

FARMINGTON CITY
PLANNING COMMISSION MEETING
MAY 23, 2019

STUDY SESSION:

Present: Planning Commissioners Connie Deianni, Amy Shumway, Greg Wall, Roger Child, Rulon Homer, Russ Workman, Shawn Beus; Community Development Director David Petersen, Associate Planner Meagan Booth, Recording Secretary Brittney Whitecar

Excused: Planning Commissioner Mike Plaizier

Subdivision:

- 3. Hayley Pratt/Hamlet Development - Applicant is requesting a recommendation for schematic plan approval for the Flatrock subdivision consisting of up to 64 lots located on about 32 acres of property at approximately 600 South 1525 West. (S-3-19)**

Hamlet homes is proposing a change from 64 lots down to 49 to decrease the need for TDRs. They added a stub road on the north side of the development to allow for an additional future road connection. There is now an HOA maintained park included in the plans..

Amy Shumway expressed concern about the location of the park. It is on 1525 West and under power lines. She worries about kids playing at the very end of the subdivision along a busy street. David Petersen said that UDOT is looking for trail connections along West Davis Corridor. He said that this park location may lend itself nicely to a trail connection, which would be great.

Greg Wall asked if the open space under the power lines will be public space. David Petersen said no, it will be HOA maintained and owned.

Conditional Use:

- 4. Sydney King/Good Spray Car Wash (Public Hearing) - Applicant is requesting conditional use approval to modify previous approved expansion plans for a car wash located at 1358 North US Highway 89 on .86 acres in a C (Commercial) zone. (C-2-19)**

Connie Deianni said that this carwash has already been approved. At this time the focus is approving the changes that they have made to their plan since that time.

David Petersen said they want to modify the plan, which shifts the building and relocates the vacuums to draw more attention from the public and place the vacuums in such a way that they are not accessible without using the carwash. Neighbors may be concerned about the change due to noise and other common issues with car washes adjacent to residential space.

Zone Text Amendment:

5. **Farmington City - Applicant is requesting a recommendation to amend location standards for accessory buildings as set forth in Chapters 10, 11, and 13 of the Zoning Ord. (ZT-1-19)**

No comments were made regarding this item.

Other:

6. **Miscellaneous, correspondence, etc.**

Dave Petersen said he was approached by the owners of the land just East of the Burger King on Shepard Lane. They want to demolish the building at 810 W. Shepard Lane and put some condos or apartments there and on the parcel to the north which is currently empty. They have a few designs in mind including a 2 story building above pedestal parking – making the structure between 2 and 3 stories. This would require a PUD in the zone.

Greg Wall expressed that he doesn't feel that 3 stories is appropriate since there are single story homes lining the lot to the North.

Connie Deianni said she thinks that pedestal parking is an aesthetic issue and she would prefer an alternative option.

David Petersen said that the key here might be design. This could look very nice, or stick out poorly. He would like to see what the developer has in mind from an aesthetic point of view.

Greg Wall was concerned about the density. 24 units per acre exceeds the commonly accepted units per acre capacity and doesn't allow for any open space on the lot.

REGULAR SESSION:

Present: Planning Commissioners Connie Deianni, Amy Shumway, Greg Wall, Mike Plaizier, Roger Child, Rulon Homer, Russ Workman, Shawn Beus; Community Development Director David Petersen, Associate Planner Meagan Booth, Recording Secretary Brittney Whitecar

Excused: Commissioner Mike Plaizier

Connie Deianni opened the public meeting at 7:09 p.m.

Motion approving minutes from the May 9th, 2019 Planning Commission Meeting:

Russ Workman motioned to approve the minutes with one change to page 8, amending South Davis Corridor to read West Davis Corridor. **Shawn Beus** seconded the motion, which was unanimously approved.

City Council Report

Meagan Booth reviewed the May 21st City Council meeting. Keith Johnson stated that after a bid, Farmington City will contract with Kilgore Construction for city road improvements for the 2020 year.

Brigham Mellor presented on behalf of the Farmington City Taxing Entity Committee, who will have a meeting on Wednesday, May 22nd at 2:00 p.m. at City Hall.

David Petersen presented regarding the North Cottonwood Subdivision. City Council approved the preliminary plat with the condition that sidewalks must be included on both sides of the street.

Subdivision:

3. Hayley Pratt/Hamlet Development - Applicant is requesting a recommendation for schematic plan approval for the Flatrock subdivision consisting of up to 64 lots located on about 32 acres of property at approximately 600 South 1525 West. (S-3-19)

Dave Petersen showed the aerial view of the subdivision and explained the schematic plan. The TDRs are still an issue that will be worked out. A connection to the Buffalo Ranch Trail is still in the works as well.

Nick Mingo 3980 S. 700 E., Millcreek UT is the engineer on the subdivision. They've increased lot sizes, added an HOA maintained park, and added some green space per recommendation from staff and the planning commission.

Shawn Beus asked if the trail still cuts through the UDOT property to the West. **Nick Mingo** said yes, it is on the west end and connects to the Buffalo Ranch Trail.

Amy Shumway stated that she sees an issue with an HOA park being planned right along 1525 West as it may present itself as a public park and become a safety issue. She expressed that it may be more convenient for residents if the park were more centralized in the subdivision. **Nick Mingo** said that he respectfully disagrees, as parks are common along busy roads and parents should generally supervise their children at parks.

Rulon Homer asked if the HOA open space under the power lines would be maintained. **Nick Mingo** said yes, it will be maintained to look like a pasture or grassy area.

Shawn Beus stated that he likes the idea of the park or open space along 1525 West as it makes the subdivision seem open and inviting.

Rulon Homer asked for clarification about the lots at the end of the subdivision as they appear on the plat to be partly within the open space. Do they lose buildable space due to the power lines?

Greg Wall said that he appreciates that the developer heeded the Planning Commission's advice from last meeting to decrease lot numbers, add stub streets for future access, and add a park. He asked if there is an easement over the drainage ditch. **Nick Mingo** said yes and the HOA will maintain it. The issue of drainage will need to be addressed with city staff before final plat approval.

Rulon Homer asked what their motivation was for designing the lots the sizes as they are currently shown on the plans. **Nick Mingo** said that he followed the Planning Commission's advice to decrease lot size and this is what they were able to come up with.

Michael Brodsky of Hamlet Homes said that they want to make the 1525 West entrance very appealing. His opinion is that he could do some landscaping to divide the park from the street, but enclosing the park may cause visibility issues, affecting safety.

Motion:

Shawn Beus moved that the Planning Commission recommend that the City Council approve the schematic plan for the Flatrock Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions. **Russ Workman** seconded the motion. **Amy Shumway** disapproved due to the park location. The item was approved by majority vote.

Conditions:

1. The City Council, through a vote of not less than four (4) members shall approve the TDR transaction and the waiver of open space proposed by the applicant.
2. The developer shall submit a maintenance plan providing for and addressing the means for permanent maintenance of the conservation land within the proposed conservation subdivision with the preliminary plat per 11-12-160 of the Zoning Ordinance.
3. All outstanding comments from the DRC for schematic plan shall be addressed on the preliminary plat.
4. No new development activity shall be permitted on property proposed for development as a conservation subdivision prior to final plat. For purpose of this section, "development activity" shall include any disturbance or alteration of the property in any way, shall not include continuation of any currently existing permitted use of the property.
5. The City Council must rezone the property to AE.
6. Update the schematic plan to show a trail connection from the most westerly cul-de-sac to Buffalo Ranch Trail.

Findings:

1. Schematic plan does not vest the property, and will be null-and-void if the rezone is not passed.
2. The proposed development will provide single family residential developments similar to those of surrounding subdivisions further north of the project.
3. The proposed subdivision will provide trail access to the Buffalo Ranches Trail as part of a larger continuous and integrated open space system which also creates recreational opportunities and pedestrian access.
4. The property is in close proximity to the WDC, and as such it is better to provide open space for the City's regional park via cash donation then at this location.
5. The initial proposal of the 64 lots results in a density of 2.05 units an acre, meanwhile 49 lots provides a density of 1.53 units/acre (or under 2.0 units/acre) which is more consistent with the General Plan.

Conditional Use:

4. **Sydney King/Good Spray Car Wash (Public Hearing) - Applicant is requesting conditional use approval to modify previous approved expansion plans for a car wash located at 1358 North US Highway 89 on .86 acres in a C (Commercial) zone. (C-2-19)**

David Petersen showed the carwash location via aerial view. The Planning Commission approved the carwash earlier this year, but changes have been made by the applicant that are relevant enough to open for public hearing. He said that a noise study has been done which proved that the noise level is not increased by the proposed changes.

Sydney King Maple Ridge Dr., Bountiful UT, said that the change was suggested by her bankers. The new plan is designed to deter people from using the vacuums without using the carwash and increase traffic flow.

Connie Deianni asked if Sydney has discussed with any of the business owners to the East the idea of moving the building 10 to 20 feet closer to them. **Sydney King** said she has not.

Connie Deianni asked if any emails or calls have been received from the public since the sandwich board notice was placed on the lot. **Dave Petersen** said no, the department has not received any concerns.

Connie Deianni said she is worried about blocking the public's visibility to see the businesses to the East, but if this carwash brings more traffic to the shopping center, that may counteract the problem.

Public Hearing:

Connie Deianni opened the public hearing at 7:50 p.m.

Jodie Patterson, 1432 N 900 West, Farmington, UT asked if the new design will change any of the access points on public roads or change the parking lot design. The commission spoke amongst each other and said that it would not. **Jodi Patterson** said the operating hours of the carwash are 8:00 AM to 10:00 PM and asked if that includes the vacuums. She asked if people with carwash passes would be able to use the facility outside of operating hours. **Jodi Patterson** also asked what the notice radius was for this item. **Dave Petersen** said 300 feet is the standard public notice radius, which reached beyond Jodie's home 3 or 4 lots.

Sydney King addressed the operating hours question brought up by Jodie. She said that all facilities are turned off at 10:00 p.m. because equipment needs to be manned by employees. Nobody can use the carwash outside of the hours of operation.

Connie Deianni asked if Sydney knew the reason for the potholes that are all over the parking lot. **Sydney King** said she did not know but she has been facing the issue since the beginning. She thinks proper concrete was not used when the parking lot was developed. **Dave Petersen** said that Smith's Food King is responsible for most of the parking lot, but Sydney's carwash is responsible for the parts on her parcel, which extend several feet from the actual carwash on all sides.

Motion:

Russ Workman motioned to approve the modification to the previously approved conditional use subject to all applicable Farmington City ordinances and building standards; and the same conditions that existed previously by the Commission. **Rulon Homer** seconded the motion, which was unanimously approved.

Conditions:

1. The applicant shall provide a grease trap interceptor subject to approval by Central Davis Sewer District;
2. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light to neighboring properties;
3. The hours of operation are limited to 8 a.m. to 10 p.m.;
4. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
5. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes.
6. The decibel level must be quieter than the previous use.

Findings for Approval:

1. The proposed use of the particular location is necessary and desirable and provides a service which contributes to the general well-being of the community.
2. The proposed use complies with all regulations and conditions in the Farmington City Zoning Ordinance for this particular use.
3. The proposed use conforms to the goals, policies, and principles of the Comprehensive General Plan.
4. The proposed use is compatible with the character of the site, adjacent properties, surrounding neighborhoods and other existing neighborhoods.
5. The location provides or will provide adequate utilities, transportation access, drainage, parking and loading space, lighting, screening, landscaping and open space, fire protection, and safe and convenient pedestrian and vehicular circulation.
6. The proposed use is not detrimental to the health, safety, and general welfare of persons residing or working in the vicinity.
7. The proposed use provides adequate parking as set forth in Section 11-32-040 of the Zoning Ordinance.
8. The proposed use is an expansion of an existing conditional use permit and is updating and enhancing on the existing facility

Zone Text Amendment:

5. Farmington City - Applicant is requesting a recommendation to amend location standards for accessory buildings as set forth in Chapters 10, 11, and 13 of the Zoning Ord. (ZT-1-19)

David Petersen reviewed the current setbacks for ADU's and introduced a few changes. He proposed allowing ADUs in side yards but only should they occupy 33% of the side yard space or less. ADUs must be subordinate to the size of the main building and the roof overhang must be far from the property line as not to allow eaves to drip onto neighboring property.

David Petersen addressed the height of ADU's. Near the property line, the building height cannot exceed 10' in height, but may go up to 15' if further from the property line.

Russ Workman asked if ADU's may be placed in the front yard if the home meets certain setbacks, per the discussion with applicant Scott Prince in the May 9th, 2019 meeting.

Motion:

Greg Wall moved that the Planning Commission recommend approval for the proposed text amendment herein related to accessory buildings regarding Chapters 10, 11, and 13 of the zoning ordinances. **Rulon Homer** seconded the motion, which was unanimously approved.

Findings:

As presented by the changes to Chapters 10, 11 and 13:

**Chapter 10
AGRICULTURAL ZONES**

11-10-040: LOT AND SETBACK STANDARDS:

- C. Lot Coverage:** Not more than twenty five percent (25%) of the gross area of a lot shall be covered by the main building, accessory buildings or other structures in the A Zone and lots

greater than 0.75 acre in size in the AE Zone, and not more than ten percent (10%) of the gross area of a lot for the AA Zone. On lots less than 0.75 acre in size, the lot coverage requirements for accessory buildings and structures set forth in chapter 11 of this title shall apply.

H. Accessory Buildings and Structures:

1. Accessory buildings, except those listed in subsection H2 of this section, shall be located in the rear yard, shall be separated from the main building by a distance in compliance with applicable Building Codes, shall be at least five feet (5') from all property lines, shall not encroach on any recorded easement, and shall be fifteen feet (15') from a dwelling on an adjacent lot. ~~Accessory buildings shall not be built over utility easements that may run along the side and rear property lines.~~

Notwithstanding the foregoing, the City may approve accessory buildings consistent with standards for the same as set forth in Chapter 11 of this Title so long as such buildings are subordinate in height and area to the main building, are no taller than fifteen feet (15') in height (except as allowed in Chapter 11), and comply with lot coverage standards herein.

2. No farm animal structure, hay barn, stable, silo, coop, corral or other similar building or structure which is accessory to the agricultural use of land may be located closer than ten feet (10') to any side or rear boundary line or fifty feet (50') to any public street or to any dwelling on adjacent properties. This provision shall not apply to pastures.
3. ~~A detached accessory building, or other architecturally compatible structure as approved by the Planning Commission after a public hearing is held, may be located in the side or side corner yard of a lot, providing that a separation is maintained from the residence in compliance with applicable Building Codes, and all front, side corner and side setbacks are provided as specified in this section and the rear setback is provided as specified in subsection H1 of this section. In no event shall an accessory building encroach into the front yard beyond the nearest corner of the main building.~~
4. Equipment or materials stored or located in accessory buildings, yards or structures in AE Zones shall be permitted only for the personal use of the occupants of the property. No such storage or use related to a nonagricultural commercial business shall be allowed.
5. Accessory buildings which contain or constitute an accessory dwelling unit shall, without exception, be subordinate in height and area to the main building. (Ord. 2018-18, 5-15-2018)

11-10-050: MAXIMUM BUILDING HEIGHT:

- A. **Main Buildings:** Main buildings shall not exceed twenty seven feet (27') in height. (Ord. 2000-15, 4-19-2000)
- B. **Accessory Buildings:** The height of accessory buildings and structures shall not exceed twenty five feet (25') unless an increased height is approved by the Planning Commission after review of a conditional use application filed by the property owner. No fee shall be assessed for such application.

Chapter 11

SINGLE-FAMILY RESIDENTIAL ZONES

11-11-060: ACCESSORY BUILDINGS AND STRUCTURES:

~~A. Location: Accessory buildings, except those listed in subsection B of this section, shall be located to the rear of the dwelling, shall be separated from the main building by a distance in compliance with applicable building codes, shall not encroach on any recorded easement, shall not occupy more than twenty five percent (25%) of the rear yard, and shall be located at least fifteen feet (15') from any dwelling on an adjacent lot. Such buildings may be located within one foot (1') of the side or rear property line. Accessory buildings shall, without exception, be subordinate in height and area to the main building. (Ord. 2014-07, 3-4-2014)~~

- A. Location: Accessory buildings, except those listed in subsection B of this section:
1. Shall be separated from the main building by a distance in compliance with applicable building codes;
 2. Cannot encroach on any recorded easement;

- D. Double Frontage Lots:** On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage. (Ord. 2005-11, 4-6-2005)

11-11-070: BUILDING HEIGHT:

A. Main Buildings:

1. Main buildings shall not exceed twenty seven feet (27') in height;
2. No dwelling or structure shall contain less than one story.

B. Accessory Buildings or Structures (except fences):

1. Accessory buildings or structures shall not exceed fifteen feet (15') in height unless an increased height is approved by the planning commission after review of a conditional use application filed by the property owner. No fee shall be assessed for such application.
2. Accessory buildings within one foot (1') of a side property line located in the side yard or front yard shall be limited to ten feet (10') in height and an increase in height of one (1') may be allowed for each additional foot setback from the side property, but not to exceed the maximum height for such buildings unless as otherwise provided herein.
3. Accessory buildings shall, without exception, be subordinate in height to the main building.
3. Must be located at least fifteen feet (15') from any dwelling on an adjacent lot;
4. Accessory buildings located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the rear yard or thirty three percent (33%) of the side yard;
5. Accessory buildings shall, without exception, be subordinate in area to the main building.
6. Any eave, or part of an Accessory building, shall not overhang or extend past a property line.
7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is an architectural and integral part of the main building and in no event shall the accessory building encroach into the required front yard or required side corner yard beyond the nearest corner of the main building.

- B. Animal Shelters And Similar Structures:** Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not less than ten feet (10') from any side or rear property line and fifty feet (50') from any public street or from any dwelling on an adjacent property. (Ord. 2015-16, 5-26-2015)

- C. Alternative Locations:** ~~An accessory building, a detached garage, or other architecturally compatible structure as approved by the planning commission after a public hearing, may be located in the side yard or side corner of a lot; providing, that a separation is maintained from the residence in compliance with applicable building codes, and all front, side corner and side setbacks are provided as specified in section 11-11-050 of this chapter, and the rear setback is specified in subsection A of this section. In no event shall an accessory building encroach into the front yard beyond the nearest corner of the main building. (Ord. 2016-14, 6-7-2016)~~

- D. **Double Frontage Lots:** On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage. (Ord. 2005-11, 4-6-2005)

11-11-070: BUILDING HEIGHT:

A. **Main Buildings:**

1. Main buildings shall not exceed twenty seven feet (27') in height;
2. No dwelling or structure shall contain less than one story.

B. **Accessory Buildings or Structures (except fences):**

1. Accessory buildings or structures shall not exceed fifteen feet (15') in height unless an increased height is approved by the planning commission after review of a conditional use application filed by the property owner. No fee shall be assessed for such application.
2. Accessory buildings within one foot (1') of a side property line located in the side yard or front yard shall be limited to ten feet (10') in height and an increase in height of one (1') may be allowed for each additional foot setback from the side property, but not to exceed the maximum height for such buildings unless as otherwise provided herein.
3. Accessory buildings shall, without exception, be subordinate in height to the main building.

Chapter 13

MULTIPLE-FAMILY RESIDENTIAL ZONES

11-13-050: ACCESSORY BUILDINGS AND STRUCTURES:

~~A. **Location:** Accessory buildings, except for those listed in subsection B of this section, may be located within one foot (1') of the side or rear property line, provided, they are at least six feet (6') to the rear of the dwelling, do not encroach on any recorded easements, occupy not more than twenty five percent (25%) of the rear yard, and are located at least fifteen feet (15') from any dwelling on an adjacent lot. Accessory buildings shall, without exception, be subordinate in height and area to the main building. (Ord. 2005-11, 4-6-2005)~~

A. **Location:** Accessory buildings, except those listed in subsection B of this section:

1. Shall be separated from the main building by a distance in compliance with applicable building codes;
2. Cannot encroach on any recorded easement;

3. Must be located at least fifteen feet (15') from any dwelling on an adjacent lot;
 4. Accessory buildings located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the rear yard or thirty three percent (33%) of the side yard;
 5. Accessory buildings shall, without exception, be subordinate in area to the main building.
 6. Any eave, or part of an Accessory building, shall not overhang or extend past a property line.
 7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is an architectural and integral part of the main building and in no event shall the accessory building encroach into the required front yard or required side corner yard beyond the nearest corner of the main building.
- B. **Animal Shelters And Similar Buildings:** Animal shelters, hay barns, coops, corrals or other similar buildings or structures shall be located not closer than ten feet (10') from any side or rear property line and fifty feet (50') from any public street or from any dwelling on an adjacent property. (Ord. 2015-16, 5-26-2015)
- C. **Double Frontage Lots:** On double frontage lots, accessory buildings shall be located not less than twenty five feet (25') from each street upon which the lot has frontage. (Ord. 2005-11, 4-6-2005)

11-13-060: BUILDING HEIGHT:

- A. **Main Buildings:**
1. Main buildings shall not exceed twenty seven feet (27') in height.
 2. No dwelling structure shall contain less than one story.
- B. **Accessory Buildings Or Structures (except fences):**
1. Accessory buildings or structures shall not exceed fifteen feet (15') in height unless an increased height is approved by the planning commission after review of a conditional use application filed by the property owner (no fee shall be assessed for such application). (Ord. 2005-11, 4-6-2005)
 2. Accessory buildings within one foot (1') of a side property line located in the side yard or front yard shall be limited to ten feet (10') in height and an increase in height of one (1') may be allowed for each additional foot setback from the side property line, but not to exceed the maximum height for such buildings unless as otherwise provided herein.
 3. Accessory buildings shall, without exception, be subordinate in height to the main building.

Other:

6. Miscellaneous, correspondence, etc.
7. Motion to Adjourn

Adjournment

At 8:23 p.m., **Shawn Beus** motioned to adjourn. **Russ Workman** seconded the motion and the meeting was adjourned.

A handwritten signature in black ink, appearing to read 'Connie Deianni', written over a horizontal line.

Connie Deianni,
Planning Commission Chair