maintain 1 acre lots, he was still appreciative the developer was proposing ½ acre lots.

Kris Kaufman closed the public hearing at 7:28 p.m.

Kris Kaufman asked if the Commission can address any concerns regarding a fence or barrier between Mr. Jung’s livestock and the backyards of the proposed lots. **David Petersen** said much of the concerns are a civil matter; however, the Commission can require a note be placed on the Plat to future buyers that the area will be kept agricultural and livestock will be maintained. He explained this has been done in the past. **David Petersen** reviewed the ordinance that stated a 6’ non-climbable chain link fence can be required by the Commission; however, a solid opaque fence or barrier is outside of the Commission’s purview. **David Petersen** added the Commission could add a condition to the motion to address the fence.

Kris Kaufman asked if the applicant is within the permitted lot sizes for the area as per Mr. Francis’ comment. **David Petersen** said yes as per the revised regulations of Chapter 10 of the Zoning Ordinance.

Rebecca Wayment applauded the applicant for maintaining larger lots, but also suggested he consider upgrading the 6’ non-climbable chain link fence to a more solid fence or barrier for future home buyers.

Motion:

Rebecca Wayment made a motion that the Planning Commission recommend that the City Council approve the proposed Schematic Plan for Parkwalk Downs Minor Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Applicant must dedicate 8’ additional feet of ROW along 500 South;
2. The applicant will either fully improve his 650 West and 500 South frontages (i.e. sidewalks, park strip, curb and gutter, asphalt extension, road base and sub grade, etc.) OR enter into an extension agreement with the City until such time that these roads are improved to the subject property;
3. Applicant will need to receive approval for the 2 TDR lots, and any cost related thereto, by the City Council prior to Final Plat approval;
4. Applicant will need to obtain secondary water for the project prior to Final Plat;
5. Applicant will need to address all storm water issues for the project prior to Final Plat;
6. Applicant will need to remove Note 2 on the Plat.
7. Applicant will address the issue of the fence, which will include a 6’ non-climbable chain link fence be installed per the ordinance.

Karolyn Lehn seconded the motion which was unanimously approved.

Item #4. Nick Mingo/Ivory Homes – Applicant is requesting a recommendation for Final Plat approval for the proposed Farmington Hollows Conservation Subdivision Phase I consisting of 29 lots on 10.61 acres and Phase II consisting of 18 lots on 8.48 acres located at approximately 1350 West and 1800 North. (S-5-14 & S-12-14)

David Petersen said Ovation Homes previously received Final Plat approval for the proposed Farmington Hollows Conservation Subdivision, but has since sold the western (larger) portion to Ivory Homes. Ivory Homes is now requesting the subdivision be split into two phases. He added that there are not any changes being made to the plans; the applicant is just now showing the order of how they plan to execute it.

Nick Mingo, 978 E Woodoak Lane, Salt Lake City, said the subdivision plans have been split into two phases. Once this is approved, some small road improvements will be immediately made so Ovation Homes can finalize their storm drain.

David Petersen explained the conditions are similar to what was previously approved. **Nick Mingo** added that there is a small strip of property by lot 201 that needs to have a boundary adjustment from Kaysville to Farmington so the city boundary follows the subdivision line. **David Petersen** said the City is working to follow-up on the adjustment.

Motion:

Karolyn Lehn made a motion that the Planning Commission recommend that the City Council approve the Final Plat for Farmington Hollows Conservation Subdivision Phase I and II subject to all applicable Farmington City Codes and development standards and the following conditions:

1. Prior to City Council consideration of Final Plat, the applicant shall resolve any remaining storm water issues by either receiving city staff approval for a temporary detention basin or County approval to drain into Haight Creek;
2. Applicant will obtain a dedicated trail easement from Davis County for that portion of the trail that crosses County property;
3. Final improvement drawings for the project shall be reviewed and approved by each member of the Farmington Development Review Committee (DRC);
4. The boundary adjustment between Kaysville and Farmington must be recorded before recordation of Final Plat.

Bret Gallacher seconded the motion which was unanimously approved.

Findings:

1. The proposed development meets all of the standards and requirements of a conservation subdivision in the LR zone such as minimum lot sizes, lot widths, and setbacks.
2. The proposed development is at a density of 2.85 units per acre, which is consistent with the adjacent neighborhoods and the LDR General Plan designation of 4 units per acre.
3. The road layout will mitigate thru traffic and be prohibitive of high speeds.
4. 1800 North Street shall be landscaped and retain its rural character.
5. Larger lots shall be situated on the periphery of the project providing an acceptable transition to adjacent neighborhoods.
6. The overall layout follows the low density residential objective of the General Plan.

7. The Haight Creek Draw is shown on the Master Trails Map as a future trail corridor; the current plan has this trail shown.

ZONE TEXT CHANGE

Item #5. Farmington City (Public Hearing) – Applicant is requesting a recommendation for approval of a Text Amendment of the Sign Ordinance regarding signs for the OTR zone including non-conforming uses therein. (ZT-10-14)

David Petersen said Cal Fadel owns a Farmers Insurance business located on the corner of 200 West and State Street. When Mr. Fadel opened his insurance business in 1982, his location was in a C2 zone, which allowed a person to live onsite in a commercial business. It was later changed to a BR zone which still allowed for a commercial use. In 2003, however, it was zoned to OTR which is residential. Mr. Fadel's use and his sign became non-conforming. He has a monument sign that he would like to upgrade to a newer, smaller, but slightly longer sign that is approximately 12 sq. ft. Mr. Fadel came before the BOA, but, based on the ordinance, Mr. Fadel is not able to modify the sign resulting in the BOA denying his request to upgrade his sign. **David Petersen** said amending the text would allow him to upgrade his sign. He also said the Commissioners, in the Study Session, discussed adding a condition to the motion to restrict the sign from having a back light.

Kris Kaufman opened the public hearing at 7:47 p.m.

Cal Fadel, 184 W. State St., said he has had his sign since he opened his business in 1982. Recently, Farmers changed their logo and are now requiring all agents to update their signs to include the new logo. During the zoning changes, he mistakenly thought he was grandfathered in. When he requested upgrading his sign, he said he was notified he was now a non-conforming use.

Kris Kaufman asked when the deadline is for the upgraded sign. **Cal Fadel** said the end of the next year; however, he has already purchased the sign as he did not anticipate it being such a complicated process. **David Petersen** explained the process Mr. Fadel went through with the BOA. After two meetings and talking with the City Attorney, it was determined the BOA had to deny the request based on the BOA's limited authority based on the ordinance.

Kris Kaufman asked Mr. Fadel if the sign has a back light. **Cal Fadel** said yes; however, neighboring residents asked him to previously turn off the back light of his old sign when he opened his business in 1982, and he has never turned the light on since. He does not have any concerns leaving the light off.

Kris Kaufman closed the public hearing at 7:52 p.m.

Kris Kaufman asked if the text amendment change should be amending the power of the Board of Adjustment to allow them discretion to amend a non-conforming sign since the BOA already has power to expand non-conforming uses. He added that he feels standards could be put into place that would allow discretion for sign upgrades that may make a sign "less non-conforming," like the sign is smaller, materials are better, etc. **David Petersen** expressed concern that standards may not be quantifiable. Also, by allowing the BOA to approve a non-conforming sign, it would not be seen by a body like the Planning Commission for approval and the public could not comment as there would also not be a public hearing.

Kris Kaufman added he wants to help Mr. Fadel, but is not in favor of "spot-zoning."

Bret Gallacher likes the idea of having standards, but also feels it is difficult to apply. Standards like size, back light, etc. may be easy to enforce, but aesthetic-type standards, like better materials, could not be specifically defined.

Kris Kaufman suggested having qualitative and quantitative standards which would allow for specifics to be restricted, but would also allow for some discretion in the approval process. **David Petersen** said another standard that may be included is that an applicant cannot upgrade to another type of sign.

David Petersen said staff will draft a revised amendment and will bring it back for the Commission to review. He suggested tabling the item for this meeting.

Motion:

Karolyn Lehn made a motion that the Planning Commission table Item #5 until the next Planning Commission meeting. **Rebecca Wayment** seconded the motion which was unanimously approved.

Item #6. Farmington City – Applicant is requesting a text amendment to Chapters 1 and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions and related chapters where necessary. (ZT-9-14)

David Petersen reviewed the staff report with the Commissioners which included a summary of the changes of the subdivision approval process. He pointed to page 1-9, Section 12-1-070; as requested by the Planning Commission, it now includes a “tolling provision,” which will allow an application deadline to be extended if an application is held up due to a court proceeding.

David Petersen also said that staff was previously asked to confer with the City Attorney as to whether or not the Commission should (or could) add text making the amended process retroactive to existing applications which have been submitted, but not approved. The attorney said that if it involves a procedural action, one usually applies a new ordinance retroactively, but if it deals with a substantive action, such as preliminary plat approval, one does not. For example, if an applicant has received preliminary plat approval but not final plat approval, he does not need to retroactively receive preliminary plat approval again under the new ordinance, but must follow any new process for final plat approval if he has made no such application and/or no such application has been considered by the appropriate approval body. Any language regarding retroactive issues should be placed in the enabling ordinance for the proposed amendments (which enabling ordinance is usually only considered by the City Council), and not as final changes to the actual text of the code.

Bret Gallacher asked for clarification that this text change is a result of the City Council currently being the land use authority and the appeal body. **David Petersen** said yes; there is a conflict of interest. He said the new approval process would include the City Council as the approval body at Preliminary Plat and the Planning Commission as the approval body at Final Plat with City Council as the appellate body.

Kris Kaufman understands the changes, but still feels that if the City Council is involved as a land use authority during the process, then there is still conflict with the Council serving as an appellate body. He proposed the following:

***Schematic Plan
Planning Commission Recommends***

City Council Approves

Preliminary Plat

Planning Commission Recommends

City Council Approves

Appeals to Independent Entity or District Court

Final Plat

Planning Commission Recommends

City Council Approves

Appeals to Independent Entity or District Court

Kris Kaufman said despite the City Attorney not liking the above proposal, he feels it is the best way to ensure there are not any conflicts of interest. He stated that although the idea of a Hearing Officer was also not supported by the City Attorney, he still feels it may be one of the better options.

With regards to the subdivision approval process as proposed in the staff report, **Kris Kaufman** explained the City Council would be approving all big decisions at Preliminary Plat with the Planning Commission as a “rubber stamp” at Final Plat. Under the proposed process, if the Planning Commission does anything other than “rubber stamp” a development and an applicant appeals, the City Council then becomes the “rubber stamp.”

David Petersen said the approval process used to have City Council involved as the final approving body at Final Plat. It was the first time they would see the plans; however, they had no previous involvement in the public process so the ordinance was amended per their request. Going back to that would be challenging for the City Council because they too like to receive direct input from the public, their constituents. **Kris Kaufman** said he understood; however, he feels now having a different decision maker at each phase in the process, as proposed in the staff report, does not work. He suggested always having the Planning Commission recommend and the City Council approve at each level.

Bret Gallacher asked why the City Attorney was not supportive of a hearing officer. **Kris Kaufman** said the City Attorney explained it was hard to find good ones. He said the City Attorney had seen a lot of bad decisions from a hearing officer and that it was too much power to give one person. **Kris Kaufman** added that he sees the value in an administrative appeal, like to the City Council, prior to appeal to court, but he still feels it needs to be to a separate entity.

Rebecca Wayment asked for clarification on the approval process, specifically if the City Council can come up with their own plans or if the Council just approves or denies the Planning Commission’s recommendations. **David Petersen** said the City Council can modify the Planning Commission’s recommendations within reason. **Kris Kaufman** asked how to determine when that line has been crossed as he feels a cul-de-sac that was turned into a road, like Brentwood Estates, should have been sent back for Planning Commission approval. **Rebecca Wayment** agreed; she feels when the public comes and participates in a public hearing, a recommendation is passed on, then suddenly another plan is submitted, it is not appropriate and is not fair to the public.

David Petersen suggested tabling the item; the City Council is having a Study Session on Jan. 6, 2015 for a general training and the Planning Commission is invited to attend. He suggested instead of having a Study Session, it may be appropriate to have a Joint Session and the Planning Commission and City Council can discuss it together while the City Attorney is in attendance.

David Petersen and the Commissioners discussed more ideas on how to ensure the land use authority is not conflicted with the appellate body. **Kris Kaufman** suggested having the five City Council members be the approving body with the Mayor as the appeals body. **David Petersen** and the Commissioners felt this was a good suggestion to be considered as a possible solution. The Commissioners felt it best to table the item and discuss it more in depth with the City Council.

Motion:

Rebecca Wayment made a motion that the Planning Commission table Item #6 until the Joint Session on January 6, 2015 to discuss the item with the City Council and with the City Attorney, and to also review the proposed changes from the Joint Session during the Planning Commission meeting on January 8, 2015, if necessary. **Bret Gallacher** seconded the motion which was unanimously approved.

OTHER BUSINESS

Item #7A. 2015 Planning Commission Meeting Calendar

The Commissioners and staff reviewed and approved the 2015 Planning Commission meeting calendar. The updated calendar will be posted at the beginning of the New Year.

Item #7B. Planning Commission Elections

Motion:

Karolyn Lehn nominated Rebecca Wayment as the new Planning Commission Chair. **Bret Gallacher** seconded the motion which was unanimously approved.

Karolyn Lehn nominated Brett Anderson as the new Planning Commission Vice-Chair. **Rebecca Wayment** seconded the motion which was unanimously approved.

Karolyn Lehn nominated Kent Hinckley as the new Planning Commission representative for the Board of Adjustment. **Bret Gallacher** seconded the motion which was unanimously approved.

ADJOURNMENT

Motion:

At 9:20 p.m., **Rebecca Wayment** made a motion to adjourn the meeting which was unanimously approved.

Kris Kaufman
Farmington City Planning Commission

JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be training on the process and new roles for City Council and Planning Commission. The public is welcome to attend.

**CITY COUNCIL MEETING
NOTICE AND AGENDA**

Notice is hereby given that the City Council of Farmington City will hold a regular City Council meeting on Tuesday, January 6, 2015, at 7:00 p.m. The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

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

The agenda for the meeting shall be as follows:

CALL TO ORDER:

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

JOINT CITY COUNCIL/PLANNING COMMISSION PUBLIC HEARING:

7:05 Request For Text Amendment of Chapters 1, 2, 3, and 6 of the Subdivision Ordinance

SUMMARY ACTION:

7:10 Minute Motion Approving Summary Action List

1. Approval of Minutes from December 16, 2014
2. Farmington Hollow Phases I & II Final Plat
3. Sales Trailer Agreement Extension Request - Oakwood Homes
4. Consider Approval to Design 1100 West Fronting the Future Park

JOINT CITY COUNCIL/PLANNING COMMISSION TRAINING:

7:15 Annual Training - Todd Godfrey

8:00 Presentation on Property Rights and Public Clamor - Greg Bell

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for property acquisition.

DATED this 2nd day of January, 2015.

FARMINGTON CITY CORPORATION

By: DeAnn Carlile
DeAnn Carlile, Deputy City Recorder

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

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



Planning Commission Staff Report January 8, 2015

Item 4: Final Plat for Farmington Park Conservation Subdivision Phase I

Public Hearing:	No
Application No.:	S-4-14
Property Address:	Approx. 1100 West and Glover Lane
General Plan Designation:	RRD (Rural Residential Density) and DR (Development Restrictions)
Zoning Designation:	AE (Agricultural Estates)
Area:	7.458 Acres
Number of Lots:	19 Lots
Property Owner:	Diumenti
Applicant:	Jason Harris/Fieldstone Homes

Request: Applicant is requesting a recommendation for Final Plat approval for the Farmington Park Conservation Subdivision Phase I.

Background Information

Jason Harris is requesting final plat approval for the Farmington Park Conservation Subdivision Phase I consisting of 19 lots on 7.458 acres in an AE zone. The applicant is proposing a conservation subdivision option 2, which in an AE zone, requires the applicant to set aside 30% open space for which he'll receive a 20% incentive multiplier bonus.

The minimum lot size in a conservation subdivision option 2 for the AE zone is 9,000 s.f. The proposed final plat meets this minimum lot size and the average lot size is 11,819 s.f. or a little over $\frac{1}{4}$ acre. The applicant has proposed larger lot sizes on the periphery of the project, to better match the surrounding neighborhoods, particularly Farmington Creek Estates Phases II and III. Additionally the proposed schematic plan meets all of the other standards as set forth in Chapter 12.

A major component on which this proposed subdivision hinges is a land swap with Davis School District. The School District has plans to build an elementary school on 11 acres in the northeast corner of the property. The applicant has approached the School District and received confirmation to move the 11 acre future elementary school site to the northwest corner of the property. This land swap would be advantageous to both parties for several reasons. The first is that access to the school will now be directly from 1100 West and Glover Lane instead of an interior residential road. 1100 West is classified on the Master Transportation Plan as a major collector and this development will complete a significant portion of this road. The second reason the proposed school placement would be

advantageous is because of the proposed open space in the southwest corner of the property. The applicant is proposing that the City take this 11 acre open space and use it for park space. This park space would work well with an elementary school as there could be shared usage of the fields and parking requirements. The transaction between the applicant and the School District has been completed, and the School District has submitted plans for DSD Elementary School #61 under a separate site plan application.

Originally, the parks department had this property slated for a 4-5 acre park, but when the applicant wanted to meet the full 11 acre open space requirement, he proposed that the City take the full 11 acres for use as a park, to which the Park's Department gladly welcomed as a solution. The area where the park is proposed is advantageous because it is the low point in the property and sits below the 4218 line, and is thus designated as Development Restricted on the master plan. Additionally, the proposed westerly alignment of the West Davis Corridor would impact the southwest corner of the property; this may be advantageous because converting open space to highway may be simpler than converting houses, in the event that the WDC does get built in this location.

Along the eastern portion of the subject property, there is an open ditch. The DRC wanted to pipe this ditch for maintenance and safety reasons, but when the applicant approached the Army Corp of Engineers about having this ditch delineated, he was informed that the ditch is considered "navigable waters" because it empties into the Great Salt Lake. The applicant is therefore unable to pipe the ditch because of its classification by the Corp. The applicant has subsequently provided the City with a drainage easement that is wide enough for maintenance vehicles to access the ditch, and that area of open space given to the City will count towards the applicant's open space requirement. The park was originally slated to be 11 acres, but because of this ditch, will be 10 acres. The applicant's open space totals still meet the requirement as set by the ordinance.

The applicant has proposed a phasing plan for the park to be deeded to the City in parts that correspond to the subdivision phasing plans and the open space requirements therein. For instance, Phase I of the subdivision would convey 2.77 acres to the City. However, the City Manager has been in negotiations with the applicant to receive the full 10.62 acres for the park land through an agreement, whereby the land will be afforded density rights that run with the property, not just the subdivision application.

Additionally, a portion of the site sits in the FEMA Floodplain so the applicant will need to bring some of the houses out of the floodplain through raising the finished floor elevation. The applicant must obtain a Conditional Letter of Map Revision (CLOMR) prior to recordation and then a Letter of Map Revision (LOMR) after the effected houses are brought out of the floodplain, both of these approvals are to be obtained from FEMA. The applicant has been working with FEMA to obtain these certifications.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the Final Plat for the Farmington Park Conservation Subdivision Phase I subject to all applicable Farmington City codes and development standards and the following conditions:

1. The applicant will obtain both a CLOMR and LOMR from FEMA prior to building permit issuance;
2. The applicant will obtain a no-rise certificate for the proposed subdivision;

3. All improvement drawings, and the grading and drainage plan, must receive final approval from the City Engineer, and other members of the DRC.

Findings:

1. The proposed development meets all of the standards and requirements of a conservation subdivision (option 2) in the AE zone such as minimum lot sizes, lot widths and setbacks.
2. The proposed development is at a density of 1.99 units per acre, which is consistent with the adjacent neighborhoods and the RRD General Plan designation.
3. The development is not seeking a waiver of the open space provision and is providing the City with much needed recreational space.
4. The overall layout follows the low density residential objectives of the General Plan.
5. Moving the future elementary school to the northwest corner will be advantageous to all parties, including the City.

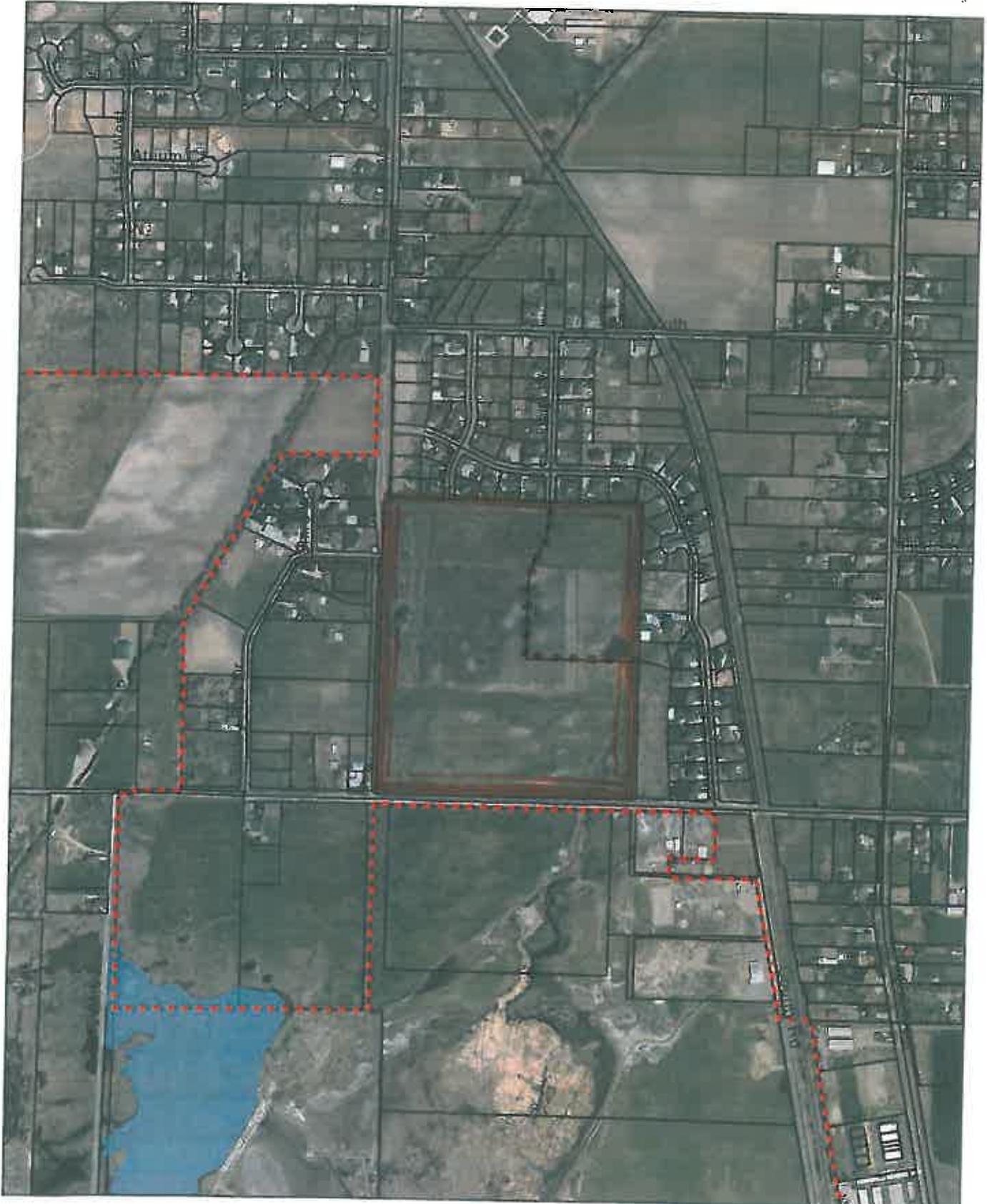
Supplemental Information

1. Vicinity map
2. Final Plat
3. Tree Plan
4. Park Phasing Plan

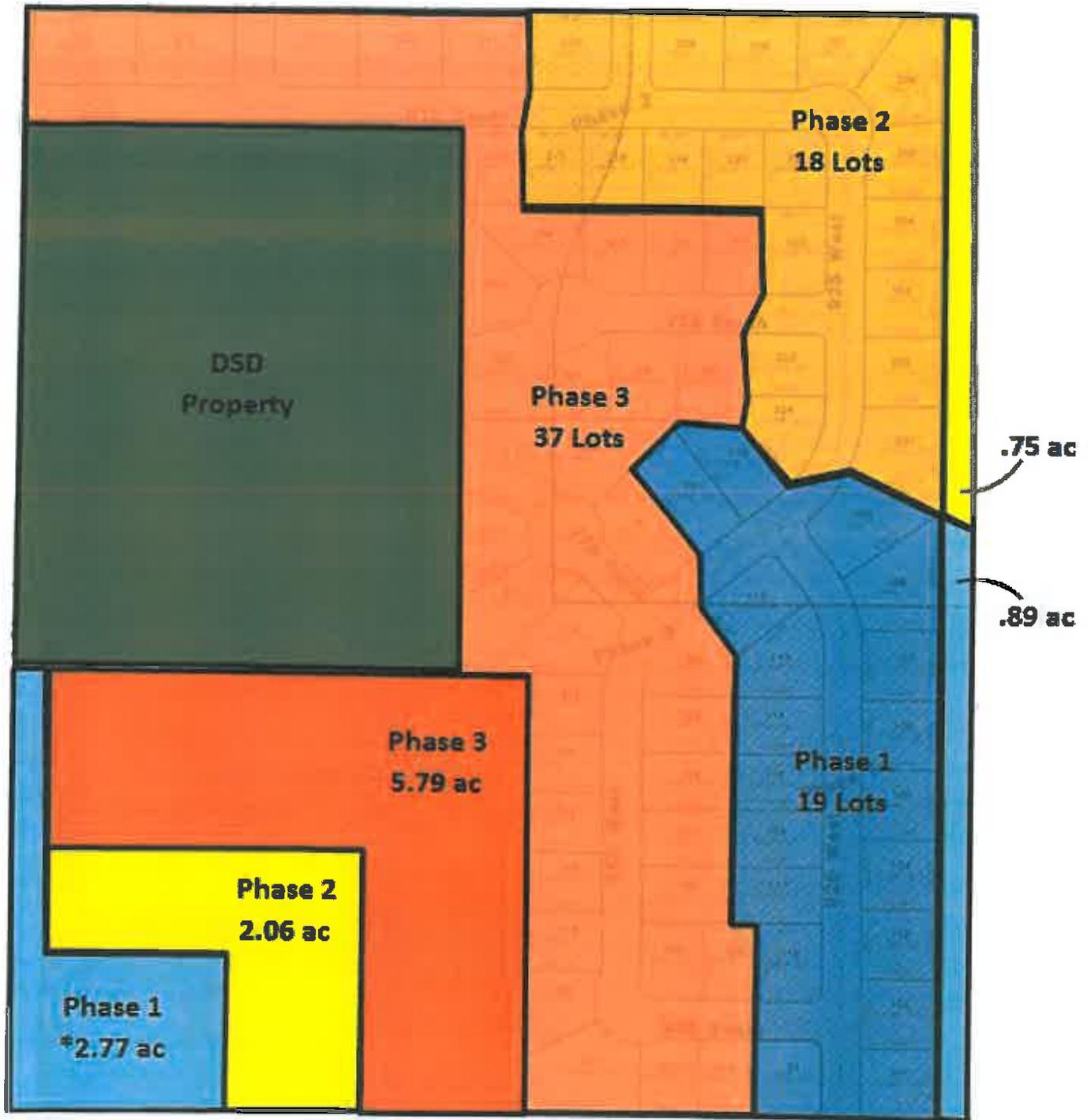
Applicable Ordinances

1. Title 12, Chapter 3 – Final Plat
2. Title 11, Chapter 11—Agriculture Zones
3. Title 11, Chapter 12---Conservation Subdivision Development Standards

Farmington City



Park Phasing



		% out of 74 Lots	Park Space (10.6 acres)	East Ditch	Open Space (11.5 acres)
Phase 1	19 Lots	25.7%	*2.77 acres	.89 acres	2.96 acres
Phase 2	18 Lots	24.3%	2.06 acres	.75 acres	2.80 acres
Phase 3	37 Lots	50.0%	5.79 acres	N/A	5.79 acres

*The park space of Phase 1 (2.08) includes the .687 acre ROW

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. NO CHANGES OR MODIFICATIONS MADE TO THESE PLANS ON THE DESIGN HEREON WITHOUT THEIR CONSENT.

Plant Table

Quantity	Symbol	Scientific Name	Common Name	Planting Size
9	○	<i>Quercus macrocarpa</i>	Golden Rain Tree	2" cal.
17	○	<i>Malus 'Spring Snow'</i>	Spring Snow Crabapple	2" cal.
10	○	<i>Prunus caroliniana</i>	Thundercloud Plum	2" cal.
5	○	<i>Pyrus calleryana</i>	Antiochert Flowering Pear	2" cal.



APPROVED FOR CONSTRUCTION
 REEVE & ASSOCIATES, INC.
 FARMINGTON CITY ENGINEER

DATE: _____



Planning Commission Staff Report January 8, 2015

Item 5: Request for Preliminary Plat Approval of the Tuscany Grove Subdivision

Public Hearing:	No
Application No.:	S-14-14
Property Address:	Approx. 86 West 1600 South
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	LR
Area:	3.55 Acres
Number of Lots:	9
Property Owner:	Parker Family Trust
Agent:	Phil Holland – Wright Development

Request: Applicant is requesting preliminary plat approval.

Background Information

The applicant is seeking to consolidate and develop several parcels into one subdivision in south Farmington. The applicant has already received a zone change for the property at the City Council meeting held on September 2nd. You may recall that the applicant did not apply for his subdivision application before the pending legislation changes to Chapters 10, 11, 12, and 28, so the applicant had to wait to apply for subdivision approval until those changes were codified, which was done at the October 9th City Council meeting.

The applicant is now proposing a preliminary plat with 9 lots under the new Chapter 11 of the Zoning Ordinance, which regulates single family residential zones. Under a conventional subdivision in the LR zone, the applicant would be required to design a layout with 20,000 s.f. lot minimum; the applicant has provided this layout as a yield plan. The attached yield plan illustrates that 7 lots could be built and meet all of the minimum requirements of the underlying LR zone. The new Chapter 11 allows for an alternative lot size minimum of 10,000 s.f., however, this higher density can only be obtained through a TDR transaction with the City. The applicant is proposing 9 lots using the alternative lot size with all of the proposed lots exceeding 14,000 s.f. (or 4,000 s.f. more than the required minimum) with 2 of these 9 lots being gained through a TDR transaction. The TDR transaction and the monetary compensation to be paid to the City were approved by the City Council as part of the schematic plan.

This subdivision meets all of the requirements and provisions of the City. The conditions for approval reflect the relevant comments from the DRC.

Suggested Motion

Move that the Planning Commission approve the preliminary plat for the Tuscany Grove Subdivision as requested, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide 20' storm drain easements for the storm drain lines in lots with new and existing storm drains;
2. Prior to final plat, the applicant will need CLOMR approval by FEMA showing all building pads are out of the flood plain;
3. The grading and drainage plan must be amended prior to final plat and show all drainage arrows on the lots with correct flows, provide finished grade elevations at all lot corners, and show the drainage path for handling water from the south of subdivision;
4. It appears that portions of the trail and the necessary abutting land adjacent to the Frontage Road may be located outside City property, if so, this land must be conveyed to the City, but the developer shall be reimbursed for the cost related thereto.

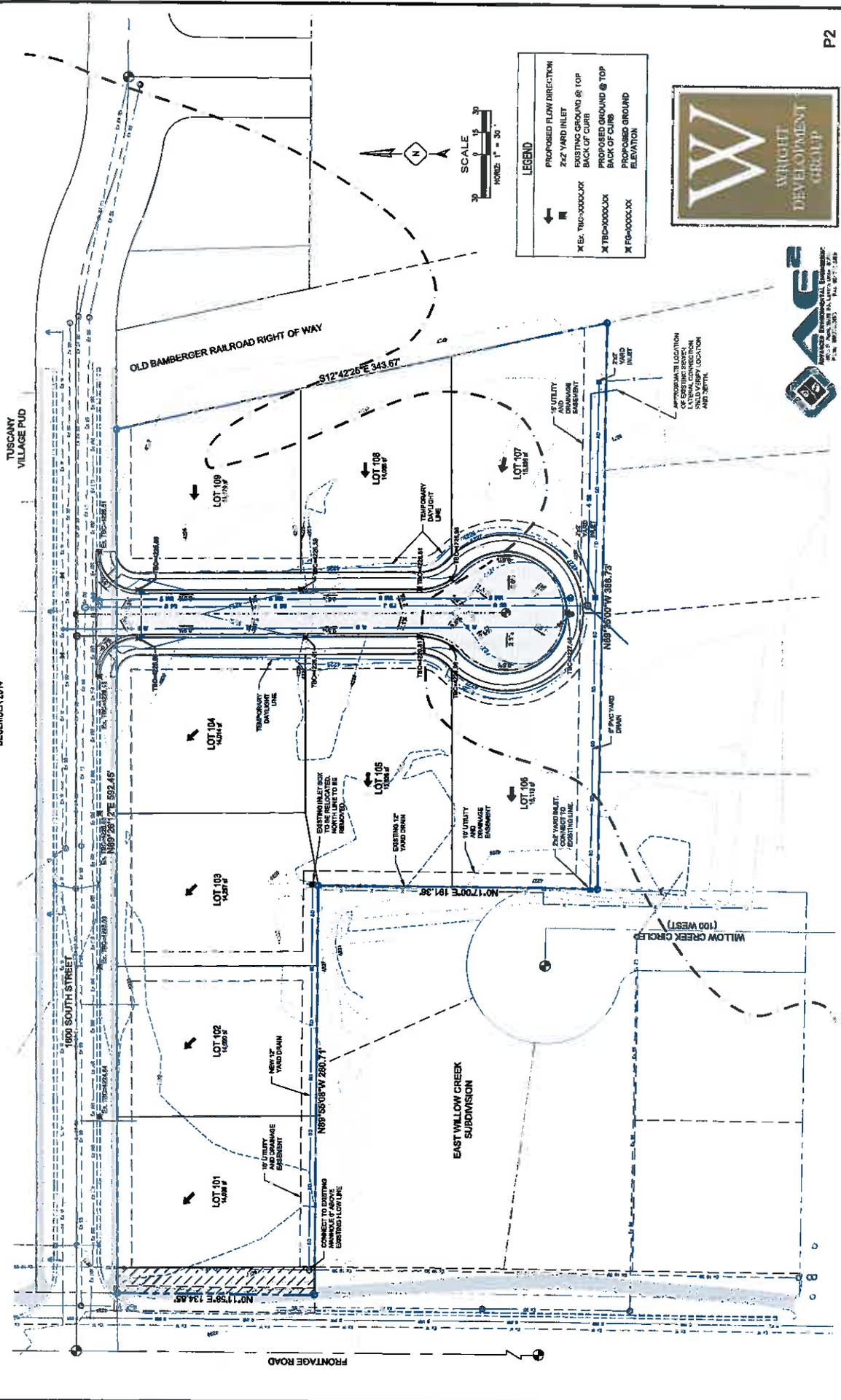
Findings

1. The proposed subdivision meets the new requirements and standards of the underlying LR zone.
2. While the proposed subdivision layout is dependent on the TDR transaction approval, the densities proposed would reflect or be less than the surrounding developments, such as Tuscany Village, Tuscany Cove, and Aegean Village.
3. The conditions placed on the motion reflect any outstanding minor concerns raised by the DRC and can be addressed more fully at final plat.

Supplementary Information

1. Vicinity Map
2. Preliminary Plat

TUSCANY GROVE SUBDIVISION
PRELIMINARY GRADING PLAN - NOT TO BE RECORDED
 DECEMBER 2014



LEGEND

- PROPOSED FLOW DIRECTION
- 2x2' YARD INLET
- EXISTING GROUND @ TOP
- BACK OF CURB
- PROPOSED GROUND @ TOP
- BACK OF CURB
- PROPOSED GROUND
- ELEVATION



ACE Environmental Engineering, Inc. 12/14/14 - 2:24 PM
 Project: Wright Development Group 1000 South 1000 West Avenue, Oklahoma City, Oklahoma



Planning Commission Staff Report January 8, 2015

Item 6: Residences at Station Parkway Project Master Plan

Public Hearing:	Yes
Application No.:	PMP-1-14
Property Address:	Approx. 600 North and Station Parkway
General Plan Designation:	TMU (Transportation Mixed Use)
Zoning Designation:	TMU (Transit Mixed Use)
Area:	12.95 Acres
Number of Lots:	n/a (432 Units within 7 Buildings)
Property Owner:	ICO
Applicant:	Ernie Wilmore - ICO

Request: *Applicant is requesting Project Master Plan(PMP) approval for the Residences at Station Parkway.*

Background Information

Ernie Wilmore is requesting project master plan approval of the Residences at Station Parkway apartment project. As the proposed project lies within the TMU zone, a PMP is required subject to Chapter 18 of the Zoning Ordinance which regulates the mixed use district and is a form-based code. Additionally, the Regulating Plan is also a codified part of Chapter 18 and sets a framework for the circulation patterns and the block formation throughout the mixed use district.

Section 11-18-108 of the zoning ordinance states which addresses project master plans states:

"Intent. The intent of the project master plan (PMP) is to establish a framework for the development of large of phased projects. The issues that relate to the following areas shall be identified and a conceptual plan that addresses them provided as part of the PMP so that these issues are completely addressed as the development proceeds:

- 1. Transportation, Mobility, and Connectivity*
- 2. Stormwater management, drainage and grading*
- 3. Water quality systems*
- 4. Major utilities*
- 5. Open space and wetlands*
- 6. Land use and the mixture of residential and non-residential uses*

An approved PMP constitutes an approved master plan for guiding all future development within the area defined by the PMP."

The submittal for a PMP consists of a narrative and graphic plans to show how each of these 6 issues are addressed. The applicant has provided city staff, including the DRC (Development Review Committee) and SPARC (Site Plan and Architectural Review Committee), all of the necessary submittals, and the PMP has been reviewed and recommended for approval by the DRC. Additionally, staff has thoroughly reviewed the PMP submittal to ensure that Chapter 18 is being followed. A few minor issues have arisen as a result of this review, they are as follows:

- 1) The northeast block is too large – Chapter 18 states that the maximum perimeter of any block may not exceed 2000 feet in the transit mixed use zone; the large block perimeter is 2,111'. However, there is a large gas-line and subsequent 100' easement that runs through the middle of this block. Section 11-18-107(2)(e) states:

"Standards and criteria. Development plan review shall be based on the following building and site design standards and criteria, which are formulated to achieve the intents and purposes of the mixed-use districts in the short and long term. These standards and criteria shall be met unless an acceptable alternative is proposed that, upon review by the city and the SPARC, better meets the intents and purposes of the area."

This paragraph in the ordinance allows for flexibility within the mixed use district that addresses difficult site conditions. Because the applicant is limited on what can be done on these easements, staff is measuring the perimeter of this block by subtracting the 100' easement twice (or 200') taking the total perimeter to 1911'. Every other block within the project easily meets the 2000' perimeter rule and the average block size is 1338' well below the 1600' threshold. Additionally, the large block is on the periphery of the project and is used to meet the parking needs of the apartment complex.

- 2) There is a slight deviation from the regulating plan, however, the overall intent of the regulating plan is improved upon. The regulating plan calls for Broadway to be extended to Rock Creek Drive and then to go north along that road to the intersection of Water Trail Way. Water Trail Way would intersect with Richards Way and then feed to/from Station Parkway. The proposed change would provide two access points onto Station Parkway (instead of one) and two connections to the developments to the south (instead of one, this is dependent on condition 1 below, added by SPARC). Staff feels that the added connectivity and overall adherence to the regulating plan does not create the need to amend the regulating plan through a zone text change or an amendment to the existing development agreement (if required).
- 3) The SPARC committee reviewed this plan on 12-9-2014. The two biggest comments from SPARC was to extend Water Trail Way to the southern boundary of the project; this will create a connection to The Haws Company's Park Lane Commons project and the roads are nearly aligned as is, so SPARC felt that an added connection to that project would be beneficial to both parties. The other comment was to add a pedestrian connection from the end of Broadway into the project, at the southeastern edge of the proposed complex. Both of these can be addressed at Development Plan Review.

- 4) The DRC reviewed this plan and feels that it would be beneficial to make the roads in this proposed project private with public easements on them. This will leave any on-going maintenance and repair to the apartment management team, but would still allow for the public to access the streets.

It appears at this level of review all of the design criteria for Chapter 18, including but not limited to, the required build-to range, the street and side treatment dimensions, percent of frontage facing the street, open space percentage requirements, etc. have been met. These and other standards will be further re-evaluated during the more detailed development plan review process. Building placement, including footprints and other such specific site plan matters are not required at this time; nevertheless, the applicant provided some of these for Planning Commission review.

The northwest corner of the property has Spring Creek running through it; this corner needs to be rezoned from TMU to OS (Open Space) as determined by the regulating plan. The whole length of Spring Creek in the mixed use district has been designated on the regulating plan as an open space and recreational corridor and needs to be rezoned to reflect this determination.

Suggested Motion:

Move that the Planning Commission approve the PMP for the Residences at Station Parkway subject to all applicable Farmington City codes and development standards and the following conditions:

1. Prior to Development Plan Review, the applicant shall extend Water Trail Way to the southern end of the project boundary and line the road up with Park Lane Commons;
2. Prior to Development Plan Review, the applicant shall add a pedestrian connection across Richards Lane where Broadway creates a "T";
3. The roads may be private but if so, the applicant shall grant a public access easement to the City consistent with the possible zone text change currently under review by the City;
4. The open space in the northwest corner of the project must be rezoned from TMU to OS (Open Space);
5. Any change to the standard street cross-section is subject to 11-18-104(4).

Findings:

1. After a preliminary review, it appears that the proposed development meets all of the standards and requirements of the transit mixed use zone as outlined in Chapter 18 with the exceptions listed above.
2. The parking needs for this project are being addressed using tuck under garages, small broken-up surface parking lots, on-street parking, and covered parking, this treatment of parking meets the form based code.
3. The proposed development meets the spirit of the form based code and provides a greater variety of housing choices, particularly for-rent multi-family housing, something the City needs.
4. The City intended both in the General Master Plan and in the Zoning Ordinance for the mixed use district to be where the highest densities and intensities of uses would be concentrated, this project complies with that intention.
5. The location of this project and its accessibility to transit, Station Park, the Park Lane Commons project, etc. make this a good fit.

6. The DRC will review the plans more thoroughly at the next phase, Development Plan Review, where more details are required.
7. The park and trail on the north of the property will be added amenities to the City and will connect the Legacy Trail to the Shepard Creek future trail network to the west.
8. The proposed street network does not alter the streets on the existing regulating plan but adds more streets and improves connectivity and the overall street layout of the mixed use district.
9. The OS zone designation is consistent with previous such designations in the area approved by the City, and it complies with the regulating plan and agreement 2010-36.

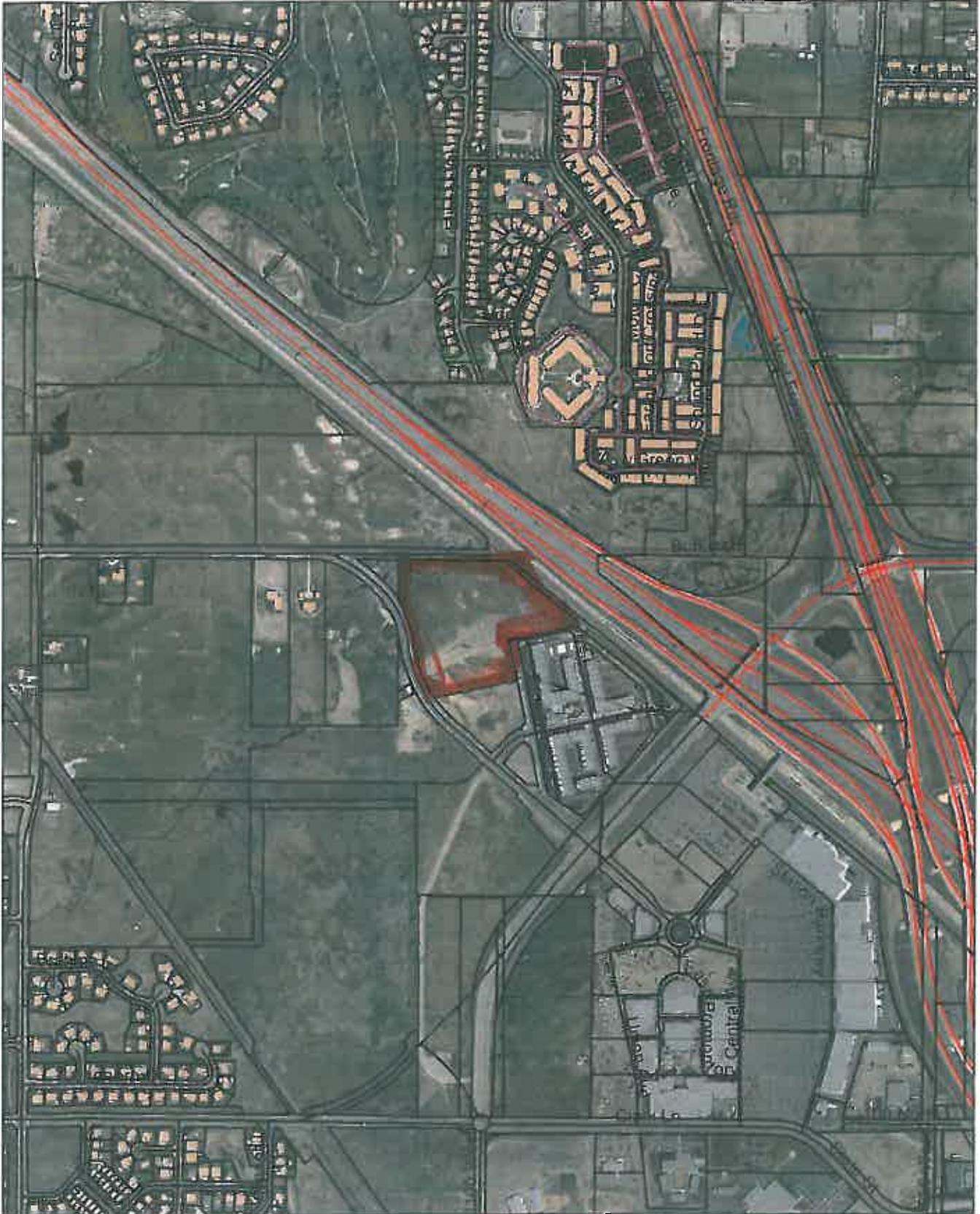
Supplemental Information

1. Vicinity map
2. Project Master Plan
3. Regulating Plan Attachments

Applicable Ordinances

1. Title 11, Chapter 18---Mixed Use Zones

Farmington City



PROJECT MASTER PLAN (PMP) WRITTEN NARRATIVE

DATE: 21 NOV 2014
PROJECT: RESIDENCES AT STATION PARKWAY
LAND AREA: 12.95 ACRES
DEVELOPER: ICO DEVELOPMENT

A)

The Residences at Station Parkway is located along Station Parkway north of the existing Park Lane Village project. It consists of approximately 12.95 acres. The intended land use for the entire site is proposed as Class "A" apartments in a multi-family residential development of 431 total units.

The site has been configured with seven (7) individual detached buildings labeled Buildings "A" through "G". Buildings A, B, C and D consist of four (4) stories, while Buildings E, F, and G consists of three (3) stories. (*Note: See Exhibit A1*). All seven buildings are proposed to have tuck-under garages off of parking courts in the rear of the buildings (opposite side of the public street).

It is proposed to have a 2-story Community Center element incorporated into the west end of Building D. (*Note: See Exhibit A6 and Architectural Sheets A3.1 and A3.2 for Community Center plans*). This community center / club house will include the following functions:

1. Entry Lounge with large -2story vaults and fireplace element
2. Management offices
3. Leasing offices
4. Community Center Room w/ serving kitchen and pool table game room area
5. Internet Café
6. Large Fitness Center
7. Conference Room / Meeting Room
8. Multi-purpose room / small theater
9. Community restrooms with showers
10. Common mail center

Outdoor amenities (*Note: See Exhibit A7*) associated with the Community Center and on site include:

1. Large swimming pool
2. Sun Deck
3. Double diamond hot tub / spa
4. Fire pit with outdoor seating
5. Picnic pavilion with barbecue at the pool area
6. Splash Pad
7. Tot Lot
8. Two (2) additional picnic pavilions along the Shepard Creek trail system
9. Trails linking to the Legacy Trail.
10. Dog Park
11. Dog Wash
12. Bike Storage

The street layout has followed the Farmington City master plan in organizing streets which continue a "grid system" throughout the development. (*Note: See Exhibit A2*). It is proposed that these streets continue off of the street system established with Park Lane Village. These primary streets will connect through to Station Parkway as intended by the city master plan, with these streets meeting city standards with 36 ft back of curb to back of curb allowing parallel parking each side of the street, typical. An 8 ft wide green tree-lined landscaped parkway aligns each side of the street with a 6 ft wide sidewalk.

The sidewalks are tree-lined and connect with the patios of the lower level to engage the pedestrian activity and scale of the street. These sidewalks also connect through the site to the trail system that links both to the Legacy Trail system at the east end of the property in two connecting points, as well as to the trail system along the Shepard Creek open park space along the north end of the property. (*Note: See Exhibit A4*). Bike racks shall be provided on concrete pads spread about the site between buildings.

Four (4) city blocks have been established meeting the ratios and parameters of block sizes and grid configurations, with buildings up close to the street sidewalks providing a structured visual edge to the block geometry. (*Note: See Exhibit A2*). Buildings have been organized to front the street, screening parking to the rear / back side of the buildings.

Circulation of streets with vehicular access and parking shall be provided. (*Note: See Exhibits A3 and A5*). Parking tabulation of 136 tuck-under garages and 8 detached garages, 288 canopy covered parking stalls, 228 surface parking, and 117 parallel street parking stalls shall be provided for a total of 777 stalls. (*See tabulation on Exhibit A5*). The parking ratio programmed shall be 1.80 stalls per unit.

Dumpster enclosures shall be provided at each building, and recycle centers shall be provided in each phase (north and south halves). (Note: See Exhibit 8).

Each apartment building plan has been included in the package and the proposed unit configuration and breakdown are as follows:

BUILDING	UNIT 1A 752 SF	UNIT 1B 770 SF	2B-1B 971 SF	2B-2B 1026 SF	3A 1244 SF	3B 1302 SF	3C 1452 SF	TOTAL	GARAGES
BLDG. A	18	12	3	20	6	6	--	65	22
BLDG. B	30	12	6	20	6	2	--	76	26
BLDG. C	76	18	15	12	--	--	8	129	38
BLDG. D	27	6	6	14	8	--	2	63	17
BLDG. E	5	4	4	15	3	3	--	34	17
BLDG. F	3	6	5	15	--	--	3	32	13
BLDG. G	3	6	5	15	--	--	3	32	13
TOTAL	162	64	44	111	23	11	16	431	144 garages
%	37.6%	14.9%	10.2%	25.8%	5.3%	2.5%	3.7%		
PARKING	GARAGE	CARPORT	SURFACE	STREET					TOTAL
	136 + 8 DETACHED GARAGES	288 STALLS	228 STALLS	117 STALLS					777 STALLS
PARKING RATIO	1.80 STALLS / UNIT								

Each unit shall be incorporated with the following design features:

1. 9 ft ceilings throughout
2. Walk-in closets
3. Tile or hard surface entries

4. Granite countertops
5. Washer / Dryer in each unit
6. Vaulted ceilings at living spaces at all upper level units
7. Spacious balconies or patios at each unit.
8. Patios that connect to the street sidewalks.
9. WI-FI connection in each unit.

The construction of the buildings will be either 3-story or 4-story wood frame construction with a mix of materials and colors and textures using stucco, brick veneer and split-face concrete block veneer. Roofs will be mostly flat but with some hipped roof elements, with an articulation of parapets with single-ply membrane roofing. (*Note: See Exhibits A9 and A10*). All 4-story buildings shall have a centrally located elevator with enclosed acclimatized corridors. 3-story buildings have the same, but with no elevators. Common storage units for tenant storage, bike lockers and bike repair shall be provided at the inside corner elements of each building. (*Note: See Architectural sheets A2.1 through A2.6 for individual building plans and unit mixes per building*).

Individual units will be provided with gas forced-air furnaces, electric A/C units, and Energy star equipment and appliances. All finishes and materials used will be of the quality of a Class "A" product.

B)

The Residences at Station Parkway is anticipated to have 431 residential units. Some minor traffic analysis has been conducted to determine the amount of vehicle trips generated from the apartments and likely travel destination for said vehicles. The trip generation and distribution is explained in further detail below:

Trip Generation

The Institute of Transportation Engineers Trip Generation Handbook, 8th edition was used for this analysis. The land use that most closely fit the description of our project is ITE Code 223: Mid-Rise Apartments. The land use is described as apartments (rental dwelling units) in rental buildings that have between three to 10 levels (floors). This proposed complex will have buildings with up to 4 floors. The weekday AM and PM peak hour generator were selected to determine the amount of vehicle trips. The AM peak hour generator has an average rate of 0.35 trips per dwelling unit with a direction distribution of 29% entering and 71% exiting. The PM peak hour generator has an average rate of 0.44 trips per dwelling unit with a directional distribution of 59% entering and 41% exiting. A summary of the trips generated can be seen in the table below:

Building	Land Use	Size	AM		PM	
			Enter	Exit	Enter	Exit
Farmington Creek Side Apartments	Mid-Rise Apartments (ITE Code 223)	431 Units	44	107	112	78
Total			151		190	

Trip Distribution

The Residences at Station Parkway will have three access points onto Station Parkway. The site is designed such that all access points allow full turning movements. It is anticipated that the vast majority of trips generated will originate from the south due to freeway access. The directional split is estimated to be 85% to and from the south while the remaining 15% will head north on Station Parkway. Two exhibits were prepared showing the trip distribution for vehicles entering and exiting the development and are attached to this document.

As shown on the graphic submittals, the proposed primary and secondary transportation has been coordinated to the current status of adjacent parcels and roads.

C)

The following is a summary of the storm water drainage and management, water quality systems, major utilities, and open space land use for the Residences at Station Parkway development.

Storm Water Drainage and Management

The storm water drainage and management of the development has been divided into two separate sub-basins (north & south) due to Richards Lane bisecting the southern portion of the development. The development north of Richards Lane will drain into Shepard's Creek, whereas the development south of Richards Lane will drain into the storm drainage system within Richards Lane.

North Sub-basin

The development north of Richards Lane will have a storm drain system which will collect the storm water runoff and discharge it into a landscaped detention area located at the northwest corner of the development adjacent to Shepard's Creek. Said landscape detention area will be sized to accommodate a 100 year 24 hour storm event and will release storm water at a controlled release rate (0.2 cfs/acre) into Shepard's Creek. Prior to discharging into Shepard's Creek, a water treatment system will be installed and will properly treat any storm water before entering Shepard's Creek.

South Sub-basin

Richards Lane has a storm drainage system in place which acts as a physical barrier preventing runoff from Buildings F & G discharging storm water north. As a result, the runoff for the areas associated with Buildings F & G will be collected by a storm drain system and detained by both surface and underground detention prior to releasing into Richards Lane. The surface and underground detention will be sized to accommodate a 100 year 24 hour storm event and will release storm water at a controlled release rate (0.2 cfs/acre). Prior to discharging into Richards Lane, a water treatment system will be installed and will properly treat any storm water before entering the storm drain system within Richards Lane.

Major Utilities

This development will require water (fire and domestic), sanitary sewer, and dry utilities (power, gas, telephone, cable tv, etc.). An 8" waterline is proposed to be looped within the development (originating from Richards Land and Station Parkway) and provide adequate fire lines and domestic waterlines at each building. Fire hydrants will be properly spaced around the development to meet local fire codes. Sanitary sewer mains and laterals will be installed to provide sanitary sewer for each building. Dry utilities will be looped through the development from the existing lines located within Station Parkway and adequate services will be installed at each building.

Open Space Land

The Residences at Station Parkway development provides for ample open space throughout the project with interconnecting trails and walkways. At the northwest corner of the development is a large open space providing a dog run for tenants in the landscaped detention area, a picnic and pavilion area adjacent to Burke Land and an interconnecting trail that parallels Shepard's Creek, which ultimately connects to the trail system that runs parallel with the Union Pacific Railroad.

There is also a large open space area adjacent to Building "D", providing tenants with multiple outdoor activities such as a pool, spa, splash pad, pavilion and a tot lot. The development also provides for open space areas interconnected by walkways and landscape throughout the development.

D)

The Residences at Station Parkway development will continue to be coordinated with the adjacent parcels and master plan to promote architectural continuity from the Park Lane Village and Station Parkway mixed use neighborhood architectural design features and will meet the Station Park overall master plan requirements.

E)

Construction is expected to commence as soon as plans are approved by Farmington City and the financing is in place. It is anticipated to start construction in the spring or early summer of 2015. Construction will start with Building D with 63-units and the Club House and common recreation facilities such as the swimming pool, spa hot tub, fitness center, leasing center, business center, theater room, and all common area associated with the block of Building D.

A total of 238 units in Buildings A, B, D, and E will be part of the construction of Phase One. A total of 193 units in Buildings C, F, and G will be part of Phase Two. Phase Two is expected to commence construction approximately 18 months following the start of Phase One to allow Phase One a period of lease-up and orderly absorption of units without overwhelming the rental market with delivery of too many units at the same time. A sooner start of Phase Two is anticipated subject to local market and financing conditions.

The roadway of Richards Lane, Water Trail Way (north of Richards Lane), and Rock Creek Drive (section of Rock Creek Drive west of Water Trail Way) will have public access easements dedicated for public travel in keeping with the Farmington City traffic regulatory plan. The attached exhibits reflect the streets within the development to be dedicated for public access. *(Note: See Exhibit A2).*

F)

No existing structures are located on the site, and thus, a demolition plan will not be required to be incorporated into the master plan.

G)

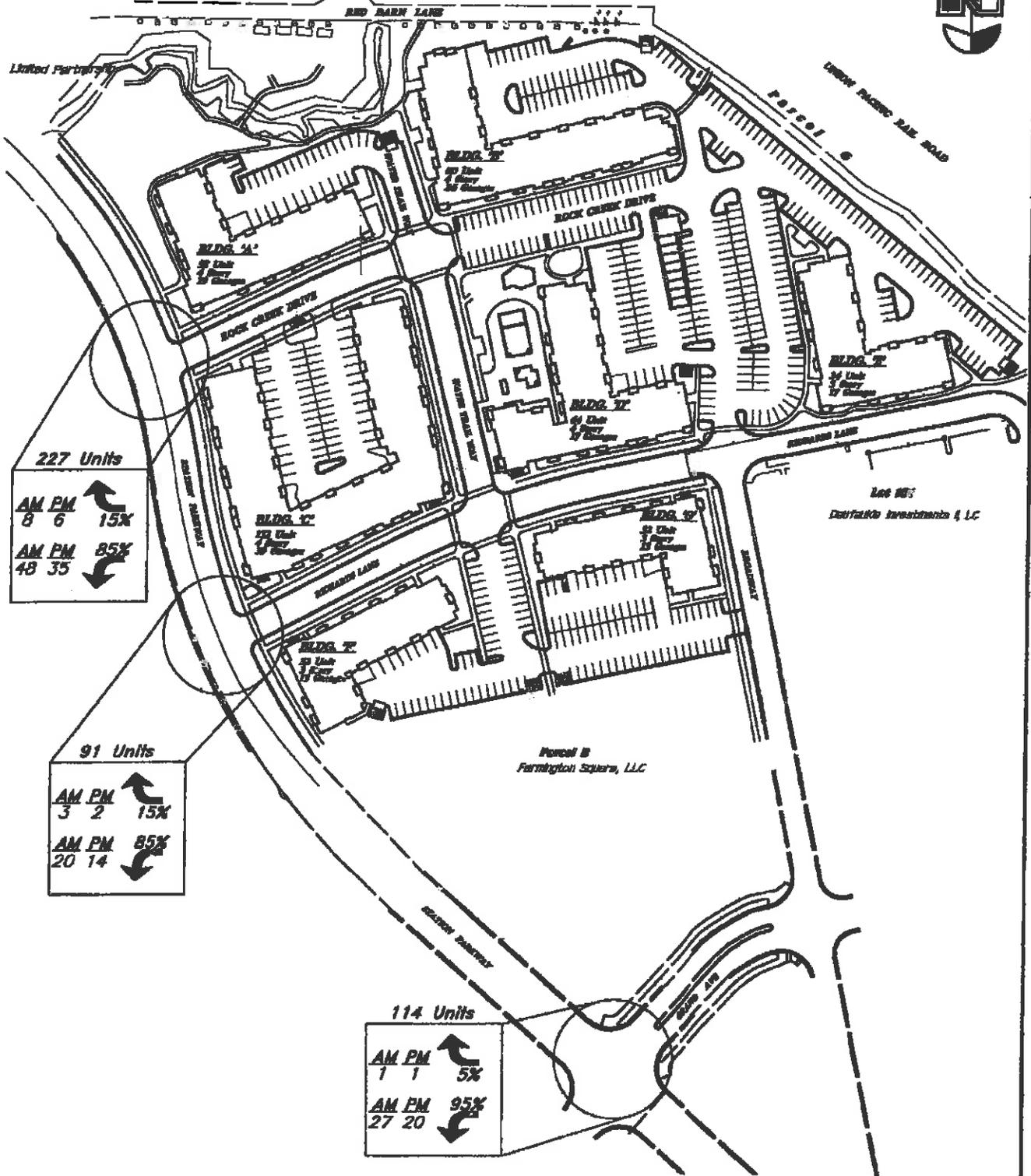
To date, no other information required by the PMP rules and regulations is known to be incorporated into the written submittal.

Respectfully,

Keith Bennett

KCB ARCHITECTURE

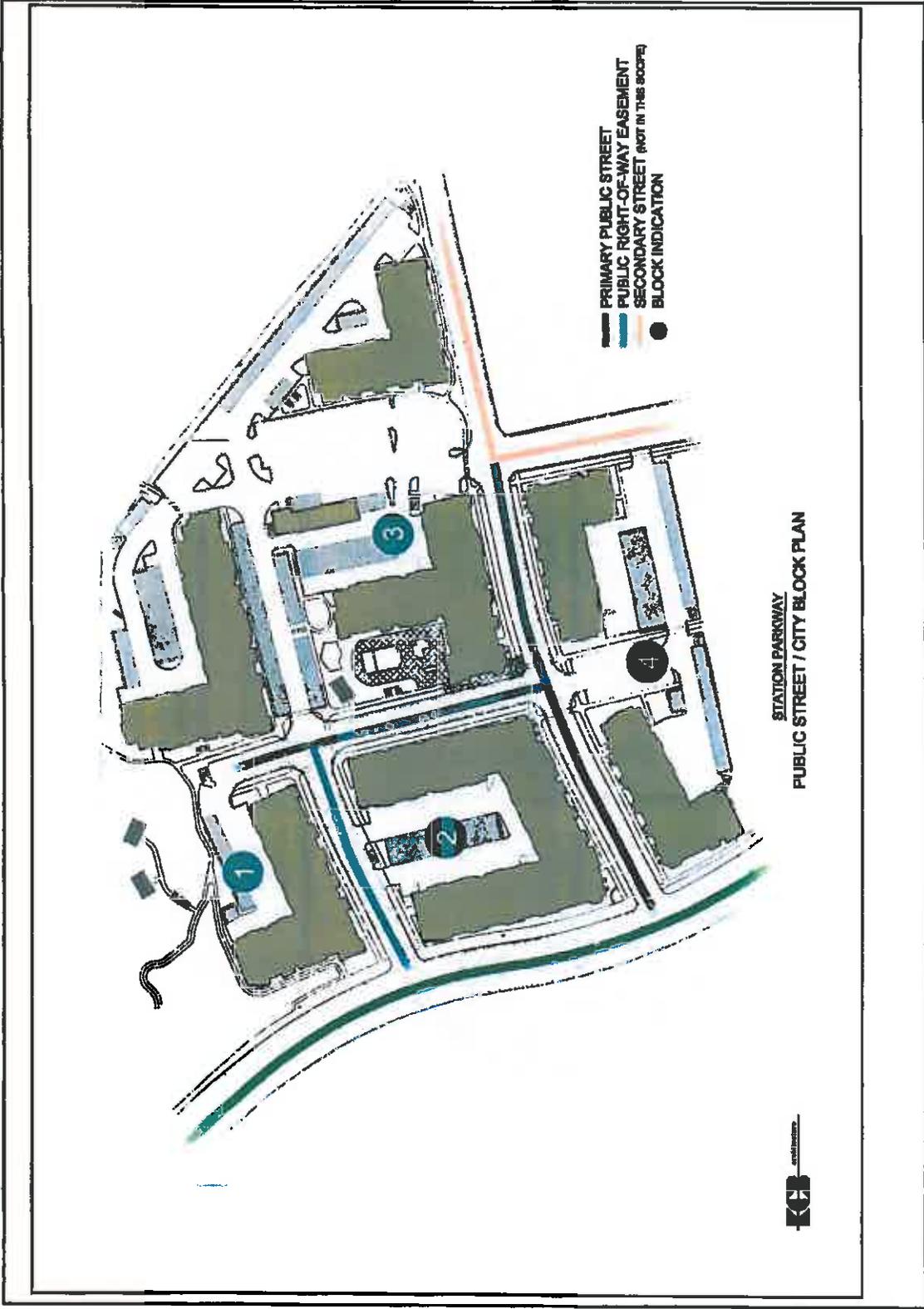
Building	Land Use	Size	AM		PM	
			Enter	Exit	Enter	Exit
Farmington Creek State Apartments	Mid-Rise Apartments (ITE Code 223)	432 Units	44	107	112	78
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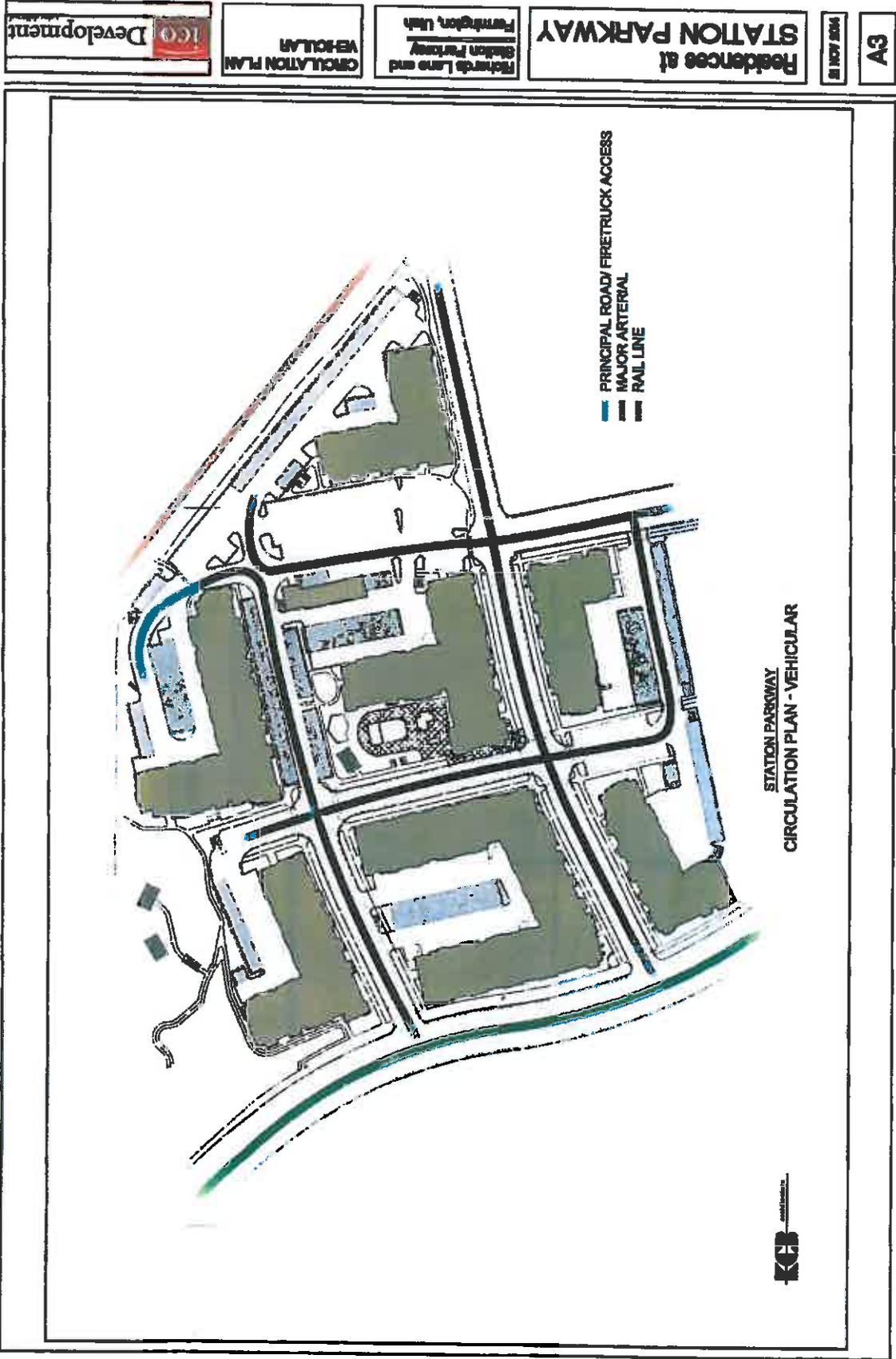


AWA
ANDERSON WAHLEN & ASSOCIATES
 Great Basin Engineering South
 2010 North Redwood Road, Salt Lake City, Utah 84116
 801 521-8829 - AWEng@awwa.com

Trip Distribution (Exiting)
Residences @ Station Parkway
 Farmington, Utah

Designed By: BM
 Drafted By: DC
 Client Name: ICD Developments
 13-064
31 Oct, 2014





ICO Development

CIRCULATION PLAN
VEHICULAR

Richards Lane and
Station Parkway
Farmington, Utah

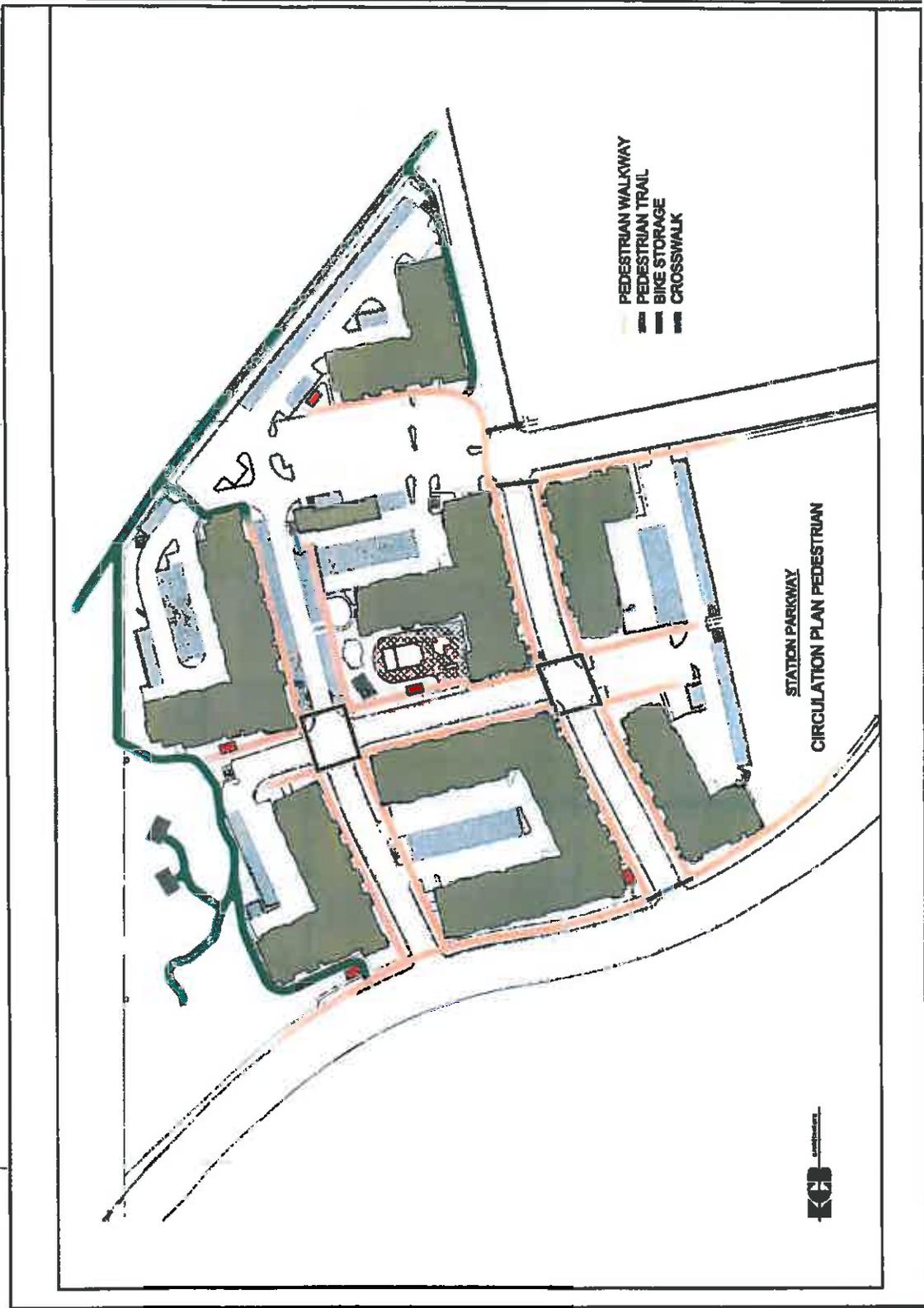
Residences at
STATION PARKWAY

11 NOV 2014

A3



26 of 21



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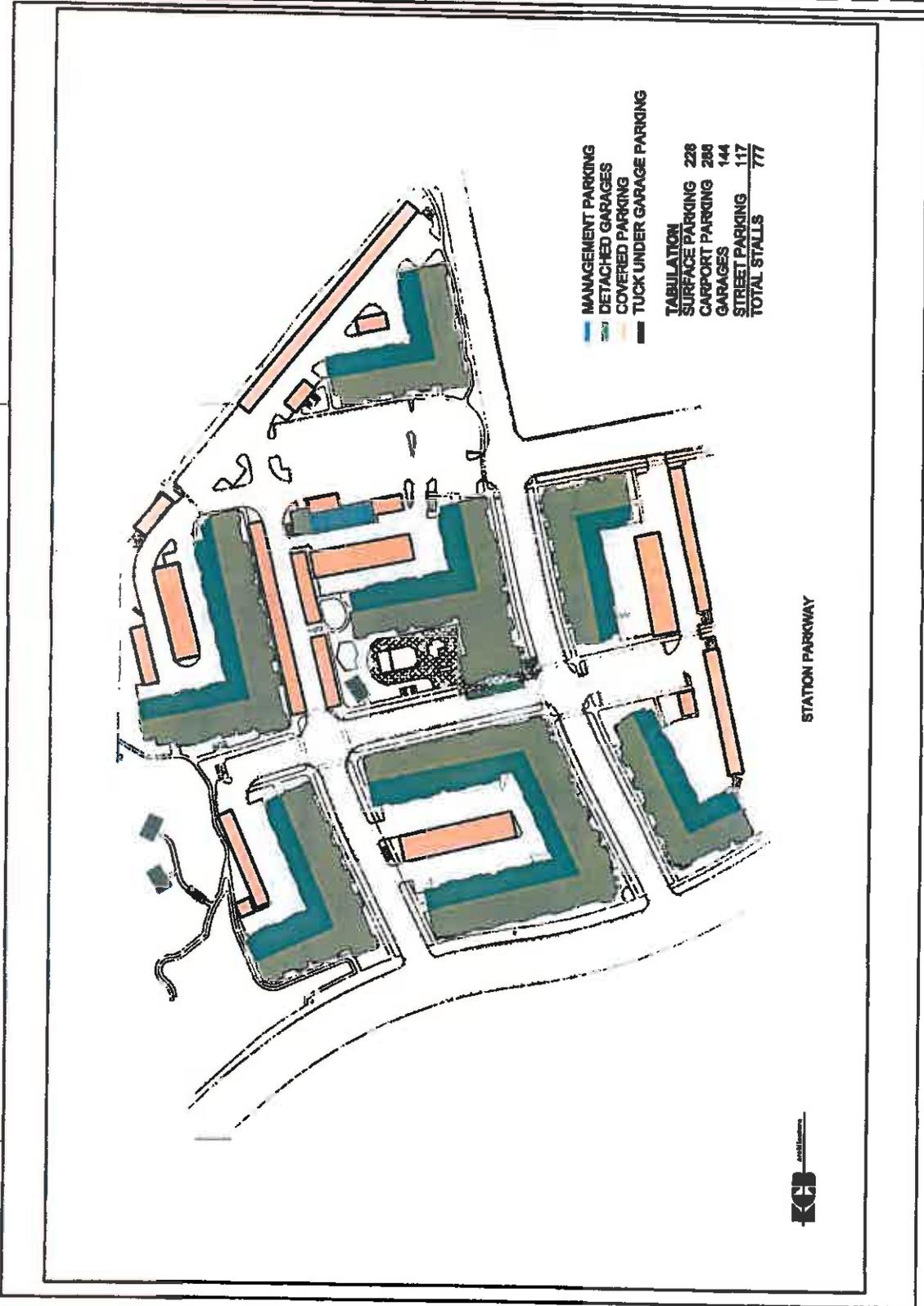
PARKING PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at STATION PARKWAY

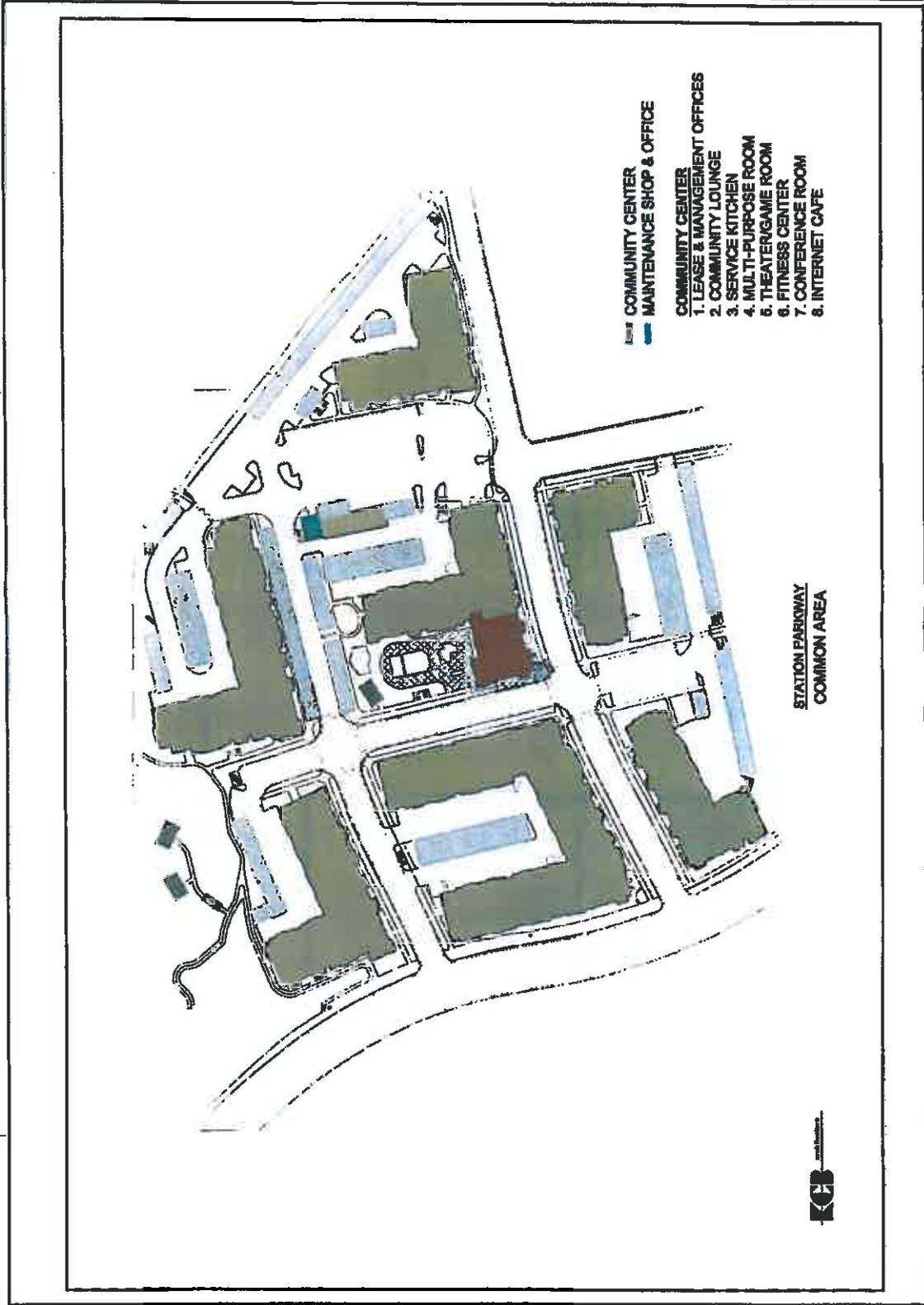
31 INCH MIN

A5



MANAGEMENT PARKING	
DETACHED GARAGES	
COVERED PARKING	
TUCK UNDER GARAGE PARKING	
TABULATION	
SURFACE PARKING	228
CARPET PARKING	288
GARAGES	144
STREET PARKING	117
TOTAL STALLS	777

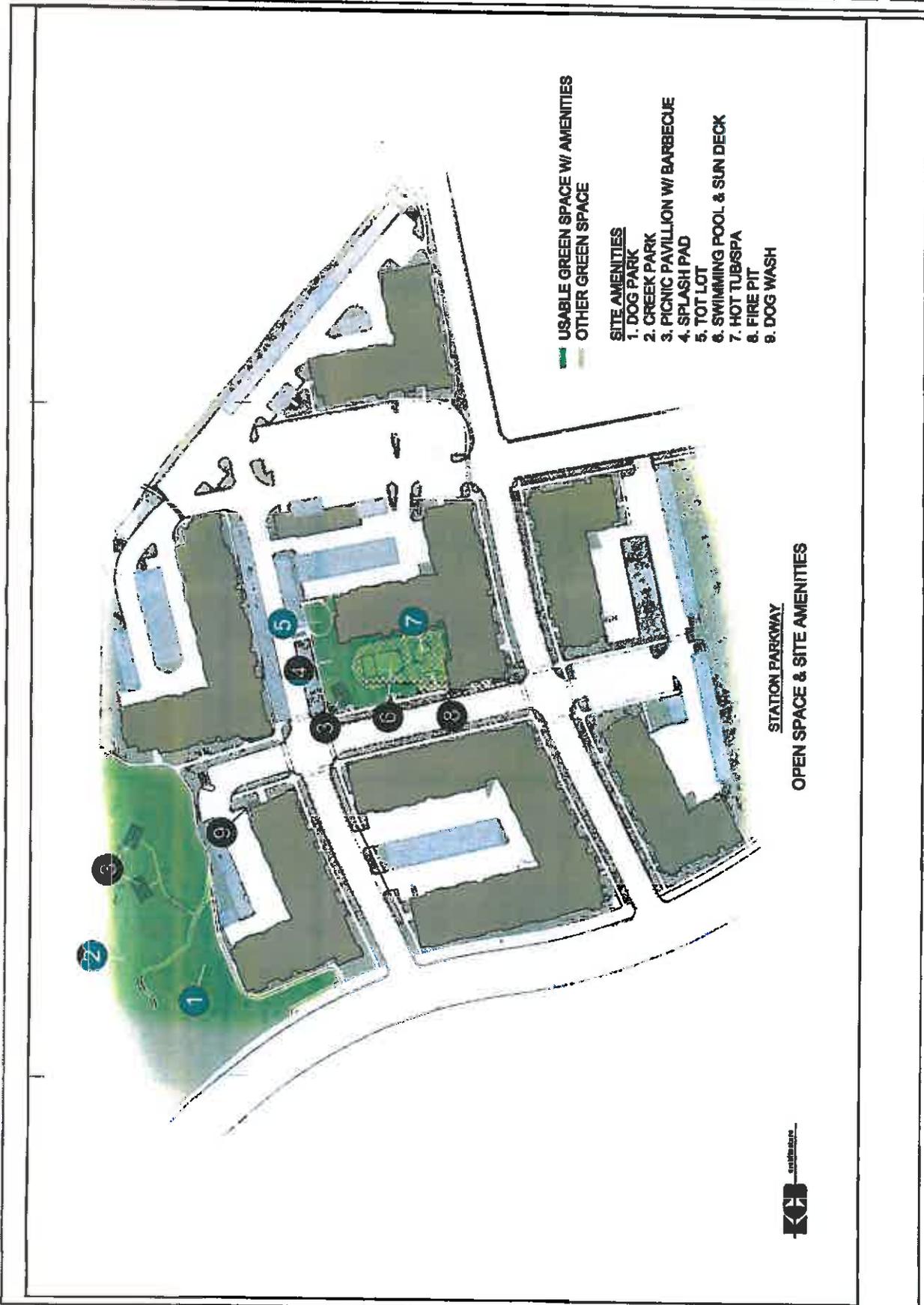




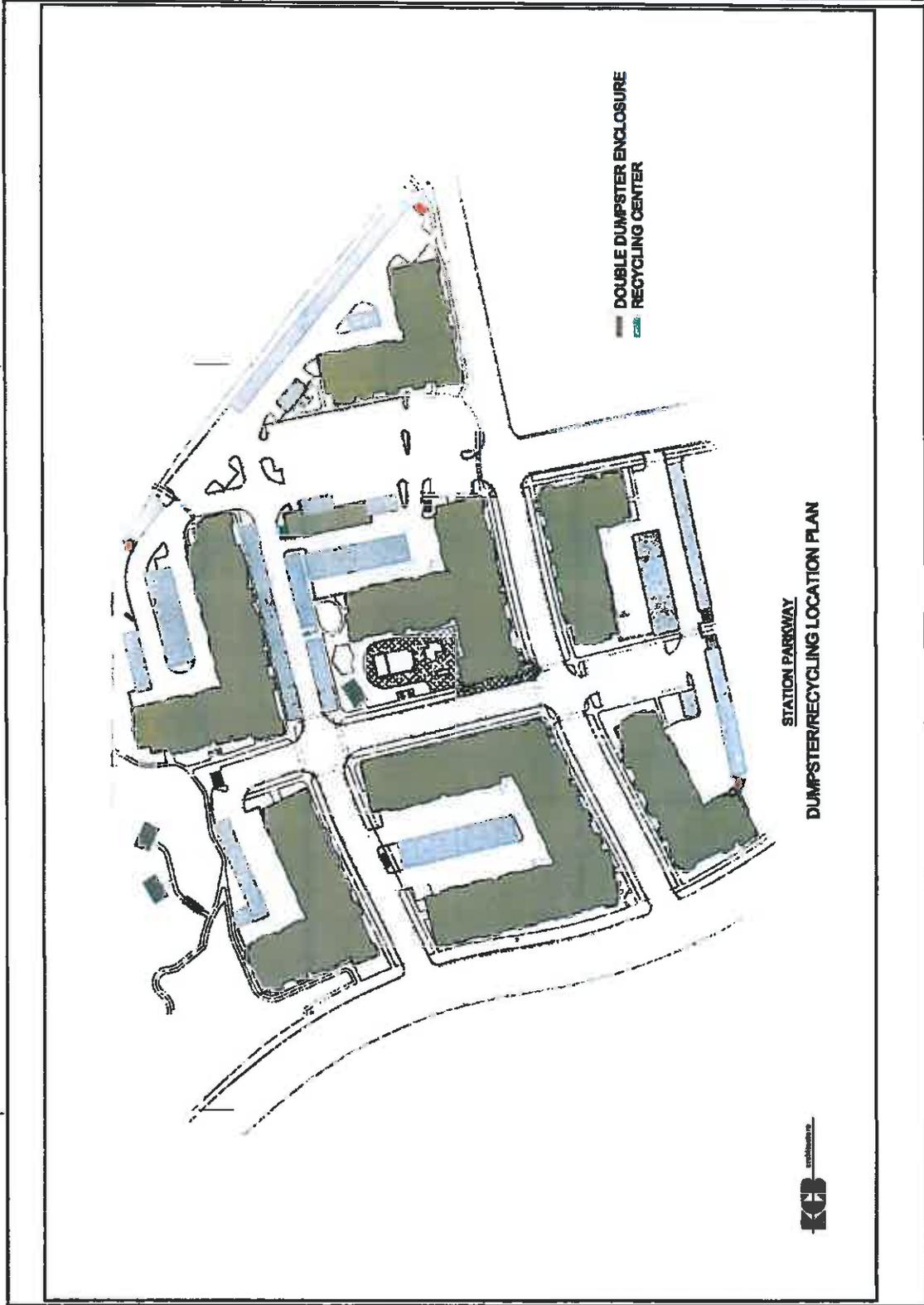
STATION PARKWAY
COMMON AREA

- COMMUNITY CENTER
- MAINTENANCE SHOP & OFFICE
- COMMUNITY CENTER
- 1. LEASE & MANAGEMENT OFFICES
- 2. COMMUNITY LOUNGE
- 3. SERVICE KITCHEN
- 4. MULTI-PURPOSE ROOM
- 5. THEATER/GAME ROOM
- 6. FITNESS CENTER
- 7. CONFERENCE ROOM
- 8. INTERNET CAFE





16 of 32



A9

RESIDENCES AT

Residences at STATION PARKWAY

Richards Lane and
Station Parkway
Farmington, Utah

EXTERIOR
ELEVATIONS

ICO
Development



STATION PARKWAY APARTMENTS





EXTERIOR MATERIAL
COLOR SCHEDULE

Richards Lane and
Station Parkway
Farmington, Utah

Residences at STATION PARKWAY

18 NOV 2014

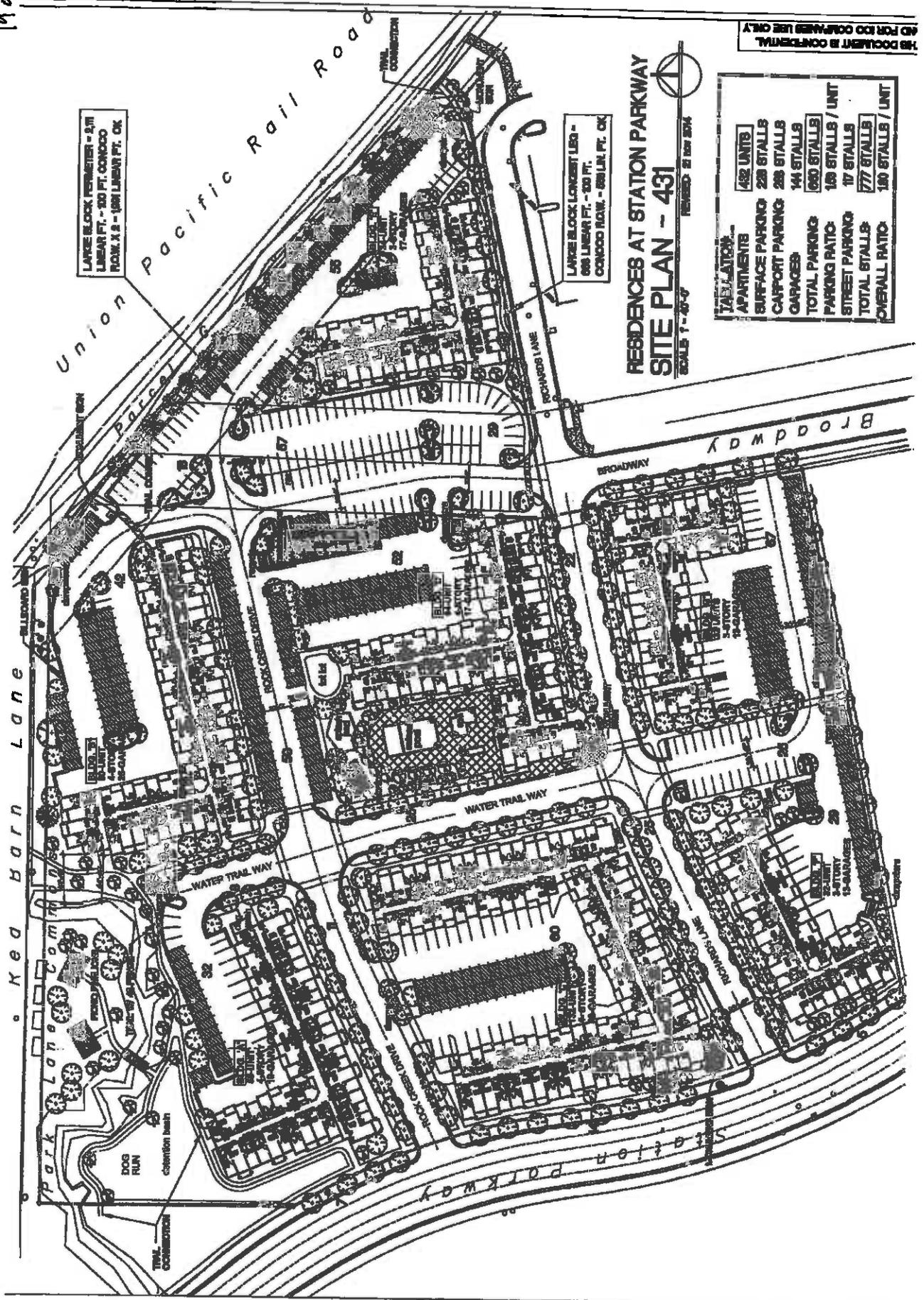
A10

- FACIA & SOFFIT METAL
- STUCCO BASE COLOR
- STUCCO ACCENT COLOR
- STUCCO ACCENT COLOR
- STUCCO TRIM COLOR
- PRECAST CONCRETE BAND
- STEEL RAILING
- BRICK VENEER
- CONCRETE BLOCK VENEER



STATION PARKWAY APARTMENTS





LARGE BLOCK PERIMETER - 2.7M LINEAR FT. - 200 FT. CONCORD ROW. N.S. - 1881 LINEAR FT. CK

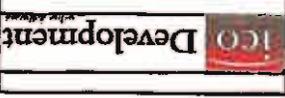
LARGE BLOCK LONGEST LEG - 688 LINEAR FT. - 200 FT. CONCORD ROW. - 688 LINEAR FT. CK

RESIDENCES AT STATION PARKWAY
SITE PLAN - 431

SCALE: 1"=40'-0" REVISION: 21 MAY 2014

TABULATION	
APARTMENTS	482 UNITS
SURFACE PARKING	228 STALLS
CARPPOOL PARKING	288 STALLS
CARPAGES	141 STALLS
TOTAL PARKING	657 STALLS
PARKING RATIO	1.36 STALLS / UNIT
STREET PARKING	17 STALLS
TOTAL STALLS	777 STALLS
OVERALL RATIO	1.60 STALLS / UNIT

THIS DOCUMENT IS CONFIDENTIAL AND FOR EDC COMPANY USE ONLY.



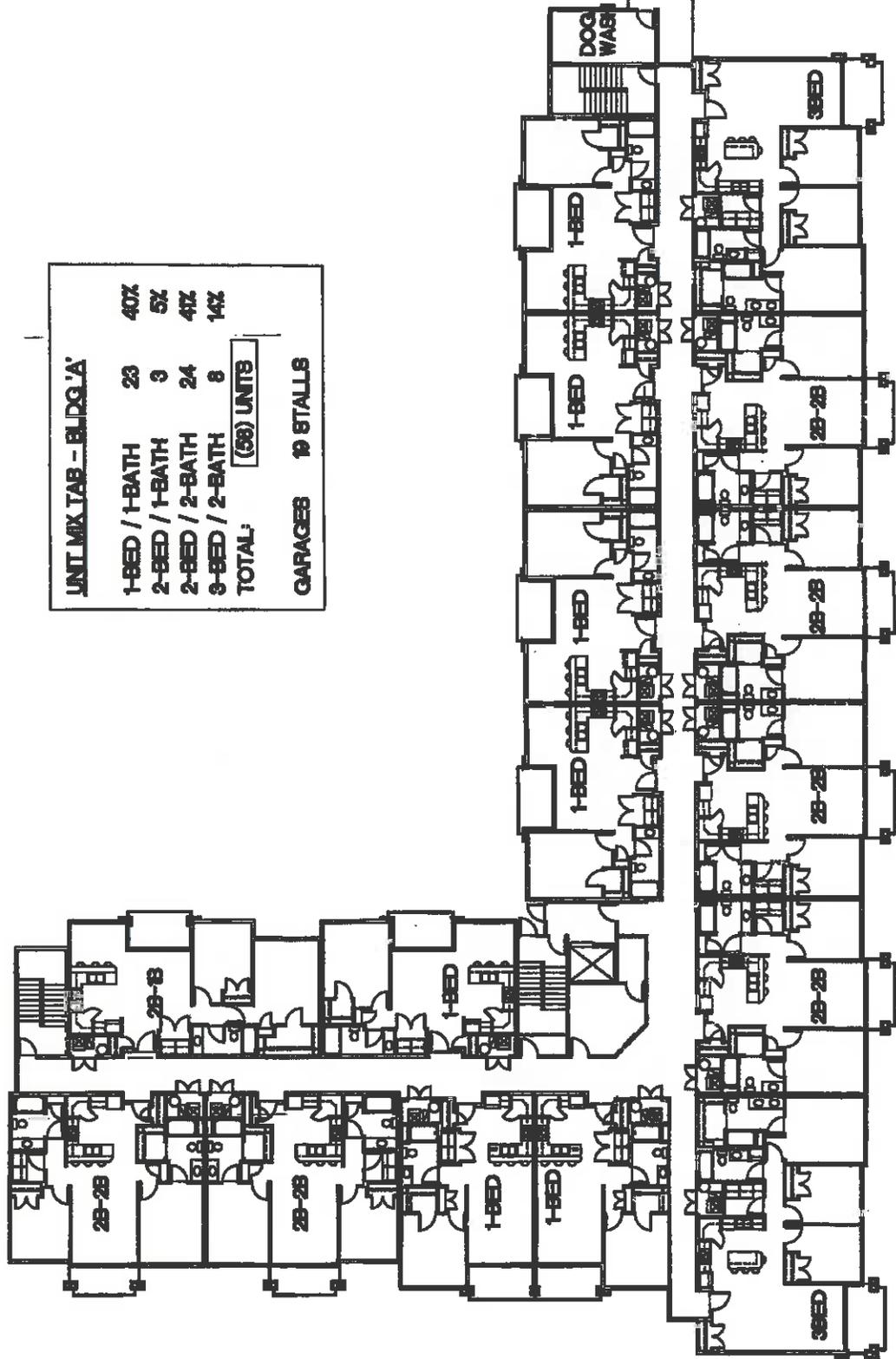
BUILDING A
SCHEMATIC BUILDING
FLOOR PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

DATE: 04/11/12

A2.1



UNIT MIX TAB - BLDG. 'A'		40%	5%	4%	14%
1-BED / 1-BATH	23				
2-BED / 1-BATH	9				
2-BED / 2-BATH	24				
3-BED / 2-BATH	8				
TOTAL:	(58) UNITS				
GARAGES		19 STALLS			

SCHEMATIC FLOOR PLAN - BLDG. 'A'
4-story building

21 A 22



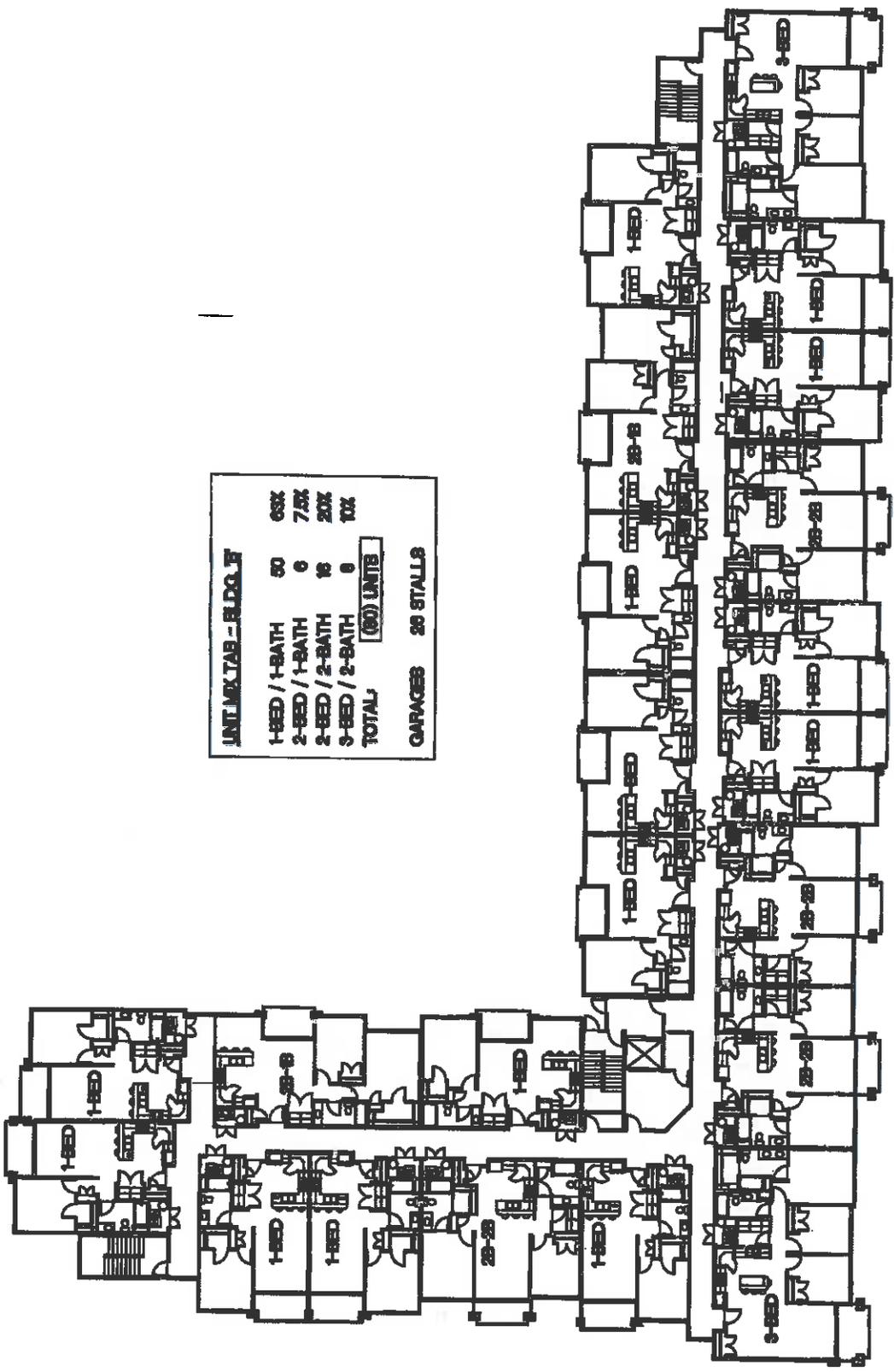
BUILDING BY
SCHEMATIC BUILDING
FLOOR PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

DATE
12 NOV 12

A22



UNIT MIX TAB - BLDG. 'B'	
1-BED / 1-BATH	50
2-BED / 1-BATH	6
2-BED / 2-BATH	16
3-BED / 2-BATH	6
TOTAL	(80) UNITS
GARAGES	26 STALLS

SCHEMATIC FLOOR PLAN - BLDG. 'B'
4-story building



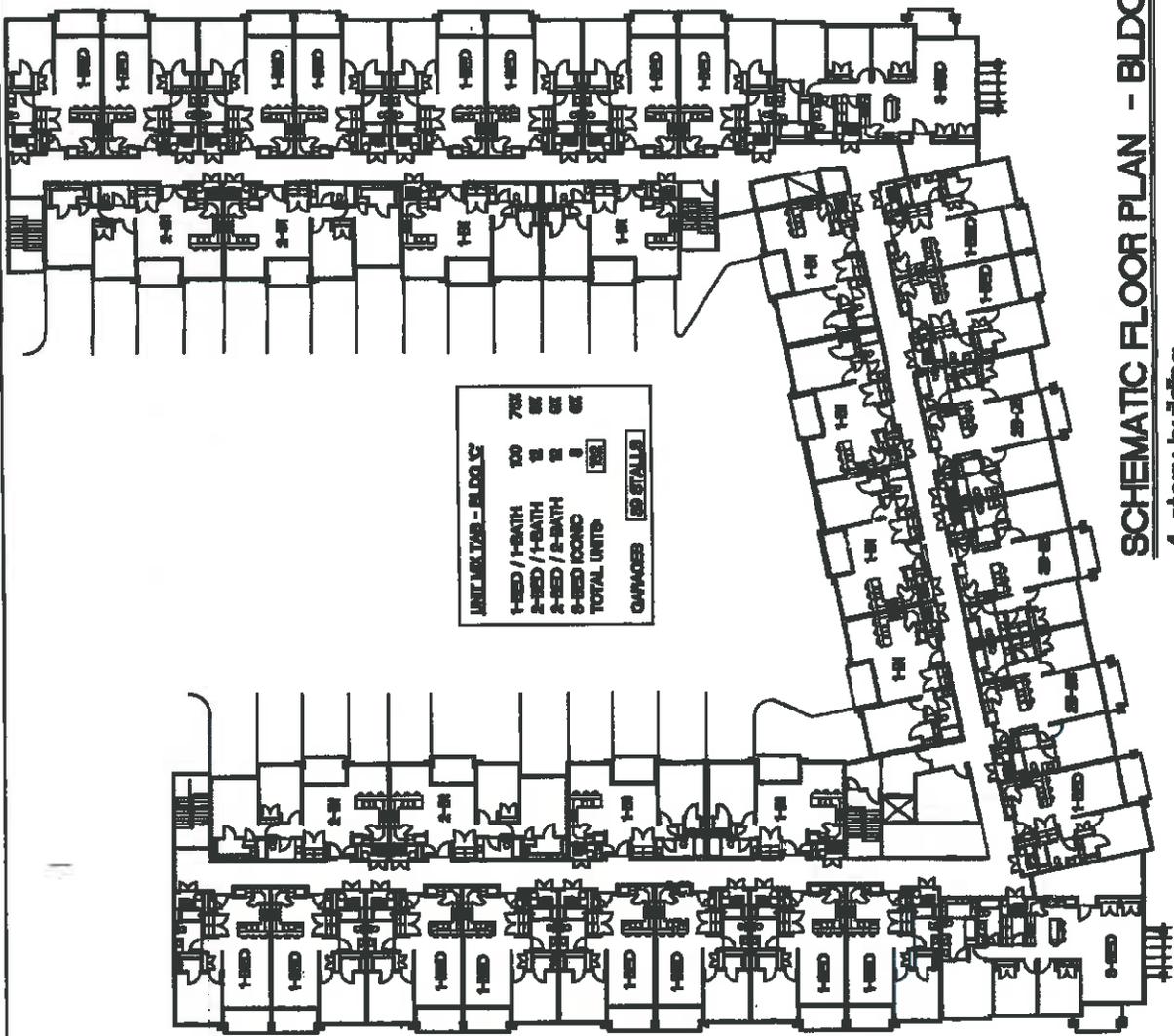
BUILDING 'C'
SCHEMATIC BUILDING
FLOOR PLAN

Richard Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

AREA 11

A23



UNIT MIXTURE - BLDG. 'C'	
1-BED / 1-BATH	100
2-BED / 1-BATH	12
2-BED / 2-BATH	12
3-BED / 2-BATH	8
TOTAL UNITS	132
CARSPACES	50 STALLS

SCHEMATIC FLOOR PLAN - BLDG. 'C'

4-story building



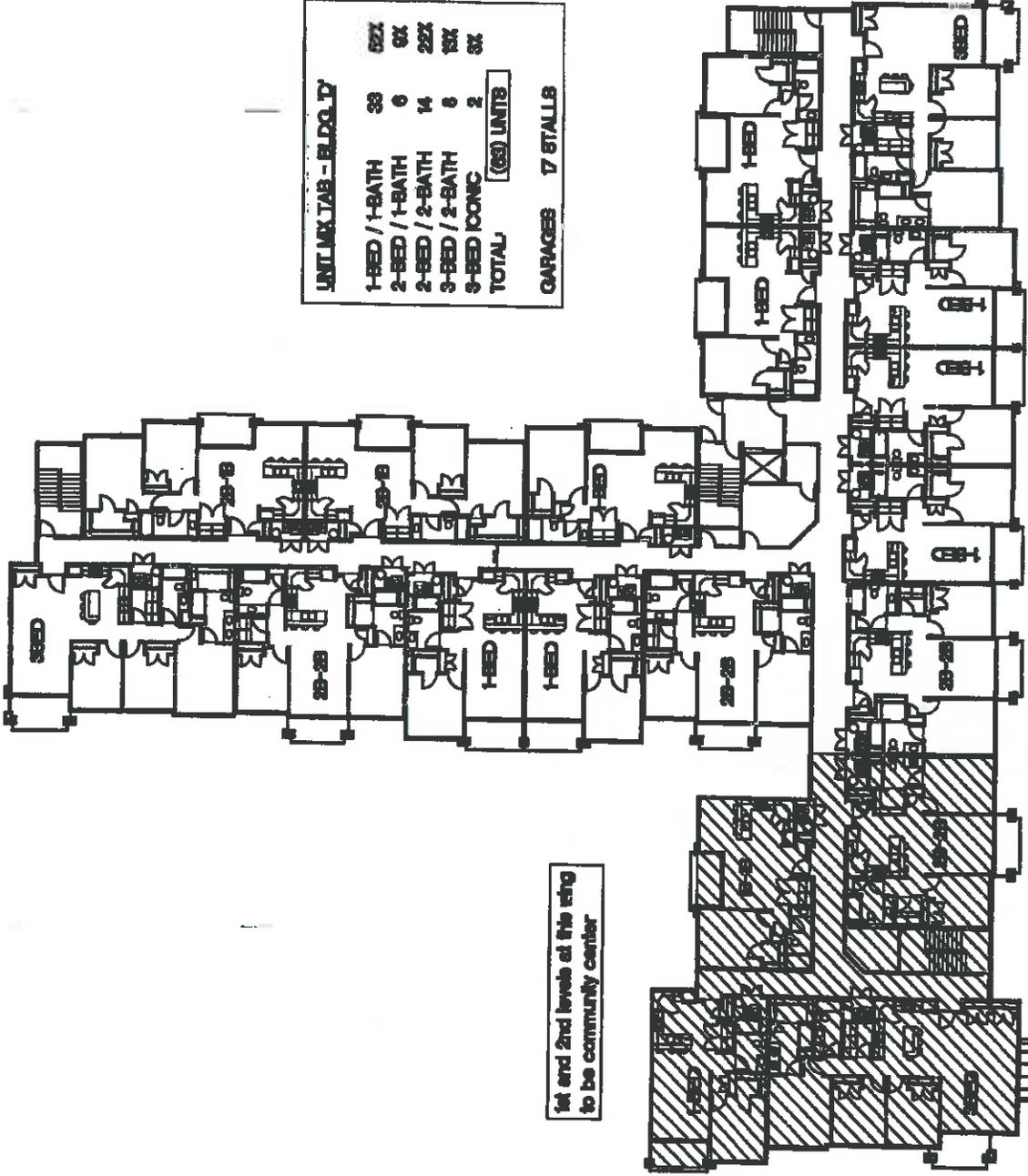
BUILDING 'D'
SCHEMATIC FLOOR PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

7 OCT 2011

A2.4



UNIT MIX TAB - BLDG. 'D'

1-BED / 1-BATH	33	62X
2-BED / 1-BATH	6	9X
2-BED / 2-BATH	14	22X
3-BED / 2-BATH	6	36X
3-BED ROOMS	2	3X
TOTAL	(61) UNITS	

GARAGES 17 STALLS

1st and 2nd levels of this wing
to be community center

SCHEMATIC FLOOR PLAN - BLDG. 'D'

4-story building



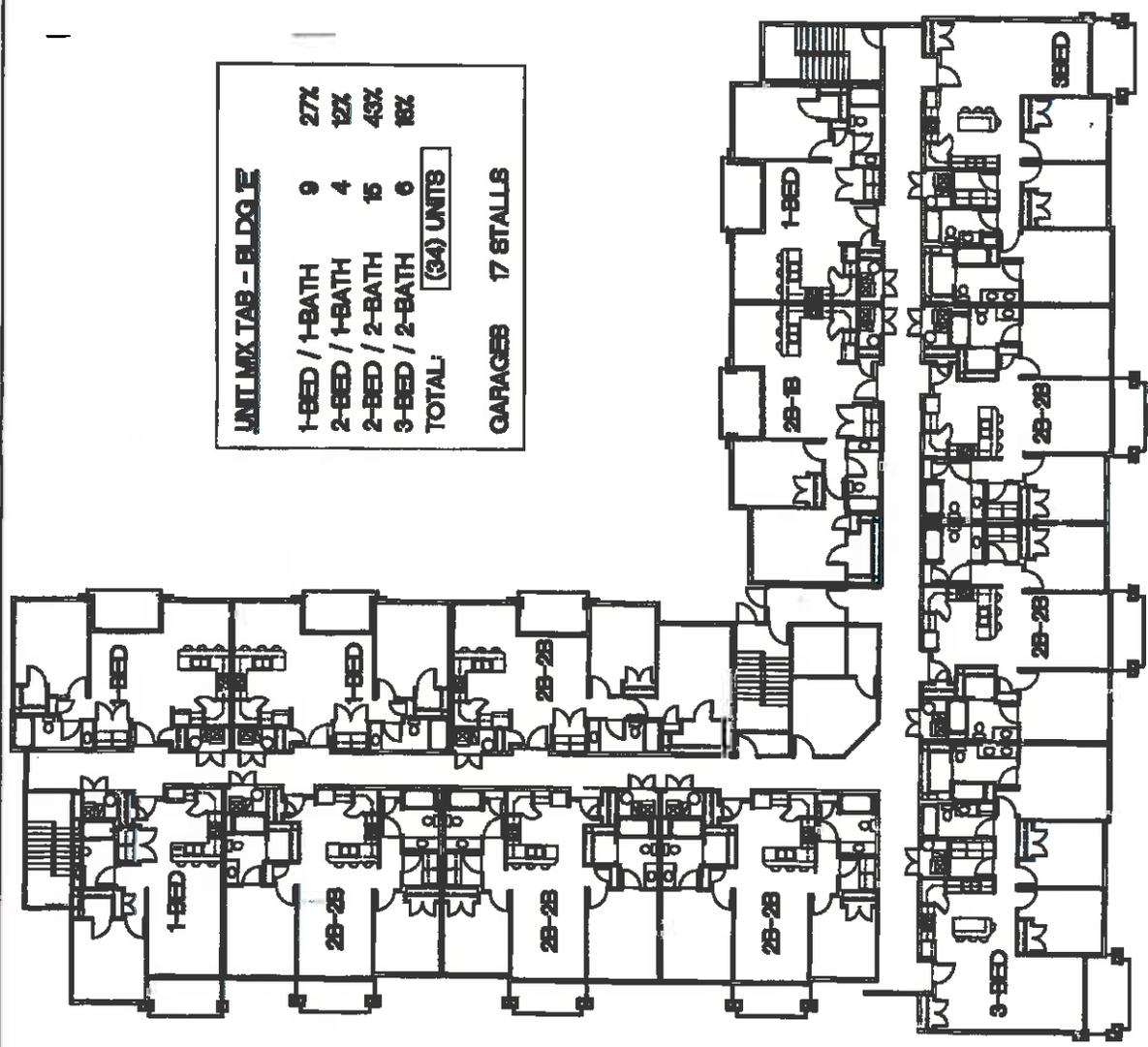
BUILDING #
SCHEMATIC BUILDING
FLOOR PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

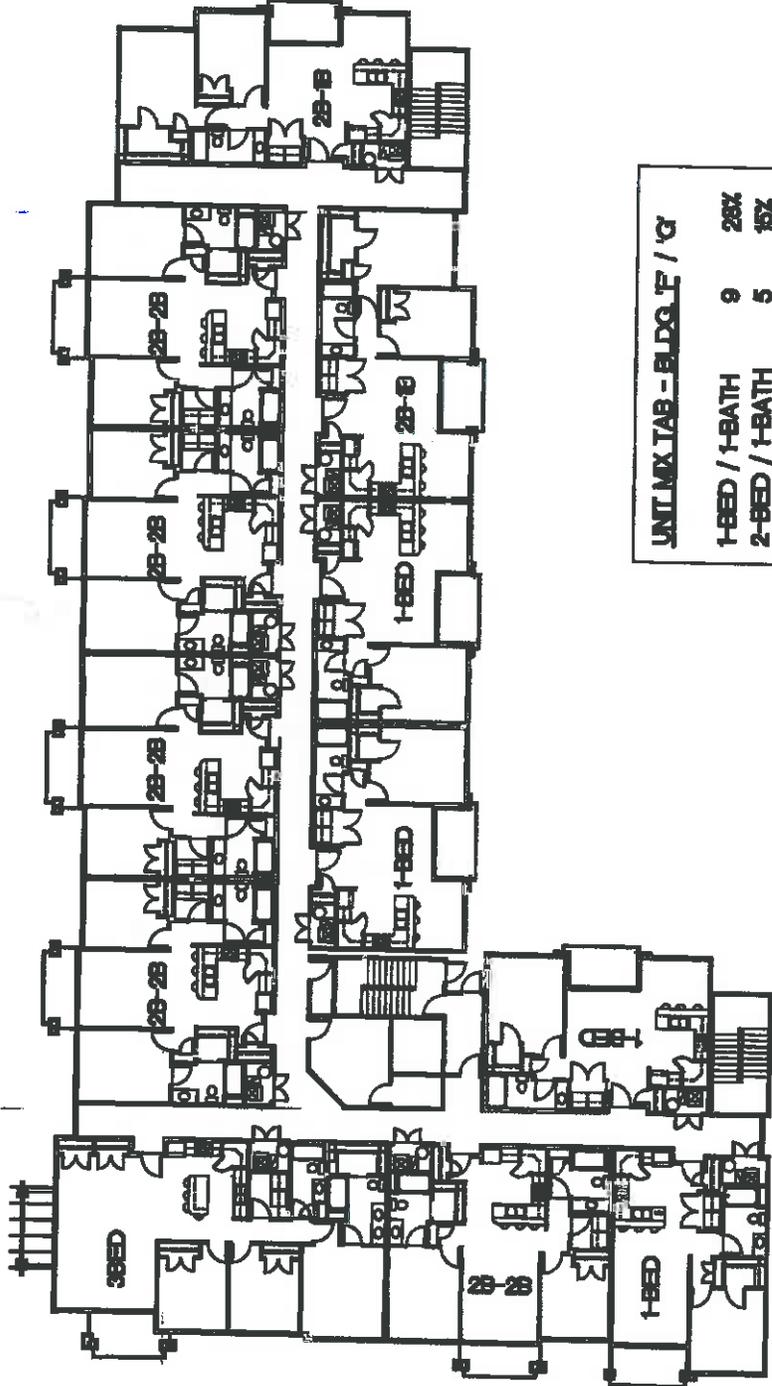
11 NOV 2004

A2.5



UNIT MIX TAB - BLDG. 'E'	
1-BED / 1-BATH	9 27%
2-BED / 1-BATH	4 12%
2-BED / 2-BATH	15 43%
3-BED / 2-BATH	6 18%
TOTAL:	(34) UNITS
GARAGES	17 STALLS

SCHEMATIC FLOOR PLAN - BLDG. 'E'
3-story building



UNIT MIX TAB - BLDG. 'F' / 'G'	
1-BED / 1-BATH	9 26%
2-BED / 1-BATH	5 15%
2-BED / 2-BATH	15 47%
3-BED ICONIC	3 9%
TOTAL	(32) UNITS
GARAGES	13 STALLS

SCHEMATIC FLOOR PLAN - BLDGS. 'F' and 'G'
3-story building

26 of 37



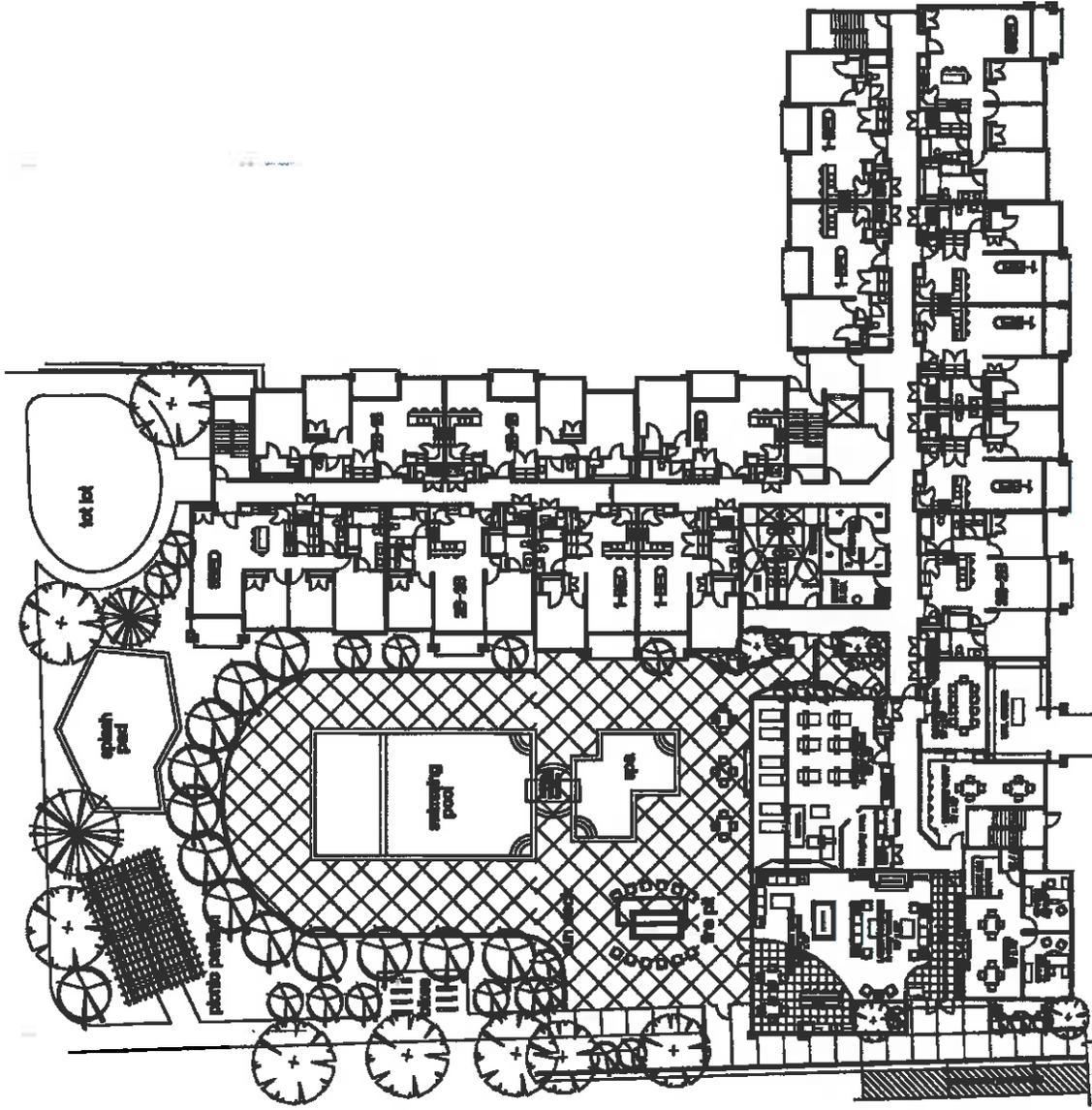
COMMUNITY CENTER
MAIN FLOOR PLAN
BUILDING 'D'

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

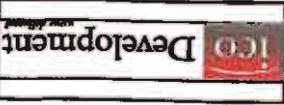
NOV 2007

A3.1



SCHEMATIC MAIN FLOOR PLAN - BLDG. 'D'
COMMUNITY CENTER PLAN

27 of 72



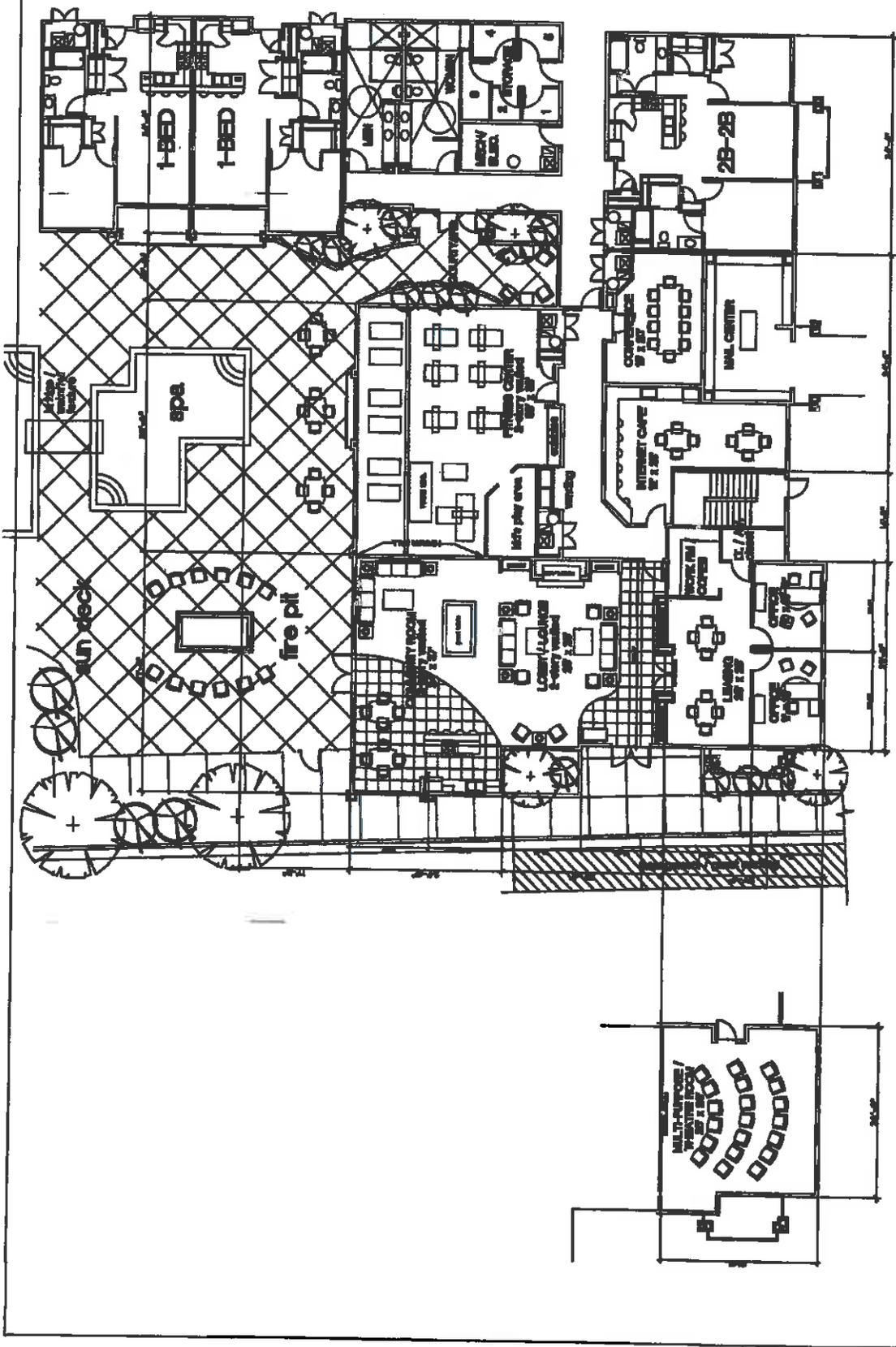
COMMUNITY CENTER
FLOOR PLAN

Richards Lane and
Station Parkway
Farmington, Utah

Residences at
STATION PARKWAY

NO. 40412

A32

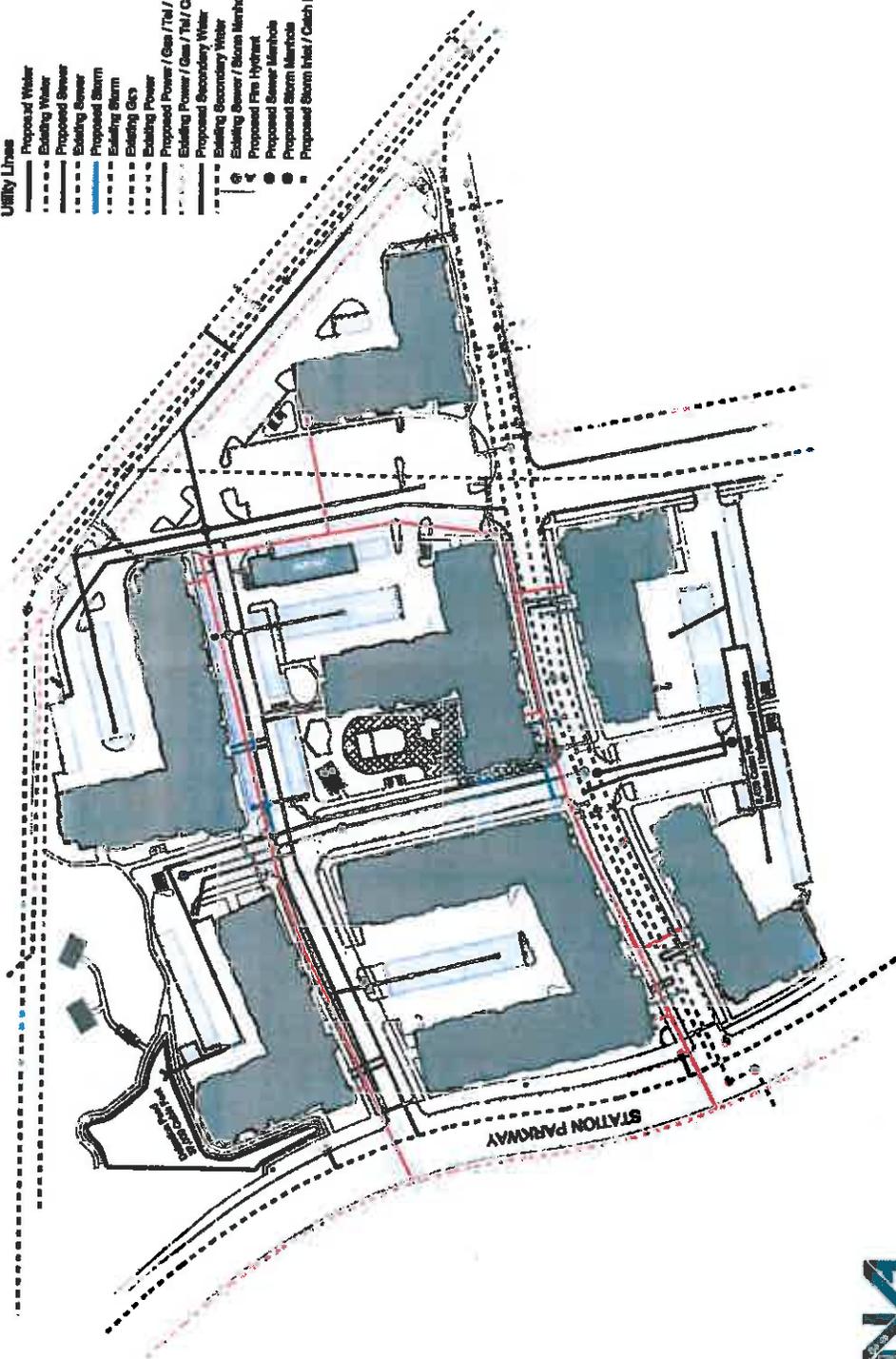


COMMUNITY CENTER FLOOR PLAN

Residences at Station Parkway

26 of 67

- Site Key**
- Utility Lines**
- Proposed Water
 - Existing Water
 - Proposed Sewer
 - Existing Sewer
 - Proposed Storm
 - Existing Storm
 - Existing GCS
 - Existing Power
 - Proposed Power / Gas / TM / CATV
 - Existing Power / Gas / TM / CATV
 - Proposed Secondary Water
 - Existing Secondary Water
 - Existing Sewer / Storm Manhole
 - Proposed Fire Hydrant
 - Proposed Sewer Manhole
 - Proposed Storm Manhole
 - Proposed Storm Inlet / Catch Basins



Utility Plan



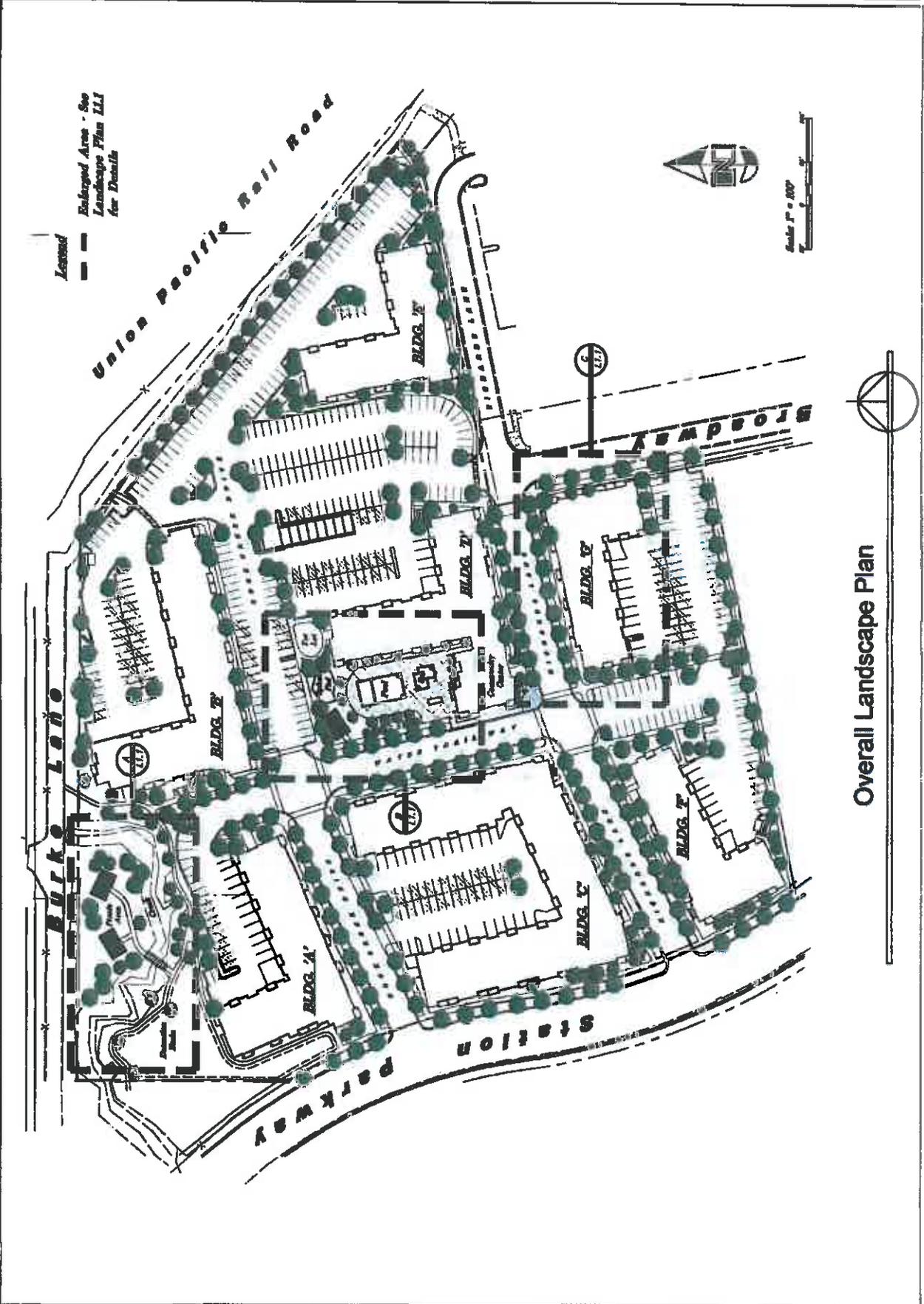


Richards Lane and
Station Parkway
Farmington, Utah

Residences at STATION PARKWAY

10-30-14

L1



Existing Regulating Plan for the Property

Exhibit B
"PMP"



This exhibit reflects the last amendment to the Regulating Plan for this specific property (see Agreement 2010-36).

Exhibit B
"PMP"



ICO proposes to add neighborhood streets to the regulating plan, as shown above.

Improved
Regulation Plan Improvements

- Neighborhood streets/pedestrian walkway
- Principal street



STATION PARKWAY



Planning Commission Staff Report January 8, 2015

Item 7: Text Change of Chapters 1, 2, 3, and 6 of the Subdivision Ordinance

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

Please see the attached staff report from the January 6th, 2015 joint Planning Commission/City Council meeting.

Suggested Motion

Move that the Planning Commission recommend that the City Council approve the proposed text amendment to Chapters 1, 2, 3, and 6 of the Subdivision Ordinance regarding the approval process for major subdivisions and related chapters where necessary.

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.



FARMINGTON CITY

H. JAMES TALBOT
MAYOR

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

DAVE MILLHEIM
CITY MANAGER

City Council/Planning Commission Staff Report

To: Honorable Mayor, City Council, and Planning Commission
From: Eric Anderson, Associate City Planner
Date: December 23, 2014
SUBJECT: **REQUEST FOR TEXT AMENDMENT OF CHAPTERS 1, 2, 3, AND 6 OF THE SUBDIVISION ORDINANCE**

RECOMMENDATION

Planning Commission

Consider action on January 8, 2014 (no action is necessary at this time).

OR

Recommend that the City Council approve the proposed amendments to Chapters 1, 2, 3, and 6 of the Subdivision Ordinance as written in the attached Exhibit "A".

City Council

- 1) Hold a Public Hearing;
- 2) Table action pending a recommendation from the Planning Commission regarding the proposed amendments to Chapters 1, 2, 3, and 6 of the Subdivision Ordinance as written in the attached Exhibit "A".

OR

- 1) Hold a Public Hearing;
- 2) Move that the City Council approve the proposed amendments to Chapters 1, 2, 3, and 6 of the Subdivision Ordinance as recommended and discussed by the Planning Commission and written in the attached Exhibit "A".

BACKGROUND

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.

At the Planning Commission meeting on November 13th the City Attorney was on hand to discuss the pending changes and to help the Commission craft a subdivision ordinance text change that would resolve the issues raised above as completely as possible.

The following is a summary of the existing subdivision approval process:

Schematic Plan

Planning Commission Recommends (Public Hearing)
City Council Approves/Denies (Public Hearing)

Preliminary Plat

Planning Commission Approves/Denies
Appeals to City Council

Final Plat

Planning Commission Recommends
City Council Approves/Denies
Appeals to City Council then to District Court

The following is a summary of the proposed changes:

Schematic Plan

Planning Commission Recommends (Public Hearing)
City Council Approves/Denies

Preliminary Plat

Planning Commission Recommends
City Council Approves/Denies (Public Hearing)
Appeals to District Court

Final Plat

Planning Commission Approves/Denies
Appeals to City Council then to District Court

The Planning Commission voted to table this item because they are still concerned that it is proposed that the City Council will approve or deny the Preliminary Plat, which is where staff is told that vesting occurs, yet they are also the appeal body at Final Plat. The Planning Commission wanted to discuss it further with the attorney. Rather than remaining as a go-between, staff felt it prudent to have a joint meeting to review these changes with both bodies present and the attorney. This course of action was discussed with the Planning Commission on December 16th, and they approved the same.

SUPPLEMENTAL INFORMATION

1. Enabling Ordinance
2. Proposed Changes to Chapters 1, 2, 3, and 6 of Title 12

Respectfully Submitted

Concur

Eric Anderson
Associate City Planner

Dave Millheim
City Manager

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 **as set forth herein**. 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 schematic plans, minor plats and of the preliminary-final plats** to the City Council. **The Planning Commission has final jurisdiction in the approval of subdivisions by metes and bounds and final subdivision plats.**

(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 **schematic plans, minor subdivision plats, and preliminary** 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, 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. **In the event of an appeal, application deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals.**

(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 and **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

Title 12-2-045 amended, July 11, 2006, Ord. 2006-45

CHAPTER 3

SCHEMATIC PLAN

- 12-3-010 Schematic Plan.**
- 12-3-020 Staff Cannot Bind City.**
- 12-3-030 Vested Rights.**
- 12-3-040 Submission.**
- 12-3-050 Notification.**
- 12-3-060 Review by the Planning Commission.**
- 12-3-070 Approval by the City Council.**
- 12-3-080 Expiration of Schematic Plan Approval.**

12-3-050 Notification.

(1) The Subdivider, upon receipt of the letter of acknowledgment, shall distribute copies of the plan to such government departments and other agencies or advisors as in the opinion of the Department and the Planning Commission may contribute to a decision in the best interest of the public.

(2) The Planning Department shall mail to all owners of property located within three hundred (300) feet of the boundary of the proposed subdivision a written notice of the time, date, and place where the Planning Commission will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

(3) The Planning Department shall mail to all owners of property located within three hundred (300) feet of the boundary of the proposed subdivision a written notice of the time, date, and place where the City Council will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

12-3-060 Review by the Planning Commission.

(1) At the time and place specified in the written notice described in Section 12-3-050 above, the Planning Commission shall review the submitted schematic plan and check compliance with the City's Master Plan, Zoning Ordinance, this Subdivision Ordinance, and other appropriate regulations. The Planning Commission may recommend approval or denial to the City Council, and shall make findings regarding the submitted schematic plan, specifying any inadequacy in the information submitted, non-compliance with City regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the Planning Commission to evaluate the proposed subdivision and in making a recommendation to the City Council.

(2) The Planning Commission may require additional information, data or studies to be provided to the Planning Commission by the subdivider for the overall development before any recommendation is given by the Planning Commission to the City Council and the Planning Commission may include requirements for the overall development as part of its findings on the concept plan.

12-3-070 Approval by the City Council.

(1) After receiving a recommendation from the Planning Commission together with any information related thereto ~~and at the time and place specified in the written notice described in Section 12-3-050~~, the City Council may grant or deny schematic plan approval for the proposed subdivision and may adopt, amend or reject any of the findings made by the Planning Commission regarding the submitted concept plan.

(2) If the City Council denies schematic plan approval, no further review of the proposed subdivision shall be made by the City Council, and a new schematic plan submittal shall be required to re-initiate the subdivision process.

(3) Granting of schematic plan approval by the City Council shall not constitute an absolute approval or disapproval of the proposed subdivision, but is intended to give the subdivider general guidance as to the requirements and constraints for subdivider's proposed subdivision within the City.

12-3-080 Expiration of Schematic Plan Approval.

Once schematic plan approval has been granted, the subdivider may apply for preliminary plat approval consistent with the schematic plan. If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the City.

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.**
- 12-6-050 Evaluation of Preliminary Plat.**
- 12-6-060 Planning Commission Action.**
- 12-6-070 Notification of Action. City Council Action.**
- ~~**12-6-080 Effect of Approval of the Preliminary Plat.**~~
- ~~**12-6-080 Final Plat - Purpose. Notification of Action.**~~
- ~~**12-6-090 Filing Deadline, Application and Fees. Effect of Approval of the Preliminary Plat.**~~
- ~~**12-6-100 Final Plat - Preparation and Required Information. Final Plat - Purpose.**~~
- ~~**12-6-110 Data to Accompany Final Plat. Filing Deadline, Application and Fees.**~~
- ~~**12-6-120 Evaluation of Final Plat. Final Plat - Preparation and Required Information.**~~
- ~~**12-6-130 Planning Commission Action. Data to Accompany Final Plat.**~~
- ~~**12-6-140 City Council Action. Evaluation of Final Plat.**~~
- ~~**12-6-150 Disapproval by the City Council. Planning Commission Action.**~~
- ~~**12-6-160 Security Bond - Subdivider. Disapproval by the Planning Commission.**~~
- ~~**12-6-170 Delay Agreement. Security Bond - Subdivider**~~
- ~~**12-6-180 Recording of Plat. Delay Agreement.**~~
- ~~**12-6-190 Expiration of Final Approval. Recording of Plat.**~~
- ~~**12-6-200 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 is consistent with the concepts set forth in with the schematic plan and with all changes requested and all requirements imposed as conditions of acceptance. The Planning Commission may recommend approval of denial to the City Council, and shall make findings regarding the submitted preliminary plat, specifying any inadequacy in the information submitted, non compliance with City regulations, inconsistencies with the schematic plan, and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat and in making a recommendation to the City Council.

12-6-070 City Council Action.

After receiving a recommendation from the Planning Commission together with any information related thereto and at the time and place specified in the written notice described in Section 12-3-050, the City Council shall act thereon. If the City Council 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.

~~12-6-060 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~~ ~~12-6-080~~ 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 ~~Planning Commission~~ **City Council** meeting shall be retained in the permanent file of the ~~Planning Commission~~ **City Council**. 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 ~~Planning Commission~~ **City Council**, and with the preparation of the final plat.

~~12-6-080~~ 12-6-090 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~~ 12-6-100 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 ~~Mayer~~ **Planning Commission Chair** as its agent to sign final subdivision plats. The ~~Mayer~~ **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~~ 12-6-110 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~~ 12-6-120 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~~ **12-6-130 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~~ **12-6-140 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.

12-6-150 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) 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 with the preliminary plat, 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.

12-6-160 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**~~ **12-6-170 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~~ 12-6-1890 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~~ 12-6-190 Recording of Plat.

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

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

If the plat is not recorded within six (6) months from the date of ~~City Council~~

Planning Commission 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



**Planning Commission Staff Report
January 8, 2015**

Item 8: Chapter 18 Zone Text Changes—Regulating Plan, and Standards Related to Rights-of-way, Large Footprint Buildings, and Other Related Standards.

Public Hearing: Yes
Application No.: ZT-11-14
Property Address: Mixed Use Areas north of Clark Lane, south of Shepard Lane, west of the UP tracks, and east of the UTA trail right-of-way
General Plan Designation: TMU (Transportation Mixed Use), PPR (Public/Private Recreation Open Space and/or Parks Very Low Density), and CA/BP (Class A Business Park)
Zoning Designation: Miscellaneous designations
Area (acres): Approx. 500 +/-
Number of Lots: N/A
Property Owner: N/A
Applicant: Farmington City

Request: *Applicant is requesting a recommendation regarding amendments to Chapter 18 of the Zoning Ordinance related to the Regulating Plan, right-of-way standards, large foot print buildings, and other related standards.*

Background Information

In December of 2014, Cabela’s announced plans for a new store to be located on property north of Park Lane and west of Station Parkway in the GMU (General Mixed Use) zone. Standards in Chapter 18 of the Zoning ordinance provide the regulatory framework for the type and manner of development in this zone. In preparation for the anticipated Cabela’s development plan, subdivision application, and possible Project Master Plan (PMP), staff recommends amendments to off-street parking standards in Section 11-18-110(b)(C) regarding corner lots, and to street network design and public space standards in Sections 11-18-104(3) and (4) specific to the regulating plan.

Section 11-18-107(2)(e) ii. 17 includes provisions for large footprint buildings. In a housekeeping item related to the new Cabela’s, it is also recommended that the Planning Commission further specify commercial uses set forth therein to mean “retail” commercial uses.

Further amendments may be necessary to the regulating plan (see attached), but the nature and extent of these changes is not known until subdivision and development plan applications are submitted for the Cabela's site. Nevertheless, this item was posted as a public hearing and must be considered by the Planning Commission accordingly.

Suggested Motions:

- A. Move that the Planning Commission recommend that the City Council approve the attached proposed amendments to Sections 11-18-104(3)a. and (4), 11-18-110(b)(C), and 11-18-107(2)(e) ii. 17.

Findings:

1. Presently, the City may only obtain rights-of-way by dedication. The changes will increase flexibility for the property owner by permitting the City to also obtain rights-of-way by easement and also thereby allowing the underlying fee, including the maintenance thereof, to remain the responsibility of the owner.
 2. Rights-of-way by easement will better enable the development (and possible redevelopment) of blocks occupied by large footprint buildings (and their accompanying parking areas), while at the same time helping to ensure adherence to form based codes and allowing the City to be a more essential participant in the event that such development and/or redevelopment process occurs in the future.
 3. Easements may be used for multiple reasons, such as fire access, locations for public utilities, culinary water lines, etc.
 4. Special provisions are currently in place to allow very limited parking at major intersections or at an intersection that is intended as a neighborhood town center. These types of intersections are often occupied by large retail commercial---or institutional uses---and these types of users most often exceed the footprint size of 20,000 s.f. as specified in the ordinance. Accordingly, the section regarding such buildings is expanded to include institutional uses, and larger foot print buildings of 45,000 square feet or more. This is more in keeping with the purpose of Chapter 18 since it is not necessary for smaller foot print buildings to deviate from the code because the mass and scale characteristics are different for smaller buildings.
 5. The amendment clarifies large footprint buildings as "retail" commercial consistent with the standards therein as was originally intended when the section was enacted in 2008.
- B. Move that the Planning Commission continue the regulating plan portion of the public hearing to the January 22nd meeting to allow time for the City to determine whether or not any amendments to the regulating are necessary.

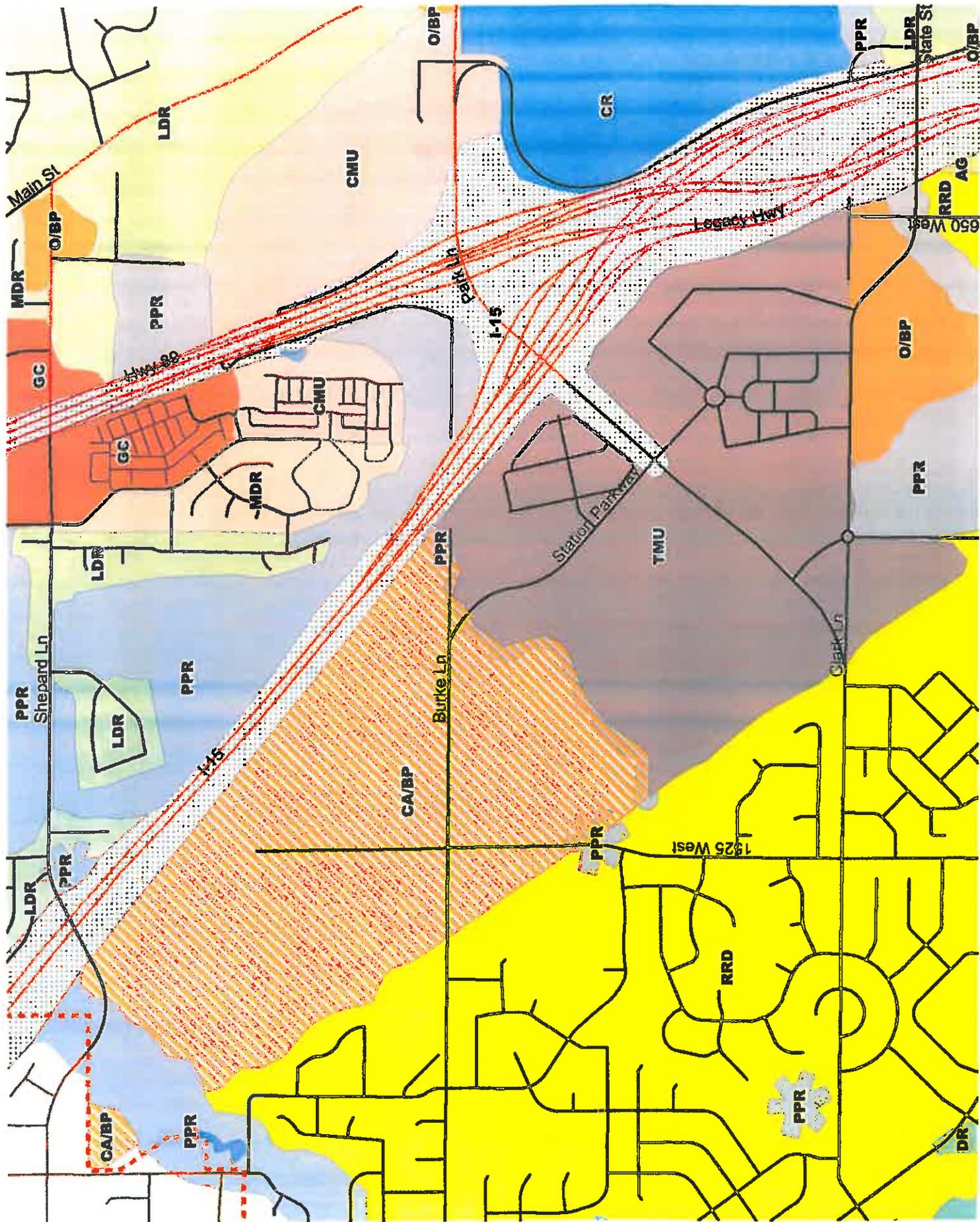
Reason: Farmington City is awaiting subdivision and development plan review applications for the Capela's proposed site. Once these are submitted, the City will be better able to determine if an amendment to the regulating plan is necessary. This will also allow time for applicants to prepare a PMP (if necessary) for Planning Commission consideration, which possible PMP is required for such regulating plan amendments and will enable potential comments from affected property owners at a public hearing regarding the same.

Supplemental Information

1. General Plan Map
2. Regulation Plan
3. Chapter 18 Zone Text Changes
4. Additional information to be presented at the meeting.

Applicable Ordinances

1. Title 11, Chapter 18 – Mixed Use Districts



Chapter 18 Zone Text Changes---Standards related to rights-of-way, large footprint buildings, and other related standards

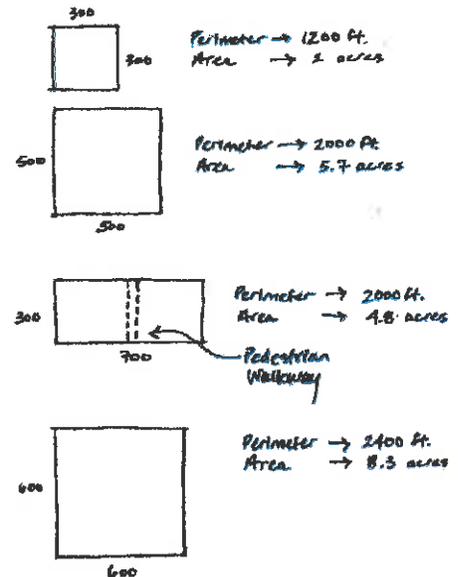
Planning Commission 01.08.15

11-18-104 Regulating Plan

(3) Street Network Design

The street network, street standards, and street type hierarchy form the basis of the Regulating Plan. The street network is designed to provide connectivity and adaptability throughout the mixed-use districts as the area develops over time. New development shall follow the street network design; however, if minor realignments are necessary due to environmental and/or physical conditions they will be evaluated during the Development Plan Review process. Major alternative alignments or flexibility with the street network design may be proposed through the Project Master Plan process, provided that the following provisions are met:

- a. **Maximum Block Size** – The maximum perimeter of any block may not exceed 2000 feet in the residential, general, and transit mixed-use districts, and 2400 feet in the open space and office mixed-use districts. Each block face may not exceed 600 feet. Block faces may be defined by any of the street types, including pedestrian walkways that are dedicated public rights of way **or easements**, with the exception of alleys. However, if a pedestrian walkway is used to define a block of the maximum size then the right of way for the walkway must be equal to that of the neighborhood (local) road.



(4) Public Space Standards

Each street type shall have a dedicated right of way **or easement** that is considered to be public space. This right of way is measured from back of curb to back of curb. Table 18.1, Street Standards, shall dictate the use of the space between the curbs. Street standards follow the general guidelines of existing Farmington City street standards. Additional standards, outlined in Table 18.2, Side Treatment Standards, shall dictate the use and width of the space from the back of the curb, on which a public access easement will be placed if not part of the public right of way. The City may make adjustments to street standards and side treatment standards herein as set forth in Chapter 7 of this title and Section 12-8-100 of

Title 12. Such adjustments should provide continuity and be consistently applied where possible along the entire length of a given street.

Intersections shall be designed for pedestrian safety through the use of bulb-outs that narrow the crossing distance of the street. Bulb-outs shall extend into the roadway the depth of the curb, gutter, and parking lane (when present) collectively.

11-18-110(b)(C)

- (C) For a corner lot at any intersection, the building shall be located at the corner of the lot adjacent to the intersection. For corner lots at a major intersection, ~~or an intersection that is intended as a neighborhood town center, or a corner that is the location of an institutional building, or a large footprint building as set forth in this chapter with a footprint greater than 45,000 square feet,~~ the cumulative total of both frontages occupied by parking shall be no more than 25% or 60 feet, whichever is less. Frontage used as a driveway access only is not counted in the above total.

11-18-107(2)(e) ii. 17.

Large Footprint Buildings

17. ~~Retail~~ Commercial buildings with a footprint greater than 20,000 square feet may be approved through the development review process. Such buildings must meet the regulations of this code with the following exceptions:
- a. Buildings are exempt from maximum lot width/size requirements; however, building footprints may not be larger than a single block. Block size is guided by the regulating plan and its associated design criteria detailed in Section 11-18-104. A development parcel may contain more than one block.
 - b. Each building shall orient to a public right of way.
 - c. In all districts except the TMU district, entrance interval criteria may be adjusted provided other entrance criteria in the Building Design Criteria section are met.
 - d. In the office and general mixed-use districts, street level fenestration requirements may be applied to only 75 percent of the primary façade and will be evaluated during the development plan review process for compatibility with the overall intents and purposes of the district.
 - e. In the TMU district, to meet façade requirements in regard to entrances and fenestration, large footprint buildings may be wrapped in a liner of smaller buildings with doors and

windows that face the street. The depth of these liner buildings shall be a minimum of twenty (20) feet.

- f. Detailing at intervals of 25 to 30 feet shall be provided to break up expanses of blank walls with no openings. Additionally, walls with no openings shall be setback from the public right of way a minimum of 15 feet and buffered with landscaping. Landscaping shall include trees spaced at 30 feet intervals and at least one row of additional plants and/or shrubs.

Northern Utahns want urban amenities and suburban parking

Planning * Study finds we still love our cars, despite shifts in living.

By **TONY SEMERAD**

The Salt Lake Tribune

Residents along the Wasatch Front seek the benefits of city living but also prefer neighborhoods of single-family homes and their own free parking, a new study has found.

While about one in five area residents wants to live downtown for an urban lifestyle — varied housing options, shorter commutes, proximity to shopping and cultural attractions — a third want those same advantages but in the suburbs.

The desire for parking in a private garage or driveway appears to trump other so-called “smart growth” choices, putting residents of the wider Salt Lake Valley at odds with urban land-use trends now gaining national popularity.

Yet, in other ways, the study published this week by researchers at the University of Utah and New York University also seems to buttress

moves by a growing number of Utah cities to create transit-oriented town centers and redesigned suburban settings.

Residents “don’t necessarily want the total urban experience but they do want to live closer to shopping and transit,” said study co-author Reid Ewing, professor at the U’s Department of City & Metropolitan Planning.

The findings were published online Monday in the journal *Housing Policy Debate*. They were based on polling of 1,227 households across Salt Lake, Utah, Davis and Weber counties, conducted in conjunction with a travel-pattern survey.

Ewing’s co-authors were U. doctoral student Guang Tian and William Green, professor of economics at NYU’s Stern School of Business.

Ewing said researchers wanted to gauge residential sentiments toward smart growth in a politically conservative state where car-centered suburban sprawl tends to be viewed more positively.

The results come as Utah navigates the prospect of

doubling its population by 2040, a scenario forcing debate about how municipal planning might better shape the state’s future.

Several area cities have sought to create population clusters and higher-density housing in town centers, built around transit stations in hopes of reducing car usage and air pollution. West Valley City, Draper and South Jordan all have explored development of transit-focused residential and commercial centers.

“Now we have evidence that the public wants them,” Ewing said.

The study also emerges amid a historic boom in multifamily-housing construction along the Wasatch Front as younger residents eschew traditional homeownership and mortgage debt in preference for rental apartments, town homes and condominiums.

Overall, respondents said they favored residential choices that put them close to work and amenities, on walkable streets and in proximity to public transit.

Not surprisingly, tastes

differed for various demographic groups.

Young adults without children — including 20- and 30-somethings known as millennials — placed a higher premium on living less than three miles from their workplace. Families with kids tended to value neighborhoods of single-family homes, close to public transit. Retired residents, dubbed empty nesters, favored a mix of housing types.

But across all groups, respondents placed the highest value on having parking available in their own driveway or garage.

“We’re pretty auto-centric,” Ewing said, “but the importance of parking did surprise me.”

The study is consistent with other surveys in recent years, planning officials said.

“We’re finding people want places to be walkable and they want more transit and more housing options,” said Ari Bruening, chief operating officer for the regional planning group Envision Utah. “But they also don’t want to give up their cars.”

