



FARR WEST CITY PLANNING COMMISSION AGENDA

May 9, 2019 at 6:00 p.m.
City Council Chambers
1896 North 1800 West
Farr West, UT 84404

Notice is hereby given that the Planning Commission of Farr West City will hold a Work Session and its Regular Meeting at 6:00 p.m. on Thursday, May 9, 2019

6:00 p.m. Work Session – Farr West Fiber Committee Presentation

1. Call to Order – Chairman Ted Black
2. Opening Ceremony
 - a. Pledge of Allegiance
 - b. Prayer
3. Business Items
 - a. Report from City Council
 - b. Open public hearings
 - i. Consider amending the conditional uses permitted in the C-2 Commercial zone in the Farr West City Municipal Code
 - ii. Consider the request of a conditional use permit for Marsh Construction located at 3746 North Higley Road
 - c. Motion – Close public hearings and proceed with regular meeting
 - d. Recommendation of amending the conditional uses permitted in the C-2 Commercial zone in the Farr West City Municipal Code
 - e. Recommendation of a conditional use permit for Marsh Construction located at 3746 North Higley Road
 - f. Set a public hearing to consider the request of a conditional use permit for a 2,400 square foot accessory building for Matthew Chugg located at approximately 2272 North 2575 West
 - g. Discussion/Action – Side yard setbacks in residential zones
 - h. Approval of reasons for previous Planning Commission recommendation on Form Based Code
4. Consent Items
 - a. Approval of minutes dated April 25, 2019
5. Chairman/Commission Follow-up
 - a. Report on Assignments
6. Public Comments (*Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a question about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.*)
7. Adjournment

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Recorder at 801-731-4187, at least three working days prior to the meeting. Notice of time, place and agenda of the meeting was mailed to each member of the City Council, posted in the City Hall, faxed to the Standard Examiner and posted on the Utah Public Meeting Notice Website on May 3, 2019.

Lindsay Afuvai
Recorder

A work session and the regular meeting of the Farr West Planning Commission were held on Thursday, April 25, 2019 at 6:00 p.m. at the City Hall. Commission members present were Vice Chairman Lyle Earl, Genneva Blanchard, Lou Best, Bryant Jensen, Craig Browne and Greg Baptist. Ted Black and Steve Hurd were excused. City Council members present were David Jay and Ken Phippen. Staff present was Lindsay Afuvai. Visitors present: see attached list.

6:00 p.m. Work Session – Review Planning Commission Recommendation on Form Based Code

Lyle Earl stated the purpose of this work session is to provide reasons for their previously recommendation given to the City Council on form based code. Lou Best stated there was a list provided with Chairman Ted Black's suggestions but would like to amend the list to more accurately reflect the opinions of the Planning Commission as a whole. The commission then went through and discussed and revised the list provided by Ted Black.

#1 – Call to Order – Vice Chairman Lyle Earl

Vice Chairman Lyle Earl called the meeting to order.

#2- Opening Ceremony

a. Pledge of Allegiance

Greg Baptist led in the Pledge of Allegiance.

b. Prayer

Bryant Jensen offered a prayer.

#3 – Business Items

a. Report from City Council

David Jay reported that the City Council held a work session to go over the Happy Days Subdivision, approved business licenses for APEX Racing and Auto Sales and Armorfish Designs, and granted approval of a conditional use permit for an accessory building for Marta Nimori and preliminary approval of the Happy Days Subdivision. David Jay then stated a discussion was held with Recycled Earth on tipping fees at our current rate and a future contract with them; Greg Baptist and Steve Hurd were then both appointed to the Planning Commission as alternate members. The Council then reported on assignments, paid the bills and adjourned.

b. Set a Public Hearing to consider the request of a conditional use permit for Marsh Construction located at 3746 North Higley Road

Jackson Marsh was present seeking a conditional use permit for Marsh Construction.

GENNEVA BLANCHARD MOTIONED SET A PUBLIC HEARING TO CONSIDER THE REQUEST OF A CONDITIONAL USE PERMIT FOR MARSH CONSTRUCTION LCOATED AT 3746 NORTH HIGLEY ROAD FOR MAY 9, 2019 AT 7:00 P.M. LOU BEST SECONDED THE MOTION, ALL VOTING AYE.

- c. Motion – Request for variance on side setback on corner lot located at 2567 North 2575 West – Kevin Schildhauer

Kevin Schildhauer was present requesting a variance on a side setback for a garage addition. Greg Baptist asked if the city has a forty-foot clear view triangle. Ken Phippen stated there is a clear view triangle but was unsure of the exact measurement. Lou Best stated the Planning Commission is duty bound to follow the city code so they have no option but to deny the request. Mr. Schildhauer asked how other people in the community have been able to get a variance for the same thing. Lou Best stated the Planning Commission has been diligent to stick to the current code requirements. Lou then explained the process that would follow once the request is denied by the Planning Commission. Craig Browne then stated he could also consider requesting a change to the code rather than the request for the variance. Lou stated the Planning Commission is always open to review the code and look at the reasoning and justification for them.

BRYANT JENSEN MOTIONED TO DENY RECOMMENDATION OF THE REQUEST FOR VARIANCE ON A SIDE SETBACK ON THE CORNER LOT LOCATED AT 2567 NORTH 2575 WEST. LOU BEST SECONDED THE MOTION, ALL VOTING AYE.

- d. Approval of reasons for previous Planning Commission recommendation on Form Based Code

CRAIG BROWNE MOTIONED TO TABLE APPROVAL OF THE REASONS FOR THE PREVIOUS PLANNING COMMISSION RECOMMENDATION ON FORM BASED CODE UNTIL A FINAL REVIEW OF THE UPDATED LIST IS COMPLETED. GENNEVA BLANCHARD SECONDED THE MOTION, ALL VOTING AYE.

#4 – Consent Items

- a. Approval of minutes dated April 11, 2019

GENNEVA BLANCHARD MOTIONED TO APPROVE THE MINUTES DATED APRIL 11, 2019. GREG BAPTIST SECONDED THE MOTION, ALL VOTING AYE.

#5 – Chairman/Commission Follow-up

a. Report on Assignments

There were no reports on assignments.

#6 – Public Comments

**Resident(s) attending this meeting were allotted 2 minutes to express a concern or ask a question about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)*

Ken Phippen stated there are land use trainings coming up and would encourage the Planning Commission members to attend.

#7 – Adjournment

AT 7:26 P.M., CRAIG BROWNE MOTIONED TO ADJOURN THE MEETING. LOU BEST SECONDED THE MOTION, ALL VOTING AYE.

Andrea Zweifel, Clerk

Ted Black, Chairman

Date Approved: _____

ORDINANCE NO. 19 - _____

**AN ORDINANCE OF FARR WEST CITY, UTAH AMENDING TITLE 17 OF
THE FARR WEST CITY MUNICIPAL CODE**

WHEREAS, the Farr West City Council finds it is necessary to revise Title 17 of the Farr West City Municipal Code.

NOW THEREFORE, it is hereby ordained by the Farr West City Council that Title 17 of the Farr West City Municipal Code be amended as follows:

Section 1. Chapter 17.36.030 of the Farr West City Municipal Code is amended to include an additional Conditional Use for construction businesses. Chapter 17.36.030 is amended to read as follows:

Chapter 17.36.030 – Conditional Uses

17.36.030 – CONDITIONAL USES

a. Permits for conditional uses shall be authorized only upon recommendation by the planning commission and approval by the city council.

b. The planning commission review of conditional uses shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development in accordance with existing and future needs. In making a recommendation on conditional uses, the planning commission shall consider the existing zoning and use of the surrounding property; the present and future requirements for streets, off street parking, and on street parking in relation to exits and entrances from public streets, pedestrian and vehicular traffic circulation, availability of water and other utilities, and other public requirements. The city council, upon recommendation by the planning commission or on its own motion, may impose reasonable conditions as are necessary to protect the rights of surrounding property owners and tenants and to carry out the purposes of this chapter and characteristics of this zone.

Conditional uses are restricted to the following:

- a. Minor automobile repair and detailing services - Not to include restoration, salvage, storage, or major repair of any kind
- b. Dry cleaning
- c. Hospital, medical, dental, and health services
- d. Light indoor manufacturing with associated retail sales
- e. Motels, hotels, and temporary lodging facilities
- f. Public and quasi-public uses
- g. Warehousing, with at least twenty five percent (25%) of floor space for office

use

- h. Wireless telecommunications facilities (subject to Chapter 17.50 of this title). (Ord. 2010-03)
- i. Construction Businesses, as recommended by the Planning Commission and approved by the City Council.

Section 2 This ordinance shall take effect upon its adoption and publication or posting by the City Council of Farr West City, Utah this _____ day of _____, 2019

MAYOR

ATTEST:

CITY RECORDER

APPLICATION FOR ISSUANCE OF CONDITIONAL USE PERMIT



Date Submitted: 2-20-2019 Applicant Name: Marsh construction
Applicant Address: 325 E 2000 N City: North Ogden State: ut Zip: 84414
Applicant Phone: 801-391-8472 E-Mail: jmarsh@marshconstruction.net

CONDITIONAL USE PERMIT FEE SCHEDULE

\$100.00

Address of site to be considered: 3746 North Highley road

Current Zoning: C2 Rezone required (circle one) No Yes (attach application)

County Tax Number and Property Description 191550003

*Provide list of all property owners and their addresses located within three hundred feet (300') of property.

The Municipal Code 17.48.020 requires that the following be considered to obtain a Conditional Use Permit.

A) Explain how the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community.

This location is well suited for this type of business because of the surrounding businesses. As well as being on a low traffic road

B) Explain how such use will not be detrimental to the health, safety and general welfare of persons or injurious to property or improvements in the community, but will be compatible with and complementary to the existing surrounding uses.

this property will be very compatible with surrounding uses. Nothing we do will have an impact on health or safety of the community

C) Explain how the proposed use will comply with the regulations and conditions specified in this title for such use.

this business meets the requirements of conditional uses.

D) Explain how the proposed use conforms to the goals, policies and governing principles and land use of the Farr West City General Plan.

Farr West City goals state that new development should be compatible with adjacent existing land uses.

APPLICATION FOR ISSUANCE OF CONDITIONAL USE PERMIT



E) Explain how the proposed use will not lead to the deterioration of the environment, or ecology of the immediate vicinity, the general area, or the community as a whole.

this buisness will impact on the environment or
impact anyone in the vicinity in a negative way.

I, the undersigned agree to abide by all conditions defined by the Planning Commission and City Council.

[Signature] Property Owner? Yes No
Signature of Applicant

Jaxson Marsh
Print Full Name

Address 325 East 2000 North Phone 901-391-8472
North Ogden ut 84414 E-mail jmarsh@marshconstruction.net

Date Application & \$100.00 Processing Fee received: 2/21/2019

Received by: Lindsay

Date of public hearing: May 9, 2019

Date application was ___ Approved ___ Denied by Planning Commission: _____

Conditions/Reasons

Date application was ___ Approved ___ Denied by City Council: _____

Conditions/Reasons

Planning Commission Chair

Mayor

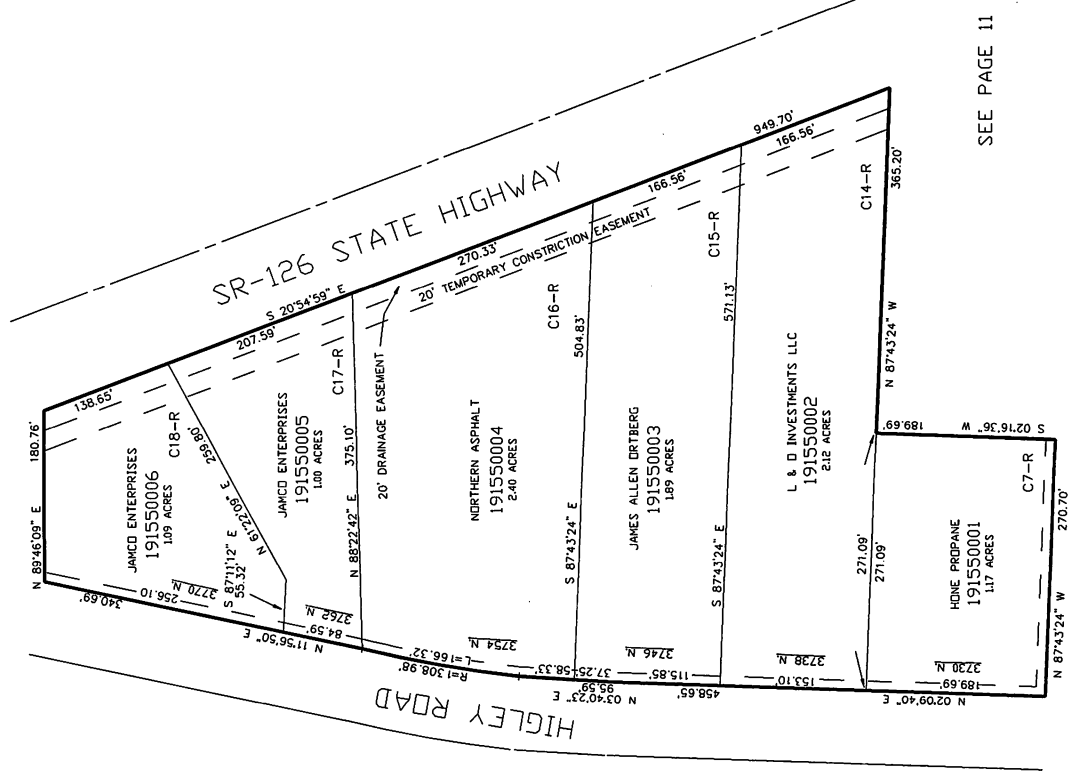
PART OF THE SE 1/4, OF SECTION 23, T.7N., R.2W., S.L.B. & M.
WILLARD BAY PHASE 2 SUBDIVISION

155

IN FARR WEST CITY
 SCALE 1" = 100'

TAXING UNIT: 145

SEE PAGE 11



SEE PAGE 11

SEE PAGE 11

FOR COMPLETE ENG. DATA, SEE ORIGINAL DEDICATION PLAT IN BOOK 53, PAGE 6 OF RECORDS.

10' UTILITY & DRAINAGE EASEMENTS EACH SIDE OF PROPERTY LINES AS INDICATED BY DASHED LINES EXCEPT AS OTHERWISE SHOWN.

APPLICATION FOR ISSUANCE OF CONDITIONAL USE PERMIT



Date Submitted: 5/2/2019 Applicant Name: Matthew J. Chugg
Applicant Address: 2272 N. 2575 W. City: Farr West State: UT Zip: 84404
Applicant Phone: 801 414 1085 E-Mail: mchugg@avexsupply.com

CONDITIONAL USE PERMIT FEE SCHEDULE

\$100.00

Address of site to be considered: _____

Current Zoning: Residential Rezone required (circle one) No Yes (attach application)

County Tax Number and Property Description 193360003

*Provide list of all property owners and their addresses located within three hundred feet (300') of property.

The Municipal Code 17.48.020 requires that the following be considered to obtain a Conditional Use Permit.

A) Explain how the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community.

It is a facility of training that will be beautiful and well taken care of in the neighborhood

B) Explain how such use will not be detrimental to the health, safety and general welfare of persons or injurious to property or improvements in the community, but will be compatible with and complementary to the existing surrounding uses.

The location and structure will improve the existing ugly dirt lot with weeds and ~~not~~ ^{will} be taken care of.

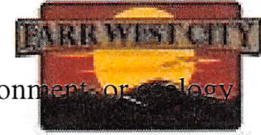
C) Explain how the proposed use will comply with the regulations and conditions specified in this title for such use.

It will not be a place of business because it is a residential location.

D) Explain how the proposed use conforms to the goals, policies and governing principles and land use of the Farr West City General Plan.

It will follow all guidelines of the city and general plan.

APPLICATION FOR ISSUANCE OF CONDITIONAL USE PERMIT



E) Explain how the proposed use will not lead to the deterioration of the environment, or ecology of the immediate vicinity, the general area, or the community as a whole.

The general Area will be similar to the houses and landscape of all houses close to the building

I, the undersigned agree to abide by all conditions defined by the Planning Commission and City Council.

Mary Chugg

Property Owner? Yes No

Signature of Applicant

Matthew J. Chugg

Print Full Name

Address ~~2277 W. 1st~~

Phone 801 414 1085

2272 North 2575 W.
Farr West

E-mail mchugg@avexsupply.com

Date Application & \$100.00 Processing Fee received: 5.2.19

Received by: Lindsay

Date of public hearing: _____

Date application was ___ Approved ___ Denied by Planning Commission: _____

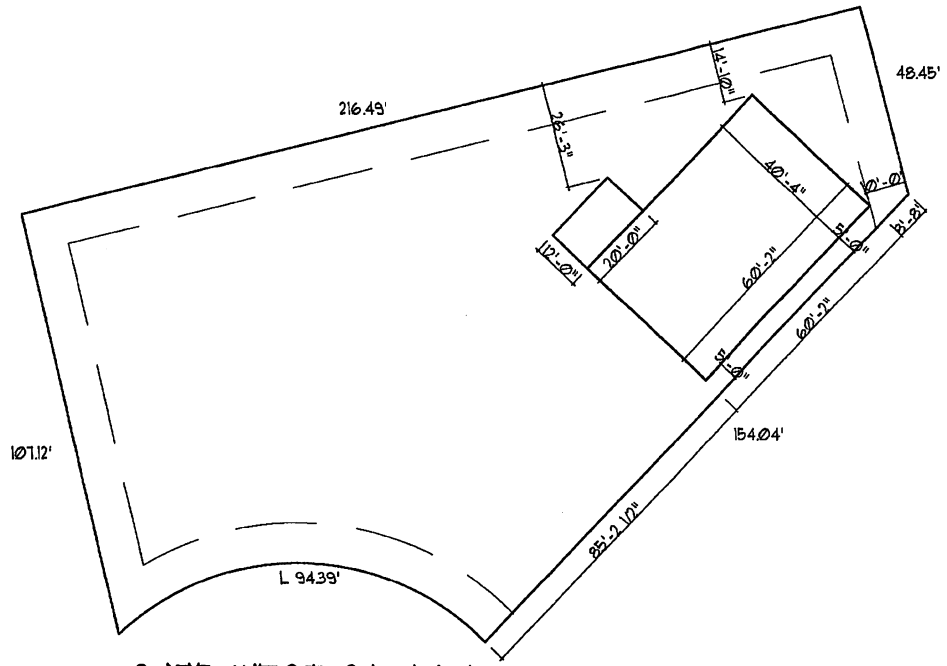
Conditions/Reasons

Date application was ___ Approved ___ Denied by City Council: _____

Conditions/Reasons

Planning Commission Chair

Mayor



2475 WEST STREET

LOT 45 - EDGEWOOD ESTATES

SCALE 1" = 30' 2265 NORTH

TYPE B GRADING 5% GRADE 10' AWAY FROM HOUSE

SITE PLAN NOTES:

OWNER/CONTRACTOR SHALL FIELD VERIFY THE LOT DIMENSIONS, SETBACKS, AND ALL EASEMENTS.

DIMENSIONS ON ANGLED LOT LINES ARE SHOWN PERPENDICULAR TO THE HOME.

DRAINAGE - OWNER/CONTRACTOR SHALL PROVIDE 5% SLOPE (6" IN 10'-0") AWAY FROM THE BUILDING TO INSURE PROPER DRAINAGE.

BERMS OR SWALES MAY BE REQUIRED ALONG THE PROPERTY LINES TO PREVENT STORM WATER FROM FLOWING TO ADJACENT PROPERTIES AND OR LOTS.

ALL STORM WATER AND DIRT WILL BE KEPT ON SITE DURING CONSTRUCTION UNTIL FINAL LANDSCAPING IS DONE. OWNER/CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING DIRT AND ON SITE DURING BAD WEATHER AND FOR CLEANING UP AFTER SUBCONTRACTORS.

STREET, CURBS, AND GUTTERS WILL BE INSPECTED AND CLEANED OF MUD AND DIRT EACH DAY PER CITY ORDINANCE.

GRAVEL BAGS TO BE PLACED AND MAINTAINED AROUND ANY STORM DRAIN INLET ADJACENT TO OR IMMEDIATELY DOWNSTREAM FROM SITE DURING CONSTRUCTION.

SURFACE DRAINAGE SHALL BE DIVERTED TO A STORM SEWER CONVEYANCE OR OTHER APPROVED POINT OF COLLECTION SO AS TO NOT CREATE A HAZARD.

LAND DRAIN - IF A LAND DRAIN IS AVAILABLE IN THE SUBDIVISION, THE LAND DRAIN SHALL BE EXTENDED TO AND CONNECTED TO A FOOTING DRAIN SYSTEM.

CURBS AND GUTTER ARE NOT SHOWN FOR CLARITY. PROPERTY LINE GENERALLY STARTS 10'-0" FROM BACK OF CURB. FIELD VERIFY.

OWNER/CONTRACTOR TO FIELD LOCATE AND IDENTIFY POWER, SEWER AND WATER CONNECTION LOCATIONS.

ELEVATIONS INDICATED ON PLANS ARE APPROXIMATED. OWNER/CONTRACTOR SHALL BE REQUIRED TO FIELD VERIFY EXACT ELEVATION.

Farr West Planning Commission has formally recommended not endorsing Form Based Code **as presented in the 2700 North Corridor Form-Base Code**. [We are responding specifically to this form base code proposal and not form base codes in general] The following are the concerns of the Farr West Planning Commission:

- There are six land owners in Farr West in the area that would be considered part of Form Based Code. As it was explained to the Planning Commission, the city would have to require that these six land owners participate in this zoning. The Planning Commission was not willing to impose this level of authority over these land owners and questioned the legality of doing so.
- This walkable development will increase the maintenance requirements and additional time requirements of city employees.
- This development will require additional cost and city staff. (Including a planner and maintenance employees)
- Fire and building code issues:
 - This code does not meet the requirements of the State Adopted Fire Code for fire apparatus access. 2.5
 - {Turning radiuses required to operate fire apparatus are not mentioned and may also be a concern}.
 - Proposed landscape will inhibit ladder truck operations for the fire departments. (Page 35 & 2.03(5).)
 - Zero lot line construction requires a higher level of fire protection and increases construction costs for the common wall.
 - Common walls also increase maintenance issues maintaining fire rating.
 - Any code changes affecting the state adopted building code require the approval of the Utah State legislature.
- Parking requirements are insufficient. The parking requirements presented are based on unrealistic parameters. One parking space for a one bedroom apartment are fine if a single person lives there and they only have one car. A married couple is likely to have two or more vehicles. One parking space for every four seats in an assembly occupancy also is not realistic. Married couples, single people on a date and a single person attending an event would all take a space. These are two examples, each of the ratios presented are insufficient. Page 62 [~~Vague—explain~~]
- Shared parking does not work as businesses bring in more traffic than parking spaces available. Timing schedules does not work. Not only are the original parking ratios insufficient, they do not address non-work hours and holidays. Shared parking would require patrons of businesses and shops to leave thirty minute before resident arrived home. This dictates unreasonable hours of operation for businesses. On a holiday residents are likely not to vacate their parking space and more than usual business patrons may be expected 2.04 & Page 61 [~~explain “does not work—i.e., conflicting overlapping schedules~~]
- The Planning Commission questioned the practical nature of requiring this level of detailed requirements for development.

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- The Planning Commission questioned the practicality of creating a separate review committee to review, manage, and approve construction in this development. 4.4 Who will pay the cost of this level of reviews? 4.5(3), 2.01(3) ~~Any code changes affecting the state adopted building code require the approval of the Utah State legislature. [list this last sentence as a separate bullet]~~
- Requirements do not match our current ordinances. Different requirements for Form Based Code may present enforcement challenges in the city. 3.05. 3.7
- This proposal will potentially discourage development. Example - Gateway
- ~~We~~The Planning Commission would like to restrict the discussion to only include Node 2.
- ~~We~~The Planning Commission would like to see Node 1 entirely eliminated from the discussion. It is within the Farr West boundary and the planned rerouting of 2000 West precludes making any detailed plans for this property.
- Is this an all or nothing agreement? Can we agree to some aspects of the Form Base Code but not all?
- It is critical that we coordinate the road system with Pleasant View given that the traffic light allowing access to the north property will be within the Pleasant view City limits

The Farr West Planning Commission agrees that the roads proposed in the area should be compatible to ensure efficient traffic flow. The Planning Commission is also willing to consider a mixed use development in this area proposed by a developer and approved by the city.

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