



Farmington City Planning Commission

February 23, 2023



PLANNING COMMISSION MEETING NOTICE AND AGENDA

Thursday February 23, 2023

Notice is given that Farmington City Planning Commission will hold a regular meeting at City Hall 160 South Main, Farmington, Utah. A work session will be held at 6:00 PM prior to the regular session which will begin at 7:00 PM in the Council Chambers. The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website at farmington.utah.gov. If you wish to email a comment for any of the listed public hearings, you may do so at crowe@farmington.utah.gov by 5 p.m. on the day listed above.

SUBDIVISION APPLICATION

1. Evergreen Development – Applicant is requesting approval of the Preliminary Plat for The Trail project, located at approximately 1600 W Burke Lane in the OMU (Office Mixed Use) zone.

ZONE TEXT AMENDMENTS

2. *CONTINUED FROM PREVIOUS MEETING*

Farmington City – Applicant is requesting consideration for additional text and amendment to Farmington City Code Section 12-8-095: PAYBACK AGREEMENTS FOR IMPROVEMENTS. The purpose of this amendment is to detail how pioneering agreements are implemented. (ZT-1-23)

3. *CONTINUED FROM PREVIOUS MEETING*

Farmington City – Applicant is requesting consideration to amend existing text, and to enact additional text, to the Zoning Ordinance including: 1) amending Chapter 11-2 Definitions; and 2) amending Chapter 11-10, Agricultural Zones Sections 11-10-020 Schedule of Uses and 11-20-040 C. Lot Coverage; and 3) enacting Chapter 27B Agriculture Planned District; and 4) amending Chapter 32 Off Street Parking Loading and Access. (ZT-14-22) While amendments to the referenced sections of code are being considered, applications for uses within these sections are not entitled to approval per Utah Code 10-9a-509 (1)(ii)(B).

OTHER BUSINESS

4. Miscellaneous, correspondence, etc.
 - a. City Council Report 02.21.2023
 - b. Minutes Approval 02.09.2023
 - c. Other

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to act on the item; OR 2. If the Planning Commission feels, there are unresolved issues that may need additional attention before the Commission is ready to make a motion. No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commissioners. The Commission may carry over Agenda items, scheduled late in the evening and not heard to the next regularly scheduled meeting.

CERTIFICATE OF POSTING I hereby certify that the above notice and agenda were posted at Farmington City Hall, the State Public Notice website, the city website www.farmington.utah.gov, and emailed to media representatives on February 17, 2023

Carly Rowe, Planning Secretary



Planning Commission Staff Report February 23, 2023

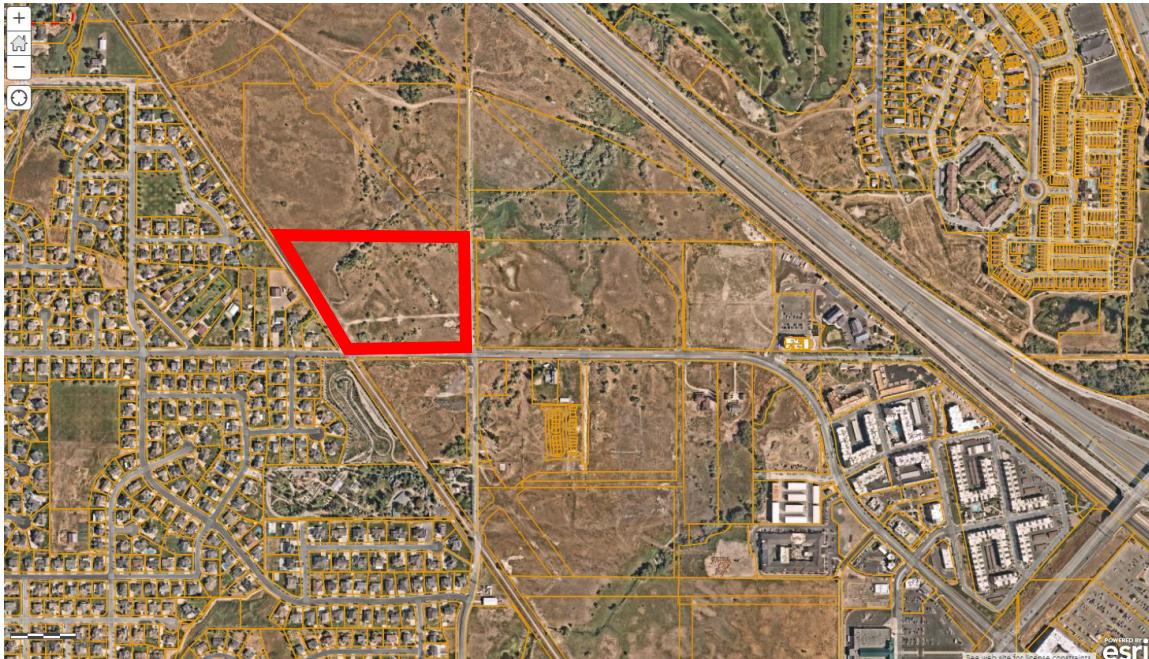
Item 1: The Trail Apartments Subdivision (Formerly: The Retreat) – Preliminary Plat

Public Hearing:	No
Application No.:	S-18-22,
Property Address:	Approximately 1550 W Burke Lane
General Plan Designation:	CA/BP (Class A Business Park)
Zoning Designation:	OMU (Office Mixed Use)
Area:	14.5 Acres
Number of Lots:	3 + Right-of-way dedication
Property Owner:	Millennium Real Estate Holdings, LLC
Agent:	Jeremy Carver – Evergreen Development

Request: *Applicant is requesting approval of the Preliminary Plat for The Trail subdivision.*

Background Information

Location:



This project received schematic approval at the end of 2022. The design team and staff have been working on additional details related to the lot layout for the purpose of consideration of the Preliminary Plat.

Consistent with the Schematic Subdivision which was granted approval for deviations from the regular block length of the regulating plan consistent with the exhibit of the applicable agreement included with this report.

The subdivision includes 3 lots which remain consistent with the Schematic Plan.

Lot 1 is a property which by agreement will be conveyed to the city for use as a storm water detention basin with arrangements to also allow for park/open space use.

Schematic: 2.6 acres – Preliminary: 2.6 acres (consistent)

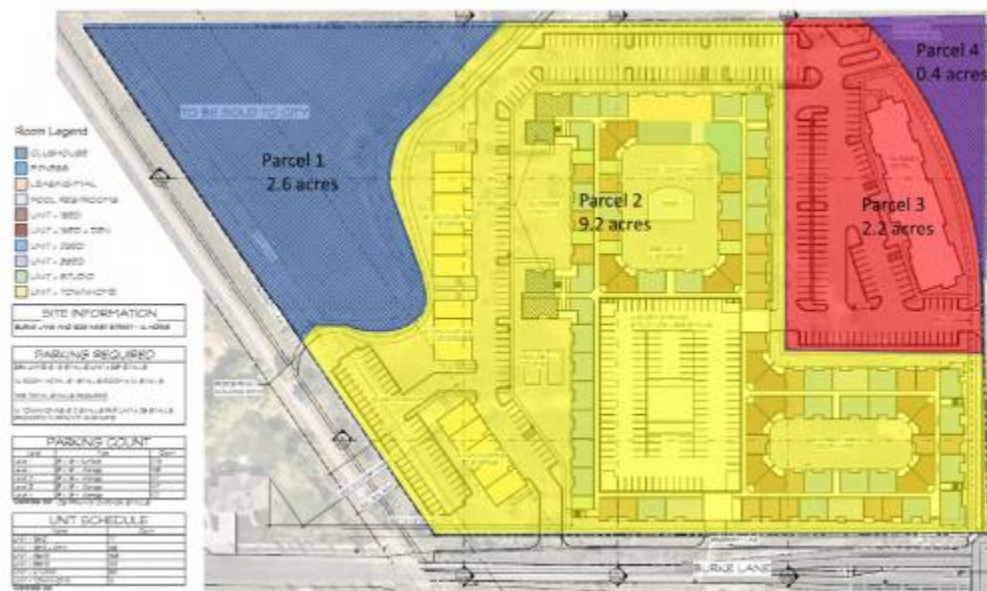
Lot 2 is the location of the residential development which will include some townhomes and an apartment building. All units will be for rent units as part of this lot.

Schematic: 9.2 acres – Preliminary: 9.12 acres (consistent)

Lot 3 is devoted to commercial development. Staff has worked with the design team on the access location for this lot and confirmed that it matches the needed road dedication for Innovator Drive. The amount of road dedication is 0.386 acres

Schematic: 2.2 acres – Preliminary: 2.25 acres

Schematic Subdivision Exhibit



Suggested Motion

Move that the Planning Commission approve the preliminary plat for The Trail Apartments Subdivision, subject to all applicable Farmington City development standards and ordinances, and all Development Review Committee (DRC) comments including but not limited to the following.

- Final plat shall:
 - o Include public utility easements along Burke Lane as well as easement for public utility lines within lots 1 and 2 based on site plan design.
 - o Show width of Burke Lane right of way.
 - o Relabel 'Shepard Creek' as 'Spring Creek'
 - o Include plan and profile drawings for full design of Burke Lane improvements.

Findings:

1. The preliminary plat is consistent with the approved schematic subdivision approval and applicable provisions of the development agreement for this property.
2. Lot sizes comply with the regulations of the OMU district based on the applicable development agreement and maintain viability for the anticipated development of this property for commercial, residential, and storm water retention uses.
3. The subdivision dedicates the needed right of way for Innovator Drive.
4. The project is consistent with other proposals for the North Farmington Station Area and Mixed-Use district.
5. The remaining DRC comments can be addressed in preparation of receiving Final Plat approval.

Supplemental Information

- a. Preliminary Subdivision Plat

Narrative

This Survey was requested by Evergreen Devco, Inc. to subdivide into 3 Lots and a Road Dedication.

This Survey refines and honors a previous 2003 Survey by Robinson, Blain & Blain, Inc. and a 2022 ALTA Survey by ANA.

A line between monuments found for the Center and South Quarter Corners of Section 14 was assigned VRS Bearing South 0°00'17" West as the Basis of Bearings to place the survey on the NAD83 Utah North Zone State Plane datum. Record Deed bearings must be rotated 0°20'20" clockwise in order to match said State Plane datum reference in North.

A minor adjustment to the record file was applied to better match the deed geometry to survey markers recovered in the field.

Flood Plain Data

This property lies entirely within Flood Zone X as designated on FEMA Flood Map 480100381E, dated effective June 15, 2005. Flood Zone X is defined as "Areas determined to be outside the 0.2% annual chance floodplains."

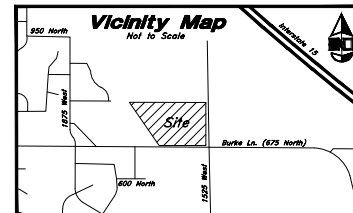
Benchmark

Brass Cap Monument for the Center of Section 14, T3N, R1W, S188M
Elevation = 4,250.78 feet Observed May 17, 2022

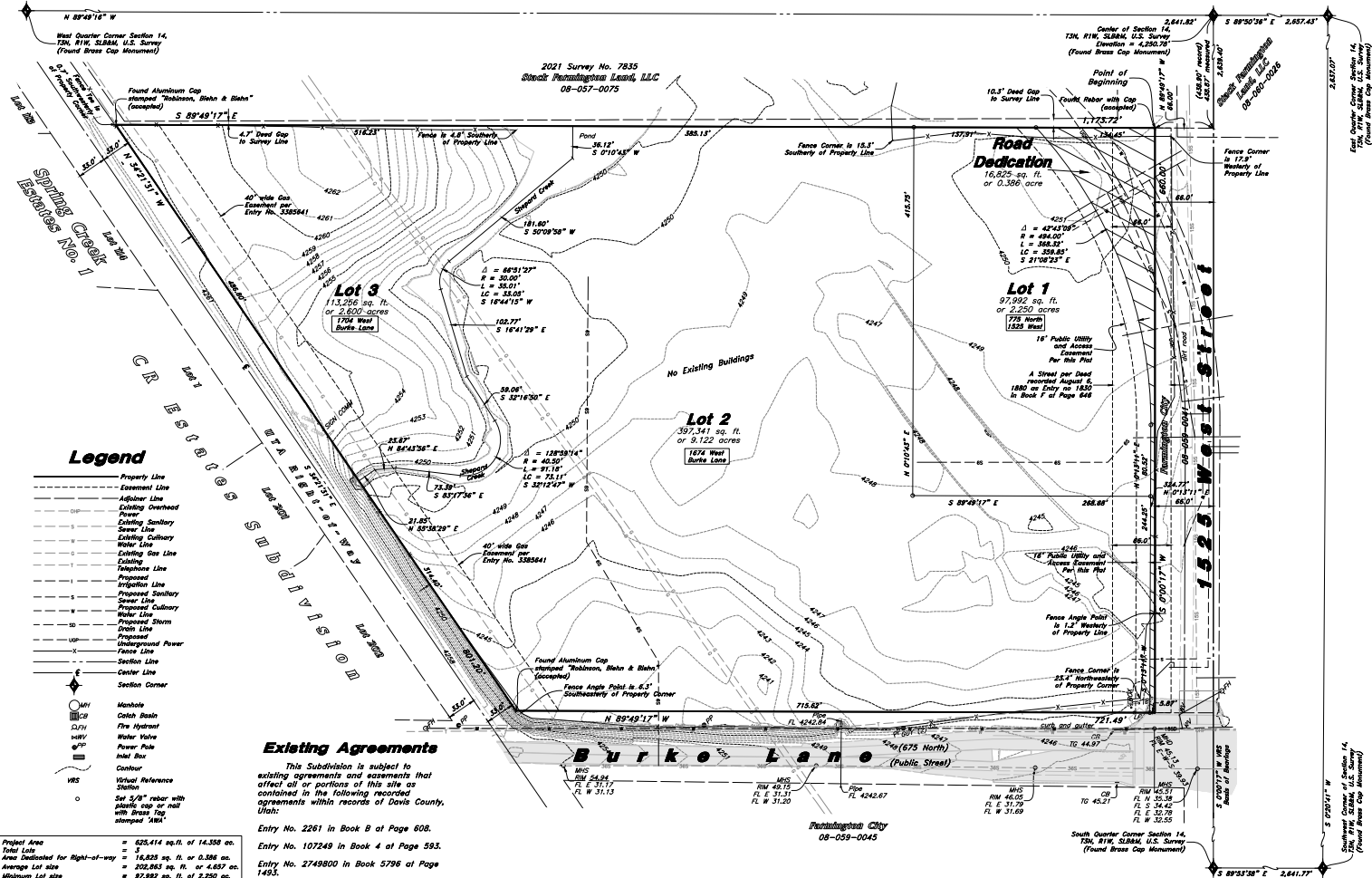
The Trail Apartments Subdivision Preliminary Plat

A part of the Southwest Quarter of Section 14,
Township 3 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey
Farmington City, Davis County, Utah
January 2023

Scale: 1" = 60'



NOT TO BE RECORDED

**Legend**

- Property Line
- Easement Line
- Adjoining Line
- Existing Overhead Power
- Existing Sanitary Sewer Line
- Existing Culinary Water Line
- Existing Gas Line
- Existing Telephone Line
- Proposed Sanitary Sewer Line
- Proposed Culinary Water Line
- Proposed Storm Drain Line
- Proposed Underpass
- Section Line
- Center Line
- Section Corner
- Manhole
- Catch Basin
- Pre-Installed Water Valve
- Power Pole
- Iron Box
- Contour
- Virtual Reference Station
- Sat. 5/8" rebar with plastic cap or nail with brass cap stamped 7881

Existing Agreements

This Subdivision is subject to existing agreements and easements that affect all or portions of this site as contained in the following recorded agreements within records of Davis County, Utah:

Entry No. 2261 in Book 8 of Page 608.

Entry No. 107249 in Book 4 of Page 593.

Entry No. 274980 in Book 5796 of Page 1455.

Project Area = 625,414 sq. ft. or 14,358 ac.
Total Lot Area = 14,358 sq. ft. or 0.386 ac.
Average Lot size = 202,863 sq. ft. or 4.657 ac.
Minimum Lot size = 97,992 sq. ft. or 2,250 ac.

ANA
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - ANAEngineering.net

Irrigation District Approval
Approved by the Weber Basin Water Conservancy District on the _____ Day of _____, 20____.

Central Davis Sewer District Approval
Approved by the Central Davis Sewer District on the _____ Day of _____, 20____.

Farmington City Planning Commission
Approved by the Farmington City Planning Commission on the _____ Day of _____, 20____.

Farmington City Engineer
I hereby certify that I have carefully investigated the lines of Survey of the foregoing plat and agree that the lines are correct and to agree with the lines and monuments on record in this office.
Signed this _____ Day of _____, 20____.

Farmington City Approval
This is to certify that this plat and dedication of this plat were duly approved and accepted by the City Council of Farmington City, Utah, this _____ Day of _____, 20____.

Farmington City Attorney
Approved by the Farmington City Attorney on the _____ Day of _____, 20____.

ENTRY NO. _____ FILED PAGE _____

RECORDED IN BOOK _____ OF OFFICIAL RECORDS, PAGE _____, RECORDED FOR _____

DAVIS COUNTY RECORDER

BY: _____ DEPUTY RECORDER

Surveyors Certification

I, David M. Hamilton, do hereby certify that I am a Licensed Professional Land Surveyor in the State of Utah and that I hold Certificate No. 12966234 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Licensing Act; I further certify that, on behalf of Anderson Wahlen & Associates that by authority of the owners I have completed a survey of the property described on this Subdivision Plat in accordance with Section 17-31-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to replace or reestablish the plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as The Trail Apartments Subdivision.



Date: _____
David M. Hamilton
Utah PLS No. 12966234

Description

A part of the Southwest Quarter of Section 14, Township 3 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey, located in Farmington City, Davis County, Utah.

Beginning at a Rebar with Cap on the Westerly line of 1525 West Street, located 458.87 feet South 0°00'17" West along the Quarter Section of said Section 14; and 66.00 feet North 89°49'17" West from a Brass Cap Monument found marking the Center of said Section 14; and running thence South 0°00'17" West 660.00 feet along said Westerly line to the Northerly line of Burke Lane; thence North 89°49'17" West 721.49 feet along said North line to a rebar with an aluminum cap stamped R8N8 found marking the Easterly line of Utah Transit Authority (UTA) Right-of-Way as it exists of 33.00 foot half-width; thence North 34°21'51" West 801.20 feet along said Easterly line to a rebar with an aluminum cap stamped R8N8; thence South 89°49'17" East 1173.72 feet to said rebar with cap on the Westerly line of 1525 West Street and point of Beginning.

Contains 625,414 sq. ft.
Or 14,358 ac.
3 Lots
and Road Dedication

Owner's Dedication

Know all by these presents that I, the undersigned owner of the above described tract of land, having caused the same to be subdivided into lots and streets to be hereafter known as The Trail Apartments Subdivision, do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use.

In witness whereof I have hereunto set my hands this _____ Day of _____, 20____.

By: _____
for: Millennium Real Estate Holdings, LLC

Acknowledgment

State of _____, County of _____, I, _____, personally appeared before me, the undersigned Notary Public, _____, who being by me duly sworn did say that they are the _____ of Millennium Real Estate Holdings, LLC, by authority of its members or its officers of organization, and they acknowledged to me that said limited liability company executed the same.

Notary Public Full Name: _____

Commission Number: _____

My Commission Expires: _____

A Notary Public Commissioned in Utah
(If above information is provided, no stamp required per Utah Code, Title 46, Chapter 1, Section 16)

A Notary Public

Sheet 1 of 1

The Trail Apartments Subdivision

A part of the Southwest Quarter of Section 14,
Township 3 North, Range 1 West, Salt Lake Base and Meridian, U.S. Survey
Farmington City, Davis County, Utah



Planning Commission Staff Report February 23, 2023

Item 2: Pioneering Agreements

Public Hearing: Already Occurred (Jan 19)

Request: *City-initiated ordinance amending section 12-8-095 of the Farmington City Municipal Code that provides for the utilization of pioneering agreements*

Based upon comments received from the Commission on January and additional input from the commission, a revised version of the ordinance is attached. Changes from the January 19 version include:

- Clarified applicability to benefitted properties.
- Changed word “payback” to “payment” in subsection B
- Added noticing provisions that requires notice to be provided by either signed receipt (certified mail) or personal service
- Allows city to proceed with benefitted parcel plat dedication, if extenuating circumstances occur, such as the pioneering developer being non-responsive or their failure to comply with the section (providing proper notice to the property owner, for example)
- Appeal rights are now tied to the date of service of notice, rather than recordation of the agreement.
- Grammatical clarifications.

Suggested Motion

I move that the Planning Commission recommend approval of the proposed ordinance amending section 12-8-095 of the Farmington City Municipal Code, providing for the establishment of pioneering agreements.

Proposed Findings:

1. The utilization of pioneering agreements in some cases will result in a more equitable distribution of the costs of improvements that benefit adjacent properties to those improvements.
2. Pioneering agreements constitute one tool that will encourage the installation of infrastructure benefitting the residents or property owners in developing areas of the city.

12-8-095: PAYBACK OR PIONEERING AGREEMENTS FOR IMPROVEMENTS:

A. Definitions. As used in this section:

1. "Benefitted property" means a property that abuts or is adjacent to improvements that are installed by a developer, and which improvements directly benefit the abutting or adjacent property.
2. "Payback agreement" means an agreement between a developer and Farmington City governing the payment by the city for project improvements that are extended, expanded or improved beyond what is necessary for the development.
3. "Pioneering agreement" means an agreement between the developer and Farmington City governing the requirement for ~~non~~-each benefitted property owner to pay for a portion of improvements that directly benefitted their property.

B. — A. Scope Of Agreement~~Payback Agreements~~: A payback agreement entered into between Farmington City and the developer who installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the city's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah impact fees act. The payback agreement is not mandatory, but may be used at the option of the city manager, upon approval of the payback agreement by the city council. The amount of the payback to the developer shall be determined by the city council after receiving a recommendation from the city engineer after considering the improvements or facilities required or benefiting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of non-abutting and adjacent projects.

C. Pioneering Agreements. Pioneering agreements for improvements that result in a benefitted property may be approved by the city council. The dollar amount of the payment to the developer shall be solely determined by the city under the direction of the city engineer after consideration of the portion of the improvements or facilities installed that benefit the developer's development, and the portion of the improvements or facilities that provide for future development of the benefitted property. The determination of the charge apportioned to each benefitted landowner shall be included in the pioneering agreement.

1. At the time the pioneering agreement is entered into with a developer, the developer is responsible to record a notice against the benefitted property with the County Recorder's Office and provide written notice to the owner of record of the benefitted property, which notice shall inform the benefitted landowners that at such time as they develop the benefitted property, they will be required to pay for a portion of the improvements previously installed.
 - a. Notice on the benefitted property owner shall be accomplished by delivery requiring a signature of a responsible person at the registered owner's address, or a signature of an individual who delivered the notice to a person at that address.
 - b. The notices shall include a copy of the approved pioneering agreement.

2. The pioneering agreement shall expire ten (10) years from the date of the pioneering agreement's execution, or at such time that the developer has recovered the costs specified in the pioneering agreement, whichever comes first.
3. Prior to recording a plat for a benefitted property under a pioneering agreement, the city shall require proof of payment of the amount described in this subsection, and may deny plat recordation until the city has received such proof.
4. Notwithstanding subsection 3 of this section, the city may proceed with plat recordation if the developer is non-responsive to the city's communications regarding the payment under the pioneering agreement, if the pioneering developer failed to comply with the requirements of this section, or if other extenuating circumstances indicate that plat recordation is appropriate.
- 4.5. A benefitted property owner that objects to the entry of a pioneering agreement shall file a notice of appeal to the city recorder within thirty (30) days of receiving notice under subsection (1) of this section. Failure to file a timely appeal waives the right of benefitted landowners, or their successors or assigns, to contest the agreement or the city's refusal to record the plat under this subsection (B)(3).

B.D. Nonliability Of City: The city shall, in all cases, be immune and not liable for any payments to the developer if the payback or pioneering agreement is determined to be unenforceable. ~~The payback a~~ Agreements under this section shall not confer a benefit upon any third party and shall be in a form approved by the city council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The city shall not be responsible for collection of amounts from third parties.

12-8-095: PAYBACK OR PIONEERING AGREEMENTS FOR IMPROVEMENTS:

A. Definitions. As used in this section:

1. "Benefitted property" means a property that abuts or is adjacent to improvements that are installed by a developer, and which improvements directly benefit the abutting or adjacent property.
2. "Payback agreement" means an agreement between a developer and Farmington City governing the payment by the city for project improvements that are extended, expanded or improved beyond what is necessary for the development.
3. "Pioneering agreement" means an agreement between the developer and Farmington City governing the requirement for ~~non~~-each benefitted property owner to pay for a portion of improvements that directly benefitted their property.

B. —A. Scope Of Agreement~~Payback Agreements~~: A payback agreement entered into between Farmington City and the developer who installs the improvements or facilities for water, storm sewer or roads is authorized, where the improvements installed are intended to extend, expand or improve the city's water system, storm sewers or roads beyond the improvements required to service or benefit the subdivision or development proposed by the developer. Such payback agreements shall be for project improvements and not system improvements as defined in the Utah impact fees act. The payback agreement is not mandatory, but may be used at the option of the city manager, upon approval of the payback agreement by the city council. The amount of the payback to the developer shall be determined by the city council after receiving a recommendation from the city engineer after considering the improvements or facilities required or benefiting developer's development, and those facilities or improvements that are specifically oversized to provide for future development of non-abutting and adjacent projects.

C. Pioneering Agreements. Pioneering agreements for improvements that result in a benefitted property may be approved by the city council. The dollar amount of the payment to the developer shall be solely determined by the city under the direction of the city engineer after consideration of the portion of the improvements or facilities installed that benefit the developer's development, and the portion of the improvements or facilities that provide for future development of the benefitted property. The determination of the charge apportioned to each benefitted property owner shall be included in the pioneering agreement.

1. At the time the pioneering agreement is entered into with a developer, the developer is responsible to record a notice against the benefitted property with the County Recorder's Office and provide written notice to the owner of record of the benefitted property, which notice shall inform the benefitted property owners that at such time as they develop the benefitted property, they will be required to pay for a portion of the improvements previously installed.
 - a. Notice on the benefitted property owner shall be accomplished by delivery requiring a signature of a responsible person at the registered owner's address, or a signature of an individual who delivered the notice to a person at that address.
 - b. The notices shall include a copy of the approved pioneering agreement.

2. The pioneering agreement shall expire ten (10) years from the date of the pioneering agreement's execution, or at such time that the developer has recovered the costs specified in the pioneering agreement, whichever comes first.
3. Prior to recording a plat for a benefitted property under a pioneering agreement, the city shall require proof of payment of the amount described in this subsection, and may deny plat recordation until the city has received such proof.
4. Notwithstanding subsection 3 of this section, the city may proceed with plat recordation if the developer is non-responsive to the city's communications regarding the payment under the pioneering agreement, if the pioneering developer failed to comply with the requirements of this section, or if other extenuating circumstances indicate that plat recordation is appropriate.
- 4.5. A benefitted property owner that objects to the entry of a pioneering agreement shall file a notice of appeal to the city recorder within thirty (30) days of receiving notice under subsection (1) of this section. Failure to file a timely appeal waives the right of benefitted property owners, or their successors or assigns, to contest the agreement or the city's refusal to record the plat under this subsection (B)(3).

B.D. Nonliability Of City: The city shall, in all cases, be immune and not liable for any payments to the developer if the payback or pioneering agreement is determined to be unenforceable. ~~The payback a~~ Agreements under this section shall not confer a benefit upon any third party and shall be in a form approved by the city council. The responsibility for payment of the required improvements or facilities shall rest entirely with the developer. The city shall not be responsible for collection of amounts from third parties.



Planning Commission Staff Report February 23, 2023

Item #3: Zone Text Changes/Additions: Amendments to Sections 11-2-020; 11-10-020; 11-20-040 C. and H.; and 11-32-030; and Enacting Chapter 27 B--Agriculture Planned District

Public Hearing: No
Application No.: ZT-14-22
Applicant: Farmington City

Request: City staff is proposing text amendments to the above referenced sections related to definitions, schedule of uses in Agriculture zones, lot coverage, Accessory Buildings and Structures, and off-street parking; and staff is also proposing the enactment of Chapter 27 B titled Agriculture Planned District.

Background Information

The Planning Commission considered this application at a public hearing on January 5, 2023, but tabled action to allow time for staff to incorporate their comments provided at the meeting and thereafter prepare an updated draft of the proposed zone text changes. The Planning Commission reviewed these updates on January 19, 2023, and tabled the item and established a three-person committee to work with staff to further refine lot coverage standards. Thereafter, on February 9, 2023, the Commission favorably accepted the lot coverage modifications, and then discussed, among other things, the idea of requiring minimum thresholds, which if met, would enable a property owner to apply for an AP-district. After review of the third draft, the Commission tabled action again to allow time for another committee to work on final enhancements to the proposed zone text changes (see enclosed fourth draft). The remainder of this background section is the same information set forth in the January 5, 2023, Planning Commission staff report.

The purpose of the Agriculture Zones identified in Chapter 10 of the Zoning Ordinance is set forth in Section 11-10-010 as follows:

- A. The AA, A and AE Zones are intended to provide areas for the keeping of farm animals and fowl in conjunction with single- family dwelling units to an extent consistent with said development and in proportion to the amount of land area provided for this purpose.
- B. The AE Zone is expressly established to accommodate residential developments which are oriented to a lifestyle that includes farming which is generally noncommercial. To accomplish this purpose, this chapter includes provisions which encourage the design of residential communities to include noncommercial stables, training areas and equestrian trails as part of the development.
- C. Property in the AA and A Zones is intended to be used primarily for commercial agriculture, farming and large estate parcels for residential living. Additionally, the AA Zone is created to apply to environmentally sensitive areas, such as floodplains, wetlands, debris flow areas, areas within one hundred feet (100') of a stream channel, all land above an elevation of five thousand two hundred

feet (5,200') above sea level, all land below an elevation of four thousand two hundred eighteen feet (4,218') above sea level.

- 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-6-1104, as amended, may bar them from obtaining a legal judgment against such normal agricultural operations.

Some existing and potential future uses in the Agriculture zones are arguably not consistent with the above purpose. Perhaps most notably are the Davis County fairgrounds, and the requested sports complex and event uses of the same. However, any commercial zoning of this property to accommodate such uses (even though the County proposals may be desirable for the community) may over-time inadvertently introduce “more intense” non-residential/agriculture uses not suitable for this location. The proposed Agriculture Planned District chapter to the Zoning Ordinance (see enclosed draft), and accompanying suggested amendments elsewhere in this title, will help ensure appropriate development of this site and possibly other properties presently located in Agriculture zones as well.

Suggested Motion

Move that the Planning Commission forward a favorable recommendation of the enclosed proposed text amendments to the Zoning Ordinance, and the new Chapter 27B, to the Farmington City Council with any changes as noted by the Commission.

Findings: See “Purposes” --Section 11-27B-010 of Chapter 27B of the attached draft.

Supplementary Information

1. “Clean” copy of draft changes and additions to the Zoning Ordinance, which only show the fourth round of changes, or the February 23, 2023 version.
2. Draft changes and additions to the Zoning Ordinance, which show the existing ordinance and all changes contemplated thus far; that is, the January 5, 2023, January 19, 2023, February 9, 2023, and February 23, 2023 drafts.
3. Staff will be prepared to show additional information to help provide background related to the text changes where necessary.

Clean Copy with Just 2/23/23 Redlines/Cross-outs

DRAFT Changes and Additions to the Zoning Ordinance

January 5, 2023, January 19, 2023, February 9, 2023, February 23, 2023

11-2-020: DEFINITIONS OF WORDS AND TERMS

DEVELOPMENT REVIEW COMMITTEE: The Development Review Committee (DRC) consists of City departments, special districts, governmental boards, bureaus, utility companies and other agencies, as determined by the City's Community Development Department, necessary for the review, recommendation and comment of applications for development, other inquiries, or issues important to the City.

11-10-020: SCHEDULE OF USES:

The following table identifies permitted uses by the letter "P" and conditional uses by the letter "C". The letter "X" indicates that the use is not allowed. Uses not listed shall not be allowed, except as provided in subsection 11-4-050F and/or Chapter 27B of this title:

Use	Agricultural Zones		
	AA	A	AE
Use	Agricultural Zones		
	AA	A	AE
Accessory dwelling unit	C	C	C
Accessory living quarters	C	X	X
Agriculture	P	P	P
Boarding kennel	X	C	X
Class A animals (small animals)	P	P	P
Class B animals (large animals)	P	P	P
Class C animals (commercial farming)	P	P	C
Class D animals (dangerous animals)	X	X	X
Daycare, preschool (16 students or less)	X	C	C
Fruit and vegetable stands for sale of produce grown on the premises	P	P	P
Home occupations complying with provisions of the home occupation chapter of this title, except as specified in section 11-35-040 of this title	P	P	P
Home occupations specified in section 11-35-040 of this title	C	C	C
Internal accessory dwelling unit	P	P	P
Public school	X	C	C
Public uses	X	C	C
Public utility installations (not including lines and rights-of-way)	C	C	C
Quasi-public uses	X	C	C
Radio, television and telephone transmission and relay towers and facilities, except as specified in section 11-28-190 of this title	C	C	C
Residential facilities for the elderly	X	C	C
Residential facilities for the disabled	P	P	P
Signs complying with title 15 of this Code	P	P	P
Single-family dwelling	P	P	P
Sportsman's kennel (3 to 5 dogs for noncommercial use)	C	C	C

Trails and parks	C	C	C
Uses customarily accessory to a listed conditional use	C	C	C
Uses customarily accessory to a listed permitted use	P	P	P
Veterinary clinic	C	C	C

11-10-040: LOT AND SETBACK STANDARDS:

C. Lot Coverage. The gross area of a lot covered by the main building, accessory buildings and other structures shall meet the following standards:

1. Lots Less than 0.5 Acres in Area. The coverage and size requirements set forth in Chapter 11 of this title shall apply.
2. Lots Equal to or Greater than 0.5 acres in Area. A coverage base of 6,000 square feet plus one square foot of additional coverage for every eight (8) square feet of gross lot area more than 0.5 acres (or 21,780 square feet), but the base plus additional coverage shall not exceed 20,000 square feet. For illustrative purposes, the table below shows a few of the many possible coverage outcomes on the continuum between 6,000 and 20,000 square feet.

Gross Lot Area Acres	0.5	1.0	1.5	2.0	2.5	3.0
Coverage Area (S.F.)						
Base	6,000	6,000	6,000	6,000	6,000	6,000
Additional *	0	2,750	5,500	8,250	11,000	13,750
Total	6,000	8,750	11,500	14,250	17,000	19,750
* Additional Coverage = One S.F. coverage for every 8 S.F. of gross lot area over 21,780 S.F. or 0.5 acres						

H. Accessory Buildings and Structures:

1. a. Accessory buildings, except those listed in subsection H3 of this section, 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.

b. Notwithstanding the foregoing, the City may approve accessory buildings 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. Accessory buildings shall not be located in the required front yard. Accessory building located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the required rear yard or thirty three percent (33%) of a required side yard; when located in the front yard, but not the required front yard, accessory buildings shall not occupy more than 25% of that area.
3. 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.

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.

CHAPTER 27B

AGRICULTURE PLANNED DISTRICT (AP)

SECTION:

11-27B-010: Purposes

11-27B-020: Standards and Requirements

11-27B-030: Step 1 - General Development Plan and AP-District Application

11-27B-040: Step 2 - Final Rezone Approval

11-27B-050: Development Plan and Agreement to Constitute AP District Requirements

11-27B-010: PURPOSES:

The purposes of the AP District are:

- A. To provide, where deemed appropriate by the City Council, non-residential and non-agriculture development compatible with **and which enhances** the purposes of the AA, A, and AE zones.
- B. To allow sustainable and economically viable development which will enhance the community as a whole as well as immediately surrounding neighborhoods and existing property uses.**
- C. To protect environmentally sensitive areas, including, but not limited to: wetlands, open space, and areas in close proximity to the stream channels, ponds, and the marsh lands of the Great Salt Lake.
- D. To ensure for orderly preplanning and long-term development of properties; and the creation of a cohesive development plan that will be viable, sustainable, and implements the goals and objectives of the Farmington City General Plan and other plans as adopted.
- E. To give the property owner reasonable assurance that development plans prepared in accordance with an approved general development plan will be acceptable to the City.
- F. To enable the adoption of measures providing for development harmonious with surrounding areas.

11-27B-020: STANDARDS AND REQUIREMENTS:

The following provisions shall apply in an AP District, which district shall also be subject to other provisions of this title, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a general development plan approved pursuant to this chapter, shall apply:

- A. AP Districts may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter, the Farmington City General Plan and/or other area plans as adopted, and shall meet two of the three following criteria:
1. The area proposed for development shall not be less than 5 acres in size;
 2. The development area must be adjacent to a Farmington City controlled public right-of-way not less than 70 feet in width;
 3. A building, or buildings, constructed prior to the enactment of this standard, must exist on-site which exceed the lot coverage requirements set forth in the underlying zone.
- B. ~~No ordinance establishing an AP District shall be adopted unless and until there is on file with the City written consent of every property owner, or owners, within such District at the time of adoption of the ordinance, agreeing:~~
- ~~1. That the owner(s) will be bound by their conditions and regulations adopted and which will be effective within the District; and~~
 - ~~2. To record such written agreement with the Davis County Recorder.~~
- Before detailed studies of any AP District development plans shall be undertaken by the Planning Staff or the Planning Commission, there shall be a complete development application on file with the City.
- C. ~~The~~ Applicable zoning regulations shall apply except as otherwise set forth in an AP District ~~shall be~~ as established by the General Development Plan and Development Agreement and which agreement may include:
1. Permitted or conditional permitted land uses, including accessory uses;
 2. Minimum development area or lot size, which may not be less than allowed in the underlying zone;
 3. Maximum building height;
 4. Landscaping;
 5. Fencing;
 6. Signage;
 7. Parking;
 8. Required amenities, private or public;
 9. Circulation: pedestrian and vehicular;
 10. Building design standards;
 11. Other site-specific regulations as deemed appropriate.
- D. AP District regulations, ~~which~~ that are inconsistent with zoning regulations in this Title; shall have precedence and shall supersede such zoning regulations, with the exception of subdivision processes, standards for public improvements, and Building Codes, including but not limited to

plumbing, mechanical, and electrical regulations. For those regulations not specifically addressed in the Development Agreement; **previously** adopted ordinances and regulations shall apply. **All such exceptions shall be specified in the DA showing all such deviations from existing regulations and the existing regulation from which the deviation occurs.**

- E. The applicant has an affirmative duty to demonstrate that the overall development and any deviations from the underlying zone or other applicable ordinances enhances the purposes of the underlying zone.**

11-27B-030: STEP 1 - GENERAL DEVELOPMENT PLAN, DEVELOPMENT AGREEMENT AND AP-DISTRICT APPLICATION:

- A. A General Development Plan (GDP) and Development Agreement (DA) must accompany an application for an AP-District rezone request and shall be submitted by the property owner or an authorized representative.
 - 1. All GDPs shall be prepared by a licensed/certified professional, such as an architect, landscape architect, planner, engineer, surveyor, etc. The requirements for a complete site plan review application are:
 - a. Conceptual Site Plan, including a current survey and legal description, vehicular and pedestrian circulation, proposed building placement (if any), setbacks, streetscape, parking, fire protection, sensitive and/or agriculture lands, fencing, and signage locations, plus any other information required for conceptual site plan review;
 - b. Conceptual Landscape Plan, including open space; and
 - c. Conceptual Building Plan(s), if any, including elevations, height, materials, and proposed colors.
 - 2. The DA shall include and memorialize any alternative development standard and/or use not set forth in the underlying zone or shown on the GDP. The GDP must be an exhibit to the DA.
- B. Upon receipt of a complete application to the Community Development Department, the application shall be reviewed by the Development Review Committee (DRC). The DRC shall provide written comments to the applicant regarding the proposed General Development Plan within fourteen (14) business days of receipt. The applicant may request a meeting with the DRC and/or City Staff to discuss the comments. Upon receipt of a written response to the comments and any revised submittal, the DRC shall review the resubmittal and make a recommendation on the application to the Planning Commission. Once a recommendation has been made by the DRC, the Community Development Department shall schedule a public hearing before the Planning Commission and provide written notice to property owners within three hundred feet (300') of the boundary of the proposed project, in accordance with Utah State Code 10-9a-502.
- C. The Community Development Department shall provide to the Planning Commission copies of all pertinent documents, plans, and maps related to the project, including the GDP and DA.
- D. After conclusion of the public hearing the Planning Commission may recommend to the City Council approval or denial of the rezone request, GDP, and DA. In considering whether to approve the Application, the Planning Commission may, among other things, take into consideration some or all of the criteria set forth below in subsection E. 1-6.

- E. Upon receipt of the application, the City Council may accept, deny, or modify the rezone request and proposed GDP and DA. If approved, the City Council shall add the area encompassed by the GDP and establish an AP District as a suffix to an underlying zone by ordinance, provided that it finds that the facts submitted with the application(s) and presented at the public meetings establish that:
1. ~~The primary phase of the development, is compatible with and will enhance the community as a whole as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or immediately surrounding neighborhoods and existing property uses. To the extent that there is a commercial component, the applicant adequately demonstrates sustainable financial viability or provides that adequate assurance of sustainability. will be provided that such objective will be attained; and that~~
 2. **That** the uses proposed will not be detrimental to present and anticipated surrounding uses as determined by the City.
 3. The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload, **compromise the safety of, or diminish the existing residential or other nature of** the street network outside the AP District **in a detrimental of adverse way.**
 4. ~~Non-agriculture and/or non-residential development can be justified economically at the locations proposed, to provide such facilities.~~
 5. Any exception from standard ordinance requirements is **documented as required herein, warranted by the design and amenities incorporated into the final plan and enhances the purposes of the underlying zone and community as a whole.**
 6. The AP District is in conformance with the City General Land Use plan.
 7. Existing or proposed utility services are adequate for the uses proposed.
- F. Phased development plans shall include Schematic Subdivision plans, if applicable, which shall be shown as part of the GDP.
- G. Unless there is substantial action leading toward Step 2 of an AP District within a period of six (6) months from the date of approval, as determined by the City Council, such approval shall expire, unless, after reconsideration of the progress of the project, an extension is approved.**

11-27B-040: STEP 2 - FINAL SITE PLAN AND/OR SUBDIVISION APPROVAL:

- A. Upon approval of the GDP and DA by the City Council, the applicant shall submit application for review of a Final Site Plan, and/or concurrent review of an application for subdivision review as applicable. Applications shall address any issues or concerns raised as part of the consideration of the GDP along with any conditions of said approval.
- B. Upon receipt of a complete Site Plan Application, and Subdivision Application as applicable, the application(s) shall be reviewed by the Development Review Committee (DRC). The DRC shall provide written comments to the applicant within fourteen (14) business days of receipt. The applicant may request a meeting with the DRC or staff to discuss the comments. Upon receipt

of a written response to the comments and any revised submittal(s), the DRC shall review the resubmittal and make a recommendation on the application(s) to the Planning Commission.

- C. Once comments have been finalized by the DRC, the Community Development Department shall schedule a public meeting before the Planning Commission for review of the application(s) and consideration of the Final Site Plan, and Subdivision plans as applicable.
- D. If the GDP requires a subdivision of the property, the Planning Commission may consider a Preliminary Plat, prior to its review of the Final Site Plan, and may consider a Final Plat concurrent with or after Final Site Plan approval.
- E. The Community Development Department shall provide to the Planning Commission copies of all pertinent documents, plans, and maps related to the project, including the approved GDP and DA.
- F. At the public meeting(s) the Planning Commission may approve or deny the Final Site Plan, and subdivision plans as applicable.

11-27B-050: GENGERAL DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT
TO CONSTITUTE AP DISTRICT REQUIREMENTS:

- A. At the time of adoption of any ordinance establishing an AP District, the City and the applicant and/or property owner shall enter into a Development Agreement with the developer to define the development, its uses, street pattern, public and private improvements, open spaces, public dedications and grants of easements, and any other specifics about the project deemed necessary for the overall project. The Development Agreement shall include a list of building standards if different than the underlying zone, to include setbacks, building height, lot coverage, and other regulations related to the siting of buildings.
- B. The Development Agreement shall include the General Development Plan which shall guide all development within the specific project being approved. The General Development Plan shall consist of a site plan and landscape plan containing the following: survey and legal description, vehicular and pedestrian circulation, proposed building placement, setbacks, streetscape, parking, fire protection, fencing, signage locations, open space/parks, streetscape and building setback diagrams, along with conceptual building elevations and design schemes, plus any other information required for conceptual site plan approval. If, in the course of developing the project, changes are to be made to the General Development Plan which are substantially different from the General Development Plan, a new General Development Plan shall be considered at a new public hearing, for recommendation by the Planning Commission and adopted by the City Council. "Substantially different" means any increase or decrease in gross use greater than ten percent (10%) of the total project area, or a twenty percent (20%) or greater change of a specific use. Realignment of streets or utility improvements when no change in overall use occurs shall not be considered "substantially different". In the event a change, or changes, occur to an approved General Development Plan which City Staff determines are not "substantially different", the City Planner shall review and approve the modifications. Modifications so approved by the City Planner shall be reported at the next Planning Commission meeting.
- C. Upon approval of the Development Agreement, which shall include the General Development Plan, and the Zoning Map Amendment, all approved uses shall be processed based on the standards approved in the Development Agreement.

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, such approval shall expire, unless, after reconsideration of the progress of the project, an extension is approved.

11-32-030: GENERAL PROVISIONS:

- I AP Districts: Off street parking, loading, and access standards for Agriculture Planned Districts shall be determined as part of the General Development Plan and agreement process set forth in Chapter 27B of this title.

DRAFT Changes and Additions to the Zoning Ordinance

January 5, 2023, January 19, 2023, February 9, 2023, February 23, 2023

11-2-020: DEFINITIONS OF WORDS AND TERMS

DEVELOPMENT REVIEW COMMITTEE: The Development Review Committee (DRC) consists of City departments, special districts, governmental boards, bureaus, utility companies and other agencies, as determined by the City's Community Development Department, necessary for the review, recommendation and comment of applications for development, other inquiries, or issues important to the City.

11-10-020: SCHEDULE OF USES:

The following table identifies permitted uses by the letter "P" and conditional uses by the letter "C". The letter "X" indicates that the use is not allowed. The letters "AP" designate that the use shall only be considered under the standards of Chapter 27B of this title. Uses not listed shall not be allowed, except as provided in subsection 11-4-050F and/or Chapter 27B of this title:

Use	Agricultural Zones		
	AA	A	AE
Use	Agricultural Zones		
	AA	A	AE
Accessory dwelling unit	C	C	C
Accessory living quarters	C	X	X
Agriculture	P	P	P
Boarding kennel	X	C	X
Class A animals (small animals)	P	P	P
Class B animals (large animals)	P	P	P
Class C animals (commercial farming)	P	P	C
Class D animals (dangerous animals)	X	X	X
Commercial outdoor recreation, minor (i.e., family reunion center, outdoor reception facilities, equestrian facilities, picnic grounds, tennis courts, etc.)	CAP	CAP	CAP
Daycare, preschool (16 persons students or less)	X	C	C
Fruit and vegetable stands for sale of produce grown on the premises	P	P	P
Greenhouse/garden center (retail or wholesale) less than 5 acres	CAP	CAP	CAP
Home occupations complying with provisions of the home occupation chapter of this title, except as specified in section 11-35-040 of this title	P	P	P
Home occupations specified in section 11-35-040 of this title	C	C	C
Indoor Sports Court for Commercial or Private use, minor (gymnasium, basketball, tennis, etc.)	CAP	CAP	P*X
Internal accessory dwelling unit	P	P	P
Private school, public school or hospital	X	CAP	CAP
Public school	X	C	C
Public uses	X	C	C
Public utility installations (not including lines and rights-of-way)	C	C	C
Quasi-public uses	X	C	C
Radio, television and telephone transmission and relay towers and facilities, except as specified in section 11-28-190 of this title	C	C	C

Formatted: Strikethrough

Formatted: Font color: Auto

Formatted: Underline, Font color: Red

Residential facilities for the elderly	X	C	C
Residential facilities for the disabled	P	P	P
Signs complying with title 15 of this Code	P	P	P
Single-family dwelling	P	P	P
Sportsman's kennel (3 to 5 dogs for noncommercial use)	C	C	C
Trails and parks	C	C	C
Uses customarily accessory to a listed conditional use	C	C	C
Uses customarily accessory to a listed permitted use	P	P	P
Veterinary clinic	C	C	C

*For private use only

11-10-040: LOT AND SETBACK STANDARDS:

C. Lot Coverage: Not more than ~~20,000 sq. ft.~~ 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 ~~AE, A, and AA Zones. on~~ and lots greater than 0.75 acre ~~but less than 1.0 acres~~ in size in the AE Zone, and not more than the lesser of ten percent (10%) or 820,000 sq. ft. of the gross area of a lot for the ~~same AA Zones greater than 1.0 acre in size.~~ 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. Per section ~~11-3-045~~, the Planning Commission may consider a special exception to allow up to an additional 25% or 21,780 ~~not to exceed 20,000~~ square feet of lot coverage, whichever is less.

C. Lot Coverage. The gross area of a lot covered by the main building, accessory buildings and other structures shall meet the following standards:

1. Lots Less than 0.5 Acres in Area. The coverage and size requirements set forth in ~~C~~chapter 11 of this title shall apply.
2. Lots Equal to or Greater than 0.5 acres in Area. A coverage base of 6,000 square feet plus one square foot of additional coverage for every eight ~~(8)~~ square feet of gross lot area more than 0.5 acres (or 21,780 square feet), but the base plus additional coverage shall not exceed 20,000 square feet. For illustrative purposes, the table below shows a few of the many possible coverage outcomes on the continuum between 6,000 and 20,000 square feet.

Gross Lot Area Acres	0.5	1.0	1.5	2.0	2.5	3.0
Coverage Area (S.F.)						
Base	6,000	6,000	6,000	6,000	6,000	6,000
Additional *	0	2,750	5,500	8,250	11,000	13,750
Total	6,000	8,750	11,500	14,250	17,000	19,750
* Additional Coverage = One S.F. coverage for every 8 S.F. of gross lot area over 21,780 S.F. or 0.5 acres						

Formatted Table

H. Accessory Buildings ~~a~~And Structures:

1. ~~a~~. Accessory buildings, except those listed in subsection H~~32~~ 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.

b. Notwithstanding the foregoing, the City may approve accessory buildings 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 Cchapter 11), and comply with lot coverage standards herein.

2. Accessory buildings shall not be located in the required front yard. Accessory building located to the rear or side of the main building shall not occupy more than twenty five percent (25%) of the required rear yard or thirty three percent (33%) of a required side yard; when located in the front yard, but not the required front yard, accessory buildings shall not occupy more than 25% of that area.
- ~~23.~~ 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.
- ~~34.~~ 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.
- ~~45.~~ Accessory buildings which contain or constitute an accessory dwelling unit shall, without exception, be subordinate in height and area to the main building.

CHAPTER 27B

AGRICULTURE PLANNED DISTRICT (AP)

SECTION:

11-27B-010: Purposes

11-27B-020: Standards aAnd Requirements

11-27B-030: Step 1 - General Development Plan aAnd AP-District Application

11-27B-040: Step 2 - Final Rezone Approval

11-27B-050: Development Plan aAnd Agreement to Constitute Planned AP District Requirements

11-27B-010: PURPOSES:

The purposes of the ~~Planned Distric~~AP District are:

A. To provide, where deemed appropriate by the City Council, non-residential and non-agriculture development compatible with and which enhances the purposes of the AA, A, and AE zones.

A.B. To allow sustainable and economically viable development which will enhance the community as a whole as well as immediately surrounding neighborhoods and existing property uses.

Formatted: Font color: Auto

~~B.C.~~ To protect environmentally sensitive areas, including, but not limited to: wetlands, open space, and areas in close proximity to the stream channels, ponds, and the marsh lands of the Great Salt Lake.

~~C.D.~~ To ensure for orderly preplanning and long-term development of properties; and the creation of a cohesive development plan that will be viable, sustainable, and implements the goals and objectives of the Farmington City General Plan and other plans as adopted.

~~D.E.~~ To give the property owner reasonable assurance that development plans prepared in accordance with an approved general development plan will be acceptable to the City.

~~E.F.~~ To enable the adoption of measures providing for development harmonious with surrounding areas.

11-27B-020: STANDARDS AND REQUIREMENTS:

The following provisions shall apply in an AP District, which district shall also be subject to other provisions of this title, except that where conflict in regulations occurs, the regulations specified in this chapter, or on a general development plan approved pursuant to this chapter, shall apply:

A. AP Districts may be established on parcels of land which are suitable for, and of sufficient size, to be planned and developed in a manner consistent with the purposes and objectives of this chapter, the Farmington City General Plan and/or other area plans as adopted, and shall meet two of the three following criteria:

1. The area proposed for development shall not be less than 5 acres in size;
2. The development area must be adjacent to a Farmington City controlled public right-of-way not less than 70 feet in width;

A. A building, or buildings, constructed prior to the enactment of this standard, must exist on-site which exceed the lot coverage requirements set forth in the underlying zone;

~~B. No ordinance establishing an AP District shall be adopted unless and until there is on file with the City written consent of every property owner, or owners, within such District at the time of adoption of the ordinance, agreeing:~~

- ~~1. That the owner(s) will be bound by their conditions and regulations adopted and which will be effective within the District; and~~
- ~~2. To record such written agreement with the Davis County Recorder.~~

C. Before detailed studies of any AP District development plans shall be undertaken by the Planning Staff or the Planning Commission, there shall be a complete development application on file with the City.

~~D.C. The applicable zoning regulations shall apply except as otherwise set forth in an Agriculture Planned AP District, shall be as established by the General Development Plan and Development Agreement and may include:~~

1. Permitted or conditional permitted land uses, including accessory uses;
2. Minimum development area or lot size, which may not be less than allowed in the underlying zone;

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font color: Auto

Formatted: Strikethrough

Formatted: No bullets or numbering

Formatted: Strikethrough

Formatted: Strikethrough

3. Maximum building height;
4. Landscaping;
5. Fencing;
6. Signage;
7. Parking;
8. Required amenities, private or public;
9. Circulation: pedestrian and vehicular;
10. Building design standards;
11. Other site-specific regulations as deemed appropriate.

~~E.D. Agriculture Planned AP District regulations, which that are inconsistent with zoning regulations in this Title, shall have precedence and shall supersede such zoning regulations with the exception of subdivision processes, standards for public improvements, and Building Codes, including but not limited to plumbing, mechanical, and electrical regulations. For those regulations not specifically addressed in the Development Agreement, previously adopted ordinances and regulations shall apply. All such exceptions shall be specified in the DA showing all such deviations from existing regulations and the existing regulation from which the deviation occurs.~~

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Font color: Auto

E. The applicant has an affirmative duty to demonstrate that the overall development and any deviations from the underlying zone or other applicable ordinances enhances the purposes of the underlying zone.

Formatted: Space Before: 0 pt, After: 0 pt

11-27B-030: STEP 1 - GENERAL DEVELOPMENT PLAN, DEVELOPMENT AGREEMENT AND AP-DISTRICT APPLICATION:

Formatted: Space Before: 0 pt

- A. A General Development Plan (GDP) and Development Agreement (DA) must accompany an application for an AP-District rezone request and shall be submitted by the property owner or an authorized representative.
1. All GDPs shall be prepared by a licensed/certified professional, such as an architect, landscape architect, planner, engineer, surveyor, etc. The requirements for a complete site plan review application are:
 - a. Conceptual Site Plan, including a current survey and legal description, vehicular and pedestrian circulation, proposed building placement (if any), setbacks, streetscape, parking, fire protection, sensitive and/or agriculture lands, fencing, and signage locations, plus any other information required for conceptual site plan review;
 - b. Conceptual Landscape Plan, including open space; and
 - c. Conceptual Building Plan(s), if any, including elevations, height, materials, and proposed colors.

2. The DA shall include and memorialize any alternative development standard and/or use not set forth in the underlying zone or shown on the GDP. The GDP must be an exhibit to the DA.
- B. Upon receipt of a complete application to the Community Development Department, the application shall be reviewed by the Development Review Committee (DRC). The DRC shall provide written comments to the applicant regarding the proposed General Development Plan within fourteen (14) business days of receipt. The applicant may request a meeting with the DRC and/or City Staff to discuss the comments. Upon receipt of a written response to the comments and any revised submittal, the DRC shall review the resubmittal and make a recommendation on the application to the Planning Commission. Once a recommendation has been made by the DRC, the Community Development Department shall schedule a public hearing before the Planning Commission and provide written notice to property owners within three hundred feet (300') of the boundary of the proposed project, in accordance with Utah State Code 10-9a-502.
- C. The Community Development Department shall provide to the Planning Commission copies of all pertinent documents, plans, and maps related to the project, including the GDP and DA.
- D. After conclusion of the public hearing the Planning Commission may recommend to the City Council ~~the approval or denial of the rezone request, GDP, and DA. In considering whether to approve the Application, the Planning Commission may, among other things, take into consideration some or all of the criteria set forth below in subsection E. 1-6.~~
- E. Upon receipt of the application, the City Council may accept, deny, or modify the rezone request and proposed GDP and DA. If approved, the City Council shall add the area encompassed by the GDP and establish an AP District as a suffix to an underlying zone by ordinance, provided that it finds that the facts submitted with the application(s) and presented at the public meetings establish that:
- ~~1. The primary phase of the development is compatible with and will enhance the community as a whole as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or immediately surrounding neighborhoods and existing property uses. To the extent that there is a commercial component, the applicant adequately demonstrates sustainable financial viability or provides that adequate assurance of sustainability, will be provided that such objective will be attained, and that~~
 - ~~2. That the uses proposed will not be detrimental to present and anticipated surrounding uses as determined by the City.~~
 - ~~3. The streets proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload, compromise the safety of, or diminish the existing residential or other nature of the street network outside the AP District in a detrimental or adverse way.~~
 - ~~4. Non agriculture and/or non residential development can be justified economically at the locations proposed, to provide such facilities.~~
 - ~~5. Any exception from standard ordinance requirements is documented as required herein, warranted by the design and amenities incorporated into the final plan and enhances the purposes of the underlying zone and community as a whole.~~

Formatted: Font color: Auto

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

Formatted: Strikethrough

~~5.6.~~ The AP District is in conformance with the City ~~C~~general ~~L~~and ~~U~~se plan.

~~6.7.~~ Existing or proposed utility services are adequate for the uses proposed.

~~F.~~ Phased development plans shall include ~~S~~schematic ~~S~~ubdivision plans, if applicable, which shall be shown as part of the GDP.

~~F.G.~~ Unless there is substantial action leading toward Step 2 of an AP District within a period of six (6) months from the date of approval, as determined by the City Council, such approval shall expire, unless, after reconsideration of the progress of the project, an extension is approved.

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Indent: Left: 0"

11-27B-040: STEP 2 - FINAL SITE PLAN AND/OR SUBDIVISION APPROVAL:

- A. Upon approval of the GDP and DA by the City Council, the applicant shall submit application for review of a ~~F~~final ~~S~~ite ~~P~~lan, and/or concurrent review of an application for subdivision review as applicable. Applications shall address any issues or concerns raised as part of the consideration of the GDP along with any conditions of said approval.
- B. Upon receipt of a complete ~~S~~ite ~~P~~lan ~~A~~pplication, and ~~S~~ubdivision ~~A~~pplication as applicable, the application(s) shall be reviewed by the Development Review Committee (DRC). The DRC shall provide written comments to the applicant within fourteen (14) business days of receipt. The applicant may request a meeting with the DRC or staff to discuss the comments. Upon receipt of a written response to the comments and any revised submittal(s), the DRC shall review the resubmittal and make a recommendation on the application(s) to the Planning Commission.
- C. Once comments have been finalized by the DRC, the Community Development Department shall schedule a public meeting before the Planning Commission for review of the application(s) and consideration of the ~~F~~final ~~S~~ite ~~P~~lan, and ~~S~~ubdivision plans as applicable.
- D. If the GDP requires a subdivision of the property, the Planning Commission may consider a ~~P~~reliminary ~~P~~lat, prior to its review of the ~~F~~final ~~S~~ite ~~P~~lan, and may consider a ~~F~~final ~~P~~lat concurrent with or after ~~F~~final ~~S~~ite ~~P~~lan approval.
- E. The Community Development Department shall provide to the Planning Commission copies of all pertinent documents, plans, and maps related to the project, including the approved GDP and DA.
- F. At the public meeting(s) the Planning Commission may approve or deny the ~~F~~final ~~S~~ite ~~P~~lan, and subdivision plans as applicable.

11-27B-050: GENGERAL DEVELOPMENT PLAN AND DEVELOPMENT AGREEMENT TO CONSTITUTE ~~PLANNED-AP~~ DISTRICT REQUIREMENTS:

- A. At the time of adoption of any ordinance establishing an AP District, the City and the applicant and/or property owner shall enter into a ~~D~~evelopment ~~A~~greement with the developer to define the development, its uses, street pattern, public and private improvements, open spaces, public dedications and grants of easements, and any other specifics about the project deemed necessary for the overall project. The ~~D~~evelopment ~~A~~greement shall include a list of building standards if different than the underlying zone, to include setbacks, building height, lot coverage, and other regulations related to the siting of buildings.

- B. The ~~D~~evelopment ~~A~~greement shall include the ~~G~~eneral ~~D~~evelopment ~~P~~lan which shall guide all development within the specific project being approved. The ~~G~~eneral ~~D~~evelopment ~~P~~lan shall consist of a site plan and landscape plan containing the following: survey and legal description, vehicular and pedestrian circulation, proposed building placement, setbacks, streetscape, parking, fire protection, fencing, signage locations, open space/parks, streetscape and building setback diagrams, along with conceptual building elevations and design schemes, plus any other information required for conceptual site plan approval. If, in the course of developing the project, changes are to be made to the ~~G~~eneral ~~D~~evelopment ~~P~~lan which are substantially different from the ~~G~~eneral ~~D~~evelopment ~~P~~lan, a new ~~G~~eneral ~~D~~evelopment ~~P~~lan shall be considered at a new public hearing, for recommendation by the Planning Commission and adopted by the City Council. "Substantially different" means any increase or decrease in gross use greater than ten percent (10%) of the total project area, or a twenty percent (20%) or greater change of a specific use. Realignment of streets or utility improvements when no change in overall use occurs shall not be considered "substantially different". In the event a change, or changes, occur to an approved ~~G~~eneral ~~D~~evelopment ~~P~~lan which ~~C~~eity ~~S~~taff determines are not "substantially different", the ~~C~~eity ~~P~~lanner shall review and approve the modifications. Modifications so approved by the ~~C~~eity ~~P~~lanner shall be reported at the next ~~P~~lanning ~~C~~ommission meeting.
- C. Upon approval of the ~~D~~evelopment ~~A~~greement, which shall include the ~~G~~eneral ~~D~~evelopment ~~P~~lan, and the ~~Z~~oning ~~M~~ap ~~A~~menment, all approved uses shall be processed based on the standards approved in the ~~D~~evelopment ~~A~~greement.

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, such approval shall expire, unless, after reconsideration of the progress of the project, an extension is approved.

Formatted: Font: Bold

Formatted: Space Before: 0 pt

Formatted: Space Before: 9 pt

11-32-030: GENERAL PROVISIONS:

- I ~~A~~griculture ~~P~~lanned ~~A~~P Districts: Off street parking, loading, and access standards for ~~A~~griculture ~~P~~lanned ~~D~~istricts shall be determined as part of the ~~G~~eneral ~~D~~evelopment ~~P~~lan and agreement process set forth in Chapter 27B of this title.



CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is given that the City Council of the City of Farmington will hold a regular meeting on **Tuesday, February 21, 2023** at City Hall 160 South Main, Farmington, Utah. A tour will begin at 5:00 pm, work session will be held at 6:00 pm in Conference Room 3 followed by the regular session at 7:00 pm in the Council Chambers. The link to listen to the regular meeting live and to comment electronically can be found on the Farmington City website at www.farmington.utah.gov. If you wish to email a comment for any of the listed public hearings, you may do so at dcarlile@farmington.utah.gov

TOUR ROCK MILL PROPERTY - 5:00 p.m.

WORK SESSION – 6:00 p.m.

- Lifetime swimming pool addition
- Lindquist Mortuary discussion
- CW Development Concept - The Charlotte
- Discussion of regular session items upon request

REGULAR SESSION – 7:00 p.m.

CALL TO ORDER:

- Invocation – Roger Child, Councilmember
- Pledge of Allegiance – Amy Shumway, Councilmember

PRESENTATION:

- Musical Number by Farmington High School Choir
- Spotlight Farmington High School student Aaron Miller
- Resolution appointing Dana Chapman to the Historic Preservation Commission

PUBLIC HEARING:

- Petition to Vacate Right-of-Way for a portion of 1525 West from approximately 500 North to 580 North
- Petition to Vacate Historic Right-of-Way affecting property at 577 North 1525 West
- Zoning Ordinance requiring that trees planted within a park strip be a species selected from a list approved by the City Forester

BUSINESS:

- Proposed Hansen Annexation

SUMMARY ACTION:

- Waive plan check fees for Davis County LEC (Sports Park) Project
- UTA License Agreement for 950 North and D&RG Trail Crossing
- CRS Engineers to design the Main Street Waterline Replacement Project
- Consolidated Fee Schedule micro trenching (Kyle)
- Surplus Property
- Minutes approval for 02-07-23

GOVERNING BODY REPORTS:

- City Manager Report
- Mayor Anderson & City Council Reports

ADJOURN

CLOSED SESSION – Minute motion adjourning to closed session, for reasons permitted by law.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations due to a disability, please contact DeAnn Carlile, City Recorder at 801-939-9206, at least 24 hours in advance of the meeting.

CERTIFICATE OF POSTING *I hereby certify that the above notice and agenda were posted at Farmington City Hall, Farmington City Public Works, Farmington Library, the State Public Notice website and the city website www.farmington.utah.gov, on February 16, 2023*

**FARMINGTON CITY
PLANNING COMMISSION**

February 09, 2023

WORK SESSION

Present: Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Samuel Barlow, and Mike Plaizier; and Alternate Commissioner Clay Monroe. **Staff:** Community Development Director David Petersen, Assistant Community Development Director/City Planner Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioner Tyler Turner and Alternate Commissioner Alan Monsen.

The Commission discussed agenda items and adjustments were made to the previously tabled items.

REGULAR SESSION

Present: Chair Erin Christensen; Vice Chair John David Mortensen; Commissioners Larry Steinhorst, Frank Adams, Samuel Barlow, and Mike Plaizier; and Alternate Commissioner Clay Monroe. **Staff:** Community Development Director David Petersen, Assistant Community Development Director/City Planner Lyle Gibson, City Planner/GIS Specialist Shannon Hansell, and Planning Secretary Carly Rowe. **Excused:** Commissioner Tyler Turner and Alternate Commissioner Alan Monsen.

Chair **Erin Christensen** opened the meeting at 7:02 PM.

ZONE TEXT AMENDMENTS

Item #1 Farmington City (Public Hearing) – Consideration of an amendment to Section 11-42-070: Regulatory Standards, of the Zoning Ordinance requiring that trees planted within a park strip be selected from a list approved by the City Forester.

Assistant Community Development Director/City Planner **Lyle Gibson** presented this agenda item. The City currently requires that trees be planted within park strips (the area between the curb and sidewalk, generally part of the public Right-of-Way) in commercial and multi-family projects and even specifies how many trees should be planted. The ordinance does not currently dictate which trees may be planted in these areas. As many tree species are inappropriate in the park strip, the proposed ordinance will help to ensure the planting of more desirable trees that will include fewer negative impacts. The City has a list of recommended trees that is being looked over and updated by the Parks Director, who functions as the City Forester.

Gibson said this better protects City infrastructure, as it would prevent the buckling of sidewalks and tripping hazards. Overhanging trees can damage vehicles and utility lines. Unless trees cause visibility issues, the City doesn't typically get involved in what is planted in park strips. Staff recommends accepting this zone text amendment.

Regular problems from undesirable trees in the park strip include:

- Root systems damage and push up sidewalk infrastructure.
- Tree branches block views of traffic signs and impair visibility of traffic, endangering drivers and pedestrians.
- Tree branches interfere with large vehicles like garbage trucks and snow plows or even overhead power.
- Prone to disease

Chair **Erin Christensen** opened and closed the public hearing at 7:05 PM due to no comments received.

Larry Steinhorst questioned if the date listed in the proposed ordinance (for grandfathering in) is necessary or typical for future ordinances. **Gibson** said it will help indicate that this applies going forward, especially for new development and buildings, or if people start replacing trees. **John David Mortensen** asked about the distance listed between the trees depending on if they are small, medium, or large. **Gibson** said it is to ensure trees that there is room for their roots. In commercial and mixed-use developments, trees are required every 30 feet. In single-family neighborhoods, trees are not required in the park strip. Depending on the size of the park strip, large and medium trees may not be permitted. If park strips are less than 5 feet wide, trees may not be recommended at all. Commissioners noted ordinance references a separate list, not a binding code, and asked for a better introduction for clearer direction on how a resident could get a new tree added to the approved list. This is citizen-facing information that is meant for widespread distribution.

Christensen said she learned that the Planning Commission is the Shade Tree Commission, and this may be better in the realm of the Parks, Recreation, Arts and Trails (PRAT) Advisory Committee. She asked if there is something the City could do to promote uniformity of look and feel regarding trees planted throughout large future developments. Sycamore trees are iconic in the old town of Farmington. **Gibson** said it would be beneficial to select a subcommittee and arborist to address this and establish preferences to be included on the approved tree list. He said this could go further to include uniformity of streetlights, etc. **Christensen** said **Ryan Bentley**, a former alternate commissioner, is a landscape architect who has offered his consultant services in the past.

MOTION

Clay Monroe made a motion to recommend that the Planning Commission recommend approval of the proposed ordinance amending section 11-42-070 of the Farmington City Municipal Code, requiring trees planted in the park strip be chosen from a list provided by the City, including edits mentioned to Staff.

Proposed Finding 1:

1. Requiring trees from a pre-approved list will allow for some flexibility while limiting tree species to those that will have limited negative impacts.

Mike Plaizier seconded the motion, which was unanimous.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Clay Monroe	X Aye _____ Nay
Commissioner Samuel Barlow	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay

CONTINUED FROM PREVIOUS MEETING

Item #2 Farmington City – Applicant is requesting consideration for additional text and amendment to Farmington City Code Section 12-8-095: PAYBACK AGREEMENTS FOR IMPROVEMENTS. The purpose of this amendment is to detail how pioneering agreements are implemented. (ZT-1-23)

Gibson presented this agenda item. When a landowner puts in improvements that will benefit a future landowner, in theory they are paying for things up front that subsequent development will benefit from later, resulting in bigger profits. The proposed changes are technical and not substantive.

Based upon comments received from the Commission on January 19, 2023, a revised version of the ordinance was prepared.

Changes from the January 19 version include:

- Added “or adjacent” to subsection B after “abutting”
- Changed word “payback” to “payment” in subsection B
- Added noticing provisions that requires notice to be provided by either signed receipt (certified mail) or personal service
- Allows City to proceed with benefitted parcel plat dedication, if extenuating circumstances occur, such as the pioneering developer being non-responsive or their failure to comply with the section (providing proper notice to the property owner, for example)
- Appeal rights are now tied to the date of service of notice, rather than recordation of the agreement.

Christensen asked what the difference was between the words “abut” and “adjacent to.” **Gibson** said they are synonymous and could be used interchangeably. Commissioners asked if the length of time since installing improvements would affect future developments. Community Development Director **David Petersen** said defining benefit of property owners is difficult without a plan and consulting engineers. “Adjacent” property owners may differ depending on the specific development or improvement.

Christensen said the Commission wants to see the draft one more time at the next meeting with all the changes made to it. **Monroe** indicated that it would be wise to see the revised version before making a recommendation to the City Council.

MOTION

Frank Adams made a motion to table the item to see the revised Staff Report at the next Commission meeting.
Samuel Barlow seconded the motion, which was unanimous.

Chair Erin Christensen	X Aye _____ Nay
Vice Chair John David Mortensen	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Clay Monroe	X Aye _____ Nay
Commissioner Samuel Barlow	X Aye _____ Nay
Commissioner Mike Plaizier	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay

Item #3 Farmington City – Applicant is requesting consideration to amend existing text, and to enact additional text, to the Zoning Ordinance including: 1) amending Chapter 11-2 Definitions; and 2) amending Chapter 11-10, Agricultural Zones Sections 11-10-020 Schedule of Uses and 11-20-040 C. Lot Coverage; and 3) enacting Chapter 27B Agriculture Planned (AP) District; and 4) amending Chapter 32 Off Street Parking Loading and Access. (ZT-14-22) While amendments to the referenced sections of code are being considered, applications for uses within these sections are not entitled to approval per Utah Code 10-9a-509 (1)(ii)(B).

Petersen presented this agenda item. He has examples that these amendments were based on, should the Commissioners wish to see them. The Planning Commission considered this application at a public hearing on January 5, 2023, but tabled action to allow time for Staff to incorporate their comments provided at the meeting and thereafter prepare an updated draft of the proposed zone text changes. The Planning Commission reviewed these updates on January 19, 2023, and tabled the item and established a three-person committee to work with Staff to further refine lot coverage standard changes. Section 11-10- represents the new approach reviewed by this committee. The remainder of this background section is the same information set forth in the January 5, 2023, Planning Commission Staff Report.

The purpose of the Agriculture Zones identified in Chapter 10 of the Zoning Ordinance is set forth in Section 11-10-010 as follows:

- A. The AA, A and AE Zones are intended to provide areas for the keeping of farm animals and fowl in conjunction with single-family dwelling units to an extent consistent with said development and in proportion to the amount of land area provided for this purpose.
- B. The AE Zone is expressly established to accommodate residential developments which are oriented to a lifestyle that includes farming which is generally noncommercial. To accomplish this purpose, this chapter includes provisions which encourage the design of residential communities to include noncommercial stables, training areas and equestrian trails as part of the development.
- C. Property in the AA and A Zones is intended to be used primarily for commercial agriculture, farming and large estate parcels for residential living. Additionally, the AA Zone is created to apply to environmentally sensitive areas, such as floodplains, wetlands, debris flow areas, areas within one hundred feet (100') of a stream channel, all land above an elevation of five thousand two hundred feet (5,200') above sea level, all land below an elevation of four thousand two hundred eighteen feet (4,218') above sea level.
- 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-6-1104, as amended, may bar them from obtaining a legal judgment against such normal agricultural operations.

Some existing and potential future uses in the Agriculture zones are arguably not consistent with the above purpose. Perhaps most notably are the Davis County fairgrounds, and the requested sports complex and event uses of the same. However, any commercial zoning of this property to accommodate such uses (even though the County proposals may be desirable for the community) may over-time inadvertently introduce “more intense” non-residential/agriculture uses not suitable for this location. The proposed Agriculture Planned (AP) District chapter to the Zoning Ordinance (see draft enclosed in Staff Report), and accompanying suggested amendments elsewhere in this title, will help ensure appropriate development of this site and possibly other properties presently located in Agriculture zones as well.

Christensen said she wants to be careful not to create a mechanism that allows property owners to ask for anything under the sun that didn’t fit with agricultural use. Staff took this into account. When someone applies for the AP zone, it would allow them, through a Development Agreement, to deviate from the standards of the underlying zone. What **Petersen** is proposing would put a limit on that mechanism by limiting who could ask for that with proposed thresholds. She liked putting an overall limit by strengthening the ordinance language. Some standards limit it, such as “the use cannot be detrimental to surrounding property owners” or it “must be compatible with the underlying zone.” She would like to step that up to “enhance,” not just be compatible with, the underlying zone. She does not want this to change the character of West Farmington.

Monroe said there were ambiguous terms, and perhaps that was the intention. He is in favor of flexibility. **Petersen** said things can be better defined and codified when the General Plan is updated in the near future. He said the County doesn’t want their sports complex project to be zoned General Mixed Use (GMU) or any type of commercial. He said some uses, such as a reception center, could be considered a home occupation business. **Mortensen** said he isn’t comfortable with the proposed acreage thresholds, and would rather have flexibility and a broader range of discretion. It is a challenge to determine what is “minor” vs. “major commercial.” The table may need to be amended to take those out, because things are discretionary for the Commission and Council. Things may need to be added to keep the Commission and Council in check regarding what they approve.

Commissioners said the definition of “minor commercial” needs to be added. It could be constrained by square footage, but needs to be fleshed out more. **Petersen** said Staff generally prefers discretion. **Christensen** said the flexibility offered by Section 140 in mixed use zones differs from this, although it is a similar mechanism. The zones here are agricultural, which are the heart and feel of Farmington. It feels different because there is already an existing look and feel to agricultural zones. The rules should be clear, but also residents who moved here relying on the agricultural culture should also be considered. She feels strongly about adding that future uses should “enhance” and not just be “compatible” with agricultural zones. The thresholds need more thought out going forward. Staff needs to strengthen the language of the ordinance. **Adams** said “squishy” language should be shored up so it is not construed against the City. He would like to know what the County wants to do, and that would help put some “meat on the bones” for him. **Gibson** said the County submitted their second revision to their application today, and the application has a lot of detail that can be shared with the Commission. Traffic patterns are still a concern. **Petersen** said he would like to get three of the Commissioners together with Staff to go through these amendments in detail. **Christensen, Adams, and Mortensen** plan to meet with Staff on Monday, February 13, 2023.

MOTION

John David Mortensen made a motion to table this item until the next Commission meeting in order to give Planning Commissioners additional opportunity to draft language and work with Staff.

Larry Steinhorst seconded the motion, which was unanimous.

Chair Erin Christensen	X Aye ____Nay
Vice Chair John David Mortensen	X Aye ____Nay
Commissioner Larry Steinhorst	X Aye ____Nay
Commissioner Clay Monroe	X Aye ____Nay
Commissioner Samuel Barlow	X Aye ____Nay
Commissioner Mike Plaizier	X Aye ____Nay
Commissioner Frank Adams	X Aye ____Nay

OTHER BUSINESS

Item #4 Miscellaneous, correspondence, etc.

- a. **City Council Report February 7, 2023**
 - i. **Gibson** presented this agenda item. Station Point Subdivision was presented to the Council, including a more definitive moderate-income housing component and parking details. Architecture was updated, forgoing the stucco. The applicant will pay about \$90,000 in addition to the additional curb, gutter, and sidewalk. Monterra Subdivision near the mortuary was also discussed. It is a few single-family homes on a steep hill. A lot of survey work has been done since the Commission last saw it a year ago. There is an old easement that has been discussed. They came before the Council for an unofficial “pulse check.”
- b. **Minutes Approval January 19, 2023**
 - i. **Larry Steinhorst** approved the minutes with the corrections emailed to Staff regarding language on items 1 and 5. **Mike Plaizier** seconded the motion, which was unanimous.

Chair Erin Christensen	X Aye ____ Nay
Vice Chair John David Mortensen	X Aye ____ Nay
Commissioner Larry Steinhorst	X Aye ____ Nay
Commissioner Clay Monroe	X Aye ____ Nay
Commissioner Samuel Barlow	X Aye ____ Nay
Commissioner Mike Plaizier	X Aye ____ Nay
Commissioner Frank Adams	X Aye ____ Nay

c. **Other**

ADJOURNMENT

Frank Adams motioned to adjourn at 8:46 pm.

Chair Erin Christensen	X Aye ____ Nay
Vice Chair John David Mortensen	X Aye ____ Nay
Commissioner Larry Steinhorst	X Aye ____ Nay
Commissioner Clay Monroe	X Aye ____ Nay
Commissioner Samuel Barlow	X Aye ____ Nay
Commissioner Mike Plaizier	X Aye ____ Nay
Commissioner Frank Adams	X Aye ____ Nay