

FARMINGTON CITY, UTAH

ORDINANCE NO. 2026 - 37

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 11, PLANNING AND ZONING, TO REMOVE REFERENCE TO THE SPARC (SITE PLAN ARCHITECTURE REVIEW COMMITTEE), MODIFY REQUIREMENTS FOR POSTING A BOND IN RELATION TO A DEMOLITION, AND UPDATE PROVISIONS RELATED TO THE PLANNING COMMISSION BASED ON STATE LAW REQUIREMENTS.

WHEREAS, the Planning Commission held a public hearing in which the text changes proposed to the Zoning Ordinance were thoroughly reviewed and recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council has also reviewed the proposed amendment and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

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

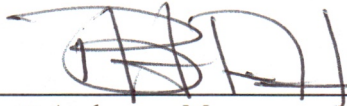
Section 1. Amendment. The specific sections identified in Exhibit A attached hereto are amended as identified

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon passage by the City Council.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 1st day of September, 2026.

FARMINGTON CITY



Brett Anderson, Mayor

ATTEST:



DeAnn Carlile, City Recorder

Exhibit A

11-3-010: PLANNING COMMISSION:

There is hereby created, pursuant to Utah Code Annotated sections 10-20-301 et seq., as amended, a planning commission of the city to recommend and monitor the planning and development of the city, whose primary duty shall be to act as an advisory commission to the city council on all matters pertaining to planning and zoning. The planning commission shall be known and may be referred to as the Farmington City planning commission.

11-3-020: MEMBERS:

~~A.~~ ~~—A.—~~ Number: The planning commission shall be comprised of seven (7) members, who shall be appointed by the mayor with the advice and consent of the city council.

~~A.B.~~ Appointment Procedure: The Mayor shall submit the name of a candidate to the city council for their consideration and consent.

~~B.C.~~ Terms: The members shall be appointed to staggered terms of four (4) years; provided, that members may be appointed to terms shorter than four (4) years when necessary to provide for staggered terms and efficient operation of the commission. Typically members serve 1 term; ~~however;~~ Members may be reappointed for successive terms; 1 successive term.

~~C.D.~~ Alternate Members: Two (2) alternate members may be appointed by the mayor, with the advice and consent of the city council. An alternate member may take the place and serve in the same capacity as a regular member in the event that a regular member is absent from a meeting. Alternate members shall serve for terms of one year, which may be renewed annually at the discretion of the mayor, with the advice and consent of the city council.

~~D.E.~~ Removal: The members shall serve at the pleasure of the city council, and the mayor-city council may remove any member of the planning commission ~~upon majority vote of the city council, with or without cause for any reason, including the following:-~~

i. Cause:

- a. using public funds for a political purpose under Title 20A, Chapter 11, Part 12, Political Activities of Public Entities Act;
- b. violating a provision of Title 10, Chapter 3, Part 13, Municipal Officers' and Employees' Ethics Act; and/or
- c. acting with the intent to influence a land use decision or an appeal of a pending land use application in a manner that creates actual impermissible bias or an unacceptable risk of impermissible bias in the planning commission member's administrative or quasi-judicial duties;
- d. A finding of censure by the Commission.

ii. Exception:

- a. ~~a~~A planning commission member is not subject to removal due to deliberating about a specific pending land use application in a planning commission meeting with municipal staff, an elected official, or the land use applicant ~~is not cause for removing a planning commission member from the planning commission;~~

F. Recusal: Members of the Planning Commission shall recuse themselves from deliberating or voting on land use applications when:

- i. the application poses a conflict of interest for that Planning Commission member of sufficient magnitude that a reasonable person's decision on the application would be influenced by the conflict ~~with that member of the Planning Commission.~~

~~EG.~~ Vacancy: A vacancy occurring on the planning commission by reason of death, resignation, removal or disqualification, shall be promptly filled by a replacement appointed by the mayor, with the advice and consent of the city council, for the unexpired term of the replaced member.

~~FH.~~ Compensation: The city council may fix per diem compensation for the members of the planning commission, based upon necessary and reasonable expenses and on meetings actually attended by the members.

~~GI.~~ Status: The members shall be deemed "volunteers" for purposes of city ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah governmental immunity act as set forth in Utah Code Annotated section 63G-7-101 et seq., as amended.

11-3-030: ORGANIZATION AND PROCEDURE:

The planning commission shall be organized and exercise its powers and duties as follows:

A. Chair: The planning commission shall elect one of its members as chair to oversee the proceedings and activities of the planning commission and one of its members to act as vice chair to assist the chair and to act as chair in the event the chair is unable to attend a meeting or act for any reason. The chair and vice chair shall serve for a term of one year. The chair or vice chair acting as the chair shall have the power to vote on all matters. The chair and vice chair may be elected for successive terms.

B. Rules: The Planning Commission may adopt reasonable policies and procedures for governing the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission. Such policies and procedures shall be approved by the City Council before taking effect.

C. Meetings: The Planning Commission shall generally meet in person but may conduct an electronic meeting on the first and third Thursday of each month at the hour of seven o'clock (7:00) P.M., and/or such other times as deemed necessary by the Chair, City Manager or City Council. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended. Written minutes of all meetings of the Planning Commission shall be prepared and filed in the Office of the City Recorder for review and access by the public in accordance with the City government records access and management ordinance.

D. Quorum: No official business shall be conducted by the Planning Commission unless a quorum of the members is present. Four (4) members or alternate member of the Planning Commission shall constitute a quorum. While participation in person is preferred, members may also participate remotely via electronic communication as necessary. Unless otherwise provided by law or City ordinance, the minimum number of yes votes required for the Planning Commission to take action on any matter shall be by majority vote of the members of the quorum present. The concurring vote of four (4) members is necessary to reverse any order, requirement, decision or determination of any administrative official or agency or to decide in favor of the appellant.

11-3-040: FUNCTIONS AND DUTIES:

It shall be the function of the Planning Commission to oversee the proper development of property within the City in accordance with pertinent City ordinances and provisions of Utah Code Annotated title 10, chapter 9a, as amended. The duties of the Planning Commission shall include, but shall not be limited to, the following:

A. Prepare and recommend a General Plan, street plan, zoning map, zoning ordinances, and any other relevant proposals or recommendations to the City Council for the proper development of property within the City;

B. Prepare and recommend any additions, changes or amendments to the City's General Plan, street plan, zoning map, zoning ordinances or other relevant items to the City Council for the proper development of the City;

C. Administer the provisions of the zoning ordinances;

D. Recommend subdivision ordinances and regulations and amendments thereto to the City Council;

E. Review non-conventional subdivision applications;

F. Advise the City Council on matters requested by the City Council;

G. Hear or decide any matter that the City Council designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;

H. Prepare and recommend programs for public improvements and the financing thereof to the City Council; and

I. Exercise any other powers that are necessary to enable the Planning Commission to perform its function or that are delegated to it by the City Council.

11-3-060: RULES OF ORDER

These rules are for the order and convenience of the Planning Commission and shall not be interpreted to provide an independent basis for invalidating or in any way altering a final decision of the Commission unless otherwise provided by City Ordinance or State Code. All regular meetings of the Farmington City Planning Commission shall be conducted according to these rules where these rules so provide.

I. GENERAL PROVISIONS

1. Basic Principles

- a. Equality of Members – As the Planning Commission conducts its affairs in accordance with these rules, each member has the same rights, privileges, and duties as any other member.
- b. Freedom of Discussion – The right to be heard and to hear what others have to say about a motion before voting on it is basic to intelligent group action.
- c. One Main Motion – Only one main motion may be considered at any given time.
- d. Members Right to Know – Members have a right to know at all times what the immediately pending motion is and to have it restated before any vote is taken.
- e. Meeting Properly Called – The Planning Commission may take official action only in meetings properly called and with a quorum of members present.
- f. Actions Must Be Lawful – Actions taken by the Planning Commission must be in accord with City Ordinance and State and Federal Law

2. Seconding Motions

All motions of the Commission shall require the second except:

- a. A motion to amend the amendment;
- b. A motion to adjourn; or
- c. A motion to withdraw.

3. General Consent

A formal vote shall be taken on all main motions. The formal vote shall include a second (when required), the polling of each eligible member, and the recording of votes by the secretary. For all motions other than a main motion, at the discretion of the Chair, the Chair may call for approval of the Commission by verbally polling the Commission for any objections. If there is an objection from any member of the Commission, the motion shall be put to a formal vote.

4. Making the Motion

A motion may be made by any member of the Commission except the Chair or, in his/her absence, the Vice-Chair. Each motion proposed must be recognized by the Chair.

5. Debate on a Motion

Except as otherwise provided by these rules, all motions shall be subject to debate by the Commission only after a second to the motion has been made and accepted by the Chair (where a second is required). Where no second is required, debate on the motion may begin immediately after the motion is accepted by the Chair.

6. Duties of the Chair

- a. The Chair shall conduct all meetings of the Commission and shall have the power to administer the rules at each meeting of the Commission in a manner not inconsistent with these Rules, City Ordinance, or State Law.
- b. The Chair should, to the extent practical, remain impartial.
- c. Whenever the Chair rules a motion out of order, he or she should explain why it is out of order and advise the mover when it would be in order, or how the mover's intent, if known, might be accomplished by use of another procedure. "Out of Order shall mean any motion that does not comply with these rules and Roberts Rules of Order as incorporated herein by reference.

- d. No member of the Commission, applicant, witness, or any other individual should speak in an open meeting of the Commission without first being recognized by the Chair. This rule may be specifically set aside by the Chair as the circumstances may require.

7. Disciplinary Measures

- a. Disturbance by Parties other the Commissioners. If, during any meeting of the Commission any party other than a Commission causes any disturbance so as to upset the orderly conduct of the business of the Commission, the Chair shall invite the offending party(s), after appropriate warning, to leave the meeting. “Appropriate Warning” should include a clear statement to the offending party(s) indicating that they are “out of order,” stating the specific reason why they are out of order, and specifically what they may do to bring their actions into order. If the offending party(s) continue the disturbance, the Chair shall invite the offender(s) to cease and be seated or to leave the meeting, depending on the seriousness of the disturbance. If the offender(s) refuse to leave, the Chair may order the person(s) removed by the Police Department.
- b. ~~Appeal of~~ Order of Expulsion – The Action to expel any individual is a ruling from the Chair and may only be appealed by only by a ~~any~~ member of the Commission. ~~but not by the non-Commission member~~. If an appeal is not called for, or if the decision of the Chair to expel the offender is upheld by the Commission, the person may be properly excluded from the meeting and in addition be charged with violation of the law where applicable.
- c. Motion to Appeal an Order of Expulsion: – A motion to appeal an order of expulsion shall subject the ruling of the Chair to examination discussion and debate by the other members of the Commission to secure their support for reversal of the ruling. A motion to appeal is debatable and may not be amended or postponed.
- d. Disturbance by Commission Members – Commission members who demand the floor after exhausting their right to debate or who continue to talk without being recognized by the Chair may be dealt with in the following manner.
 - i. A warning from the Chair;
 - ii. A second warning from the Chair;

- iii. The Chair may invite a motion to censure the offending Commission member and or a motion to expel the offending Commissioner. The Chair shall advise that a vote of censure is considered cause for removal from the Commission by the City Council and that it by explaining that this becomes a matter of record in the minutes of the Commission. The offending member shall be permitted to speak in his/her own defense. and the secretary may be called to read examples of offensive remarks that he/she had directed to the record during the proceedings. Members excluded from a meeting by a vote of the Commission, but who refuse to leave, may invite more serious action such as eviction by a police officer and possible criminal charges.

II. MOTIONS

1. **Main Motion** – A Main Motion is the statement of request for action, an idea for evaluation, or the introduction of a resolution stating the Commission’s position on a subject. Main Motions should be clear and concise and should be accompanied by specific facts that support the motion. If the motion is to be based on the requirements of an ordinance, each of the requirements of the ordinance should be addressed in the motion and supported by facts.
2. **Motion for Continuance or Tabling** – A motion for continuance shall be considered a motion to table and vice versa and removes the subject from consideration until a future time or meeting. A motion for continuance may be made by either continuing the matter to a time certain or indefinitely. A continuance to a time certain is preferred since all parties are given actual notice of the time and date that the matter will be heard next. A continuance to an indefinite time in the future would require re-advertising of the matter in order to ensure that all interested parties are informed of the date and time that the matter will be heard again. Any motion for continuance should be accompanied by specific reasons for continuing the matter.
3. **Motion to Withdraw a Motion** – A motion is required to remove a motion which is before the Commission. The member who has made a motion pending before the Commission may move to withdraw that motion at any time prior to the Chair putting the motion to a vote of the Commission. Withdrawal of a second is not necessary. Any member may move to withdraw a motion pending before the Commission prior to the Chair putting the motion to a vote unless there is an objection from any other member of the Commission, in which case the withdrawal of the motion shall be put to a vote.
4. **Motion to Amend a Motion** – A motion may be made to change the wording of a motion pending in order to make it express more accurately what the majority wants it to say. When a motion is pending before the Commission, any member may amend the motion

at any time prior to the Chair putting the motion to a vote provided the motion to amend receives a second and an affirmative vote of the Commission.

5. **Motion to Amend the Amendment** – A motion may be made to change the wording of a proposed amendment to a pending motion. This may be done by motion, no second required, and the Chair may merely ask if there is any opposition. Only if there is opposition does the amendment to the amendment need to be put to a formal vote.
6. **Motion to Rescind** – A motion is required to cancel or make void, the results of a motion passed. A prior motion may only be rescinded when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Commission's action on the motion.
7. **Motion to Reconsider** – A motion is required to call back for further consideration by the Commission any action taken in the same meeting, or in the immediately preceding meeting, for the purpose of reconsidering a motion. If it is determined by the Commission that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or rescinded, the motion shall be put to a formal vote of the Commission.
8. **Motion to Recess** – A motion to recess may be made to break for a specific purpose while also stipulating a time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

III. VOTING

An affirmative vote of a majority of the members of a quorum shall decide any matter under consideration in accordance with Section 11-3-030(d) of the Farmington City Zoning Ordinance.

1. Decisions

Decisions of the Commission which are not recommendations to the City Council and for which approval or ratification are required shall be considered final, for the purposes of any appeal, at the end of the meeting at which the matter is heard and a decision rendered. The Zoning Administrator shall send a written notification or email of the decision to the applicant within a reasonable time after the date such decision was made. Such notification shall include the reasons for the Commission's decision.

2. Re-Hearing

The Commission may re-hear an application upon written request by the applicant and a showing that there is substantial new evidence that was unavailable at the time of the original hearing through no fault on the part of the applicant. The Commission shall, by majority

vote, make a determination as to whether or not to reconsider its prior decision. In the event a re-hearing is approved, the matter shall be considered only after notice has been given in the same manner as was given for the original application. The applicant shall pay any costs incurred in re-advertising the hearing.

3. Tie Vote

In the event of a tie vote on any decision before the Commission, the motion shall fail and the Chair may ask for another motion. If no other motion is made, or in the event the second motion also ends in a tie vote, the matter shall be continued until the next regular meeting of the Commission. In the event that a final decision is not made at the next meeting, the application shall be deemed denied and the applicant shall have a right to appeal as provided in the Farmington City Code.

IV. ADJOURNMENT

Any meeting of the Commission may be adjourned by a motion from any member and an affirmative vote of the Commission. The Chair shall also have the power to adjourn a meeting where there is no objection from any other member and where all business items and orders of the day have been completed.

11-3-070 POLICIES AND PROCEDURES

FARMINGTON PLANNING COMMISSION **POLICIES AND PROCEDURES**

I. PURPOSE

These policies and procedures are designed and adopted for the purpose of providing guidance and direction to the members of the Farmington Planning Commission in the performance of their duties. The Planning Commission shall be governed by the provisions of all applicable State Statutes, City Ordinances, and these policies. Nothing in these policies shall be interpreted to provide an independent basis for the invalidation or alteration of a final decision of the Commission unless otherwise provided by City Ordinance or State Law.

II. OFFICERS AND DUTIES

Election of Officers – The Planning Commission shall annually elect a Chair, Vice-Chair, ~~and representative to the Board of Adjustment~~ at its last meeting of the calendar year. The officers and Board Member shall be elected from the duly appointed members of the Commission by a majority of the total membership and may be elected for subsequent terms. Terms of office shall be from January 1st to December 31st of the year following the election.

The Chair shall preside over all meetings and hearings. The Chair shall have the same rights, privileges, and duties as any other member, including the right to vote on any matter before the Commission. The term “Chair,” as used throughout this document, shall mean the Chair of the Planning Commission, or in the absence or incapacity of the Chair, the Vice-Chair unless otherwise designated. In the event that the Chair is only able to participate remotely, the Vice-Chair shall preside over meetings unless all meeting participation is conducted remotely. In the event the Planning Commission is scheduled to meet and the Chair or Vice-Chair is unable to conduct the meeting, the meeting may continue with the presence of a quorum who shall elect a Chair Pro-Temp to preside over that meeting. Selection of a Chair Pro-Temp requires a nomination and a simple majority vote.

The Chair shall execute official documents and letters on behalf of the Commission. In the absence of the Chair, the Vice-Chair may fill this role. The Community Development Director or designee may execute time sensitive documents on behalf of the Planning Commission to formalize an action taken in a public meeting.

III. MEETINGS

- 1. Time and Place of Meetings** – Regular public meetings of the Planning Commission will generally be held on the first and third Thursday of each month at 7:00 p.m. in accordance with Farmington City Code Section 11-3-030 (C). In person meetings will be held in the City Offices located at 160 South Main Street when there is business to conduct unless otherwise noted on the agenda. A preparation meeting may be held prior to regular meetings, typically starting at 6:30 p.m. This preparation meeting is still a public meeting and the start time of the preparation meeting must also be published on the agenda. As determined by the Chair or City Staff, meetings may be held to facilitate participation either entirely or partially via remote electronic means.
- 2. Special meetings** may be called by the Chair, or upon an affirmative authorization of at least four members of the Commission.
- 3. Open to the Public** – All meetings of the Planning Commission are open to the public unless closed pursuant to law.
- 4. Public Comment.** - Any person wishing to address the Commission for items listed as Public Hearings will be recognized when the Public Hearing for such agenda item is opened. At such time, any person, as recognized by the Chair, may address the Commission regarding the agenda item. Each person will have up to three (3) minutes. The Chair, in its sole discretion, may reduce the speaker time limit uniformly to accommodate a large number of speakers. The Chair, in its sole and absolute discretion, may allow additional time to any speaker should it be deemed reasonable to do so. The allotted time for each individual for public comment is personal to each such individual

and may not be ceded, aggregated or shared with any other individual.

5. **Order of Business** – Applications submitted to the Planning Commission shall appear on the agenda in such order as City staff may deem appropriate giving due consideration for the amount of time each item is anticipated to require. The following are examples of items that may appear on the Commission's agenda. This list is not exclusive:

- a. Approval of Minutes;
- b. City Council Report
- c. Subdivision and Planned Unit Development applications – hearings and decisions;
- d. Master Plan and Zoning Amendment applications – hearings and decisions;
- e. Conditional Use / Site Plan review applications – hearings and decisions.
- f. Annexation applications;
- g. Zoning Text Changes – hearings and decisions;
- h. Other Business;
- i. Adjournment.

The Chair may change the order of business or consider matters out of order if there is no objection from any member of the Commission, or by majority vote of the Commission.

6. **Presentation of Application** – Staff shall present the application. The applicant is then invited to offer written or oral comments and clarification if needed. An applicant may represent themselves in person or remotely, and is not subject to three-minute time limits imposed on members of the public. The applicant may also choose to be represented by an attorney or other authorized agent at any meeting of the Commission, and the representing party may participate in person or remotely.

7. **Order of Procedure** – Except as otherwise provided in these rules, the order of procedure in the hearing of each application shall be as follows:

- a. Staff makes presentation;
- b. Applicant offers written or oral comments and clarification if needed;
- c. Public provides comments;
- d. Applicant given opportunity to answer comments and provide additional information;
- e. Public hearing is closed by the Chair.
- f. Discussion by the Commission

The Chair may change the order of procedure if there is no objection from any member of the Commission or by majority vote of the Commission.

IV. NOTICE

In order to make residents of the City more aware of the various hearings conducted by the Planning Commission, and particularly those residents or businesses which may be affected by changes in land use, procedures are established below for notification of affected property owners. These notice provisions are provided as a courtesy to these property owners and are not intended to subject the City to a greater notice requirement than required by Federal or State Law. Failure of any person to receive notice shall not invalidate, or serve as basis for appeal, of any Planning Commission decision.

1. Meetings – The Planning Commission shall give public notice at least once each year of its schedule for all regular meetings scheduled for that year specifying the date, time, and place of such meetings. In addition to public notice of the Planning Commission’s annual meeting schedule, the Planning Commission shall give not less than 24 hours’ public notice of the agenda, date, time, and place of each of its public meetings. Public notice shall be provided by:

- a. Posting written notice:
 - i. at the Farmington City Offices, 160 South Main Street; and
 - ii. on the City’s website; and
 - iii. on the Utah Public Notice Website (www.pmn.utah.gov); and
- b. In addition to the required notice above, reasonable effort shall be made to provide notice via relevant social media platforms such as (e.g. Facebook, Instagram).

2. Special Emergency Meetings – When, because of unforeseen circumstances, it is necessary for the Planning Commission to hold an emergency meeting to consider matters of an urgent nature, the notice requirements as listed above may be disregarded and the best notice practicable given. No such emergency meeting of the Planning Commission shall be held unless an attempt has been made to notify all of its members and a majority votes in the affirmative to hold the meeting. (Utah Code Ann. 52-4)

3. Legislative Consideration (Recommendations to the City Council) –
Example Items: Planned Unit Developments and Zoning Map Amendments

a. Applications for items which are legislative in nature and require a recommendation from the Planning Commission to the City Council shall be noticed prior to the meeting in the following manner:

i. Applications shall be identified by name on the Planning Commission agenda;

ii. Zoning Map Amendments/Planned Unit Developments

The City Planner shall notify all property owners within 300 feet from the boundaries of the affected property, by mail, of any meeting where a

public hearing is required by state law or local ordinance. At the discretion of the City Planner, and with the concurrence of the Chair, the mailing area may be extended beyond 300 feet from the subject property in order to notify additional parties. The mailing area may also be extended by a majority vote of the Commission;

iii. Ordinance Amendments

The City Planner shall cause that notice be posted in accordance with applicable state law and local ordinances.

iv. General Plan Amendments

The Planning Commission shall prepare and/or review all proposed amendments to the City General Plan and shall hold a public hearing on such proposed amendments. After the public hearing, the Planning Commission shall make any changes to the proposed amended Plan and forward its recommendations regarding the same to the City Council for its consideration. Notice of the public hearing before the Planning Commission on the proposed amended General Plan amendments shall be provided in accordance with City Ordinances and State Law regarding the same.

- b. Other meetings at which a legislative matter will be considered need not be noticed by individual mailing, but shall be identified by name on the agenda:
 - i. More than one public hearing for the same item may be required when determined to be appropriate by majority vote of the Commission.
 - ii. Significant alteration of an application may also merit an additional hearing(s) as determined by the City Planner, and with the concurrence of the Chair or by majority vote of the Commission:
- c. The City Planner shall send a letter or email to the applicant within a reasonable time after the final recommendation of the Planning Commission indicating the action taken on the application.

4. Administrative Consideration—

- a. Applications which are considered administrative in nature including Conditional Use approval, Subdivisions, and Special Exceptions, shall be noticed prior to the meeting in the following manner when city code requires that a public hearing is applicable:
 - i. Applications shall be identified by name on the Planning Commission agenda;

- ii. The City Planner shall notify all property owners within 300 feet from the boundaries of the affected property, by mail, of the meeting at which the application will be considered. At the discretion of the City Planner, and with the concurrence of the Chair, the mailing area may be extended beyond 300 feet from the subject property in order to notify additional parties. The mailing area may also be extended by a majority vote of the Commission;
- b. The City Planner shall send a letter or email to the applicant within a reasonable time after the final decision of the Planning Commission indicating the action taken on the application.
- c. The notice procedure for a new Conditional Use application shall also be followed if it becomes necessary to commence proceedings to revoke a Conditional Use Permit. Revocation of any Conditional Use: Noticing requirements for Revocation of Conditional use shall be the same as for those required to grant a Conditional Use.

5. Other

- a. **Street Dedication, or Major Street Plan Amendment** – Notice shall be provided in the following manner:
 - i. An application for a street name change, Major Street Plan change, or street dedication shall be identified by name on the Planning Commission agenda.
 - ii. The City Planner shall notify all affected utilities of the date of the hearing and the proposed change;
 - iii. The City Planner shall mail notice to all owners-of-record of land abutting the street on which the change or dedication is proposed and may also publish such notice on the City's webpage and the Utah Public Meeting Notice website within a reasonable time prior to the meeting date.
- b. **Vacation of Alleys or Streets** – No requirement exists in State Law for sending street and alley vacations to the Planning Commission for a recommendation. If the City Council determines that a recommendation from the Commission is desirable, then notice shall be given in the following manner:
 - i. An application for a street or alley vacation shall be identified by name on the Planning Commission agenda;

- ii. The City Planner shall notify all affected utilities of the date of the hearing and the proposed change;
- iii. The City Planner shall mail notice to all owners-of-record of land abutting the street on which the change is proposed and may also publish such notice on the City's webpage and the Utah Public Meeting Notice website within a reasonable time prior to the meeting date.
- iv. At the discretion of the City Planner, and with the concurrence of the Chair, the mailing area may be extended in order to notify additional parties. The mailing area may also be extended by a majority vote of the Commission.

V. APPLICATION REQUIRED

An application for approval of any land use as provided in the City Code and for which Planning Commission approval is required may not be heard by the Planning Commission unless an application form is adequately filled out and accompanied by the appropriate fee and required plans drawn to scale with dimensions clearly indicated and with sufficient detail and clarity to show what is being requested. Applications must be received at least two weeks prior to the meeting at which they will be considered.

VI. RECORDS

1. **Written Minutes** – Written minutes shall be kept of all Planning Commission meetings. Such minutes shall include:

- a. The date, time, and place of the meeting;
- b. The names of members present and absent;
- c. The substance of all matters proposed, discussed, or decided, and a record, by individual member, of the votes taken.

The minutes are public records and shall be available within a reasonable time after the meeting. An official copy of the minutes shall not be made available until after formal approval by the Commission.

2. **Recording** – All proceedings of the Planning Commission shall be electronically recorded and the audio recording retained in the office of the City Planner for a minimum of six months following the meeting at which the recording was made. Such recordings may be used in the event a Commission Member misses a meeting and wishes to qualify to vote on a particular item, or if it is necessary to produce a verbatim transcript of all, or

part, of a meeting.

3. ~~A~~ No recording of all or any part of a Planning Commission Meeting may be made by any person other than the official recording referenced above.in attendance provided that the recording does not interfere with the conduct of the meeting.

VII. RULES OF ETHICAL CONDUCT

1. Definitions – The following definitions shall apply to this section:

- a. **Assist** means to act, offer, or agree to act, in such a way as to help, represent, aid, advise, furnish information to, or otherwise provide assistance to a person or business entity.
- b. **Business Entity** means a sole proprietorship, firm, partnership, association, joint venture, trust, corporation, foundation, or other organization or entity used in carrying on a business.
- c. **Compensation** means anything of economic value which is paid, loaned, granted, given, donated, or transferred to any person or business entity for, or in consideration of, personal services, materials, property, or any other thing whatsoever.
- d. **Substantial interest** means ownership, either legal or equitable, by an individual, a spouse, or minor children, of at least 10% of the outstanding shares of a corporation or a 10% interest in any other business entity.

2. A Commission member shall not:

- a. Disclose confidential information acquired by reason of his/her official position or use such information to secure special privileges or exemptions for him/herself or others;
- b. Use, or attempt to use, his/her official position to secure special privileges for him/herself or others;
- c. Knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift or loan for him/herself, or another, if the gift or loan tends to influence him/her in the discharge of his/her official duties, except for:
 - i. An occasional nonpecuniary gift having a value of less than \$50.00;
 - ii. An award presented publicly;
 - iii. Any bona-fide loan made in the ordinary course of business;

iv. Political campaign contributions actually used in a political campaign.

d. Participate in any Commission action which may result in a private benefit;

i. The private benefit may be direct or indirect, create a material, personal gain, or provide an advantage to relations, friends, groups, or associations which hold some share of a person's loyalty. However, mere membership in a group or organization shall not be considered a conflict of interest unless a reasonable person would conclude that such membership in itself would prevent an objective consideration of an issue.

ii. A Commission member experiencing, in his/her opinion, a conflict of interest, shall declare this interest publicly, abstain from voting on the action, and shall be excused from his/her seat on the Commission during consideration of the action. He/she should not discuss the matter privately or publicly with any other Commission member. The vote of a Commission member experiencing a conflict of interest who fails to disqualify oneself shall be disallowed.

iii. A conflict of interest may exist under these rules even though a Commission member may not believe he/she has an actual conflict. A Commission member who has a question as to whether a conflict exists should raise the matter with the other members and the City Attorney in order that a determination may be made.

3. **Compensation** – a. A Commission member shall not receive or agree to receive compensation for assisting any person or business entity in any transaction connected with an action being considered by the Commission or which may come before the Commission.

b. Any Commission member who is an officer, director, agent, employee, or owner of a substantial interest in any business entity which does, or anticipates doing business with the City shall disclose the nature of his/her interests in that business entity prior to any discussion by the Commission of any matter concerning such business entity.

c. Any personal investment by a Commission member which creates a substantial conflict between the Member's personal interests and his/her public duties shall be fully disclosed.

11-4-050: DUTIES OF THE ZONING ADMINISTRATOR:

F. Administrative Determination For Uses Not Listed: Determination as to the classification of uses not specifically listed in chapters 10 through 26 of this title may be made by the zoning administrator:

1. An application requesting such determination shall be filed with the zoning administrator. The application shall include a detailed description of the use and other such information as may be required.

2. The zoning administrator shall make such investigations as are deemed necessary to compare the nature and characteristics of the proposed use with those of uses specifically listed in this title and shall make a determination of its classification based on his investigations. The determination shall state the zone classification(s) in which the use will be allowed and whether the use will be a permitted use or a conditional use in the zone(s).

3. The determination and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the planning and zoning department.

4. For a use which is determined by the zoning administrator to be a new or unlisted business use which the zoning administrator determines not to that cannot be classified as a permitted or conditional use based on similarity to existing uses identified in a zoning district, an applicant may submit an application for review by the City Council requesting that a land use ordinance be adopted which permits the new or unlisted business as a permitted or conditional use. The City Council's consideration and determination of this application shall comply with the provisions of section 10-20-507(2) of the Utah Code. This type of application shall not be brought before presented to the Planning Commission for a consideration or recommendation.

11-6-050: ~~REQUIRED COMMENCEMENT OF CONSTRUCTION~~ RESERVED:

~~Except as otherwise provided in writing by the city council, any rezone approval initiated by an interested party other than the city shall be conditioned upon commencement of actual construction or improvements on the affected property or the actual occupancy and utilization for the use of the proposed development upon the affected property within two (2) years from the date of such approval. If the applicant fails to commence such construction or improvements, or any other conditions imposed by the city council, to the satisfaction of the city, within the required time frame, the property's zoning classification and zone district shall automatically, and without further notice or hearings thereon, revert to its prior zoning classification and district. For purposes of this section, "commencement of actual construction or improvements" shall mean that the city has either inspected and approved completion of all~~

~~designated improvements or the city has inspected and approved completion of construction of all footings of the proposed development or structure on the affected property.~~

11-10-010: PURPOSE:

D. All lands within agricultural zones are intended, to some extent, for either private or commercial agricultural production, farming, protection of environmentally sensitive areas and/or open space. Owners, occupants and users of these properties, or neighboring properties, may be subjected to inconvenience, discomfort and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations, including, but not limited to, noise, odors, dust, the operation of machinery, including crop dusting aircraft, the storage and disposal of manure, and the application of fertilizers, soil amendments, herbicides and pesticides. Owners, occupants and users of these properties, or neighboring properties, should be prepared to accept such inconveniences, discomfort and possibility of injury from normal agricultural operations and are hereby put on official notice that Utah Code Annotated section [78B-6a-404](#)~~78B-6-1104~~, as amended, may bar them from obtaining a legal judgment against such normal agricultural operations.

11-18-070: DEVELOPMENT REVIEW PLAN:

B. 4. Review, Recommendation Decision And Time Frames: Review shall comply with the terms and conditions of the PMP and applicable city ordinances in accordance with the site development review process set forth in chapter 7 of this title and the following standards and criteria. Notwithstanding this, the city planner/zoning administrator~~, and the site plan and architectural review committee (SPARC)~~ will review all applications in the mixed use districts. After adequate review, ~~the SPARC will provide recommendations to the city planner/zoning administrator and~~ an application, or particular phase of review, may be approved, approved with conditions, continued for further study, or disapproved. ~~The SPARC will also provide recommendations to the planning commission for applications that are forwarded to them for review and approval.~~ Appeals of any such decision may be submitted as set forth in this title.

a. Applications that meet one or all of the following conditions will be forwarded to the planning commission for review and approval:

(1) The application includes a structure that exceeds thirty thousand (30,000) square feet in size;

(2) The application is asking for flexibility with the design criteria and development standards of this section, while still meeting the intents and purposes of said criteria and standards;

(3) The application is a planned development area (in excess of 5 acres in size);

(4) The application includes a use or element that requires a special review process.

b. Review at the schematic design phase shall be completed within thirty (30) days after the submission of a complete application to the community development department. The planning office, ~~or the SPARC~~, shall consider any written comments received and make a determination of consistency of the application with adopted plans, the standards and criteria and any applicable rules and regulations and guidelines and shall identify additional design issues to be addressed in the design development phase. After adequate review, the application may proceed to the design development phase of the development plan review process.

c. Review by the community development department at the design development phase shall be completed within thirty (30) days after the submission of a complete application. The planning office shall make a determination of consistency of the application with the adopted plans, standards and criteria and any applicable rules and regulations and guidelines and shall make a recommendation to the city planner/zoning administrator ~~or the SPARC~~. The city planner/zoning administrator shall have fifteen (15) days to approve, approve with conditions, continue for further study, or deny the application; or determine if review by the planning commission is necessary according to the conditions stated above.

d. Review periods may be extended by an amount of time equal to any delay caused by the applicant or by failure of the applicant to obtain comments from related reviewing entities and delivering these comments to the community development department, or with the applicant's consent.

e. Any person or entity with standing aggrieved by the decision of the city planner/zoning administrator and/or the planning commission in the administration of this development plan review process may appeal such decision as provided in chapter 3-7 of this code.

11-27-090: FINAL PUD MASTER PLAN:

A. Submittal: Following the public hearing on a preliminary PUD Master Plan and prior to designation of a planned unit development, in combination with an underlying zone, the final PUD Master Plan shall be submitted to the City Planner. Any failure to submit a final PUD Master Plan on the proposed planned unit development or any portion thereof within one year of the approval of the planned unit development designation and the preliminary PUD Master Plan

shall terminate all proceedings and render the proposed planned unit development null and void. Termination of proceedings and expiration of the preliminary PUD Master Plan shall take effect only if the requirements related thereto have changed during the year following its approval, otherwise the PUD Master Plan shall remain valid for a period of 3 years.

11-27B-020: STANDARDS AND REQUIREMENTS:

C. ~~Applicable z~~oning regulations of the underlying zone shall apply except as otherwise set forth in an AP District, which shall be as established by the General Development Plan and Development Agreement and may include:

2. Minimum development area or lot size, ~~which may not be less than allowed in the underlying zone;~~

11-27B-060: TIME LIMIT:

Unless there is substantial action leading toward completion of an AP District or an approved phase thereof within a period of twelve (12) months from the date of approval, ~~as determined by the City Council~~ except as otherwise established by the development agreement, such approval shall expire, unless, after reconsideration of the progress of the project, an extension is approved by the City Council.

11-28-120: TEMPORARY USE OF LAND AND STRUCTURES:

D. Administrative Review Process:

1. Uses: The following uses may be reviewed and approved by the city planner:

- a. Christmas tree lots;
- b. Construction trailers;
- c. Fireworks stands;

~~d. Model home shows;~~

~~ed.~~ Temporary offices;

~~fe.~~ Uses related to natural disasters;

~~gf.~~ Warehouse sales.

11-28-170: PUBLIC IMPROVEMENTS REQUIRED:

No building, electrical or plumbing permit shall be issued for any building or structure, and no conditional use permit or site plan approval shall be given, if the property in question abuts a public street, unless one of the following ~~three (3)~~ alternative requirements is satisfied with respect to the property in question. Which of the alternatives is selected for specific property shall be decided by the city administration, after the owner or developer of the property in question has received an opportunity to express their preference. For purposes of this section, the "property in question" includes all real property adjacent to the site to be developed, which is owned by the same person, or by a corporation or other entity in which that person has an interest, or by a relative, partner, agent or trustee of that person. The alternative requirements are as follows:

A. Alternative A: The property in question has curb, gutter and sidewalk along the full length of the side abutting the public street.

B. Alternative B: The property owner in question agrees in writing to provide curb, gutter and sidewalk along the full length of the side abutting the public street, and that agreement is secured by a deposit in a Utah bank, which deposit the city may withdraw in the event of a default by the owner or developer. The amount of the deposit shall equal the city engineer's estimate of the cost of installing curb, gutter and sidewalk as required, together with an additional ten percent (10%) of that amount to cover contingencies. The agreement and deposit shall be substantially similar to the agreements and deposits used by the city for subdivision improvements.

~~C. Alternative C: The owner of the property in question enters into a satisfactory written agreement that runs with the land that grants a temporary extension of time for which to complete the required improvements, conditioned upon and subject to the promised future performance by the owner. If the owner fails to make said requirements, at no cost to the city, within ninety (90) days after having been requested in writing by the city to do so, the city may construct and install the required improvements and charge the cost thereof to the owner. Any such charge shall constitute a lien on the property.~~

11-28-230: DEMOLITIONS:

D. Issuance Of Demolition Permit For A Main Building:

1. Except as otherwise provided in subsection D4 of this section, a demolition permit shall be issued only upon compliance with subsections D2 and D3 of this section, if applicable, and if:

a. ~~The A complete building permit application to replace the building or structure proposed for demolition has been submitted to the Community Development Department; and in the case of a replacement building for a dwelling, the building permit must be issued and the City must receive~~ a cash, letter of credit, escrow, or property performance bond in a form acceptable to the City equal in amount to the valuation, as determined by the building official, of the ~~replacement building costs associated with clearing debris from the demolition site and rendering the site safe after demolition, except for property bonds which must be at least equal in value to the subject property including any existing on-site accessory buildings (but need not exceed the value of the new building); or~~

11-33-100: EXCEPTIONS:

In cases where unusual topographical or other exceptional conditions exist which qualify for a variance, ~~variations and exceptions from this chapter may be made by the Farmington City council~~ such a variance may be reviewed as provided in section 11-5-080 of this Code. ~~Prior to final decision on any variation or exception, the question shall first be referred to the planning commission for its recommendations or suggestions. But the final decision will be made by the Farmington City council.~~

11-35-020: LICENSE REQUIRED:

A. Unless otherwise provided for a low-impact home occupation, ~~it~~ it shall be unlawful for any person or entity to engage in a home occupation in any agricultural or residential zone without first obtaining a home occupation business license to do so from the City Recorder. The procedure to be followed and applicable fees for a home occupation business license are set forth in the business licensing regulations, title 6 of this Code.

B. A low-impact home occupation is a business whose ~~Businesses that do not have~~ combined offsite impacts of the home based business and the primary residential use ~~that do not~~ exceed the impact of the residential use alone. Low-impact home occupation businesses are not required to obtain a license. The city may issue a low-impact home occupation business license to one that ~~but who~~ voluntarily seeks a license ~~it, in which case the business~~ shall pay a licensing fee to cover the cost of issuing the license, as set forth in the City's consolidated fee schedule.

11-36-030: PERMITS:

E. Appeal: Any person whose application for a permit under this chapter has been denied may appeal that denial as provided in chapter 3-7 of this Code.~~request and shall be granted a hearing on the matter before the Farmington City council under the procedure provided by section 11-36-060 of this chapter.~~

11-36-040: LICENSES:

E. Appeal: Any person whose application for a license under this chapter has been denied may appeal that denial as provided in chapter 3-7 of this Code.~~request and shall be granted a hearing on the matter before the Farmington City council under the procedure provided by section 11-36-060 of this chapter.~~

11-18-070: DEVELOPMENT PLAN REVIEW:

2. Application, How Filed And Noticed: All applications shall be filed with the community development department. Such applications shall be reviewed for completeness and, if found to be complete, shall be transmitted to the planning office for review. The community development department shall notify members of the city council and the planning commission of all applications received for the schematic review phase for developments on sites equal to or larger than thirty thousand (30,000) square feet. Such council or commission member may request additional information and may submit written comments to the planning office within twenty (20) days after notice is sent. ~~After an initial review by the city planning office for compliance with the rules and regulations of this chapter, the application shall be transmitted to the site plan and architectural review committee (SPARC) for review.~~

Plans and any accompanying information for each phase of the development plan review process shall be delivered by the applicant to such city departments, special districts, governmental boards, bureaus, utility companies and other agencies, which will need to provide facilities and services to the site, which together constitute the city's development review committee (DRC), for information and comment. The community development department is responsible for coordinating the comments received from all public and private entities, and shall decide which agencies to refer site plans to, but the applicant is responsible for obtaining the comments back from these entities within a reasonable time in a manner and/or form as prescribed by the community development department.

3. Application, Contents: Applications shall contain the following information:

a. Schematic (Concept) Design Phase: Site plan and context photos of the site and immediately adjacent properties, building elevations and other supporting information as requested;

b. Design Development Phase: All information set forth in chapter 7 of this title, except as otherwise provided in this chapter, including, but not limited to, such things as landscaping, lighting, screening and sign requirements, and all items required to make a determination of consistency for the schematic design phase, and other supporting information as requested.

4. Review, Recommendation Decision And Time Frames: Review shall comply with the terms and conditions of the PMP and applicable city ordinances in accordance with the site development review process set forth in chapter 7 of this title and the following standards and criteria. Notwithstanding this, the city planner/zoning administrator ~~, and the site plan and architectural review committee (SPARC)~~ will review all applications in the mixed use districts. After adequate review, ~~the SPARC will provide recommendations to the city planner/zoning administrator and~~ an application, or particular phase of review, may be approved, approved with conditions, continued for further study, or disapproved. ~~The SPARC will also provide recommendations to the planning commission for applications that are forwarded to them for review and approval.~~ Appeals of any such decision may be submitted as set forth in this title.

a. Applications that meet one or all of the following conditions will be forwarded to the planning commission for review and approval:

(1) The application includes a structure that exceeds thirty thousand (30,000) square feet in size;

(2) The application is asking for flexibility with the design criteria and development standards of this section, while still meeting the intents and purposes of said criteria and standards;

(3) The application is a planned development area (in excess of 5 acres in size);

(4) The application includes a use or element that requires a special review process.

b. Review at the schematic design phase shall be completed within thirty (30) days after the submission of a complete application to the community development department. The planning office, ~~or the SPARC,~~ shall consider any written comments received and make a determination of consistency of the application with adopted plans, the standards and criteria and any applicable rules and regulations and guidelines and shall identify additional design issues to be addressed in the design development phase. After adequate review, the application may proceed to the design development phase of the development plan review process.

c. Review by the community development department at the design development phase shall be completed within thirty (30) days after the submission of a complete application. The planning office shall make a determination of consistency of the application with the adopted plans, standards and criteria and any applicable rules and regulations and guidelines and shall make a recommendation to the city planner/zoning administrator ~~or the SPARC~~. The city planner/zoning administrator shall have fifteen (15) days to approve, approve with conditions, continue for further study, or deny the application; or determine if review by the planning commission is necessary according to the conditions stated above.

d. Review periods may be extended by an amount of time equal to any delay caused by the applicant or by failure of the applicant to obtain comments from related reviewing entities and delivering these comments to the community development department, or with the applicant's consent.

e. Any person or entity aggrieved by the decision of the city planner/zoning administrator and/or the planning commission in the administration of this development plan review process may appeal such decision as provided in chapter [3-7](#) of this code.

f. If the applicant does not obtain and maintain a current building permit within six (6) months of any development plan approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the community development director if he or she finds it is the best interest of the city and there are compelling reasons to do so. The applicant 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 approval, including, but not limited to, inspection fees, impact fees, as well as the amounts the city uses to estimate bonds to ensure completion of improvements, have increased, the community development director, after receiving approval from the city manager may require that the bond estimate be recalculated and that the applicant pay any applicable fee increases as a condition of granting the extension.

5. 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:

11-18-080: PROJECT MASTER PLAN:

C. Application And Submittal: The PMP shall be submitted to the community development department for review by the DRC ~~and the SPARC~~.

D. PMP Requirements: In addition to the submittal requirements set forth in any PMP rules and regulations adopted by the city, all PMPs shall include the following information:

3. Development Standards And Design Guidelines: Development standards and design guidelines shall be required for development in the mixed use districts. ~~These will be reviewed by the SPARC and may be approved as part of the PMP process.~~ The PMP may be approved without development standards and design guidelines, but these shall be approved prior to development plan approval for any development project within the PMP area.

F. Review Of PMP: Upon receiving a complete PMP application and pursuant to the distribution process set forth in the development plan review section of this chapter, the applicant shall deliver such applications and obtain comments from the DRC. ~~The community development department shall forward such applications to seek review and obtain comments by the site plan and architectural review committee (SPARC).~~

G. Recommendations: The DRC ~~and SPARC~~ shall prepare recommendations regarding the PMP based on criteria set forth herein and in the PMP rules and regulations. In response to a recommendation from any member of the ~~DRC or SPARC~~, the applicant may revise and resubmit the PMP to the DRC, ~~or the city if the recommendations are from the SPARC~~. The community development department shall obtain recommendations as set forth in the development plan review section of this chapter.

K. Major And Minor Amendments: An approved PMP may be amended at any time using the process set out herein, and may be amended simultaneously with the processing of a site plan application or a site plan amendment. The city planner/zoning administrator shall determine whether a proposed amendment is a "major" or "minor" amendment ~~and may seek a recommendation by the SPARC to make such determination~~. In order to initiate an amendment, the applicant shall submit to the city planner those PMP submission items that would change if the proposed amendment were approved. Review of applications for amendment shall be governed by those criteria set forth for a PMP. Approved amendments shall be recorded as set forth for a PMP.

1. Major Amendments: Major amendments shall be reviewed by the city ~~and the SPARC~~ and approved by the planning commission. Changes of the following types shall define an amendment as major:

a. To significantly modify or reallocate the allowable height, mix of uses or density of a development;

- b. To significantly alter the location or amount of land dedicated to parks, trails, open space, natural areas or public facilities;
- c. To significantly change the location of land use areas as shown on the original PMP;
- d. Any change from, or addition to, the PMP of a type that would require a PMP in a non-TMU district; or
- e. Modify any other aspect of the PMP that would significantly change its character.

2. Minor Amendments: Amendments that are not major amendments shall be termed "minor amendments" and shall be referred to the city planner/zoning administrator for review, who may also refer the application to ~~the SPARC and~~ other departments or agencies for comment using the process set out in this section. The city planner/zoning administrator shall approve, approve with conditions, or deny such amendment within twenty (20) calendar days after the date of applicant's submission of a complete application for amendment. Any person or entity aggrieved by the decision of the city planner/zoning administrator may appeal such decision as set forth in the development plan review section of this chapter.

H. Planning Commission Public Hearing: Upon receipt of a recommendation from the DRC, the planning commission shall hold a public hearing on the proposed project master plan. The planning commission shall approve, approve with conditions, continue the application for further study, or deny the PMP. For applications where the PMP is part of a Development Agreement, the Planning Commission shall make a recommendation to be forwarded to the City Council for review where an official approval or denial will be determined.

11-18-120: MASTER DEVELOPMENT GUIDELINES:

A. Requirements: The developer of each area of land that is designated and mapped on the Farmington City zoning map as a TOD mixed use districts shall prepare and submit master development guidelines (MDG) to be recorded against the property, which MDG shall define the standards for design within the district for architectural controls, open space, buildings, structures, landscaping, lighting, signs and similar external improvements. It is specifically contemplated that development throughout the entire TOD mixed use districts will meet certain development standards that are determined and adopted by the city to assure compatible, high quality development within the TOD mixed use districts, especially in regard to streetscape and landscaping elements, and that such development standards will be incorporated into the master development guidelines for each project. In addition to any other notice provisions set forth in the city ordinances or state law, the city shall be required to provide notice of all pending PMP approvals within a TOD mixed use district area to all property owners within the

same contiguous TOD mixed use district area or within the TMU area identified in the land use master plan to allow comment from such property owners regarding the consistency of any proposed project or master development guidelines with those development standards determined by the City to be applicable to all development within the TOD Mixed Use Districts.

B. Preparation; Submittal: The MDG shall be prepared by the developer and in all cases submitted to the City for review and comment ~~by the SPARC~~ before the City shall grant any approval for any improvements within any mapped zone district under the TOD Mixed Use Districts regulations. All construction in the TOD Mixed Use Districts shall comply with applicable MDGs and common area management plan (CAMP). The MDG and/or CAMP may contain specific lien and other enforcement provisions to ensure adequate compliance. Any requirement of an MDG or CAMP may be more restrictive or require a higher standard or quality than the TOD Mixed Use Districts regulations or development standards determined by the City to be applicable to all development within the TOD Mixed Use Districts.

CHAPTER 29 ANIMALS AND FOWL

11-29-030: GENERAL PROVISIONS:

E. ~~Location Of Accessory~~ Structures:

- i. Animals must be kept within an enclosed area or structure sufficient to contain the animals on site.
- ii. No animal shelter, hay barn, silo, equipment shed, storage building and similar accessory buildings to the agricultural use of land may be located closer than ten feet (10') to any side or rear boundary line.