



**FARMINGTON CITY**

**PLANNING COMMISSION**

**November 02, 2023**



# FARMINGTON

## MORE TIME FOR LIVING

### PLANNING COMMISSION MEETING NOTICE AND AGENDA Thursday November 02, 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 and training 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](http://farmington.utah.gov).

Any emailed comments for the listed public hearings, should be sent to [crowe@farmington.utah.gov](mailto:crowe@farmington.utah.gov) by 5 p.m. on the day listed above.

#### **SUBDIVISION** – public hearing on item 1 only

1. Blake Bastian – Applicant is requesting consider a recommendation for Preliminary Planned Unit Development (PUD) Master Plan and Schematic subdivision plan for the proposed Gatrell Gardens Subdivision, which will consist of 9 lots (including 2 existing homes) on 2.5 acres or property, located at 37 and 79 North 100 West and a portion of 184 W State Street, in the OTR zone (S-5-23) (This is an updated plan to a proposal first considered on 8/17/23).
2. Wright Development Group – Applicant is requesting approval for Final Plat and Final Site Plan for the proposed Hess Farms subdivision, on 10 acres of property, at approximately 900 N (north of Lagoon Dr.)

#### **ZONE TEXT AMENDMENTS** – public hearing on item 4 only

3. Farmington City – Applicant is requesting additional text and amendment to Title 12: SUBDIVISION REGULATIONS. The proposed amendments are in response to requirements from the State of Utah to remove the requirement for concept/schematic reviews on conventional subdivisions and to establish an appeal process as outlined by the State. The amendments further clarify submittal requirements and the review process. (continued)
4. Farmington City – Applicant is requesting additional text and amendments to Title 11: ZONING REGULATIONS and Title 15: SIGN REGULATIONS. The proposed amendments are to update the body which hears appeals and other land use application such as variance requests. This ordinance would transfer the role of the Board of Adjustments to an Administrative Hearing Officer (AHO).

#### **OTHER BUSINESS**

5. Miscellaneous, correspondence, etc.
  - a. Minutes Approval 10.05.2023 & 10.19.2023
  - b. 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.*

I hereby certify that I posted a copy of the foregoing Notice and Agenda at Farmington City Hall, Farmington City website [www.farmington.utah.gov](http://www.farmington.utah.gov) and the Utah Public Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn). Posted on October 30, 2023

Carly Rowe, Planning Secretary





# Farmington City Planning Commission Staff Report November 2, 2023

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## Item 1: Preliminary PUD Master Plan – Schematic Subdivision Plan - Gatrell Subdivision Planned Unit Development (PUD)

Public Hearing:	Yes (This has been re-noticed due to modified boundary)
Application No.:	S-5-23
Property Address:	37 and 79 North 100 West and a portion of 184 W State Street
General Plan Designation:	LDR (Low Density Residential)
Zoning Designation:	OTR (Original Townsite Residential)
Area:	2.5 acres
Property Owner/Applicant:	Blake Bastian and Fadel Trust / Blake Bastian

*Request: A recommendation for Preliminary PUD Master Plan and Schematic Subdivision plan approval, this is a continuation with updates from the 8/17/2023 PC meeting.*

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### **Update From 8.17.23 Meeting:**

After holding an initial public hearing on this project, the Planning Commission motioned to table any decisions and to have it be brought back at the discretion of the applicant after considering the following (responses to PC requests in red):

1. Staff communicate with the Historical Society to get feedback before the next meeting. They will provide some input to the status of the historic homes.  
*After making updates to the project including having provided example architecture, the project was shared with the historic preservation commission who indicated their support for the proposal.*
2. An update with the Fadels and their willingness to go along with the plan that uses their property.  
*The developer has collaborated again with the Fadels and together they have determined to include more of the Fadels property to assure future development potential for them while also producing a yield plan with an additional lot. This resolves a concern from staff indicated by an original condition to reduce the number of lots.*
3. Impose OTR requirements on any development, with items only waived individually and specifically.  
*The developer has provided a design of the home they are proposing for lot 3 which is most visible from the public right of way which follows the OTR design guidelines. They have also provided examples of homes they would like to do on the remaining lots which do not fully meet the OTR requirements, but are chosen per their compatibility with the area and use of design principles which recognize OTR principles while still accommodating a modern home on a smaller lot. This includes an OTR compliant roofline with a covered*

front porch which comes forward past the garage. The garage spans some 60% of the front façade, but includes windows in the garage door to enhance the architecture.

4. Provide better elevations on proposed homes.  
See #3
5. What the applicant plans to do with the old homes, if they are going to renovate them and bring them up to date, providing costs estimates if possible.  
The developer does not have specific plans for what will happen to the historic homes. They have indicated to staff that detailed plans are challenging to do at this stage in consideration of the project. Having more assurance from the City as to the project layout and number of lots will enable them to further pursue plans for these homes.
6. Applicant look into the options if they lost one lot.  
Applicant to speak to options if 1 lot is gone. Based on updated yield plan, applicant and staff believe number of lots is a reasonable consideration under the ordinance.
7. Applicant explore a fee in lieu of open space.  
Applicant still proposing preservation of 2 historic properties in lieu of open space rather than a fee or TDR consideration.
8. Applicant's proposals for HOAs and rent restrictions for affordable and/or moderate housing.  
Applicant has indicated that they have established HOAs in the city previously and would anticipate establishing similar parameters. HOA covenants would require planting of trees on property and would deal with maintenance of private road. City staff is hesitant to have HOA scrutinized much as it is not a document the city is a party to so we have no long-term control over what it includes and how it is enforced.

The Planning Commission should review the updated information and determine whether or not their requests have been adequately addressed in a manner that in the opinion of the commission merits a recommendation of the PUD.

### **Background Information**

The subject property which consists of 2.5 acres accessed from 100 West Street just north of State Street currently includes 2 homes. The applicant has provided an updated yield plan indicating the potential development of the property with 8 lots if it were to be developed using standard street and lot dimensions. Rather than pursue this configuration, the applicant is looking to preserve the existing 2 homes along 100 West Street which are on the Farmington City Historic Sites List.

In order to preserve these 2 homes and to provide more flexibility in how the property is developed the applicant is looking for approval of a PUD subdivision. This first step is the schematic plan and Preliminary PUD Master Plan consideration. The Planning Commission is tasked with making a recommendation to the city council regarding the request and a final determination would be made by the City Council.

Per Farmington City Municipal Code (FMC) 11-27-010, the purpose of the PUD is "...to promote flexibility in site design, to achieve, for example, the clustering of buildings, the mixture of housing types, and the combining of housing with supplementary uses such as commercial centers, business parks or other multiple use centers, etc. This chapter is also intended to promote better design of residential developments through the use of design professionals. It is further intended that a

planned unit development will provide for more open space, more public amenities, and the preservation of natural features such as floodplains and steep slopes that would not be possible under traditional development techniques...” FMC 11-27-120 states that “smaller planned unit developments are encouraged in the older historical parts of the City in order to use lot interiors where unique conditions may exist.”

FMC 11-27-070 below indicates the items that the Planning Commission should consider to determine if the proposal is more appropriate than a standard subdivision.

**11-27-070: PRELIMINARY PUD MASTER PLAN REVIEW BY PLANNING COMMISSION:**

The Planning Commission shall review the application for approval of a planned unit development designation and the preliminary PUD Master Plan at a public hearing. The Planning Commission shall either recommend the City Council approve the application and plan as presented, recommend the City Council approve it subject to certain conditions, table the application pending receipt of required materials, data, studies and information, or recommend the City Council disapprove it. Any recommendation for approval of the preliminary PUD Master Plan shall be made only after the Planning Commission makes the following findings:

A. Layout: The proposed layout will provide a more pleasant and attractive living environment than a conventional development established under the strict applications of the provisions of the underlying zones. The Planning Commission shall consider the architectural design of the buildings and their relationship on the site and their relationship to development beyond the boundaries of the proposed planned unit development. The Planning Commission shall consider the landscaping and screening as related to the several uses within the proposed planned unit development and as a means of its integration into its surroundings.

B. Consideration Of Adjacent Property: The proposed planned unit development will create no detriment to property adjacent to the planned unit development and to this end the Planning Commission may require that the uses of least intensity or greatest compatibility be arranged around the boundaries of the project. The Planning Commission may require that yard and height requirements for the adjacent zone apply on the periphery of the planned unit development.

C. Efficient Use Of Land: The proposed planned unit development will provide more efficient use of the land and more usable open space than a conventional development permitted in the underlying zone. The Planning Commission shall consider the residential density of the proposed development and its distribution.

D. Compensation For Increased Density: The increased density allowed within the planned unit development will be compensated by better site design and by the provision of increased amenities, common open space and recreational facilities. To ensure this requirement is achieved, site plans and other plans should be prepared by design professionals.

E. Hazards Not Increased; Recommendations: Any variation allowed from the development standards of the underlying zone will not increase hazards to the health, safety or general welfare of the residents of the proposed planned unit development. Based on its action on the preliminary PUD Master Plan, the Planning Commission shall make recommendations to the City Council. A recommendation for approval of the preliminary PUD Master Plan shall also include a list of recommendations for deviation from the requirements of the underlying zone requirements.

The applicant has provided a plan indicating a private drive that that enters from 100 West to 5 smaller lots on the eastern portion of the subdivision. The existing homes fronting 100 west would

remain. The new homes would be accessed from a lane designed as a turnaround for emergency services. Further, the lane stubs to what is identified as lot 8 which would be established as a larger ½ size lot that. The updated version of the plan also shows what is lot 9 which would be accessed from State Street. The Development Review Committee has reviewed the proposal and at the schematic level it can work as proposed from a technical standpoint. At the direction of staff and with feedback from the Planning Commission, the common space around the new homes which was originally proposed has been removed and each home now includes its own yard.

While the yield plan indicates a potential of 8 lots using the conventional standards, the applicant is requesting that the preservation of the 2 existing homes on site meet the ‘some other public benefit’ provision of FMC 11-17-035 in lieu of moderate income housing units, the applicant is also requesting that the city consider ‘additional lots’ for this preservation effort. This provision does not place a cap on the number of additional lots so the applicant has the right to ask for consideration of the 1 extra lot identified. A baseline for consideration of added density may be a reference to the common open space density bonus from 11-27-120 identified below.

“Every planned unit development shall provide usable common open space, accessible to all lots or units, of not less than ten percent (10%) of the net area (gross area less constrained or sensitive lands), in single-family planned unit developments. . .” (Section 11-27-120 G 1. of Chapter 27 of the Zoning Ordinance (the PUD chapter)). The common area includes 6700 sq. ft. in Open Space Parcel A and 8600 sq. ft. in Open Space Parcel B for a total of 15,300 sq. ft. of open space or 17% open space. While the proposal meets the 10% requirements, the preservation of the historic homes may also be allowed in lieu of open space requirements for a PUD per 11-27-120 (G)(2)(a). The applicant has provided a detail indicating what is expected to occur with trees on site. However the implementation of open space even with the historic preservation is relevant in consideration of additional units. Under a standard open space type subdivision where 20% of the property is designated as open space the development may merit a 20% density bonus. In this case that would bump the project from the 6 units identified in the yield plan to 7.2 or 7 units.

The applicant proposes to remove the existing fencing around the perimeter and replace it with a 6ft. vinyl privacy fence.

The creation of a private drive with the proposed lot sizes and common area configuration may be accomplished through the Planned Unit Development (PUD) process, but at the sole discretion of the City (it is a legislative act).

Provision permitting consideration of ‘additional lots’:

**11-17-035: MODERATE INCOME HOUSING:**

A. Minimum Requirement: Subdividers must provide or set aside lots (or dwelling units at the option of the City) equal in number to at least ten percent (10%) of the total number of lots approved for the subdivision for moderate income housing subject to entering into an agreement with the City; unless, at the sole discretion of, and by agreement with the City, the subdivider provides:

1. Open space; or
2. A fee in lieu thereof determined in consideration of factors set forth in Section 11-28-270 of this Title; or
3. Some other public benefit; or

4. A combination of 1, 2, and 3 above.

B. Exemption: Subdivisions resulting in two (2) or fewer additional lots are exempt from the minimum moderate-income housing requirements of this Section.

C. Additional Lots: The City may approve additional lots than what is conventionally allowed in the underlying zone as an incentive to a subdivider to provide moderate income housing.

The following has been included for reference in consideration of the proposed lot sizes and setbacks identified in the schematic plat. The PUD allows the city to approve deviations from these standards.

The proposed development includes yards of 10 ft or larger around the perimeter, except for the existing home on lot 1 which would remain at just over 3 feet from the north property line. Yards between new homes are 15 feet total.

**11-17-040: MINIMUM LOT AND SETBACK STANDARDS:**

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in the OTR Zone:

<b>Zone</b>	<b>Lot Area</b>	<b>Lot Width</b>		<b>Front</b>	<b>Side</b>	<b>Side Corner</b>	<b>Rear</b>
		<b>Interior</b>	<b>Corner</b>				
OTR	10,000 square feet for each single-family	85'	95'	30'	10'	20'	30'

**Suggested Motion**

Move the Planning Commission recommend that the City Council approve the Preliminary PUD Master Plan and Schematic Subdivision plan for the proposed Gatrell PUD Subdivision subject to all applicable Farmington City development standards and ordinances and the following:

1. The owners must enter in to an agreement with the City memorializing their commitment to preserve the two historic homes.
2. The applicant must meet all requirements of the City’s DRC (Development Review Committee).

**Findings:**

1. The PUD will result in the preservation of two historic homes.
2. As currently proposed, individual lots are comparable to lots found in the general area and allow for homes that are comparable to others found in the area.
3. The density of development is consistent with what is allowed in the OTR zone which is 4 per acre or 9 homes on 2.5 acres, the consideration of additional density is required due to the shape of the property and need to use some of the acreage for access.
4. The application is consistent with the goals and purposes of the Farmington City General Plan and Zoning Ordinance.

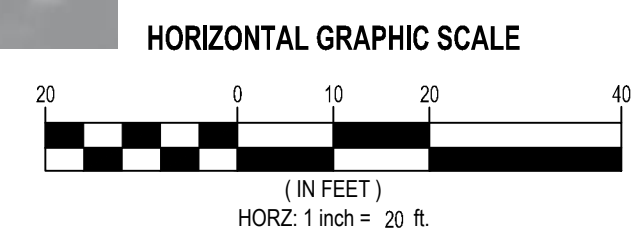
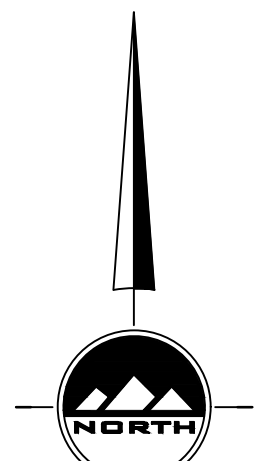
**Supplemental Information**

1. Vicinity map.
2. Original Subdivision Yield Plan of the property.
3. Updated Subdivision Yield Plan of the Property.
4. Original PUD Master Plan Layout.
5. Updated Preliminary PUD Master Plan and Exhibits.









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TOOELE  
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FOR:  
ELITE-CRAFT HOMES, LLC.  
49 NORTH MAIN STREET  
FARMINGTON, UTAH 84025

CONTACT:  
JERRY PRESTON  
PHONE: 801-451-6525

**GATRELL PROPERTY**

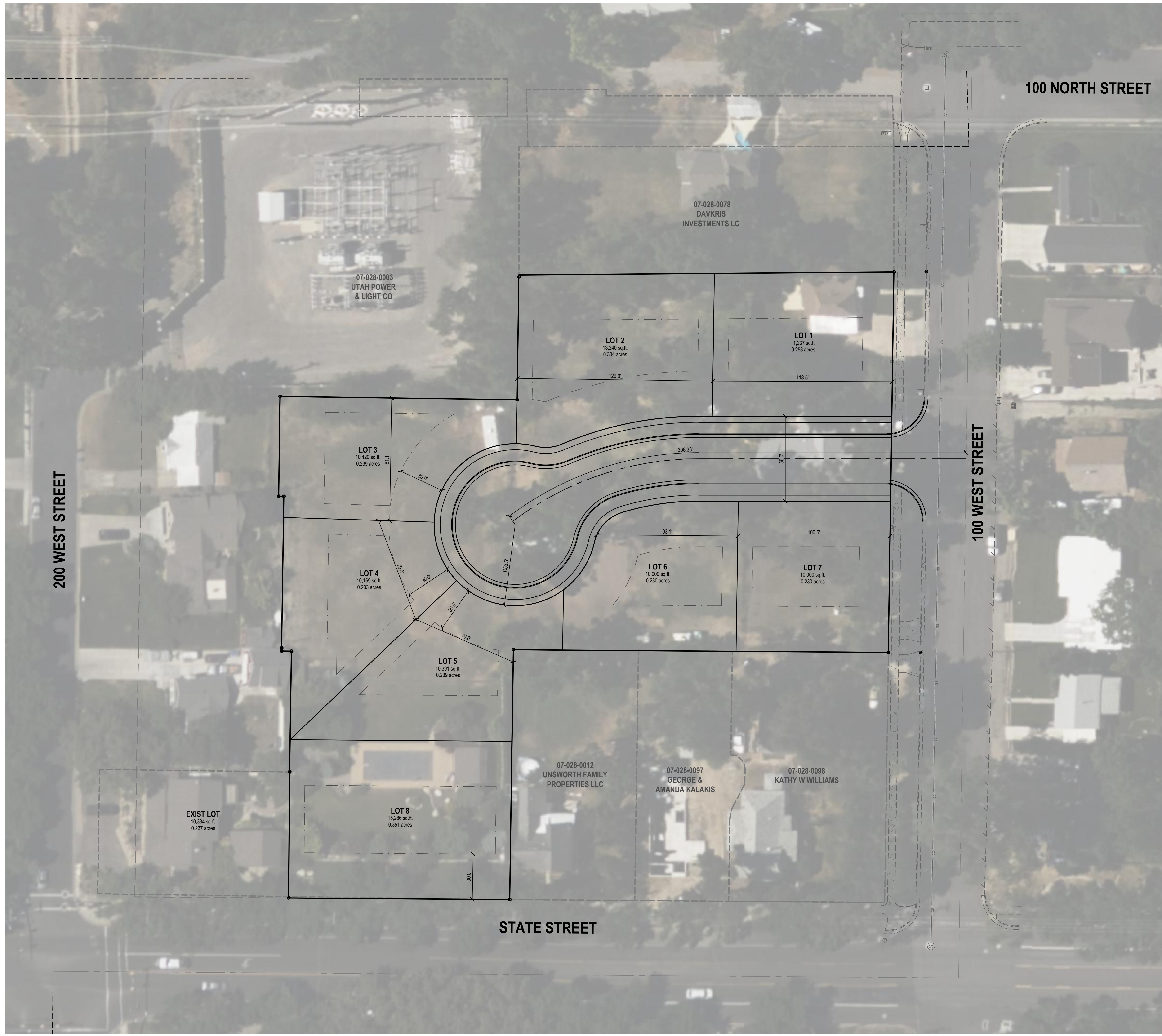
**37 & 79 NORTH 100 WEST  
FARMINGTON, UTAH 84025**

**YIELD PLAN**

PROJECT NUMBER: 12279  
PRINT DATE: 2023-07-20  
PROJECT MANAGER: C.PRESTON  
DESIGNED BY: M.ELMER

**1 OF 1**





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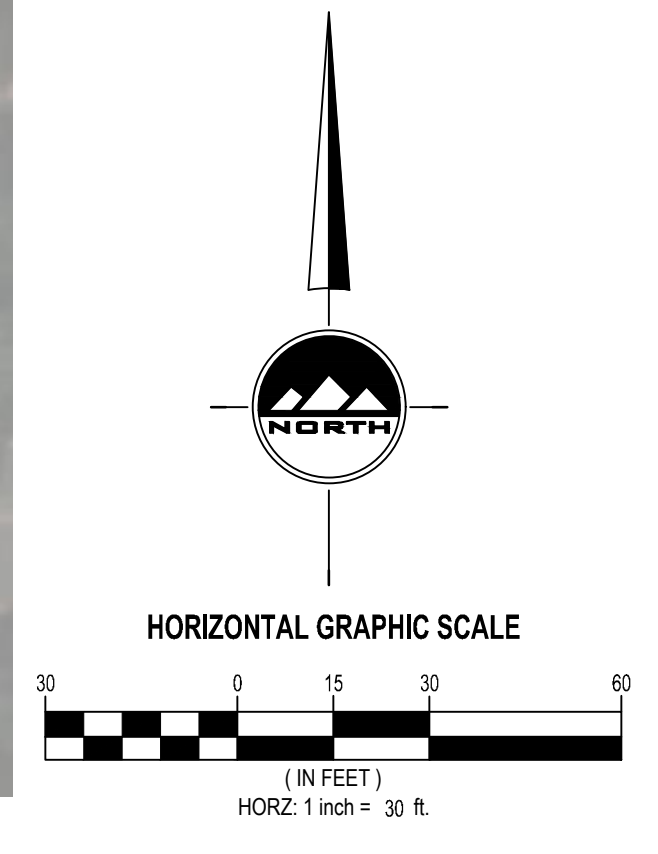
**GATRELL GARDENS SUBDIVISION**

**37 & 79 NORTH 100 WEST**  
**FARMINGTON, UTAH 84025**

YIELD PLAN

PROJECT NUMBER: 12279    PRINT DATE: 9/25/23  
PROJECT MANAGER: C.PRESTON    DESIGNED BY: M.ELMER

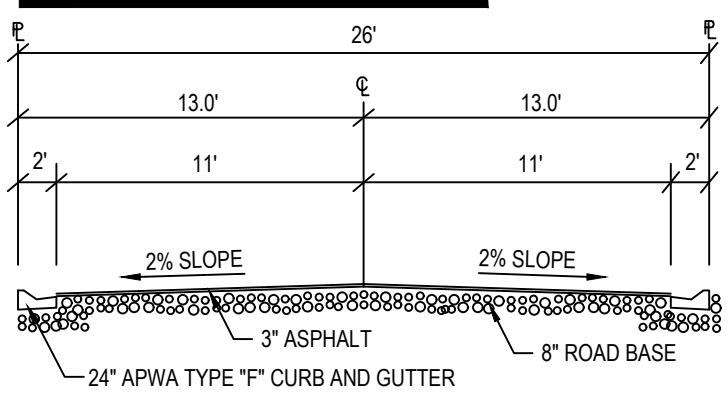
**1 OF 1**





**811** CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. Know what's below. Call before you dig.

**BENCHMARK**  
NCS BENCHMARK SET IN 1925. LOCATED SOUTHEAST OF PROPERTY.  
ELEV = 4305.51'



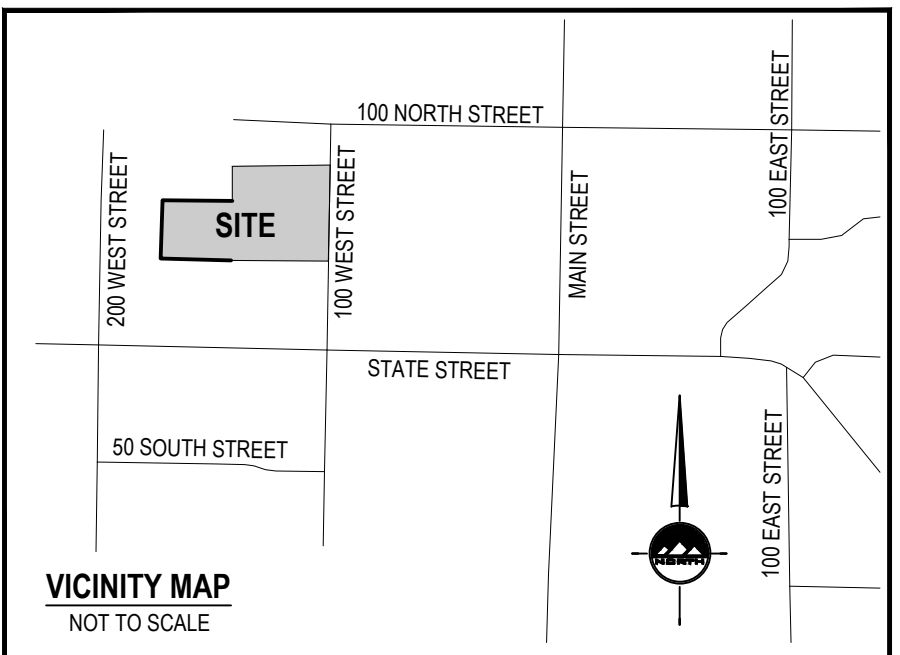
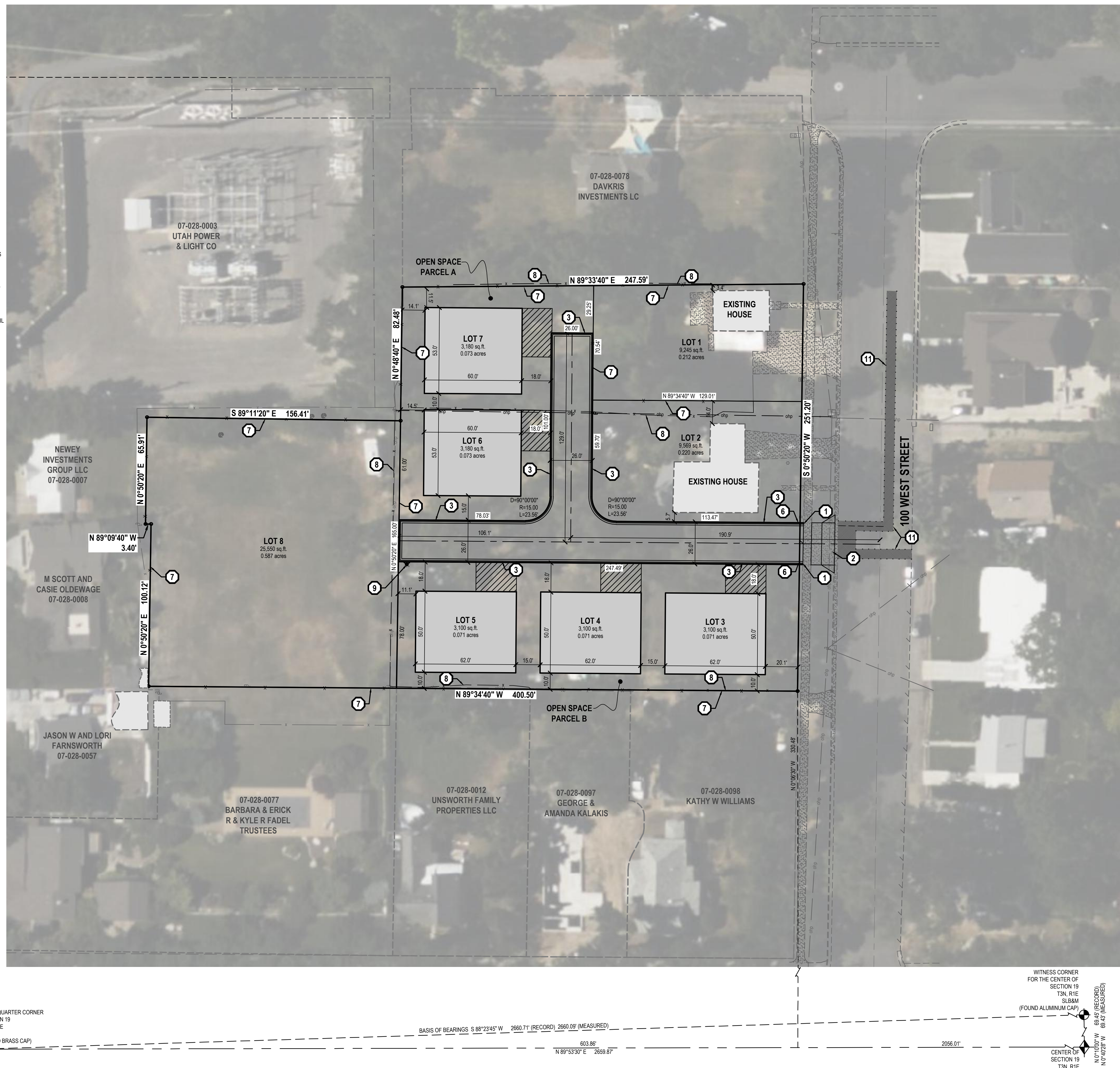
**PRIVATE LANE CROSS SECTION**  
NO SCALE

**SCOPE OF WORK:**  
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:

- 1 MATCH EXISTING IMPROVEMENTS
- 2 INSTALL DRIVEWAY APPROACH PER FARMINGTON STANDARD DETAIL 221
- 3 INSTALL TYPE "F" CURB AND GUTTER PER APWA DETAIL 205.2
- 4 INSTALL REVERSE PAN TYPE "F" CURB AND GUTTER PER APWA DETAIL 205.2
- 5 TRANSITION FROM TYPE "F" CURB AND GUTTER TO REVERSE PAN TYPE "F" CURB AND GUTTER
- 6 TAPER CURB FACE FROM 0" CF TO 4" CF
- 7 INSTALL 6" VINYL PRIVACY FENCE
- 8 EXISTING FENCE TO BE REMOVED
- 9 INSTALL CLOW FIRE HYDRANT PER FARMINGTON STANDARD DETAIL 511 SP
- 10 INSTALL SIDEWALK PER FARMINGTON STANDARD DETAIL 231 SP
- 11 SAWCUT EXISTING ASPHALT AND PROVIDE A SMOOTH CLEAN EDGE. REPLACE ASPHALT ROAD SECTION PER FARMINGTON CITY STANDARDS AND SPECIFICATIONS.

**LEGEND**

- SECTION CORNER
- EXISTING MONUMENT
- EXISTING REBAR AND CAP
- SET ENSIGN REBAR AND CAP
- WATER METER
- WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT
- SANITARY SEWER MANHOLE
- STORM DRAIN CLEAN OUT BOX
- STORM DRAIN CATCH BASIN
- STORM DRAIN COMBO BOX
- ELECTRICAL MANHOLE
- ELECTRICAL BOX
- UTILITY POLE
- EXISTING LIGHT
- PROPOSED LIGHT
- GAS METER
- GAS MANHOLE
- GAS VALVE
- TELEPHONE MANHOLE
- TELEPHONE BOX
- SIGN
- EXISTING EDGE OF ASPHALT
- PROPOSED EDGE OF ASPHALT
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE
- EXISTING SANITARY SEWER
- PROPOSED SANITARY SEWER LINE
- EXISTING LAND DRAIN LINE
- PROPOSED LAND DRAIN LINE
- EXISTING CULINARY WATER LINE
- PROPOSED CULINARY WATER LINE
- EXISTING OVERHEAD POWER LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- BUILDABLE AREA WITHIN SETBACKS
- EXISTING CONCRETE
- PROPOSED CONCRETE
- EXISTING BUILDING
- PROPOSED BUILDING
- LIMITED COMMON AREA



**PROPERTY DESCRIPTION**  
A parcel of land, situate in the Northwest Quarter of Section 19, Township 3 North, Range 1 East, Salt Lake Base and Meridian, also being a part of Lots 2, 3, 5 and 6, Block 9, Plat "A", Farmington Townsite Survey, said parcel also located in Farmington City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point on westerly right-of-way line of 100 West Street, said point also being the common lot line between Lots 1 and 6, Block 9, Plat "A" Farmington Townsite Survey, said point being North 89°53'30" East 603.86 feet along the Section line (NAD83 bearing being South 89°46'08" East between the West Quarter Corner and the Center Quarter Corner of said Section 19) and North 00°06'30" West 330.48 feet from the West Quarter Corner of said Section 19 and running thence:  
 North 89°34'40" West 400.50 feet along the North line of Lot 1, Block 9, Plat "A" Farmington Townsite Survey and beyond to the easterly line of that parcel described in that Warranty Deed (Entry No. 2428843, Book 4724, Page 141);  
 thence North 00°50'20" East 100.12 feet along said easterly line to the northerly line of said parcel;  
 thence North 89°09'40" West 3.40 feet along said northerly line to the easterly line of that parcel described in that Warranty Deed (Entry No. 2836552, Book 6151, Page 953);  
 thence North 00°50'20" East 65.91 feet along said easterly line of the Utah Power and Light Parcel (Rocky Mountain Power);  
 thence along said parcel the following two (2) courses and distances:  
 1) South 89°11'20" East 156.41 feet;  
 2) North 00°48'40" East 82.48 feet to the southerly line of that parcel described in that Warranty Deed (Entry No. 2828164, Book 6121, Page 585);  
 thence North 89°33'40" East 247.59 feet along said southerly line to the aforementioned westerly right-of-way line of 100 West Street;  
 thence South 00°50'20" West 251.20 feet along said right-of-way to the Point of Beginning.

Contains: 87,260 square feet or 2.003 acres.

**GENERAL NOTES**

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS & SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOIL, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
8. ALL STORM WATER AND DIRT WILL BE KEPT ON SITE DURING CONSTRUCTION UNTIL FINAL LANDSCAPING IS DONE. GENERAL CONTRACTOR WILL BE HELD RESPONSIBLE FOR KEEPING DIRT/MUD ON SITE DURING BAD WEATHER AND FOR CLEANING UP AFTER SUBCONTRACTORS.
9. THE GRADE AWAY FROM FOUNDATION WALLS SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FEET (5%).
10. STREET CURB AND GUTTER WILL BE INSPECTED AND CLEANED OF ALL MUD AND DIRT AT THE END OF EVERY DAY.
11. GRAVEL BAGS (OR EQUIVALENT BMP) TO BE PLACED AND MAINTAINED AROUND ANY STORM DRAIN INLET ADJACENT TO OR IMMEDIATELY DOWNSTREAM FROM SITE DURING CONSTRUCTION.
12. BERMS OR SWALES MAY BE REQUIRED ALONG PROPERTY LINES TO PREVENT STORM WATER FLOW ONTO ADJACENT LOTS. FINAL GRADING SHALL BLEND WITH ADJACENT LOTS.
13. A LINED CONCRETE WASHOUT AREA MUST BE PROVIDED AT THE SITE FOR ALL CONCRETE, PAINT, STUCCO, OR MASONRY WORK. WASHOUT ON THE GROUND IS PROHIBITED.

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THE STANDARD IN ENGINEERING

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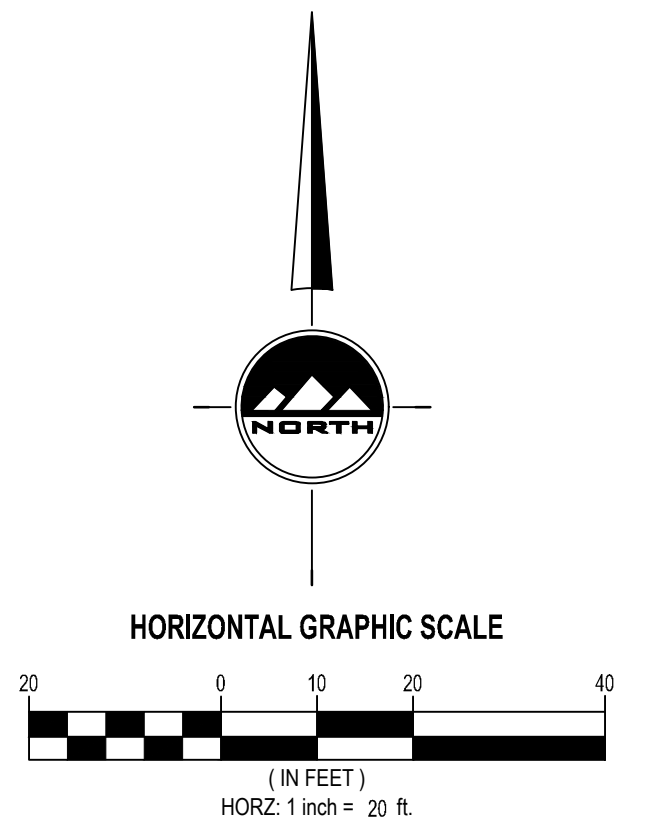
**GATRELL SUBDIVISION**  
**PRELIMINARY PLAT - NOT TO BE RECORDED**  
37 & 79 NORTH 100 WEST  
FARMINGTON, UTAH 84025

NO. DATE REVISION FOR REVIEW

**PRELIMINARY SITE PLAN**

PROJECT NUMBER: 12279  
PROJECT MANAGER: C. PRESTON

PRINT DATE: 2023-07-18  
DESIGNED BY: M. ELMER







**BENCHMARK**  
 NGS BENCHMARK SET IN 1925. LOCATED SOUTHEAST OF PROPERTY.  
 ELEV = 4305.51'

- GENERAL NOTES**
- ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  - ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
  - ALL WORK SHALL COMPLY WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER POSSIBLY INCLUDING, BUT NOT LIMITED TO, REMOVAL OF UNCONSOLIDATED FILL, ORGANICS, AND DEBRIS, PLACEMENT OF SUBSURFACE DRAIN LINES AND GEOTEXTILE, AND OVEREXCAVATION OF UNSUITABLE BEARING MATERIALS AND PLACEMENT OF ACCEPTABLE FILL MATERIAL.
  - THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE EXISTING SOIL CONDITIONS.
  - LANDSCAPED AREAS REQUIRE SUBGRADE TO BE MAINTAINED AT A SPECIFIC ELEVATION BELOW FINISHED GRADE AND REQUIRE SUBGRADE TO BE PROPERLY PREPARED AND SCARIFIED. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION.
  - SLOPE ALL LANDSCAPED AREAS AWAY FROM BUILDING FOUNDATIONS TOWARD CURB AND GUTTER OR STORM DRAIN INLETS.
  - EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
  - ALL STORM DRAIN INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
  - ENSURE MINIMUM COVER OVER ALL STORM DRAIN PIPES PER MANUFACTURER'S RECOMMENDATIONS. NOTIFY ENGINEER IF MINIMUM COVER CANNOT BE ATTAINED.
  - ALL FACILITIES WITH DOWNSPOUTS/ROOF DRAINS SHALL BE CONNECTED TO THE STORM DRAIN SYSTEM. SEE PLUMBING PLANS FOR DOWNSPOUT/ROOF DRAIN LOCATIONS AND SIZES. ALL ROOF DRAINS TO HAVE MINIMUM 1% SLOPE.
  - THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  - NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE, ASPHALT, OR STORM DRAIN STRUCTURES OR PIPES.
  - THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

**ENSIGN**  
 THE STANDARD IN ENGINEERING

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SANDY  
 Phone: 801.255.0529

TOOLEE  
 Phone: 435.843.3590

CEDAR CITY  
 Phone: 435.865.1453

RICHFIELD  
 Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:  
 ELITE-CRAFT HOMES, LLC.  
 49 NORTH MAIN STREET  
 FARMINGTON, UTAH 84025

CONTACT:  
 JERRY PRESTON  
 PHONE: 801-451-6525

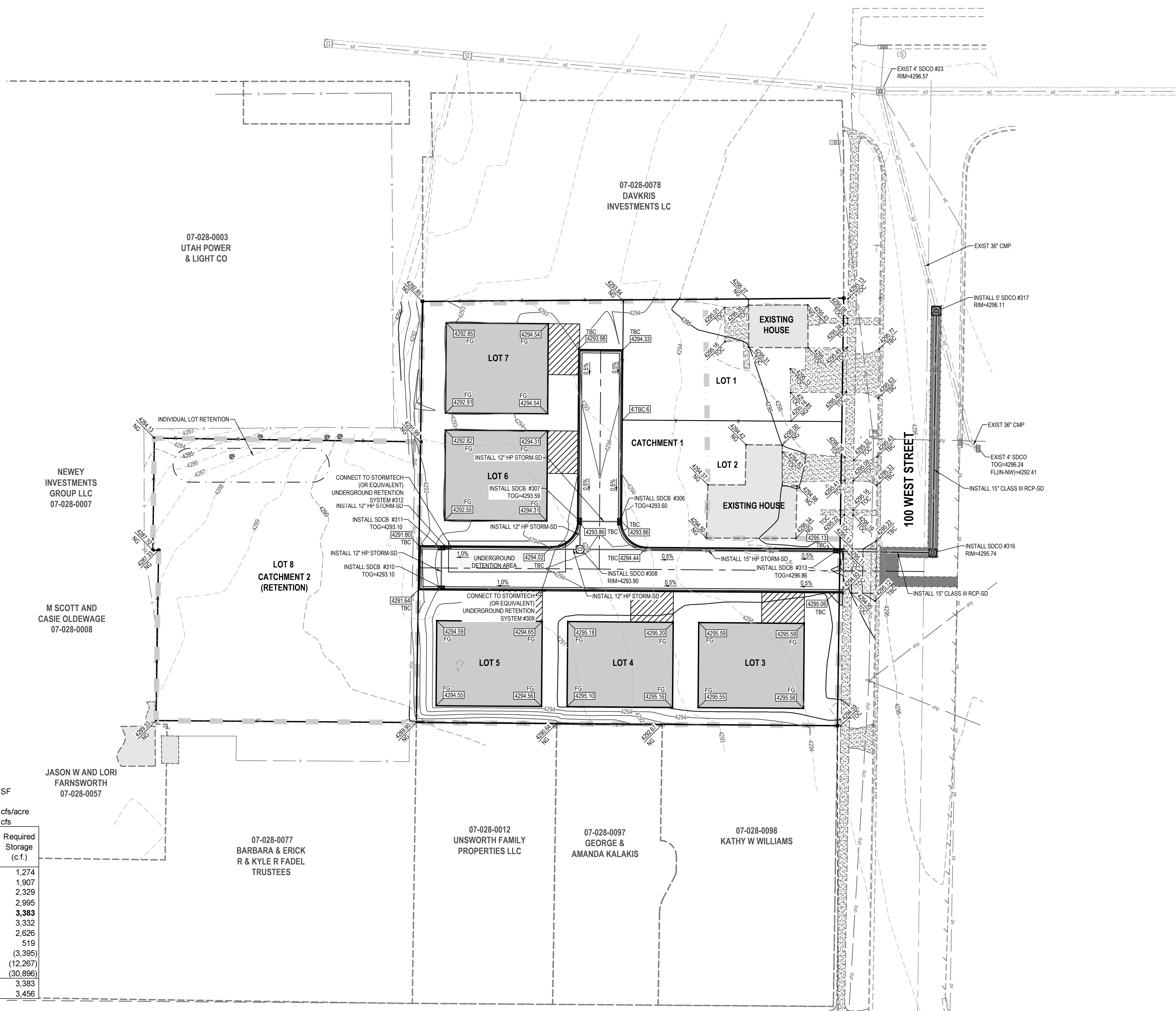
**GATRELL SUBDIVISION**  
**PRELIMINARY PLAT - NOT TO BE RECORDED**  
 37 & 79 NORTH 100 WEST  
 FARMINGTON, UTAH 84025



NO. DATE REVISION FOR REVIEW

**PRELIMINARY GRADING AND DRAINAGE PLAN**

PROJECT NUMBER: 12279 PRINT DATE: 2023-07-18  
 PROJECT MANAGER: C. PRESTON DESIGNED BY: M. ELMER



**Study Summary Statistics**  
**Phase 1:**

	Area	C Value
Building Area	15,660	0.9
Total Hardscape	9,321	0.9
Landscaped Area	25,398	0.15
Total Area	50,379	
<b>Weighted Average C</b>		<b>0.522</b>
Total Area	50,379 SF	
Total Area	1.16 Acres	
Composite C		0.522

**Detention Calculations (100-year storm)**

Basin Tributary Area	50,379 SF
Runoff coefficient C:	0.522
Release Rate	0.20 cfs/acre
Peak Release	0.231 cfs

Time (min)	i(in/hr)	Net Allowed Runoff to Basin (c.f.)	Net Allowed Basin** Discharge (c.f.)	Required Storage (c.f.)
5	7.42	1,344	69	1,274
10	5.65	2,046	139	1,907
15	4.67	2,537	208	2,329
30	3.14	3,412	416	2,995
60	1.94	4,216	833	3,383
120	1.15	4,998	1,665	3,332
180	0.79	5,124	2,498	2,626
360	0.42	5,515	4,996	519
720	0.25	6,597	9,993	(3,395)
1440	0.15	7,718	19,985	(12,267)
2880	0.09	9,074	39,970	(30,896)
		Required Detention:	3,383	
		Provided Detention:	3,456	

**Catchment Calculations (25-year storm)**

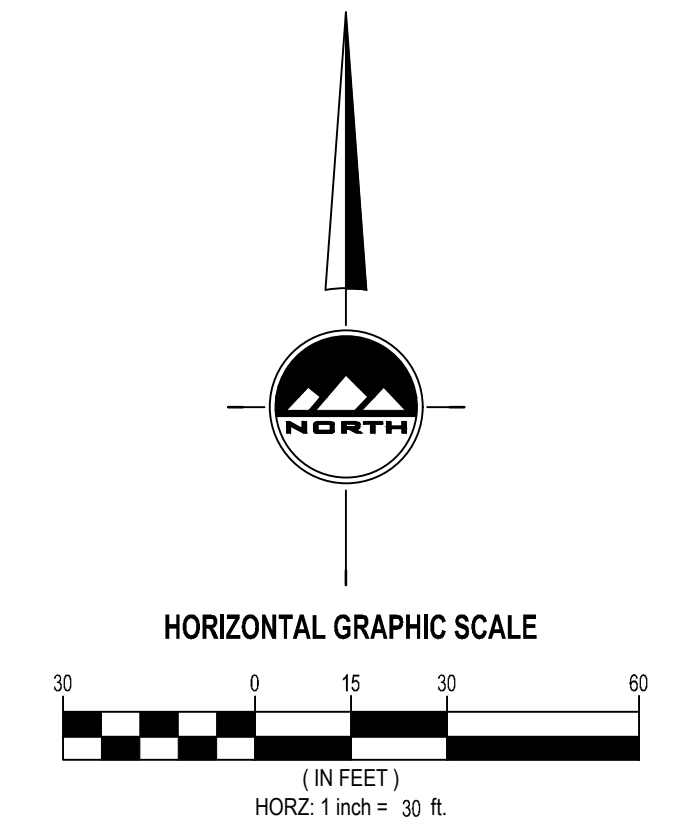
Time of Concentration: 15 min  
 Rainfall Intensity I: 3.13 in/hr  
 Mannings N: 0.013

Catchment	Area (SF)	C	Flow (CFS)	Destination
1	50,379	0.522	1,905	SD1
2	25,549	0.300	0.555	RET

**Pipe Design (25-year storm)**

Mannings N (ADS): 0.011  
 Mannings N (RCP): 0.013

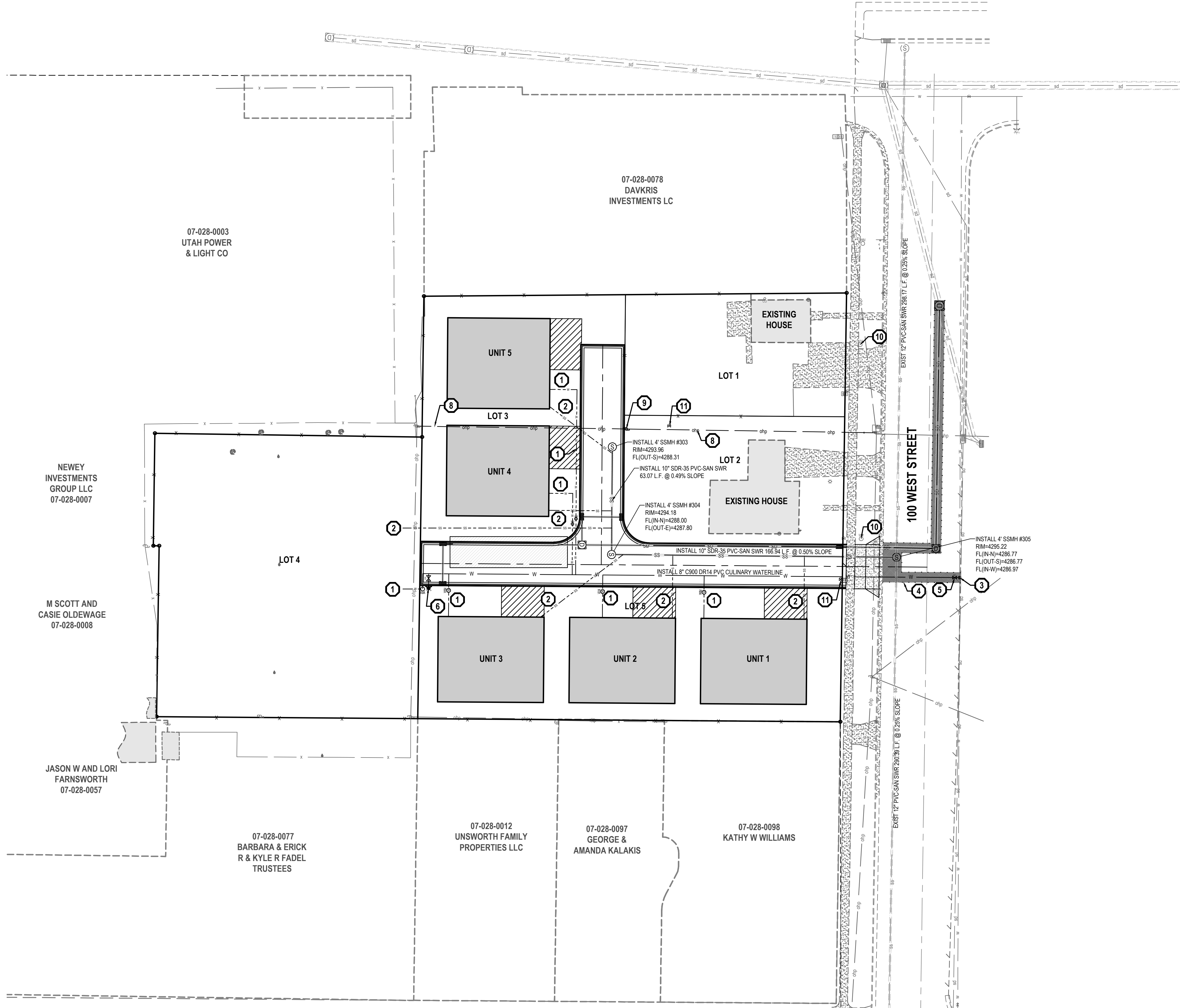
Pipe	Tributary	Surface	Upstream	Pipe Flow	Total	Pipe	Diameter	Pipe Type	Full Flow	% of Full-
SD1	1	1.905		1.905	1.905	0.50%	12	ADS	2.985	63.8%





**811**  
CALL BLUESTAKES @ 811  
AT LEAST 48 HOURS PRIOR  
TO THE COMMENCEMENT  
OF ANY CONSTRUCTION  
Know what's below.  
Call before you dig.

**BENCHMARK**  
NCS BENCHMARK SET IN 1925. LOCATED  
SOUTHEAST OF PROPERTY.  
ELEV = 4305.51'



- GENERAL NOTES**
1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  2. EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
  3. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
  4. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
  5. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  6. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
  7. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
  8. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
  9. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
  10. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
  11. FIRE HYDRANTS ARE TO BE CLOW.
  12. VALVES ARE TO BE MUELLER OR CLOW.
  13. ALL WATER METERS IN DRIVEWAYS OR CONCRETE WILL BE INSTALLED WITH A 30" METER BOX WITH A TRAFFIC RATED LID.
  14. IF INSERTA-TEES ARE USED FOR LATERAL CONNECTIONS, CONTRACTOR TO ENSURE A MINIMUM OF 2' BETWEEN EACH CONNECTION.

- SCOPE OF WORK:**  
PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS NOTED, AND/OR AS SHOWN ON THE CONSTRUCTION DRAWINGS:
1. INSTALL 1" DIP CULINARY WATER SERVICE WITH 3/4" WATER METER
  2. INSTALL 4" SDR-35 PVC SAN SEWER SERVICE LATERAL @ 2.0% MIN SLOPE
  3. FIELD LOCATE AND CONNECT TO EXIST CULINARY WATERLINE
  4. SAW CUT, REMOVE AND REPLACE EXISTING ASPHALT FOR UTILITY INSTALLATION. PROVIDE A SMOOTH, CLEAN EDGE. MATCH EXISTING CROSS SECTION.
  5. INSTALL 8" MUELLER OR CLOW GATE VALVE
  6. CLOW FIRE HYDRANT ASSEMBLY COMPLETE PER FARMINGTON CITY STANDARD 511 SP
  7. PRIVATE STREET LIGHT PER FARMINGTON CITY STANDARDS TO BE INSTALLED BY CONTRACTOR
  8. EXIST OVERHEAD POWER LINE TO BE REMOVED
  9. EXIST POWER POLE TO BE REMOVED
  10. EXIST WATER METER TO REMAIN
  11. EXIST IRRIGATION BOXES AND VALVES TO BE RELOCATED

**ENSIGN**  
THE STANDARD IN ENGINEERING

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RICHFIELD  
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FOR:  
ELITE-CRAFT HOMES, LLC.  
49 NORTH MAIN STREET  
FARMINGTON, UTAH 84025

CONTACT:  
JERRY PRESTON  
PHONE: 801-451-6525

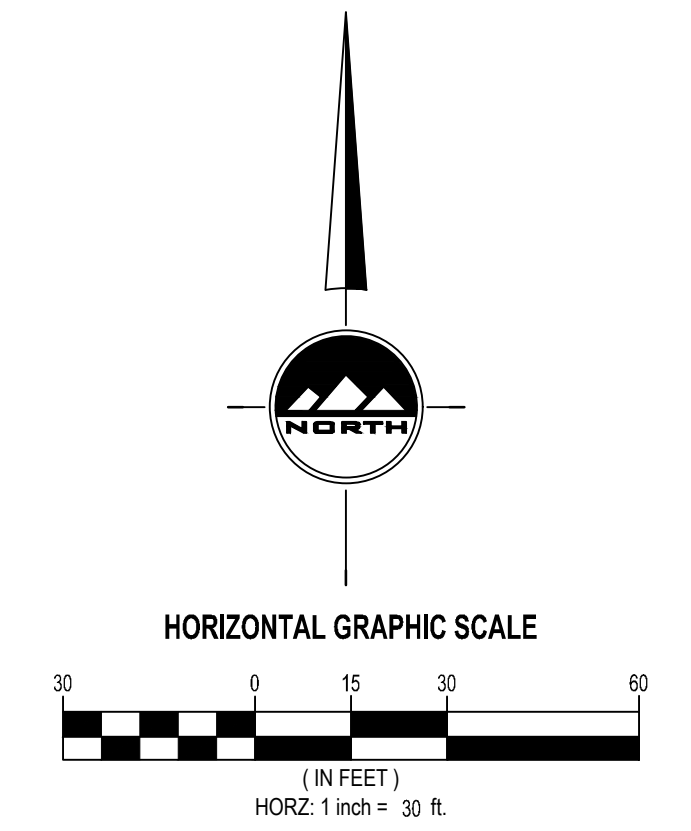
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**PRELIMINARY PLAT - NOT TO BE RECORDED**  
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NO. DATE REVISION FOR REVIEW

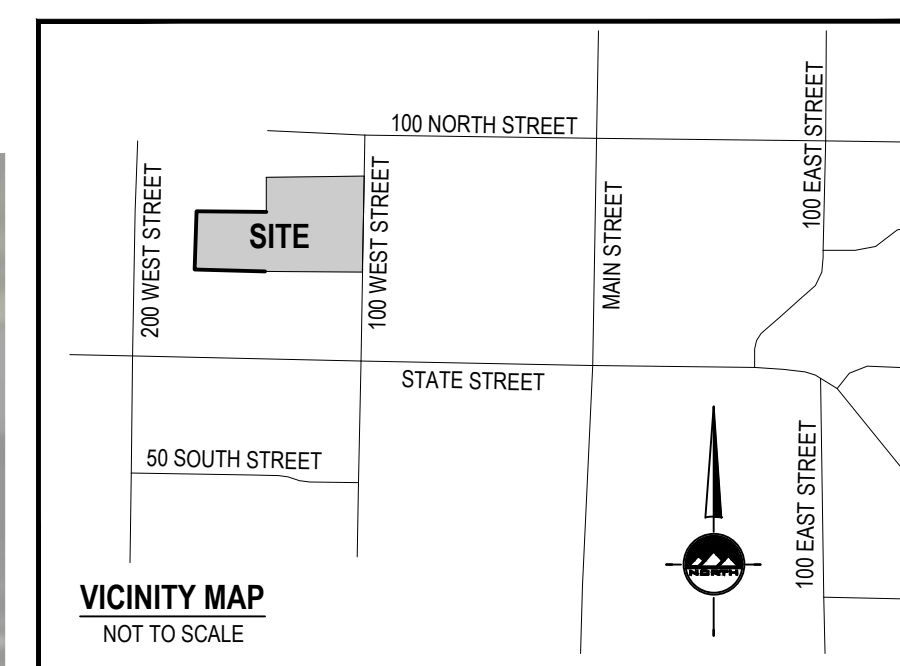
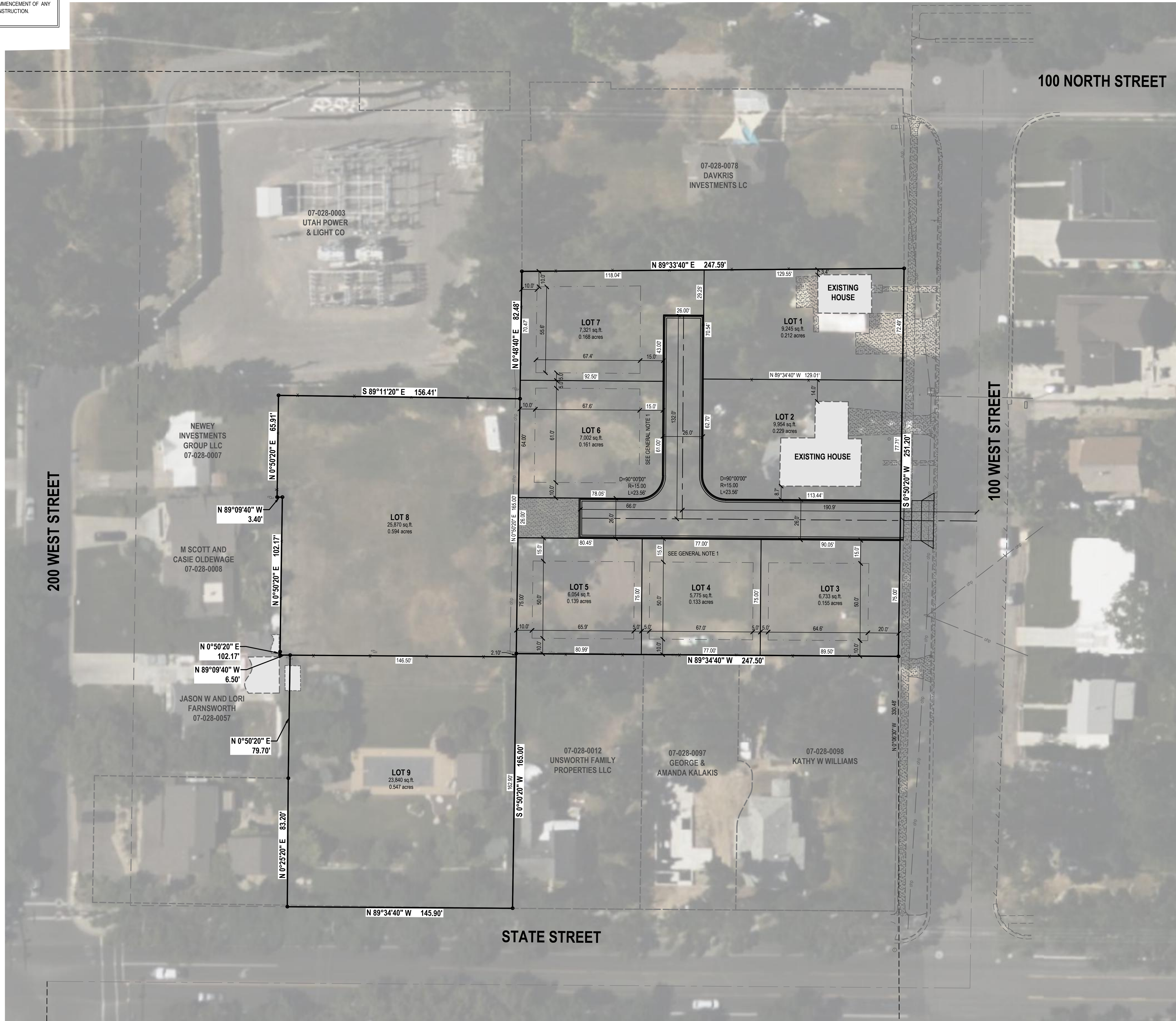
**PRELIMINARY  
UTILITY PLAN**

PROJECT NUMBER 12279 PRINT DATE 2023-07-18  
PROJECT MANAGER C.PRESTON DESIGNED BY M.ELMER

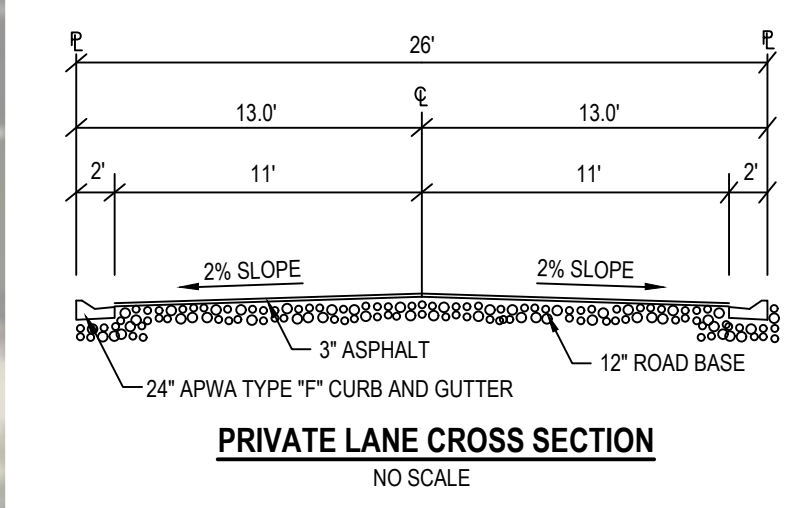




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 @ 811 AT LEAST 48 HOURS  
 PRIOR TO THE  
 COMMENCEMENT OF ANY  
 CONSTRUCTION.  
 Know what's below.  
 Call before you dig.



- GENERAL NOTES:**
- PROPOSED PRUD ZONE
    - FRONT YARD SETBACK IS 15'
    - FRONT SETBACK FOR GARAGE IS 18'
    - REAR YARD SETBACK IS 10'
    - SIDE YARD SETBACK IS 5, 10' BETWEEN BUILDINGS
    - CORNER LOT SIDE YARD SETBACK IS 20' TO PUBLIC STREET & 10' TO PRIVATE STREET



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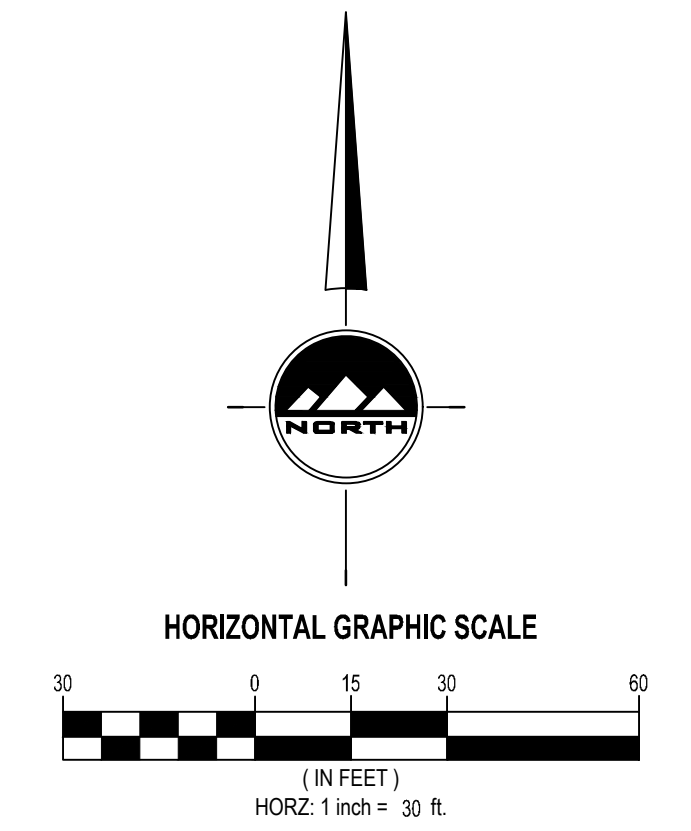
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FOR:  
 ELITE-CRAFT HOMES, LLC.  
 49 NORTH MAIN STREET  
 FARMINGTON, UTAH 84025

CONTACT:  
 TRENT PRESTON  
 PHONE: 801-451-6525

**GATRELL GARDENS SUBDIVISION**

**37 & 79 NORTH 100 WEST**  
**FARMINGTON, UTAH 84025**



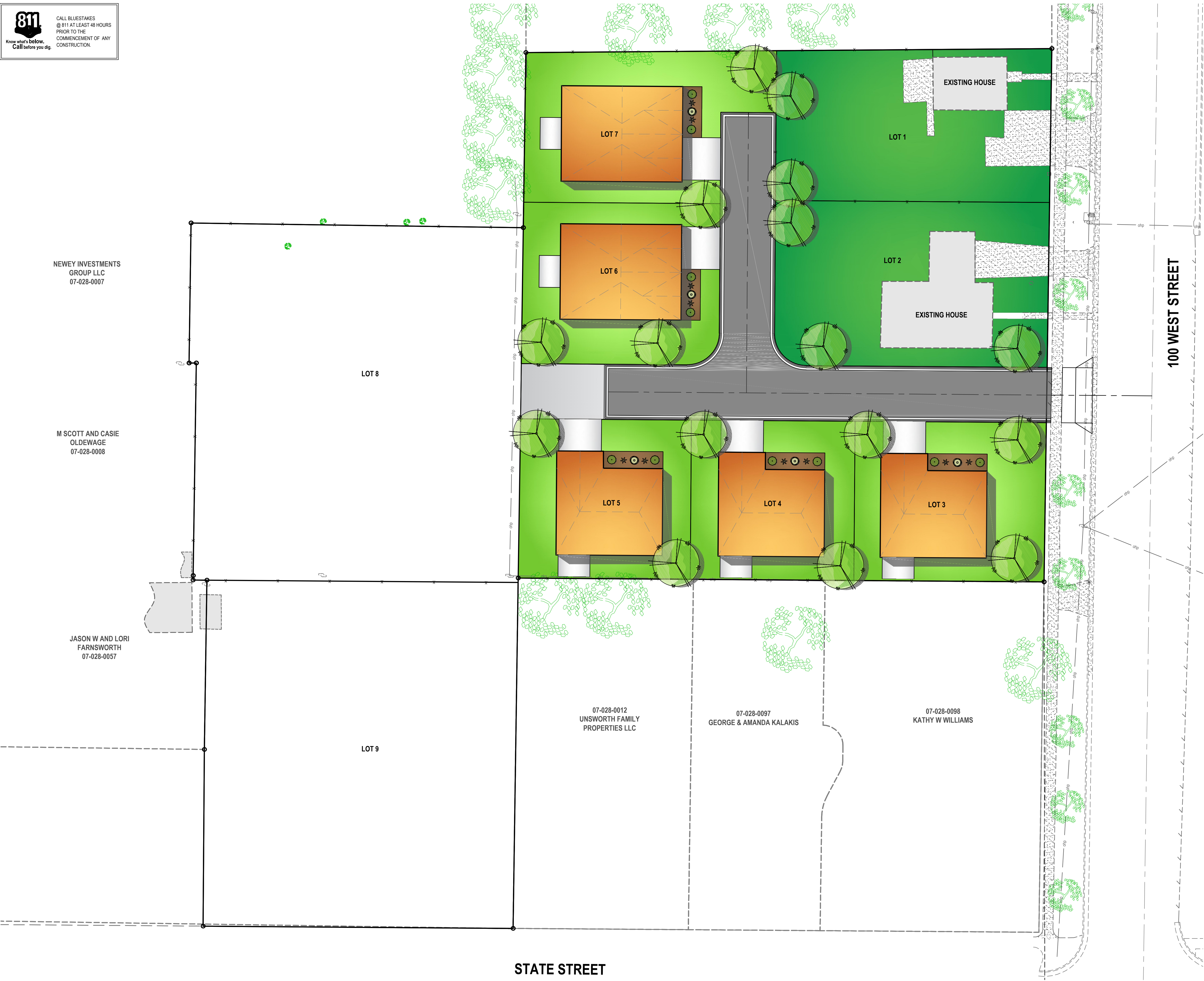
**CONCEPT PLAN**

PROJECT NUMBER: 12279  
 PRINT DATE: 9/25/23

PROJECT MANAGER: C. PRESTON  
 DESIGNED BY: M. ELMER

**1 OF 1**





NEWHEY INVESTMENTS  
GROUP LLC  
07-028-0007

M SCOTT AND CASIE  
OLDEWAGE  
07-028-0008

JASON W AND LORI  
FARNSWORTH  
07-028-0057

07-028-0012  
UNSWORTH FAMILY  
PROPERTIES LLC

07-028-0097  
GEORGE & AMANDA KALAKIS

07-028-0098  
KATHY W WILLIAMS

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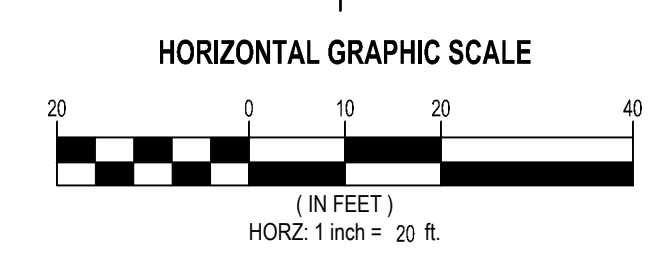
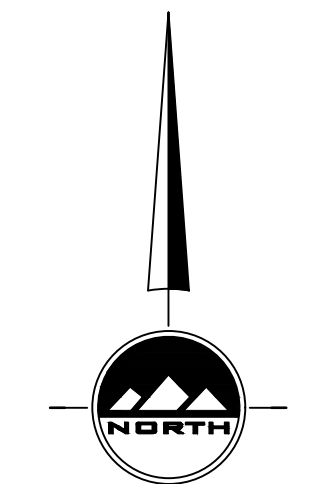
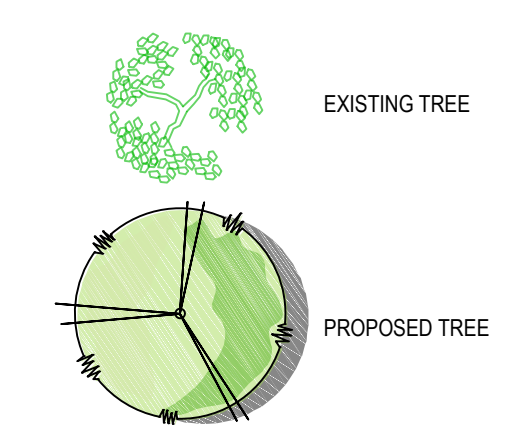
**GATRELL GARDENS SUBDIVISION**

**37 & 79 NORTH 100 WEST**  
**FARMINGTON, UTAH 84025**

LANDSCAPE EXHIBIT

PROJECT NUMBER: 12279  
PRINT DATE: 10/5/23  
PROJECT MANAGER: C.PRESTON  
DESIGNED BY: M.ELMER

**1 OF 1**





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INTEGRITY OF THE PLANS. IN THE EVENT OF A DISCREPANCY, PRIOR TO  
CONSTRUCTION, MODLINE DESIGN SHALL BE CONTACTED FOR CLARIFICATION.



### FRONT ELEVATION

SCALE: 12X18: 1/8" = 1'-0" | 24X36: 1/4" = 1'-0"



MATERIALS AND CALLOUTS SAME AS FRONT ELEVATION UNLESS OTHERWISE SPECIFIED

### RIGHT ELEVATION

SCALE: 12X18: 1/8" = 1'-0" | 24X36: 1/4" = 1'-0"



**MODLINE DESIGN**  
ARCHITECTURE - PLANNING - DESIGN  
(801) 839-5568 - [scott@modlinedesign.com](mailto:scott@modlinedesign.com)  
31 N. MAIN STREET, FARMINGTON, UTAH 84025

#### PROJECT DETAILS:

**ELITE CRAFT HOMES**  
**INVENTORY HOME - LOT #3 GATRELL GARDENS**  
ADDRESS TO BE DETERMINED  
FARMINGTON, UTAH, 84025

DATE PUBLISHED:  
Oct. 17, 2023

SHEET: A3.0

PLAN NUMBER:  
R-TBD-23

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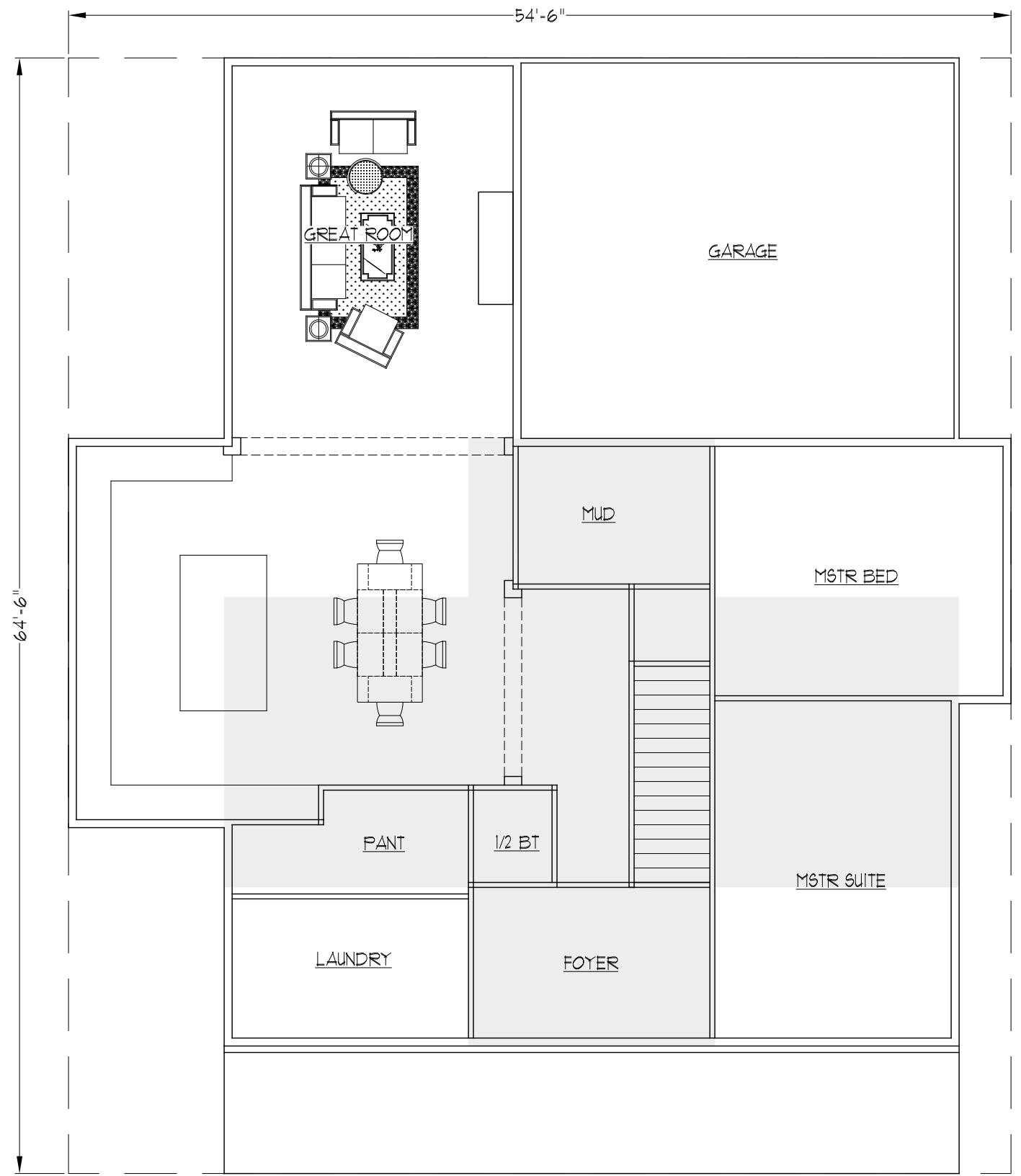
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DATE PUBLISHED:  
Oct. 17, 2023

PLAN NUMBER:  
**R-TBD-23**



218 SF MAIN  
974 SF UPPER

**MAIN FLOOR PLAN**

SCALE: 12X18: 1/8" = 1'-0" | 24X36: 1/4" = 1'-0"

SHEET: 4.1







The builder/general contractor (construction professional) must carefully and thoroughly verify dimensions, validity, and overall integrity of the plans. In the event of a discrepancy, prior to construction, Creations West shall be contacted for clarification. At the time of construction, Creations West is relieved of liability and the builder/general contractor assumes full responsibility.

**ATTIC VENTILATION NOTES:**  
 The net free ventilation area shall not be less than 1/300th provided that at least 50% of the area is provided by ventilators located in the upper portion of the space to be ventilated, the other to be provided by vented soffit system.

**GENERAL NOTES:**  
 Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction.  
 Note that all written dimensions take precedence over scale. Manufacturers specifications for installation of materials shall be followed.  
 Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

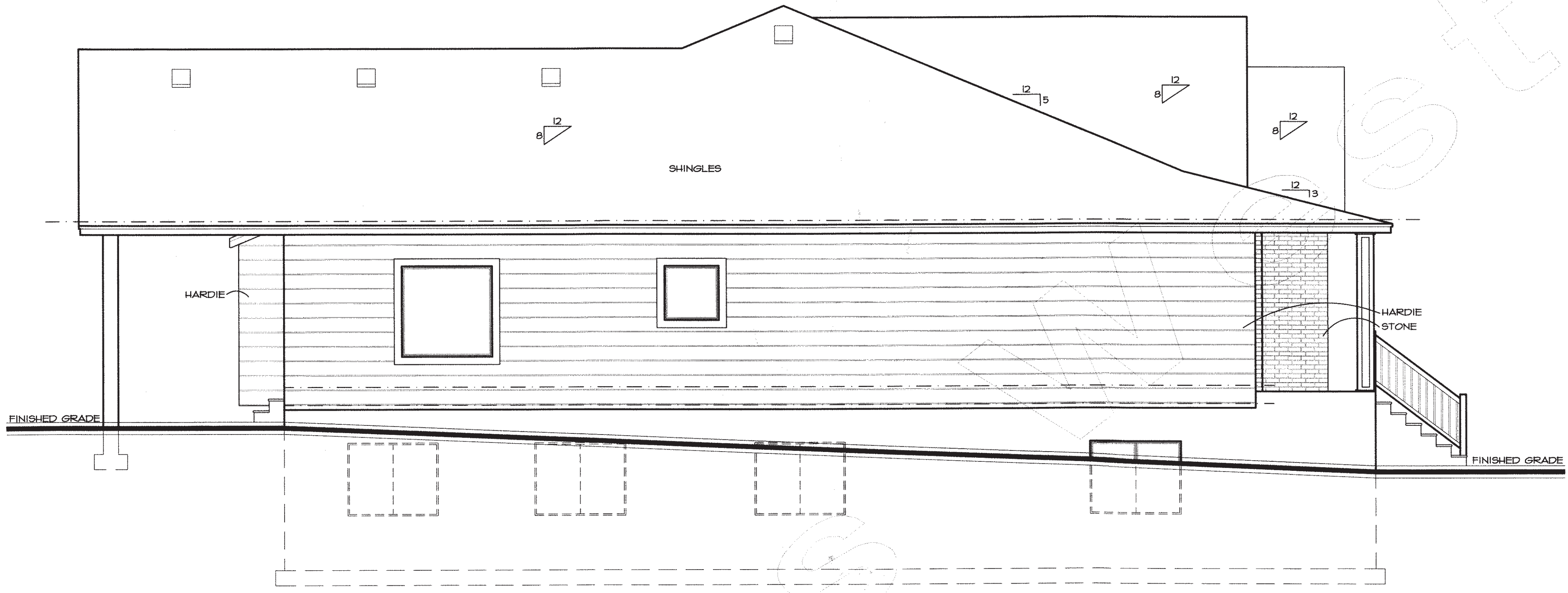
**WINDOWS NOTES:**  
 Bedroom windows to have a finished clear opening height max. of 44" from floor.  
 Windows to have 20" min. clear width and 24" min. clear height.  
 Bedroom windows to be a min. of 5.7 sq. ft.  
 Windows to be sized at 1/10th for the sq. ft. for glass size and 1/20th of the sq. ft. for ventilation requirements. Windows within 18" of the floor to be of tempered glass.

**EXTERIOR WALL FINISHES MUST BE LISTED, LABELED, AND INSTALLED AS PER MANUFACTURER'S INSTALLATION INSTRUCTION GUIDE. ALL INSTALLERS MUST BE APPROVED BY THE MANUFACTURER.**

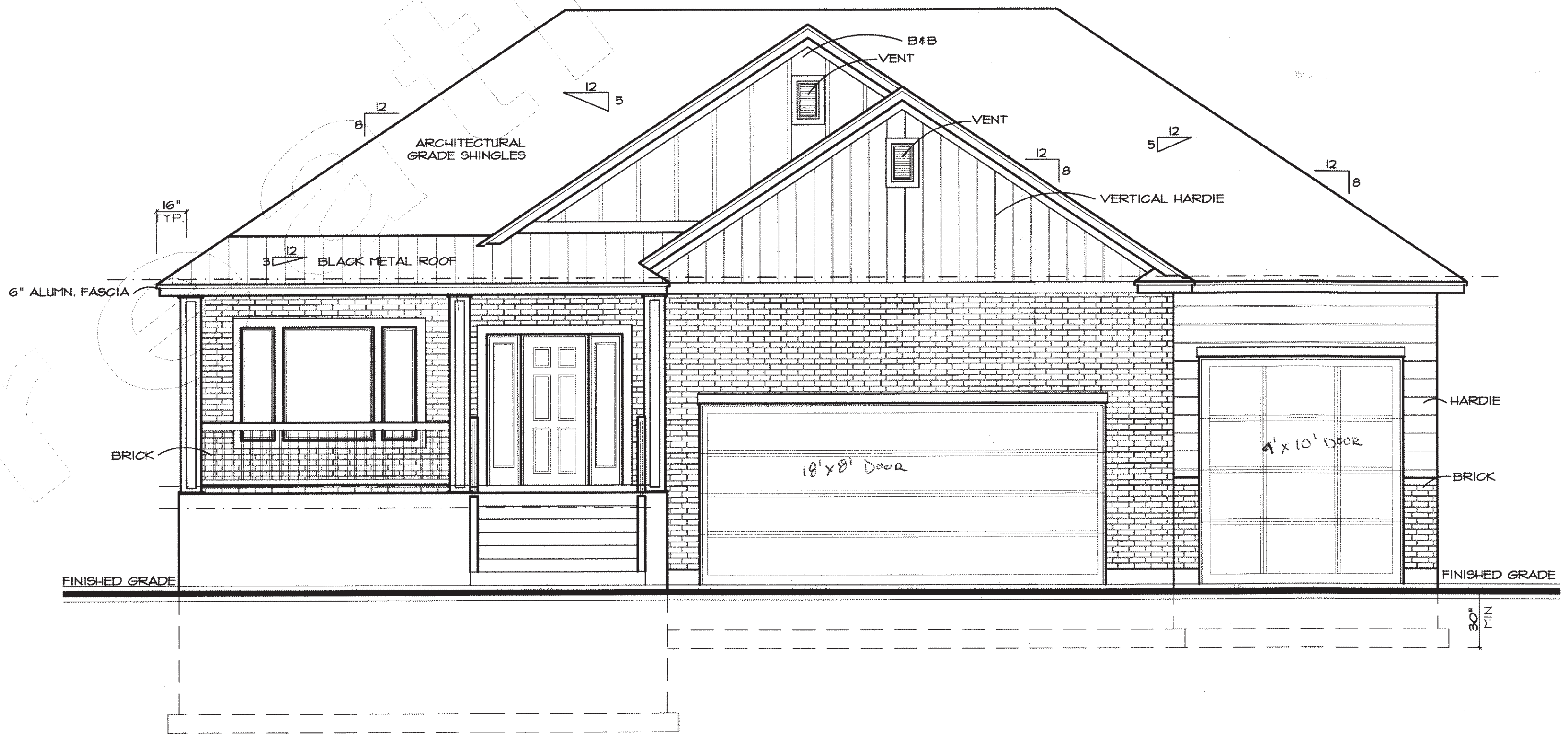
**EXCAVATION NOTES:**  
 All footings shall bear on natural undisturbed soil. Footings shall be excavated to a minimum depth so as to provide frost protection. (30" min)  
 The grade adjacent to all foundation wall shall fall a minimum of 6 inches within the first 10 feet (50%)." R402.3 Landings, ramps, patios, porches or decks, which are required to be level or can have a MAXIMUM slope of 1/4" per foot. All other impervious surfaces within 10 feet of the foundation walls must slope a MINIMUM of 1/4" per foot away from walls.

**VALIDITY OF PERMIT:**  
 The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violations of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdictions shall not be valid.

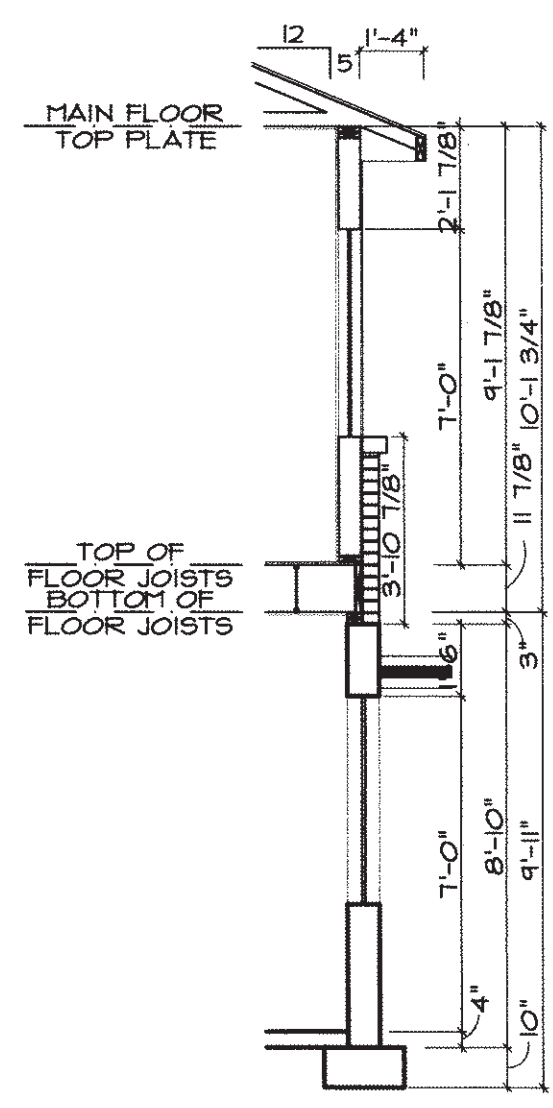
The issuance of a permit based upon plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors on said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or any other ordinances of this jurisdiction.



**LEFT ELEVATION**  
 SCALE 1/4"



**FRONT ELEVATION**  
 SCALE 1/4"

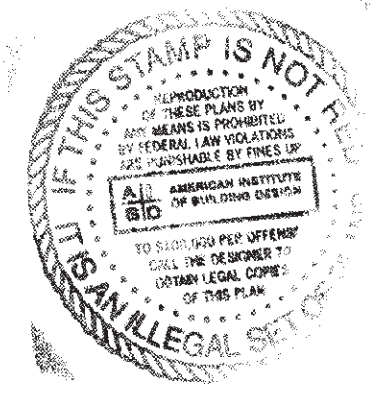


**TYP. SECTION**  
 SCALE NOT APPLICABLE IN ALL LOCATIONS

**APPROVED**  
 AS TO FORM  
 SECTION 11-17-070  
 ERIC ANDERSON  
 10.9.17

**REVIEWED FOR CODE COMPLIANCE**  
 FARMINGTON CITY BUILDING DEPT.  
 Date 10/3/17

**\*\*\* MUST INSTALL INSULATED DOOR IN MECHANICAL ROOM \*\*\*  
 \*\*\* MUST NOW USE 4" VENT ON BATHROOM FAN \*\*\***



PLANNED FOR: ELIETE CRAFT BROUGH  
 LOT# 2 SMITH HOMESTEAD FARMINGTON, UTAH

Ammon, Idaho 83406  
 South Jordan, Utah 84091  
 Clearfield, Utah 84015  
 208.925.9555  
 801.525.6700  
 plans@creationswest.com

**CREATIONS WEST**  
 EVEN THE BEST DREAMS NEED A PLAN  
 WWW.CREATIONSWEST.COM

DATE: JUL. 19 17  
 SHEET: 1

PLAN NUMBER: R-1814-17UE



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The builder/general contractor (construction professional) must carefully and thoroughly verify dimensions, validity, and overall integrity of the plans. In the event of a discrepancy, prior to construction, Creations West shall be contacted for clarification. At the time of construction, Creations West is relieved of liability and the builder/general contractor assumes full responsibility.

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EXTERIOR WALL FINISHES MUST BE LISTED, LABELED, AND INSTALLED AS PER MANUFACTURER'S INSTALLATION INSTRUCTION GUIDE. ALL INSTALLERS MUST BE APPROVED BY THE MANUFACTURER.

**EXCAVATION NOTES:**

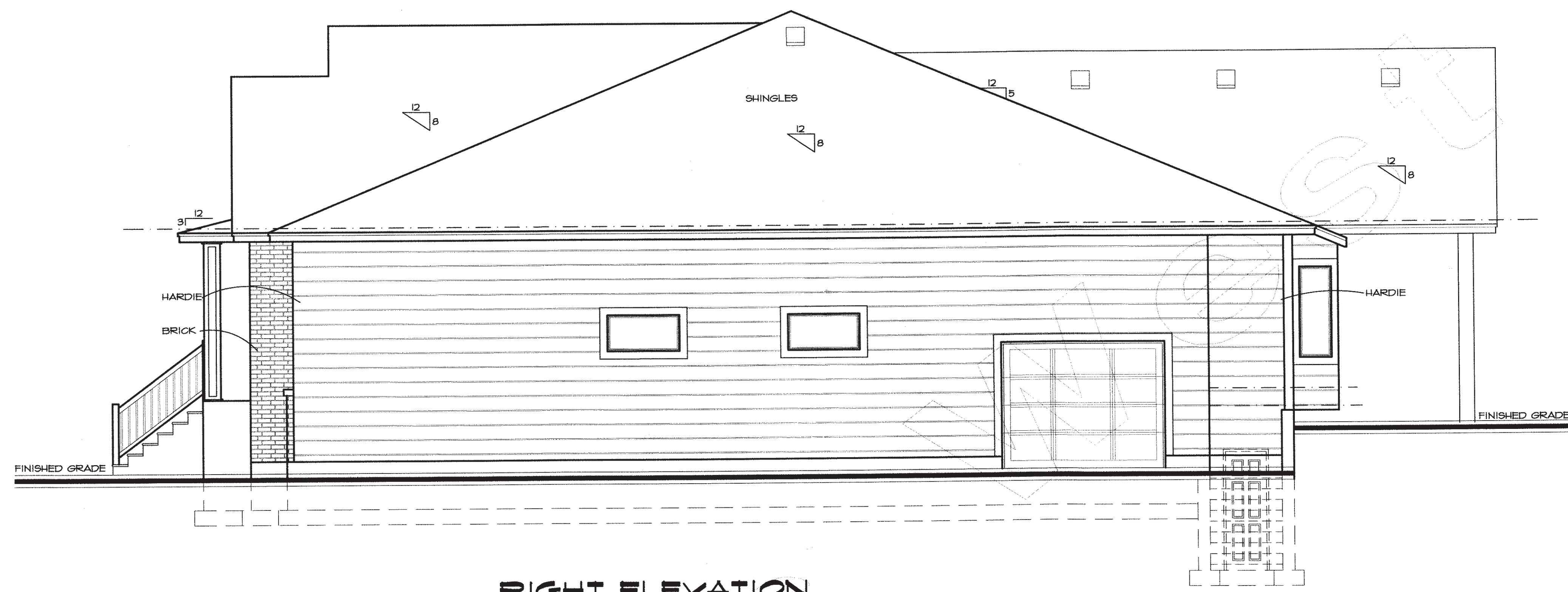
All footings shall bear on natural undisturbed soil. Footings shall be excavated to a minimum depth so as to provide frost protection. (30" min.)

The grade adjacent to all foundation wall shall fall a minimum of 6 inches within the first 10 feet (5%). R4.01.3 Landings, ramps, patios, porches or decks, which are required to be level or can have a MAXIMUM slope of 1/4" per foot. All other impervious surfaces within 10 feet of the foundation walls must slope a MINIMUM of 1/4" per foot away from walls.

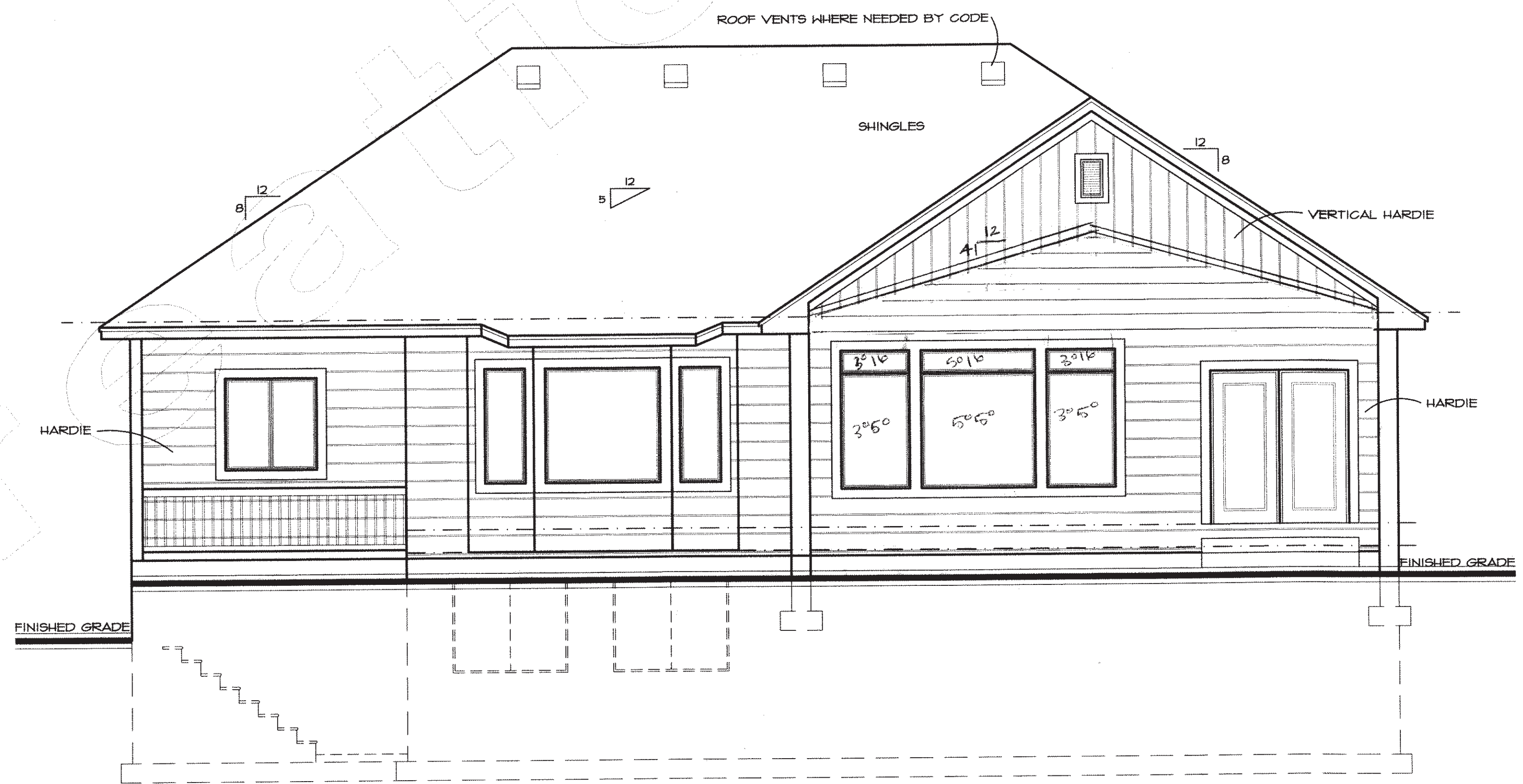
**VALIDITY OF PERMIT:**

The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violations of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdictions shall not be valid.

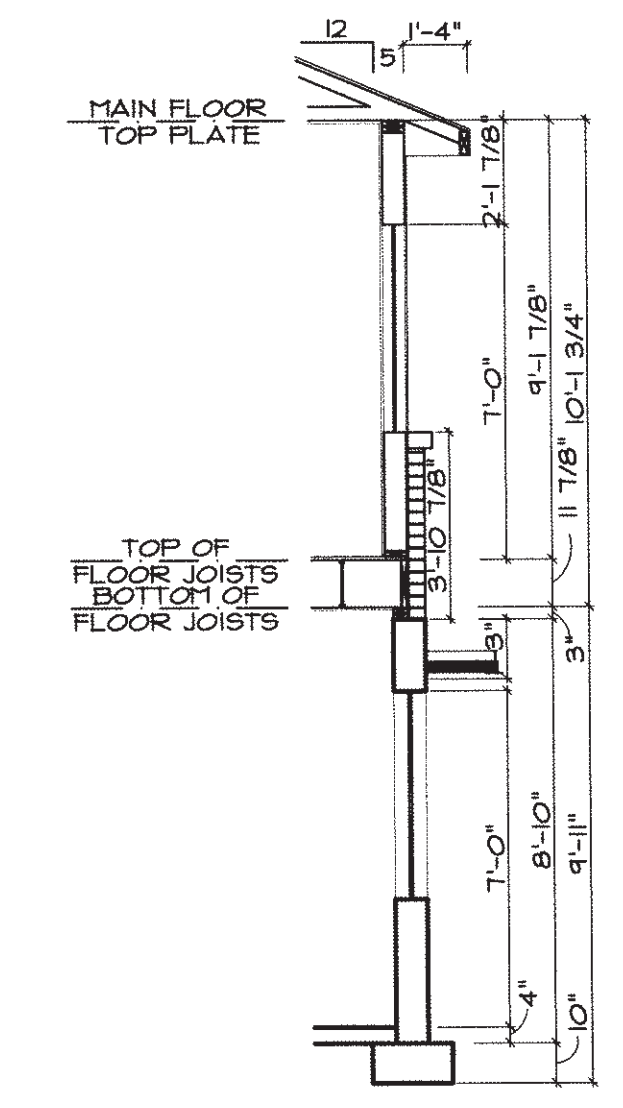
The issuance of a permit based upon plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors on said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or any other ordinances of this jurisdiction.



**RIGHT ELEVATION**  
 SCALE 1/4"



**REAR ELEVATION**  
 SCALE 1/4"



**TYP. SECTION**  
 SCALE NOT APPLICABLE IN ALL LOCATIONS

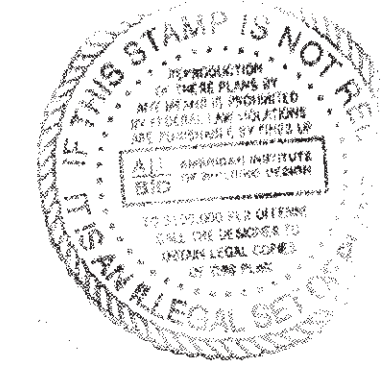
PLANNED FOR: ELIETE CRAFT  
 BROUGH  
 LOT # 2 SMITH HOMESTEAD  
 FARMINGTON, UTAH

Ammon  
 Idaho 83406  
 208.525.9555

South Jordan  
 Utah 84091  
 801.525.6700

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*[Handwritten Signature]*

DATE: JUL. 19 17

SHEET: 2

PLAN NUMBER  
**R-1814-17UE**



The builder/general contractor (construction professional) must carefully and thoroughly verify dimensions, validity, and overall integrity of the plans. In the event of a discrepancy, prior to construction, Creations West shall be contacted for clarification. At the time of construction, Creations West is relieved of liability and the builder/general contractor assumes full responsibility.

**FLOOR PLAN GENERAL NOTES:**  
 1. Plumbing wall 2x6 @ 16" o.c.  
 2. Attic access 22" x 30" with closer 4' x 6' enclosed light in attic space. Location, if shown, is approximate.  
 3. Exhaust fan, 60 CFM run exhaust duct to the outside.  
 4. Provide 30" min. width for the water closet and 24" clear in front.  
 5. Vent dryer to outside with 4" metal ducting sealed and secured every 12'. Termination cap.  
 6. 12" x 12" min. opening installed to provide access to circulation pump.  
 7. Sufficient access and working space (30" x 36") shall be provided around all electrical equipment.

**GENERAL NOTES:**  
 Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction. Note that all written dimensions take precedence over scale. Manufacturer's specifications for installation of materials shall be followed. Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

**GENERAL BATHROOM NOTES:**  
 Shower compartments shall have at least 400 sq. ft. of floor area and be of sufficient size to enclose a circle with a dia. not less than 30". In-glass shower doors shall open outward. The wall area above built-in tubs having installed shower heads and in-shower compartments shall be constructed as per Section R702.4. Such walls shall form a watertight joint with each other and with either the tub, reception or shower floor. Bathroom water closet compartments, and other similar rooms shall be provided with aggregate glazing areas in windows of not less than 5 sq. ft., one half of which must be operable, if no windows, a mechanical ventilation system shall be met. The mechanical ventilation system shall be 50 cfm. for continuous ventilation.  
 Showers & tubs shall have temperature-limiting device complying with IRC P2706.3  
 Toilet, bath and shower areas to be finished with a non-slip surface in accordance with IRC R302.1

All exterior doors shall have a floor of landing on each side of the door. The floor or landing at a door shall not be more than 12 inches lower than the top of the threshold. If the door is not a new exit door the landing shall not exceed 8" from top of threshold. All landings shall be not less than 56" wide, measured in the direction of travel.

**FIRE PROTECTION:**  
 Provide 1/2" type "X" gyp. brd. on all the walls and ceiling of garage if no habitat space above. Provide 5/8" type "X" gyp. brd. on all the walls and ceiling of garage if habitat space above. All beams and structural members shall be protected with 5/8" gyp. brd. with self-closer. Door between garage and house shall be self-closing, solid core wood or "B" labeled door not less than 1 3/4" w/ self-closer and self-latching. Protect enclosed utility space under stairs with 5/8" gyp. brd. Fire blocking at stud cavities that are greater than 8'-0". Provide fire resistant construction on the underside of the stairs in accordance with IRC R302.6

**EXHAUST SYSTEM NOTES:**  
 Dryer exhaust systems shall convey the moisture to the outdoors and shall terminate on the outside of the building. Screens shall not be installed at the duct terminal. Ducts shall have a back draft damper. The max. length of clothes dryer exhaust duct shall not exceed 25 feet from the dryer location to the wall or roof termination. The max. length of the ducts shall be reduced 2.5 feet for each 45 degree bend and 5 feet for each 90 degree bend. Metal ducting shall be sealed and secured every 12 feet.

**FIREPLACES:**  
 Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.  
 Chimneys shall extend at least 3 feet above the highest point where they pass through a roof of a building and at least 2 feet higher than any portion of a building within a horizontal distance of 10 feet.

Listing for any fireplace show on plans shall be provided at mechanical inspection. In the event of a wood burning fireplace, submit listing showing EPA compliance. (IRC R1004)

Hose connection back flow preventer shall be installed on the discharge side a hose threaded outlet.

Windows considered to be 0.30 U-factor typical. U-factors shall be determined by testing in accordance with NFRC 100 and labeled as such by the manufacturer per section 1021.3 of the 2006 IECC.

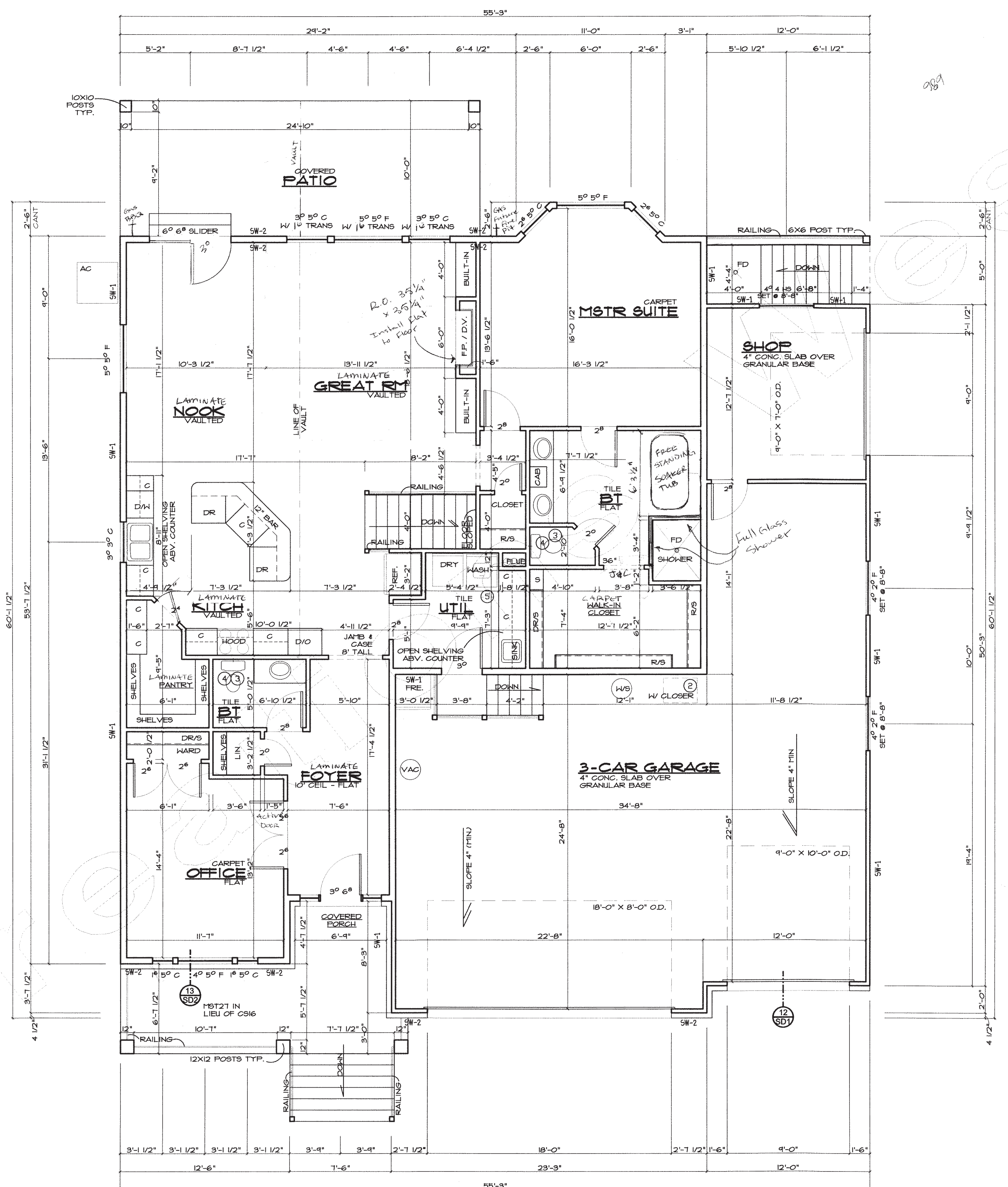
Bottom of operable window on upper floor to be no closer than 24" from floor in accordance with IRC R302.2.1

**APPLIANCES IN ATTICS:**  
 Attics containing appliances requiring access shall have an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches high and 22 inches wide and not more than 20 feet long when measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with chapter 5 not less than 24 inches wide. A level service space at least 30 inches deep and 30 inches wide shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches, where such dimensions are large enough to allow removal of the largest appliance. I.R.C. M305.1.3

**DRYER DUCT:**  
 Dryer duct shall terminate outdoors and shall not exceed a total combined horizontal and vertical length of 55'. Maximum length of duct shall be reduced 2-1/2' for each 45° bend and 5' for each 90° bend. Duct shall be a min. nominal size of 4". I.R.C. M1502.4.4

**CONDENSATE DISPOSAL:**  
 Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance. I.R.C. M1411.3

A secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. Drain piping shall be a minimum of 3/4" nominal size. I.R.C. M1411.3.1



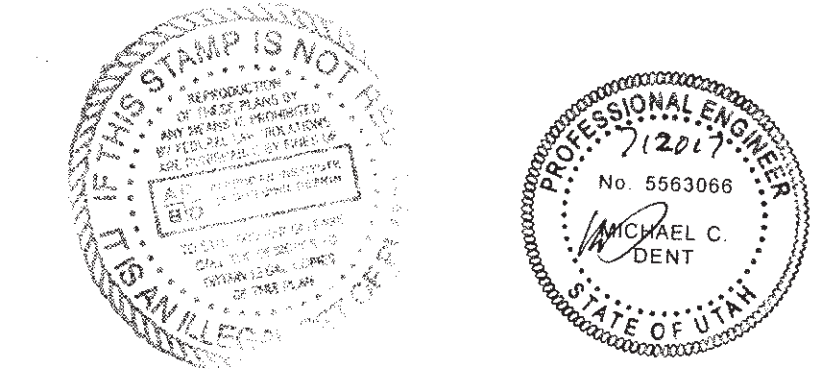
**SHEAR WALL NOTES**

ALL EXTERIOR WALLS AND VERTICAL SURFACES AT STEPS IN ROOF SHALL BE SHEATHED WITH 1/4" APA RATED 2419 OR BETTER STRUCTURAL WOOD PANELS. BLOCK ALL HORIZ EDGES WITH 2" NOM. OR WIDER, 2" OR WIDER FRAMING AT ADJOINING PANEL EDGES AND NAILS SHALL BE STAGGERED WHERE 8d NAILS ARE SPACED 3" O.C. OR LESS. SHEATHING SHALL EXTEND CONTINUOUS FROM FLOOR TO TOP PLATE FRAMING ON UPPER EXT. WALLS. NAILS SHALL BE PLACED NOT LESS THAN 1/2" FROM EDGE OF PANEL AND DRIVEN FLUSH BUT SHALL NOT FRACTURE THE SURFACE OF THE SHEATHING. EXTEND SHEATHING OVER RIM AND NAIL TO RIM AND WALL PLATES 4" O.C.

**SHEAR WALL SCHEDULE**

TYPE	SHEATHING	NAIL	EDGE FIELD	STAPLE EQ.
TYPICAL	1/4" ONE SIDED	4" O.C. 12" O.C.	16S # 3" O.C.	
SW-1	1/4" ONE SIDED	3" O.C. 12" O.C.	16S # 3" O.C.	
SW-2	1/4" ONE SIDED	2" O.C. 12" O.C.	NOT ALLOWED	
SW-3	1/4" ONE SIDED	2" O.C. 12" O.C.	NOT ALLOWED	

NOTE: 16 GAUGE STAPLES MAY BE SUBSTITUTED FOR 8d NAILS AT 1/2 SPACINGS ON TYPICAL AND SW-1. SW-2 AND SW-3 REQUIRE 3X OR (2) 2X ON JOINING PANEL EDGES.



NOTE:  
 9'-1 7/8" CEIL. HEIGHT TYP.  
 2X6 EXTERIOR WALLS (5 1/2")  
 4 1/2" MASONRY LEDGE U.O.S.

**MAIN FLOOR PLAN**  
 SCALE 1/8" = 1'-0"  
 1814 SQ. FT. MAIN LEVEL 1/4"

*[Handwritten Signature]*

PLANNED FOR: ELIETE CRAFT BROUGH LOT# 2 SMITH-HOMESTEAD FARMINGTON, UTAH

Ammon, Utah 83406  
 South Jordan, Utah 84091  
 Clearfield, Utah 84015  
 801.525.6700  
 801.525.6700  
 plans@creationswest.com

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DATE: JUL. 19 17  
 SHEET: 3

PLAN NUMBER  
**R-1814-17UE**



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**ATTIC VENTILATION NOTES:**

The net free ventilation area shall not be less than 1/300th provided that at least 50% of the area is provided by ventilators located in the upper portion of the space to be ventilated, the other to be provided by vented soffit system.

**GENERAL NOTES:**

Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction.  
 Note that all written dimensions take precedence over scale. Manufacturers specifications for installation of materials shall be followed.  
 Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

**WINDOWS NOTES:**

Bedroom windows to have a finished clear opening height max. of 44" from floor.  
 Windows to have 20" min. clear width and 24" min. clear height.  
 Bedroom windows to be a min. of 5.7 sq. ft.  
 Windows to be sized at 1/10th for the sq. ft. for glass size and 1/20th of the sq. ft. for ventilation requirements. Windows within 18" of the floor to be of tempered glass.

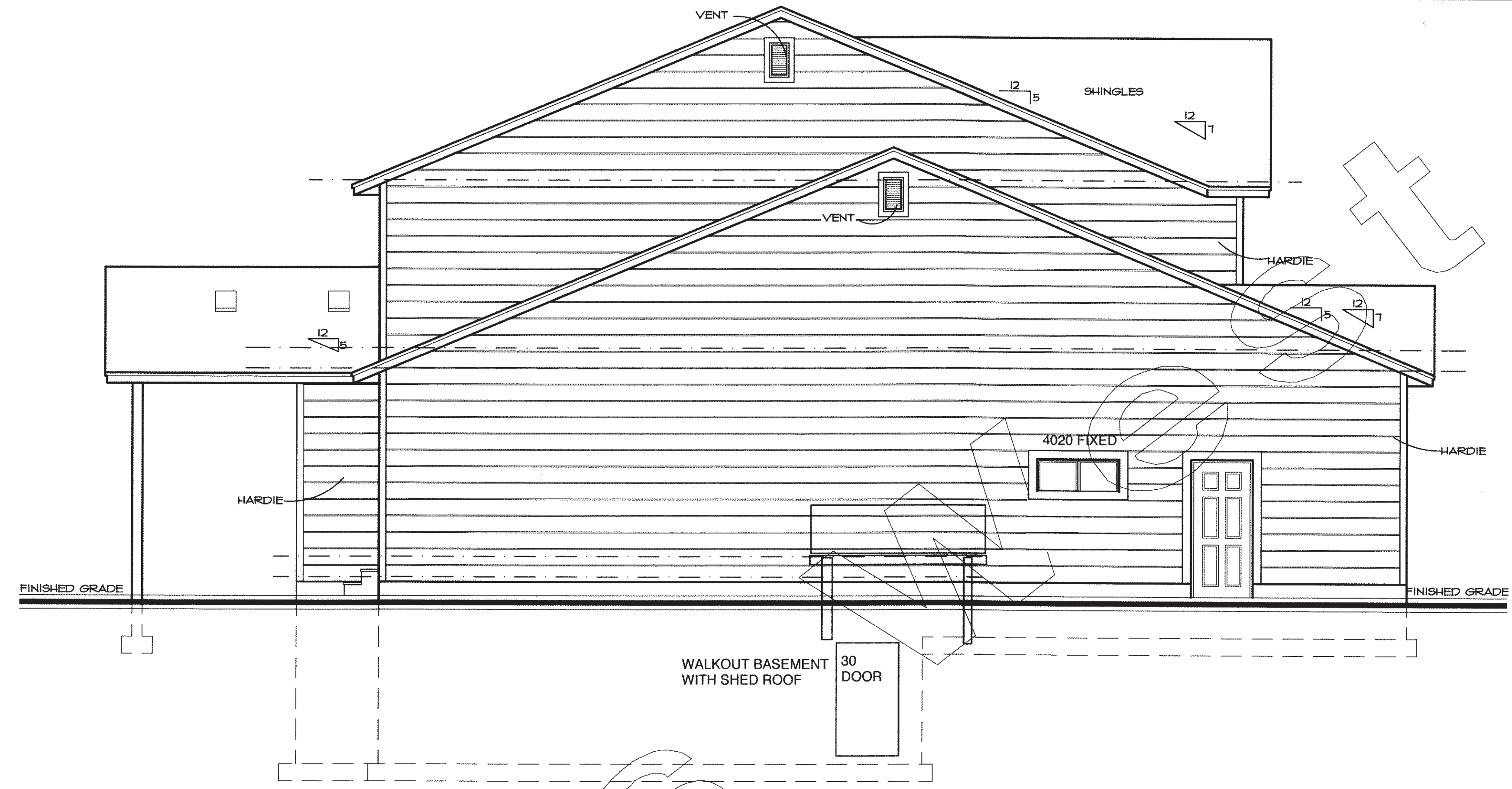
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**EXCAVATION NOTES:**

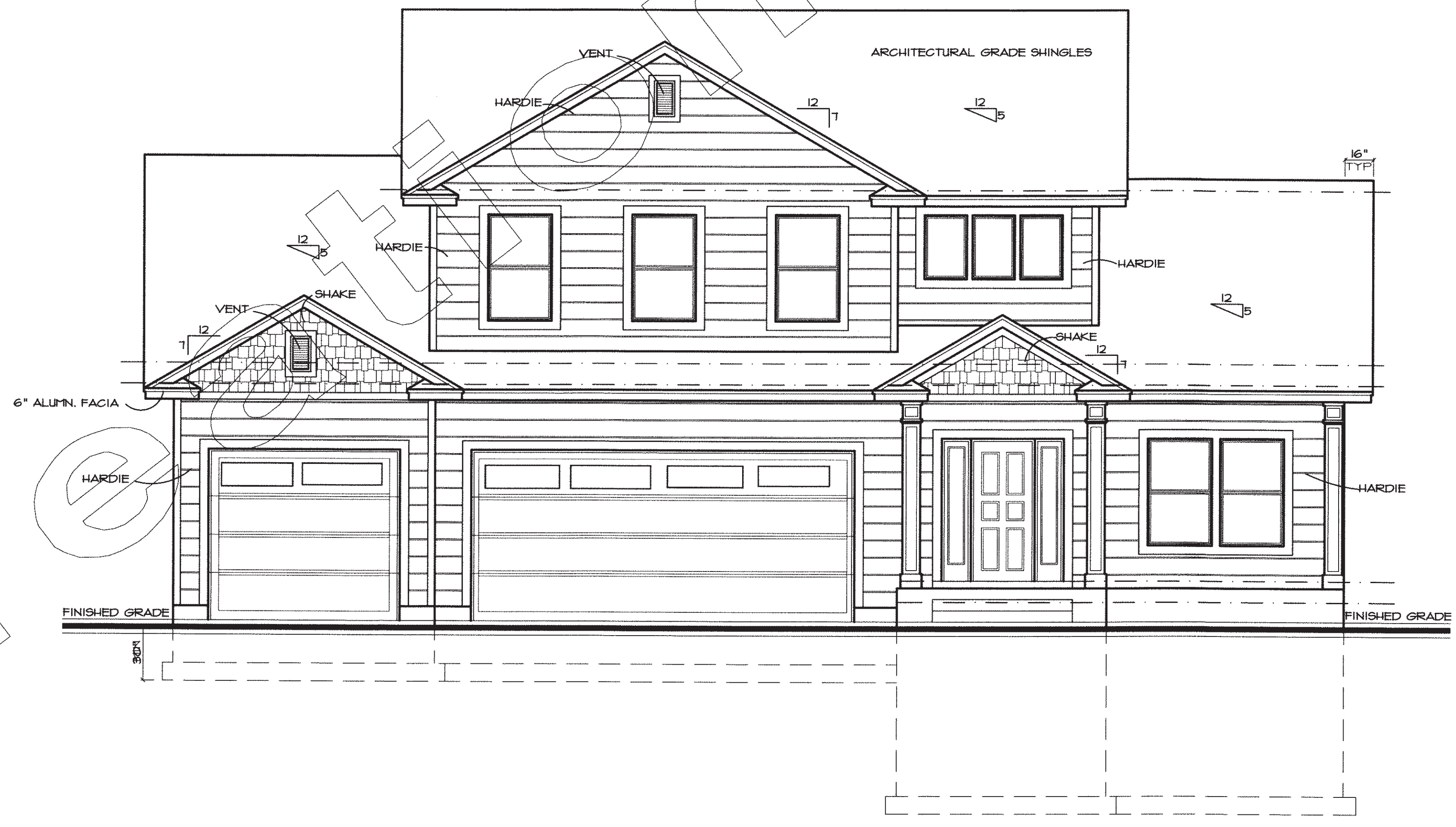
All footings shall bear on natural undisturbed soil. Footings shall be excavated to a minimum depth so as to provide frost protection. (30" min)  
 The grade adjacent to all foundation wall shall fall a minimum of 6 inches within the first 10 feet (50% R4013 Landings, ramps, patios, porches or decks, which are required to be level or can have a MAXIMUM slope of 1/4" per foot. All other impervious surfaces within 10 feet of the foundation walls must slope a MINIMUM of 1/4" per foot away from walls.

**VALIDITY OF PERMIT:**

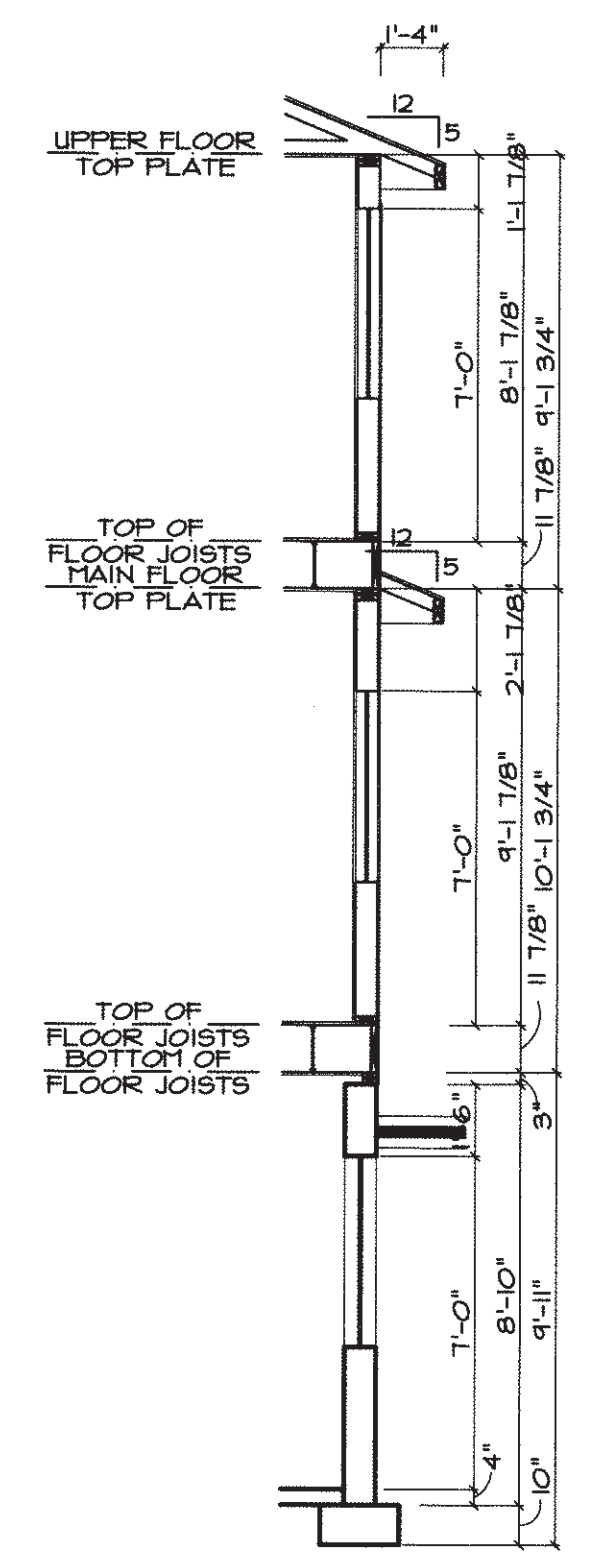
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**RIGHT ELEVATION**  
 SCALE 1/4"



**FRONT ELEVATION**  
 SCALE 1/4"



**TYP. SECTION**  
 SCALE NOT APPLICABLE IN ALL LOCATIONS

PLANNED FOR:  
**ELITE CRAFT HOMES**  
 LOT # 3, SMITH HOMESTEAD  
 FARMINGTON, UTAH

Ammon  
 Idaho 83406  
 208.525.5555

South Jordan  
 Utah 84099  
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 801.525.6700  
 plans@creationswest.com

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DATE:  
 SEP. 14 17

SHEET:  
 1

PLAN NUMBER  
**2-1804-17UE**

Creations West logo watermark.

Handwritten initials: JKC, Ktz



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**ATTIC VENTILATION NOTES:**  
 The net free ventilation area shall not be less than 1/300th provided that at least 50% of the area is provided by ventilators located in the upper portion of the space to be ventilated, the other to be provided by vented soffit system.

**GENERAL NOTES:**  
 Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction.  
 Note that all written dimensions take precedence over scale. Manufacturers specifications for installation of materials shall be followed.  
 Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

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 Bedroom windows to have a finished clear opening height max. of 44" from floor.  
 Windows to have 20" min. clear width and 24" min. clear height.  
 Bedroom windows to be a min. of 5.7 sq. ft.  
 Windows to be sized at 1/10th for the sq. ft. for glass size and 1/20th of the sq. ft. for ventilation requirements. Windows within 18" of the floor to be of tempered glass.

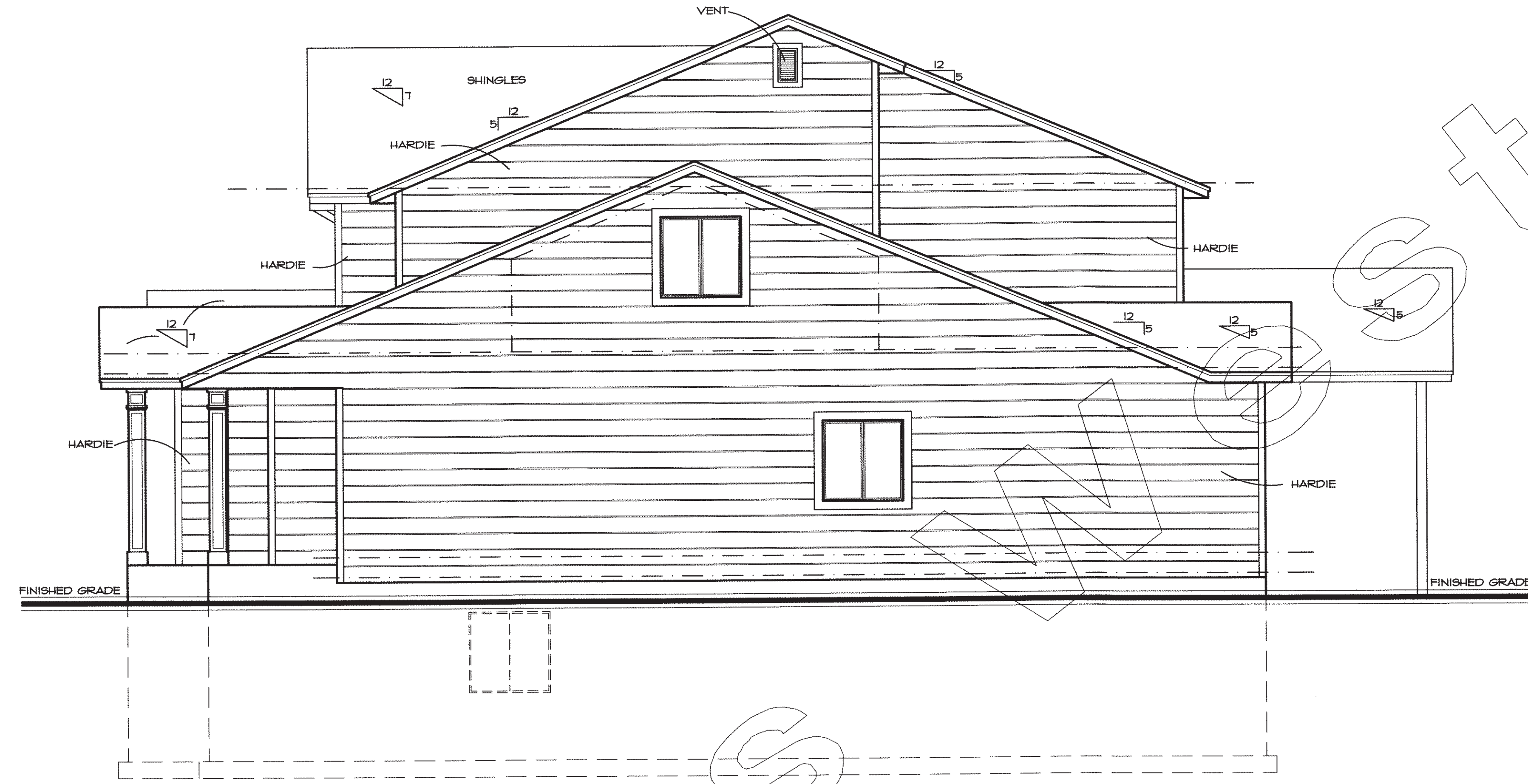
**EXTERIOR WALL FINISHES MUST BE LISTED, LABELED, AND INSTALLED AS PER MANUFACTURER'S INSTALLATION INSTRUCTION GUIDE. ALL INSTALLERS MUST BE APPROVED BY THE MANUFACTURER.**

**EXCAVATION NOTES:**  
 All footings shall bear on natural undisturbed soil. Footings shall be excavated to a minimum depth so as to provide frost protection, (30" min.)

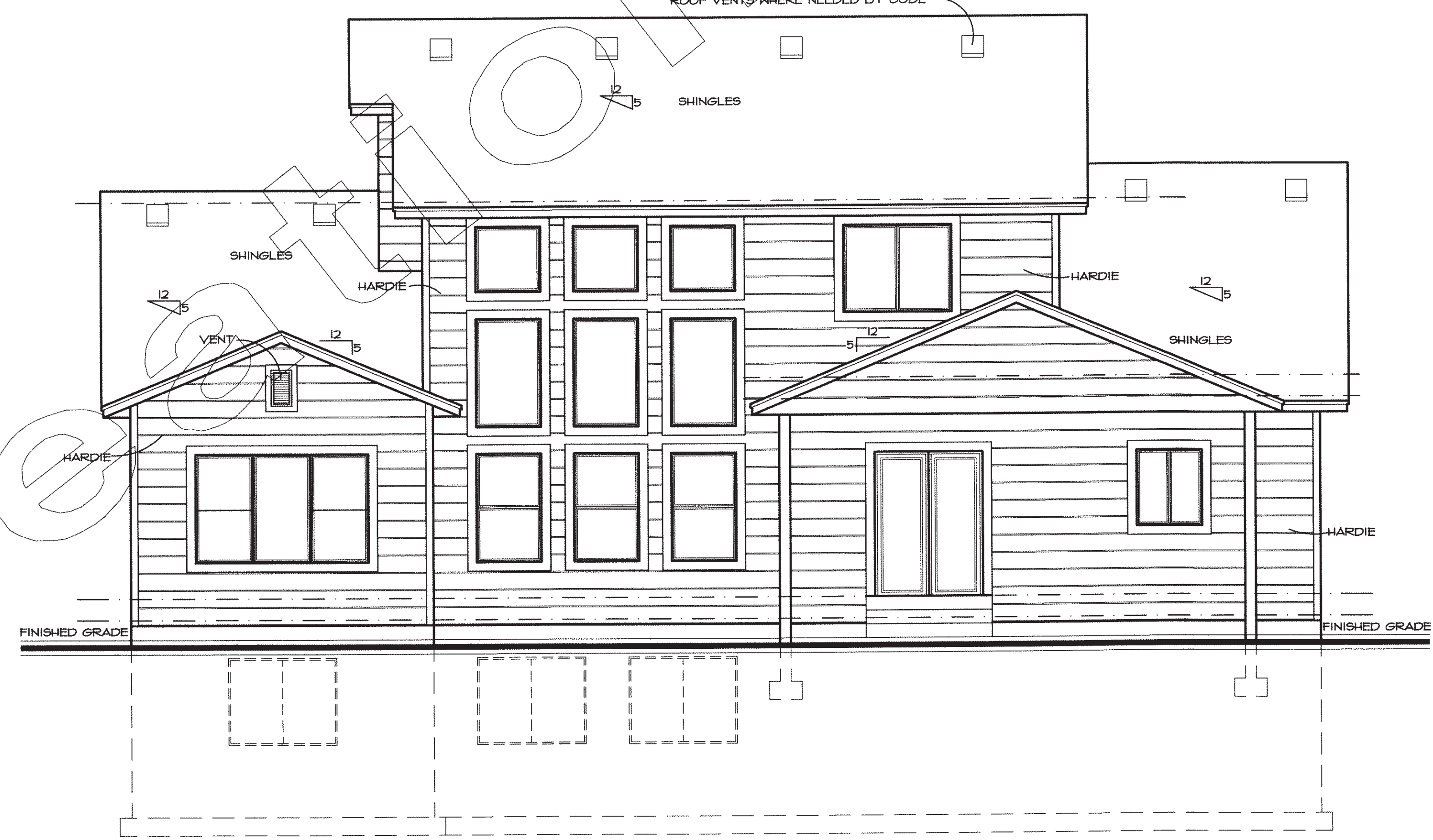
The grade adjacent to all foundation wall shall fall a minimum of 6 inches within the first 10 feet (5%).  
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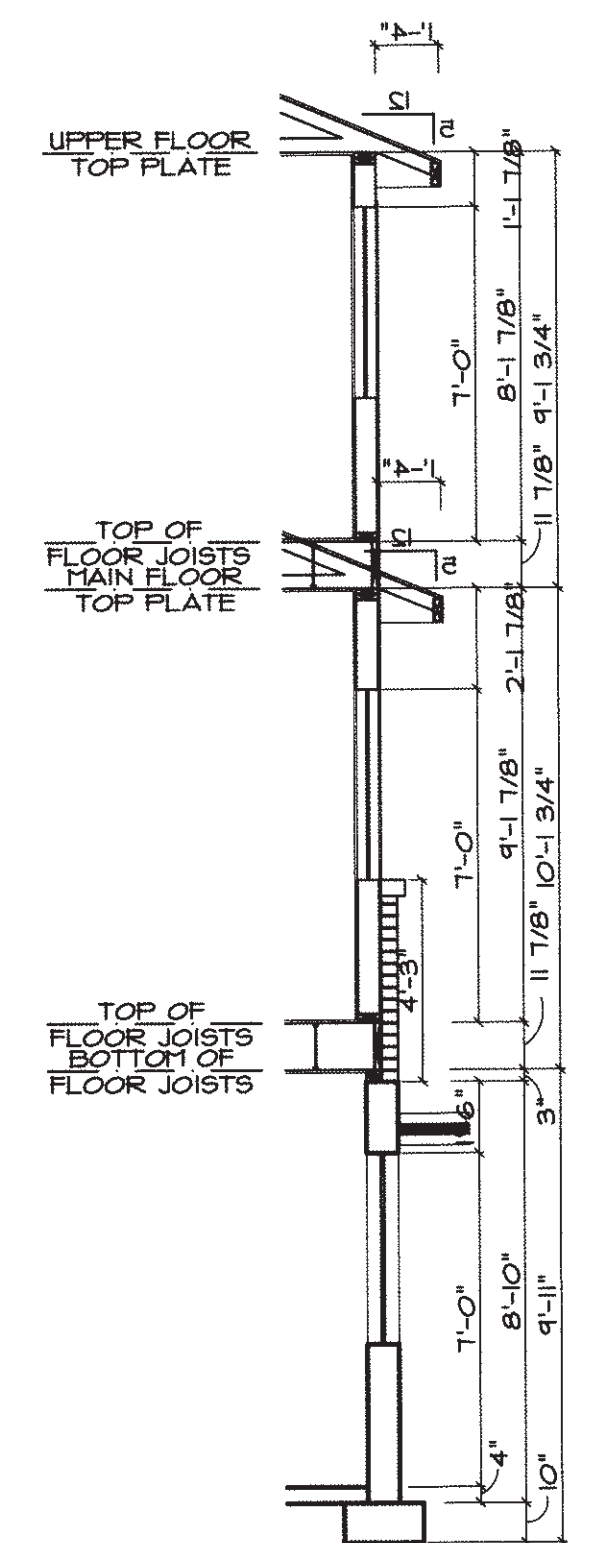
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**LEFT ELEVATION**  
 SCALE 1/4"



**REAR ELEVATION**  
 SCALE 1/4"

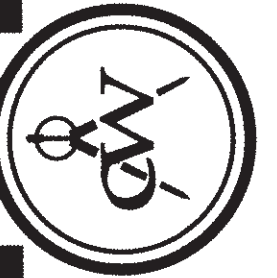


**TYP. SECTION**  
 SCALE NOT APPLICABLE IN ALL LOCATIONS

PLANNED FOR:  
**ELITE CRAFT HOMES**  
 LOT# 3, HOMESTEAD  
 FARMINGTON, UTAH

Ammon, Idaho 83406  
 South Jordan, Utah 84091  
 Clearfield, Utah 84015  
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**2-1804-17UE**

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- FLOOR PLAN GENERAL NOTES:**
1. Plumbing wall 2x6 @ 16" o.c.
  2. Attic access 22" x 30" with closer & a switched light in attic space. Location, if shown, is approximate.
  3. Exhaust fan, 60 CFM run exhaust duct to the outside.
  4. Provide 30" min. width for the water closet and 24" clear in front.
  5. Vent dryer to outside with 4" metal ducting sealed and secured every 12", termination cap.
  6. 12"x12" min. opening installed to provide access to circulation pump.
  7. Sufficient access and working space (30" x 36") shall be provided around all electrical equipment.
  8. 20 minute fire rated door.

**GENERAL NOTES:**

Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction. Note that all written dimensions take precedence over notes. Manufacturer's specifications for installation of materials shall be followed. Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

**GENERAL BATHROOM NOTES:**

Shower compartments shall have at least 400 sq. in. of floor area and be of sufficient size to receive a chair with a dia. not less than 30" in. Hinged shower doors shall open outward. The wall area above built-in tubs having installed shower heads and in-shower compartments shall be constructed as per Section R102.4. Such walls shall form a watertight joint with each other and with either the tub, receptor or shower floor. Bathrooms, water closet compartments, and other similar rooms shall be provided with aggregate glazing area in windows of not less than 9 sq. ft., one half of which must be operable. If no window, a mechanical ventilation system shall be req'd. The min. ventilation rates shall be 50 cfm. for continuous ventilation. Showers & tubs shall have temperature-limiting device complying with IRC R2108.3. Toilet, bath and shower areas to be finished with a nonabsorbent surface in accordance with IRC R201.

**ALL exterior doors shall have a floor of landing on each side of the door. The floor or landing at a door shall not be more than 18 inches lower than the top of the threshold. If the door is not a reach door, the landing shall not exceed 8" from top of threshold. All landings shall be not less than 36" wide, measured in the direction of travel.**

**FIRE PROTECTION:**

Provide 1/2" type "X" gyp. brd. on all the walls and ceilings of garage if no habitable space above. Provide 5/8" type "X" gyp. brd. on all the walls and ceilings of garage if habitable space above garage. Nail @ 6" o.c. All beams and structural members shall be protected with 5/8" gyp. brd. Door between garage and house shall be 20 minute rated, solid core wood or "B" labeled door not less than 1 3/4" w/ self closer and self-latching. IRC R302.5

Protect enclosed usable space under stairs with 5/8" gyp. brd. Provide fire resistant construction on the underside of the stairs in accordance with IRC R302.6

**EXHAUST SYSTEM NOTES:**

Dryer exhaust systems shall convey the moisture to the outdoors and shall terminate on the outside of the building. Screens shall not be installed on the duct terminal. Ducts shall have a back draft damper. The max. length of clothes dryer exhaust duct shall not exceed 25 feet from the dryer location to the wall or roof termination. The max. length of the ducts shall be reduced 2.5 feet for each 45 degree bend and 5 feet for each 90 degree bend. Duct during shall be sealed and secured every 12 feet.

**FIREPLACES:**

Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.

Chimneys shall extend at least 3 feet above the highest point where they pass through a roof of a building and at least 2 feet higher than any portion of a building within a horizontal distance of 10 feet.

Letting for any fireplace show air shall be provided at mechanical inspection. In the event of a wood burning fireplace submit listing showing EPA compliance. (IRC R1004.1)

Hose connection back flow preventer shall be installed on the discharge side a hose threaded outlet.

Windows considered to be 0.35 U-Factor typical. U-Factors shall be determined by testing in accordance with NFRC 100 and labeled as such by the manufacturer per section 102.13 of the 2006 IECC.

Bottom of operable window on upper floor to be no closer than 24" from floor in accordance with IRC R312.2.

**APPLIANCES IN ATTICS:**

Attics containing appliances requiring access shall have an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches high and 22 inches wide and not more than 20 feet long when measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with chapter 5 not less than 24 inches wide. A level service space at least 30 inches deep and 30 inches wide shall be present along all sides of the appliance where access is required the clear access opening dimensions shall be a minimum of 20 inches by 30 inches, where such dimensions are large enough to allow removal of the largest appliance. I.R.C. M1505.13

**DRYER DUCT:**

Dryer duct shall terminate outdoors and shall not exceed a total combined horizontal and vertical length of 35'. Maximum length of duct shall be reduced 2-1/2' for each 45° bend or 5' for each 90° bend. Duct shall be a min. nominal size of 4". I.R.C. M1502.4.4

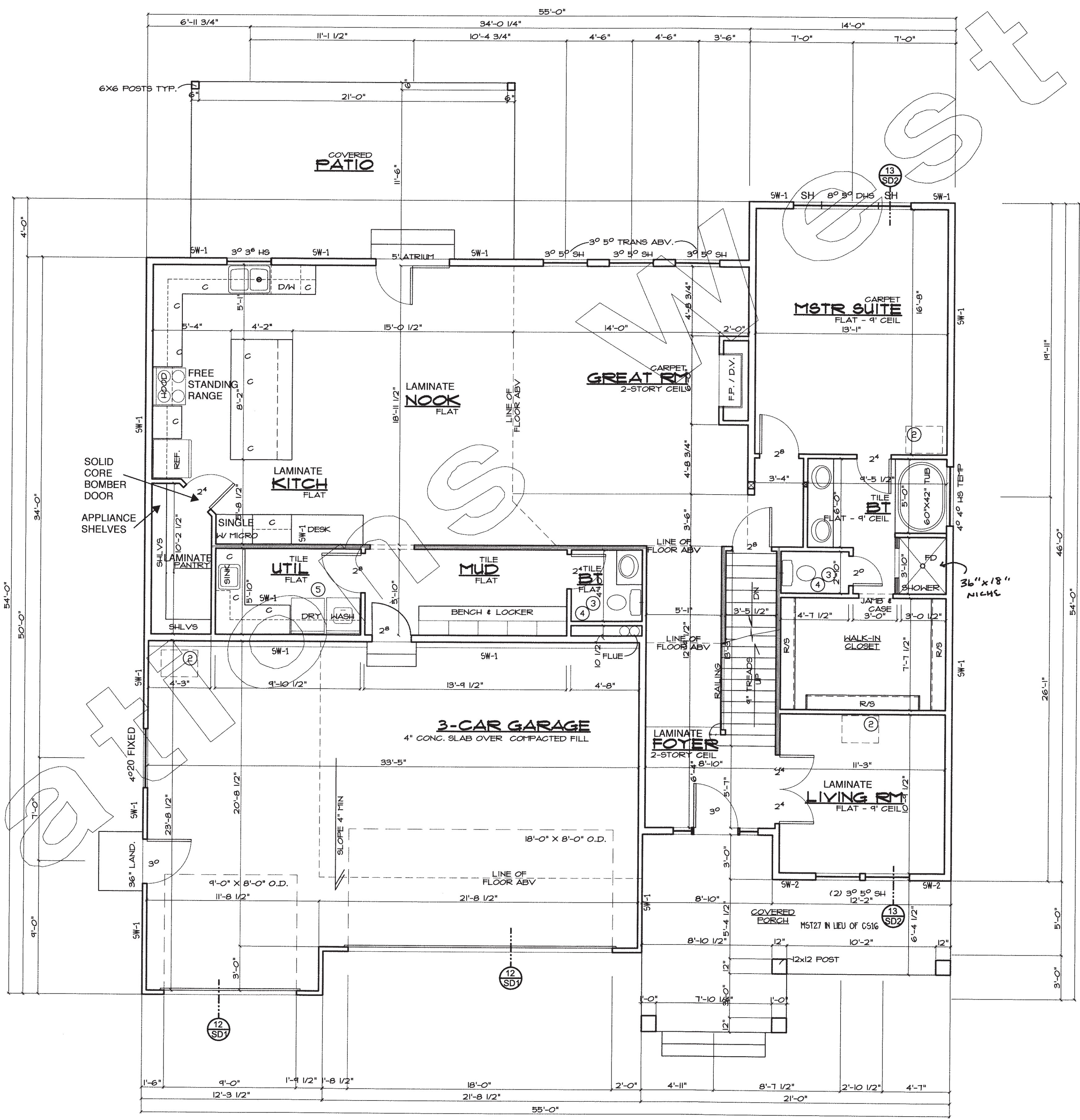
**CONDENSATE DISPOSAL:**

Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance. I.R.C. M1411.3

A secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. Drain piping shall be a minimum of 3/4" nominal size. I.R.C. M1411.3

**ENERGY NOTES:**

IECC R402.2.4- The attic access door and crawlspace door from the conditioned space to unconditioned space shall be weather stripped and insulated to a level equivalent to the insulation on the surrounding surfaces.



**SHEAR WALL NOTES**

ALL EXTERIOR WALLS AND VERTICAL SURFACES AT STEPS IN ROOF SHALL BE SHEATHED WITH 1/4" APA RATED 2400 OR BETTER STRUCTURAL WOOD PANELS. BLOCK ALL HORIZ EDGES WITH 2" NOM. OR UNDER, 2" OR UNDER FRAMING AT ADJOINING PANEL EDGES AND NAILS SHALL BE STAGGERED WHERE 8d NAILS ARE SPACED 3' O.C. OR LESS. SHEATHING SHALL EXTEND CONTINUOUS FROM FLOOR TO TOP PLATE FRAMING ON UPPER EXT. WALLS. NAILS SHALL BE PLACED NOT LESS THAN 1/2" FROM EDGE OF PANEL AND DRIVEN FLUSH BUT SHALL NOT FRACTURE THE SURFACE OF THE SHEATHING. EXTEND SHEATHING OVER RIM AND NAIL TO RIM AND WALL PLATES 4" O.C.

**SHEAR WALL SCHEDULE**

TYPE	SHEATHING	NAIL	EDGE FIELD	STAPLE SQ.
TYPICAL	1/4" ONE SIDED	6" O.C. 12" O.C.	16G # 3" O.C.	
SW-1	1/4" ONE SIDED	4" O.C. 12" O.C.	16G # 2" O.C.	
SW-2	1/4" ONE SIDED	3" O.C. 12" O.C.	NOT ALLOWED	
SW-3	1/4" ONE SIDED	2" O.C. 12" O.C.	NOT ALLOWED	

NOTE: 16 GAUGE STAPLES MAY BE SUBSTITUTED FOR 8d NAILS AT 1/2 SPACING ON TYPICAL AND SW-1. SW-2 AND SW-3 REQUIRE 3X OR (2) 2X ON JOINING PANEL EDGES.

**NOTE:**  
 9'-1 7/8" CEIL. HEIGHT TYP.  
 2X6 EXTERIOR WALLS (5 1/2")  
 4 1/2" MASONRY LEDGE U.O.S.

**MAIN FLOOR PLAN**  
 SCALE: 1/4"  
 1799 SQ. FT. MAIN LEVEL  
 8095 SQ. FT. UPPER LEVEL  
 1804 SQ. FT. SUBTOTAL  
 1686 SQ. FT. LOWER LEVEL  
 212 SQ. FT. BONUS LEVEL  
 3692 SQ. FT. TOTAL

PLANNED FOR  
**ELITE CRAFT HOMES**  
 LOT # 3, SMITH HONESTEAD  
 FARMINGTON, UTAH

Ammon  
 Idaho 83406  
 Lot # 3, SMITH HONESTEAD  
 FARMINGTON, UTAH  
 208.525.5955  
 plans@creationswest.com

**CREATIONS WEST**  
 EVEN THE BEST DREAMS NEED A PLAN  
 WWW.CREATIONSWEST.COM



DATE: SEP. 14 17  
 SHEET: 3

PLAN NUMBER  
**2-1804-17UE**



**FLOOR PLAN GENERAL NOTES:**

1. Plumbing soil 2x6 @ 16" o.c.
2. Attic access 22" x 30" with closer & a attached light in attic space. Location if shown is approximate.
3. Exhaust fan, 60 CFM run exhaust duct to the outside.
4. Provide 30" min. width for the water closet and 24" clear in front.
5. Vent dryer to outside with 4" metal ducting sealed and secured every 12' termination cap.
6. 12" x 12" min. opening installed to provide access to circulation pump.
7. Sufficient access and working space (30" x 36") shall be provided around all electrical equipment.
8. 20 minute fire rated door.

**GENERAL NOTES:**

Compliance with codes and ordinances governing the work shall be made and enforced by the general contractor. General contractor shall verify all existing conditions and dimensions prior to construction. Note that all written dimensions take precedence over scale. Manufacturer's specifications for installation of materials shall be followed. Workmanship throughout shall be of the best quality of the trade involved and the general contractor shall coordinate the work of the various trades to expedite the job in a smooth and continuous process.

**GENERAL BATHROOM NOTES:**

Shower compartments shall have at least 900 sq. ft. of floor area and be of sufficient size to inscribe a circle with a dia. not less than 30". Unrigid shower doors shall open outward. The wall area above built-in tubs having installed shower heads and in-shower compartments shall be constructed as per Section R102.4. Such walls shall form a watertight joint with each other and with either the tub, receptor or shower floor. Bathrooms, water closet compartments, and other similar rooms shall be provided with aggregate glazing area in addition of not less than 3 sq. ft., one half of which must be operable. (If no windows, a mechanical ventilation system shall be req. The min. ventilation rate shall be 50 cfm. for continuous ventilation.

Shower & tub shall have temperature-limiting device complying with IRC P2108.3  
 Toilet, bath and shower areas to be finished with a nonabsorbent surface in accordance with IRC R301.1

ALL exterior doors shall have a floor of landing on each side of the door. The floor on landing of a door shall not be more than 1/2" higher than the top of the threshold. If the door is not a req. door the landing shall not exceed 8" from top of threshold. All landings shall be not less than 36" wide, measured in the direction of travel.

**FIRE PROTECTION:**

Provide 1/2" type "x" gyp. brd. on all the walls and ceilings of garage if no additional space above. Provide 5/8" type "x" gyp. brd. on all the walls and ceilings of garage, if additional space above garage. Nail @ 6" o.c. All beams and structural members shall be protected with 5/8" gyp. brd.

Door between garage and house shall be 20 minute rated, solid core wood or "M" labeled door not less than 1 3/4" w/ self closer and self-latching. IRC R302.5

Protect enclosed usable space under stairs with 5/8" gyp. brd. Provide fire resistant construction on the underside of the stairs in accordance with IRC R302.6

Fire blocking at stud cavities that are greater than 8'-0".

**EXHAUST SYSTEM NOTES:**

Dryer exhaust systems shall convey the moisture to the outdoors and shall terminate on the outside of the building. Screens shall not be installed at the duct terminal. Ducts shall have a back draft damper. The max. length of clothes dryer exhaust duct shall not exceed 25 feet from the dryer location to the wall or roof termination. The max. length of the ducts shall be reduced 2.5 feet for each 45 degree bend and 5 feet for each 90 degree bend. Metal ducting shall be sealed and secured every 12 feet.

**FIREPLACES:**

Where a factory-built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.

Chimneys shall extend at least 3 feet above the highest point where they pass through a roof of a building and at least 2 feet higher than any portion of a building with a horizontal distance of 10 feet.

Listing for any fireplace show on plans shall be provided and mechanical inspection in the event of a wood burning fireplace, submit listing showing EPA compliance. (IRC R1004.1)

Hose connection back flow preventer shall be installed on the discharge side of a hose threaded outlet.

Windows considered to be 0.35 U-Factor typical. U-Factors shall be determined by testing in accordance with IRC 502 and labeled as such by the manufacturer per section 102.13 of the 2006 IECC.

Bottom of operable windows on upper floor to be no closer than 24" from floor in accordance with IRC R312.2.1

**APPLIANCES IN ATTICS:**

Attics containing appliances requiring access shall have an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches high and 22 inches wide and not more than 20 feet long when measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with chapter 5 not less than 24 inches wide. A level service space at least 30 inches deep and 30 inches wide shall be present along all sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches, where such dimensions are large enough to allow removal of the largest appliance. I.R.C. M1305.1.3

**DRYER DUCT:**

Dryer duct shall terminate outdoors and shall not exceed a total combined horizontal and vertical length of 25'. Maximum length of duct shall be reduced 2-1/2' for each 45° bend or 5' for each 90° bend. Duct shall be a min. nominal size of 4". I.R.C. M1502.4.4

**CONDENSATE DISPOSAL:**

Condensate from all cooling coils or evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance. I.R.C. M1411.3

A secondary drain or auxiliary drain pan shall be required for each cooling or evaporator coil where damage to any building components will occur as a result of overflow from the equipment drain pan or stoppage in the condensate drain piping. Drain piping shall be a minimum of 3/4" nominal size. I.R.C. M1411.3.1

**ENERGY NOTES:**

IECC R402.2.4- The attic access door and bulkhead door from the conditioned space to unconditioned space shall be weather stripped and insulated to a level equivalent to the insulation on the surrounding surfaces.

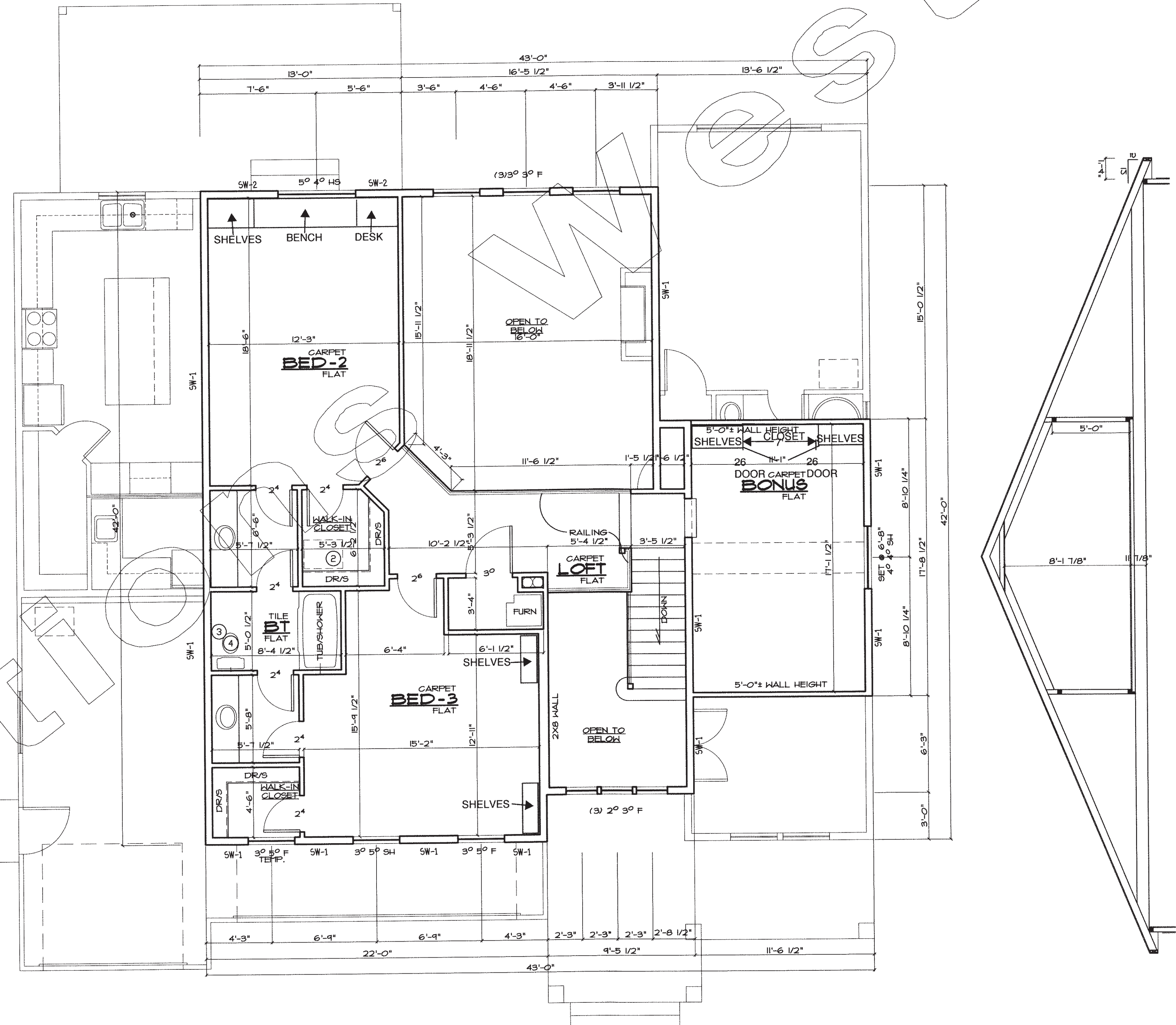
**SHEAR WALL NOTES**

ALL EXTERIOR WALLS AND VERTICAL SURFACES AT STEPS IN ROOF SHALL BE SHEATHED WITH 1/8" APA RATED 24/8 OR BETTER STRUCTURAL WOOD PANELS. BLOCK ALL HORIZ EDGES WITH 2" NOTCH OR WIDER. 2" OR WIDER FRAMING AT ADJOINING PANEL EDGES AND NAILS SHALL BE STAGGERED WHERE 8d NAILS ARE SPACED 3' O.C. OR LESS. SHEATHING SHALL EXTEND CONTINUOUS FROM FLOOR TO TOP PLATE FRAMING ON UPPER EXT. WALLS. NAILS SHALL BE PLACED NOT LESS THAN 1/2" FROM EDGE OF PANEL AND DRIVEN FLUSH BUT SHALL NOT FRACTURE THE SURFACE OF THE SHEATHING. EXTEND SHEATHING OVER RIM AND NAIL TO RM AND WALL PLATES 4" O.C.

**SHEAR WALL SCHEDULE**

TYPE	SHEATHING	NAIL	EDGE	FIELD	STAPLE EQ
TYPICAL	1/8" ONE SIDED	4" O.C.	6" O.C.	12" O.C.	16G # 3" O.C.
SW-1	1/8" ONE SIDED	4" O.C.	12" O.C.	12" O.C.	16G # 2" O.C.
SW-2	1/8" ONE SIDED	3" O.C.	12" O.C.	12" O.C.	NOT ALLOWED
SW-3	1/8" ONE SIDED	2" O.C.	12" O.C.	12" O.C.	NOT ALLOWED

NOTE: 16 GAUGE STAPLES MAY BE SUBSTITUTED FOR 8d NAILS AT 1/2 SPACING ON TYPICAL AND SW-1  
 SW-2 AND SW-3 REQUIRE 3X OR (2) 2X ON JOINING PANEL EDGES.



NOTE:  
 8'-1 7/8" CEIL. HEIGHT TYP.  
 2X6 EXTERIOR WALLS (5 1/2")

**UPPER FLOOR PLAN**

SCALE: 1/4" = 1'-0"  
 1/2" SQ. FT. UPPER LEVEL

PLANNED FOR:  
 ELITE CRAFT HOMES  
 LOT # 9, SMITH HOMESTEAD  
 FARMINGTON, UTAH

Ammon  
 Idaho 83406  
 208.525.9255

1424 Legend Hills Dr.  
 Suite # 130  
 Clearfield, Utah 84015  
 801.525.6700  
 801.525.6700  
 plans@creationswest.com

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DATE:  
 SEP. 14 17

SHEET:  
 4

PLAN NUMBER  
 2-1804-17UE

















# Farmington City Planning Commission Staff Report November 2, 2023

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## Item 2: Hess Farms Subdivision – Final Plat and Final Site Plan

Public Hearing:	No
Application No.:	S-3-22
Property Address:	Approximately 750 West Lagoon Drive
General Plan Designation:	CMU (Commercial Mixed Use)
Zoning Designation:	CMU (Commercial Mixed Use)
Area:	10 acres
Number of Lots:	71
Property Owner:	Wright Development Group (WDG Park Lane, LLC)
Applicant:	Thomas Hunt and Logan Johnson

Request: *The applicant is requesting final approval for the Hess Farms Subdivision.*

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### **Background Information**

Hess Farms Subdivision is located at approximately 900 N Highway 89 on Parcel 08-052-0262. The 10-acre parcel was rezoned to CMU on January 3, 2023. At that same meeting the City Council approved the development agreement and schematic subdivision plan. The Planning Commission approved the preliminary plat on May 18, 2023.

When reviewing the preliminary plat, the Commission was concerned about the location and storage of trash cans. The Commission requested that the applicant come up with a solution to storing a large number of trash and recycle bins in plain view of Lagoon Drive and the rest of the East Park Lane area. Additionally, the Commission noted the hazards of loose bins in windy weather. The applicant has provided a space within the garages of the units specifically to store the garbage and recycle bins.

Another concern from the Commission was the apparent lack of guest parking. However, the project meets and even exceeds the parking counts required by the ordinance. The ordinance requires 1.85-2 stalls per unit and the project provides 3.77 stalls per unit.

The residential project would complete the connection of the north part of Lagoon Drive to the Highway 89 frontage road and provides for a completion of the connection of 700 West Street to Lagoon Drive. Apart from 700 West and Lagoon Drive, the development would be served by private streets and homes are platted on individual lots for the option of owner occupancy.

Another 2.69 acres is being set aside for commercial use. The commercial site plan is under review with staff.

**Suggested Motion**

Move that the Planning Commission approve the final plat for Hess Farms Subdivision subject to all applicable development standards and ordinances, with the condition that the applicant must address all remaining DRC comments.

**Findings:**

1. The final plat conforms with the preliminary plat.
2. The project addresses the conditions of acceptance and all requested changes.
3. The final plat conforms with the approved Development Agreement, which includes a previously accepted deed restriction as approved by the City Council.
4. The Hess Farms project conforms with the East Park Lane Small Area Master Plan.
5. The project provides valuable connections to 700 West, Lagoon Drive, and the frontage road.

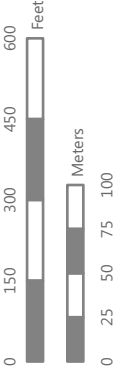
**Supplemental Information**

1. Vicinity Map
2. Final Plat
3. Layout of unit garage refuse storage area
4. Final Site Plan





Disclaimer: This map was produced by Farmington City GIS and is for reference only. The information contained on this map is believed to be accurate and suitable for limited uses. Farmington City makes no warranty as to the accuracy of the information contained for any other purposes.



**VICINITY MAP**  
Hess Farms Subdivision





### Surveyor's Certificate

I, MICHAEL L. WANGEMANN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6431156, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TOGETHER WITH EASEMENTS, HEREINAFTER TO BE KNOWN AS: HESS FARMS SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND MONUMENTED ON THE GROUND AS SHOWN ON THIS PLAN.

MICHAEL L. WANGEMANN  
LICENSE NO. 6431156

### Legal Description:

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT THAT IS NORTH 00°01'47" EAST ALONG THE QUARTER SECTION LINE 293.86 FEET FROM THE CENTER OF SECTION 13, TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN; AND RUNNING THENCE NORTH 89°07'15" WEST 696.53 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE EAST FRONTAGE ROAD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING FIVE (5) COURSES:  
THENCE NORTH 17°29'15" WEST 34.20 FEET; THENCE NORTH 68°05'24" WEST 46.98 FEET; THENCE NORTH 18°42'27" WEST 254.22 FEET; THENCE SOUTH 67°50'41" WEST 20.91 FEET; THENCE NORTH 22°16'23" WEST 40.35 FEET; THENCE NORTH 89°01'29" EAST 84.14 FEET; THENCE NORTH 88°07'28" EAST 79.92 FEET; THENCE NORTH 89°09'21" EAST 337.55 FEET; THENCE NORTH 89°07'31" EAST 284.95 FEET; THENCE NORTH 88°45'34" EAST 267.39 FEET; THENCE NORTH 89°31'30" EAST 164.28 FEET; THENCE NORTH 88°47'01" EAST 141.48 FEET; THENCE SOUTH 00°52'45" WEST 296.13 FEET; THENCE SOUTH 89°07'15" WEST 217.06 FEET TO A POINT ON A 233.00 FOOT RADIUS CURVE; THENCE SOUTHEASTERLY 61.66 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 15°09'48" [WHICH LONG CHORD BEARS SOUTH 83°32'19" EAST 61.48 FEET] TO A POINT ON A 50.00 FOOT REVERSE NON-TANGENT CURVE [WHICH RADIUS POINT BEARS SOUTH 16°02'36" WEST]; THENCE SOUTHWESTERLY 101.46 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 116°16'01" [WHICH LONG CHORD BEARS SOUTH 47°54'36" WEST 84.93 FEET]; THENCE NORTH 89°07'15" WEST 703.33 FEET TO THE POINT OF BEGINNING. NAD83 ROTATION IS 00°23'19" CLOCKWISE.  
CONTAINS 450,733.34 SQ/FT OR 10.35 ACRES

### Owners Dedication:

KNOWN ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS  
**HESS FARMS SUBDIVISION**  
DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAN AS INTENDED FOR PUBLIC USE, AND DO WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE AND OPERATION OF THE STREETS.  
IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2023.

SPENCER H. WRIGHT - PRESIDENT AND CEO  
WDG PARK LANE, LLC

### Corporate Acknowledgement:

STATE OF UTAH)  
COUNTY OF DAVIS  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, IN THE YEAR 2023, PERSONALLY APPEARED BEFORE ME \_\_\_\_\_, WHOSE IDENTITY IS PERSONALLY KNOWN TO ME (OR PROVEN ON THE BASES OF SATISFACTORY EVIDENCE) AND WHO BY ME DULY SWORN/AFFIRMED, DID SAY THAT HE/SHE IS THE \_\_\_\_\_ OF \_\_\_\_\_ AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID \_\_\_\_\_ CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.  
WITNESS MY HAND AND OFFICIAL SEAL.

(NOTARY SIGNATURE)

**Davis County Recorder**  
ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.  
AT \_\_\_\_\_ ENTRY NO. \_\_\_\_\_ IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
BY: \_\_\_\_\_ DEPUTY RECORDER

# HESS FARMS SUBDIVISION

PART OF THE NORTH HALF OF SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
FARMINGTON CITY, DAVIS COUNTY, UTAH

Lot #	Area	Address
1	117,888 sqft	750 WEST LAGOON DR
2	733.36 sqft	0.02 AC.
3	733.36 sqft	0.02 AC.
4	733.36 sqft	0.02 AC.
5	733.36 sqft	0.02 AC.
6	733.36 sqft	0.02 AC.
7	507.64 sqft	0.01 AC.
8	733.36 sqft	0.02 AC.
9	733.36 sqft	0.02 AC.
10	733.36 sqft	0.02 AC.
11	733.36 sqft	0.02 AC.
12	733.36 sqft	0.02 AC.
13	507.64 sqft	0.01 AC.
14	507.64 sqft	0.01 AC.
15	733.36 sqft	0.02 AC.
16	733.36 sqft	0.02 AC.
17	733.36 sqft	0.02 AC.
18	733.36 sqft	0.02 AC.
19	733.36 sqft	0.02 AC.
20	733.36 sqft	0.02 AC.
21	733.36 sqft	0.02 AC.
22	733.36 sqft	0.02 AC.
23	733.36 sqft	0.02 AC.
24	733.36 sqft	0.02 AC.
25	507.64 sqft	0.01 AC.
26	733.36 sqft	0.02 AC.
27	733.36 sqft	0.02 AC.
28	733.36 sqft	0.02 AC.
29	733.36 sqft	0.02 AC.
30	733.36 sqft	0.02 AC.
31	733.36 sqft	0.02 AC.
32	733.36 sqft	0.02 AC.
33	733.36 sqft	0.02 AC.
34	733.36 sqft	0.02 AC.
35	733.36 sqft	0.02 AC.
36	507.64 sqft	0.01 AC.
37	733.36 sqft	0.02 AC.
38	733.36 sqft	0.02 AC.
39	733.36 sqft	0.02 AC.
40	733.36 sqft	0.02 AC.
41	733.36 sqft	0.02 AC.
42	507.64 sqft	0.01 AC.
43	733.36 sqft	0.02 AC.
44	733.36 sqft	0.02 AC.
45	733.36 sqft	0.02 AC.
46	733.36 sqft	0.02 AC.
47	733.36 sqft	0.02 AC.
48	507.64 sqft	0.01 AC.
49	733.36 sqft	0.02 AC.
50	733.36 sqft	0.02 AC.
51	733.36 sqft	0.02 AC.
52	733.36 sqft	0.02 AC.
53	733.36 sqft	0.02 AC.
54	733.36 sqft	0.02 AC.
55	733.36 sqft	0.02 AC.
56	733.36 sqft	0.02 AC.
57	733.36 sqft	0.02 AC.
58	733.36 sqft	0.02 AC.
59	733.36 sqft	0.02 AC.
60	733.36 sqft	0.02 AC.
61	733.36 sqft	0.02 AC.
62	733.36 sqft	0.02 AC.
63	733.36 sqft	0.02 AC.
64	733.36 sqft	0.02 AC.
65	733.36 sqft	0.02 AC.
66	733.36 sqft	0.02 AC.
67	733.36 sqft	0.02 AC.
68	733.36 sqft	0.02 AC.
69	733.36 sqft	0.02 AC.
70	733.36 sqft	0.02 AC.
71	507.64 sqft	0.01 AC.

Name	Area
COMMON AREA	173,061.20 sqft 3.97 AC.
LOTS 2-71	49,529.54 sqft 1.14 AC.
TOTAL	222,590.64 sqft 5.11 AC.

### Parcel Line Table

Line #	Bearing	Distance
L1	N17°29'15"W	34.20
L2	N68°05'24"W	46.98
L3	S67°50'41"W	20.91
L4	N22°16'23"W	40.35
L5	N0°52'45"E	51.29
L6	S0°01'11"W	22.00
L7	S89°07'15"E	171.36
L8	S89°58'37"W	33.33
L9	N0°02'28"E	131.51
L10	S89°07'15"W	66.68
L11	N0°52'45"E	15.00
L12	N89°07'15"E	123.30
L13	S0°52'29"E	15.00
L14	S0°02'29"W	124.65
L15	S89°07'15"E	119.77
L16	N0°52'45"E	110.06
L17	S89°07'15"E	24.00
L18	N0°52'45"W	110.06
L19	S89°07'15"E	119.57
L20	S89°07'15"E	24.00
L21	S0°52'45"W	106.47
L22	S0°52'45"E	51.29
L23	N89°58'41"E	33.33
L24	S0°00'19"E	125.40
L25	S89°58'41"W	33.33
L26	S0°00'19"W	125.40
L27	N0°52'45"E	33.00
L28	S0°00'19"E	22.16
L29	N89°07'15"W	30.00
L30	S0°52'45"E	22.00
L31	N89°07'15"E	33.33
L32	S0°52'45"E	22.00
L33	N89°07'15"E	33.33
L34	S0°52'45"E	22.00
L35	N89°58'41"E	33.33
L36	S0°00'19"E	22.00
L37	N0°52'45"E	51.29
L38	N0°00'19"W	22.00
L39	N89°58'41"E	33.33
L40	S0°00'19"E	22.00
L41	N89°58'41"E	33.33
L42	S0°00'19"E	22.00
L43	N89°58'41"E	33.33
L44	S0°00'19"E	22.00
L45	N89°58'41"E	33.33
L46	S0°00'19"E	22.00
L47	N89°58'41"E	33.33
L48	S0°00'19"E	22.00
L49	N89°58'41"E	33.33
L50	S0°00'19"E	22.00
L51	N89°58'41"E	33.33
L52	S0°00'19"E	22.00
L53	N89°58'41"E	33.33
L54	S0°00'19"E	22.00
L55	N89°58'41"E	33.33
L56	S0°00'19"E	22.00
L57	N89°58'41"E	33.33
L58	S0°00'19"E	22.00
L59	N89°58'41"E	33.33
L60	S0°00'19"E	22.00
L61	N89°58'41"E	33.33
L62	S0°00'19"E	22.00

### Parcel Line Table

Line #	Bearing	Distance
L63	S89°07'15"E	168.57
L64	S0°01'11"W	22.00
L65	N89°58'49"W	33.33
L66	N0°01'11"E	22.00
L67	S89°07'15"E	171.36
L68	S0°01'11"W	22.00
L69	N89°58'37"W	33.33
L70	N0°01'11"E	22.00
L71	N89°07'15"W	55.84
L72	S0°01'11"W	22.00
L73	N89°58'49"W	33.33
L74	N0°01'11"E	22.00
L75	N89°07'15"W	772.38
L76	S0°01'11"W	22.00
L77	N89°59'02"W	33.33
L78	N0°01'11"E	22.00
L79	N0°34'03"E	258.22
L80	S0°01'11"W	22.17
L81	N0°34'03"E	243.21
L82	N0°01'11"E	22.16
L83	S89°07'14"E	33.33
L84	S0°52'46"W	125.40
L85	N0°53'05"E	125.40
L86	N0°52'46"E	125.40
L87	S0°02'28"W	178.82
L88	S0°52'46"W	15.23
L89	N89°07'14"W	33.33
L90	N0°52'46"E	15.23
L91	N68°05'24"W	45.47
L92	S0°52'46"W	22.00
L93	N89°07'14"W	33.33
L94	N0°52'46"E	22.00
L95	S68°05'24"E	1.51
L96	S0°52'46"E	22.00
L97	N89°07'14"W	33.33
L98	N0°52'46"E	22.00
L99	N89°07'14"W	33.33
L100	S0°52'46"W	22.00
L101	N89°07'14"W	33.33
L102	N0°52'46"E	22.00
L103	N89°07'14"W	33.33
L104	S0°52'46"W	22.00
L105	N89°07'14"W	33.33
L106	N0°52'46"E	22.00
L107	N47°33'07"W	37.10
L108	S0°53'05"W	22.51
L109	N89°06'55"W	33.34
L110	N0°54'21"E	22.51
L111	S71°56'48"W	41.69
L112	S0°52'46"W	22.00
L113	N89°07'15"W	33.33
L114	N0°52'45"E	22.00
L115	S0°00'19"E	15.23
L116	S0°52'45"W	125.40
L117	N89°07'15"W	33.33
L118	N0°52'45"E	125.40
L119	S89°07'15"E	33.33
L120	S0°52'45"W	15.23
L121	N89°07'15"W	33.33
L122	N0°52'45"E	15.23
L123	N0°24'58"W	62.36
L124	S0°52'45"W	22.00

### Parcel Line Table

Line #	Bearing	Distance
L125	N89°07'15"W	33.33
L126	N0°52'45"E	22.00
L127	S31°12'49"E	30.64
L128	S0°52'45"W	22.00
L129	N89°07'15"W	33.33
L130	N0°52'45"E	22.00
L131	S89°07'34"E	26.33
L132	S62°56'52"E	18.14
L133	N89°07'15"W	33.33
L134	N0°52'45"E	22.00
L135	S89°07'15"E	26.33
L136	S0°52'45"W	22.00
L137	S89°07'15"E	26.33
L138	N0°52'45"E	22.16
L139	S0°53'05"W	110.68
L140	N89°07'14"W	21.82
L141	N0°53'05"E	110.68
L142	N89°06'55"W	33.33
L143	S32°51'03"W	15.12
L144	S0°53'05"W	22.00
L145	N89°06'55"W	33.33
L146	N0°53'05"E	22.17
L147	N11°39'44"W	27.87
L148	S0°02'28"W	178.82
L149	N89°06'43"W	33.33
L150	N0°53'05"E	22.00
L151	S89°17'18"E	38.99
L152	N31°14'22"W	15.04
L153	N89°06'55"W	33.33
L154	N0°52'45"E	22.16
L155	S33°20'03"W	14.91
L156	S0°53'05"W	22.00
L157	N89°07'08"W	33.33
L158	N0°53'05"E	22.00
L159	S89°06'55"E	33.33
L160	S0°53'05"W	22.51
L161	N89°06'55"W	33.33
L162	N0°53'05"E	22.51
L163	S0°53'05"W	110.68
L164	S66°43'38"E	39.92
L165	N0°53'05"E	110.68
L166	S32°37'39"E	14.49
L167	S89°06'55"E	33.33
L168	S0°53'05"W	22.51
L169	N89°06'55"W	33.34
L170	N0°54'21"E	22.51
L171	N69°56'10"E	39.50
L172	S0°53'05"W	22.00
L173	N89°07'12"E	125.40
L174	N0°51'46"E	22.00
L175	N65°48'30"E	124.81
L176	S49°11'29"W	12.79
L177	N89°07'15"W	33.34
L178	S34°13'37"W	14.55
L179	S0°53'05"W	22.00
L180	S0°53'05"W	22.00
L181	N89°07'27"W	33.33
L182	N0°52'29"E	22.00
L183	N89°07'12"W	22.00
L184	S0°53'05"W	22.17
L185	N89°06'55"W	33.33

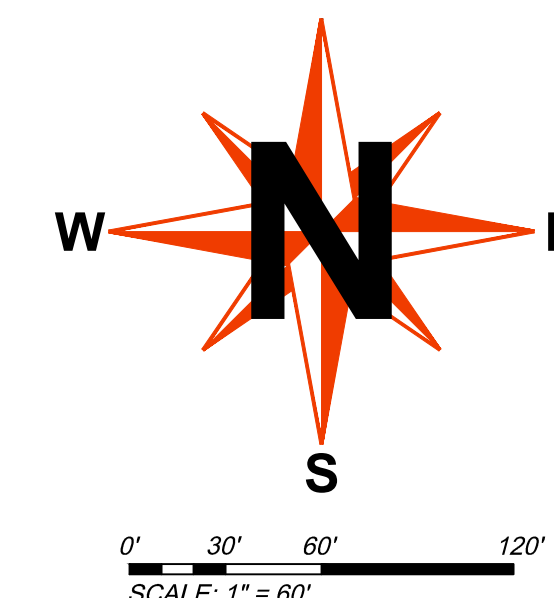
### Parcel Line Table

Line #	Bearing	Distance
L186	N0°53'05"E	22.16
L187	N0°52'45"E	



# HESS FARMS SUBDIVISION

PART OF THE NORTH HALF OF SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
FARMINGTON CITY, DAVIS COUNTY, UTAH



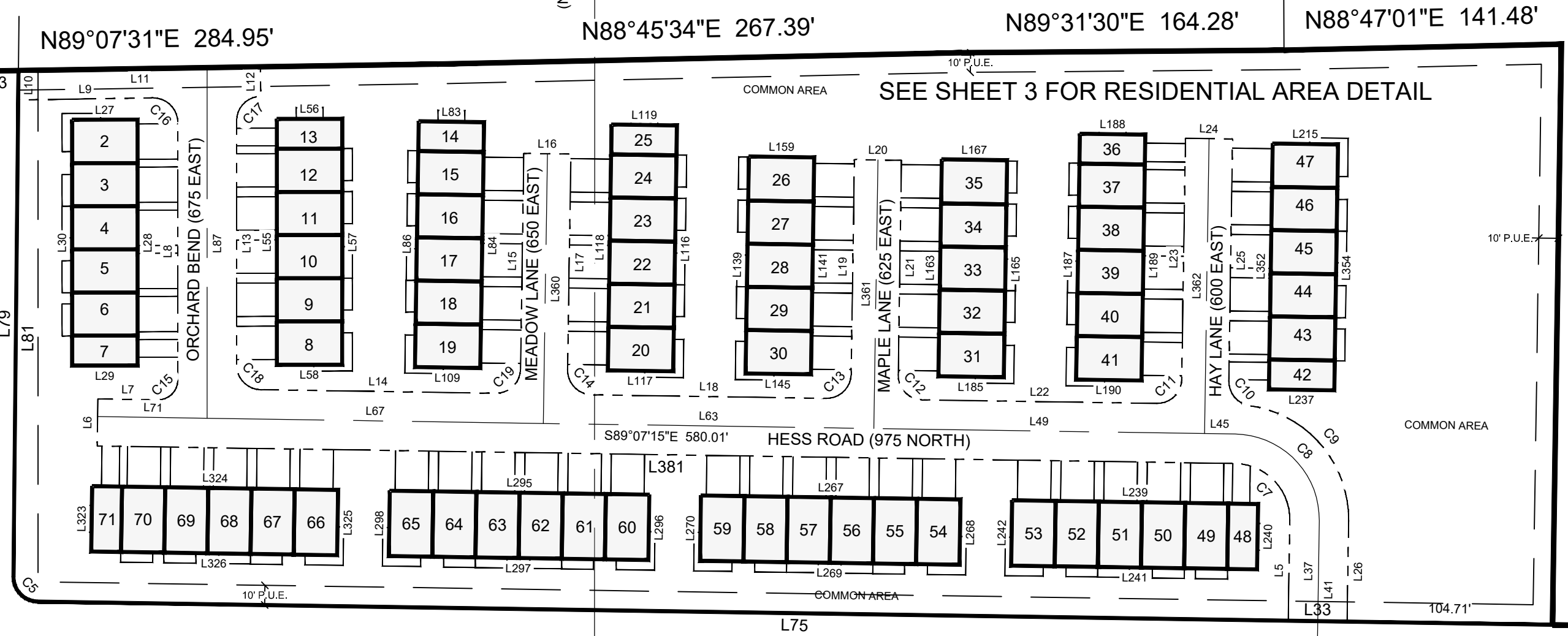
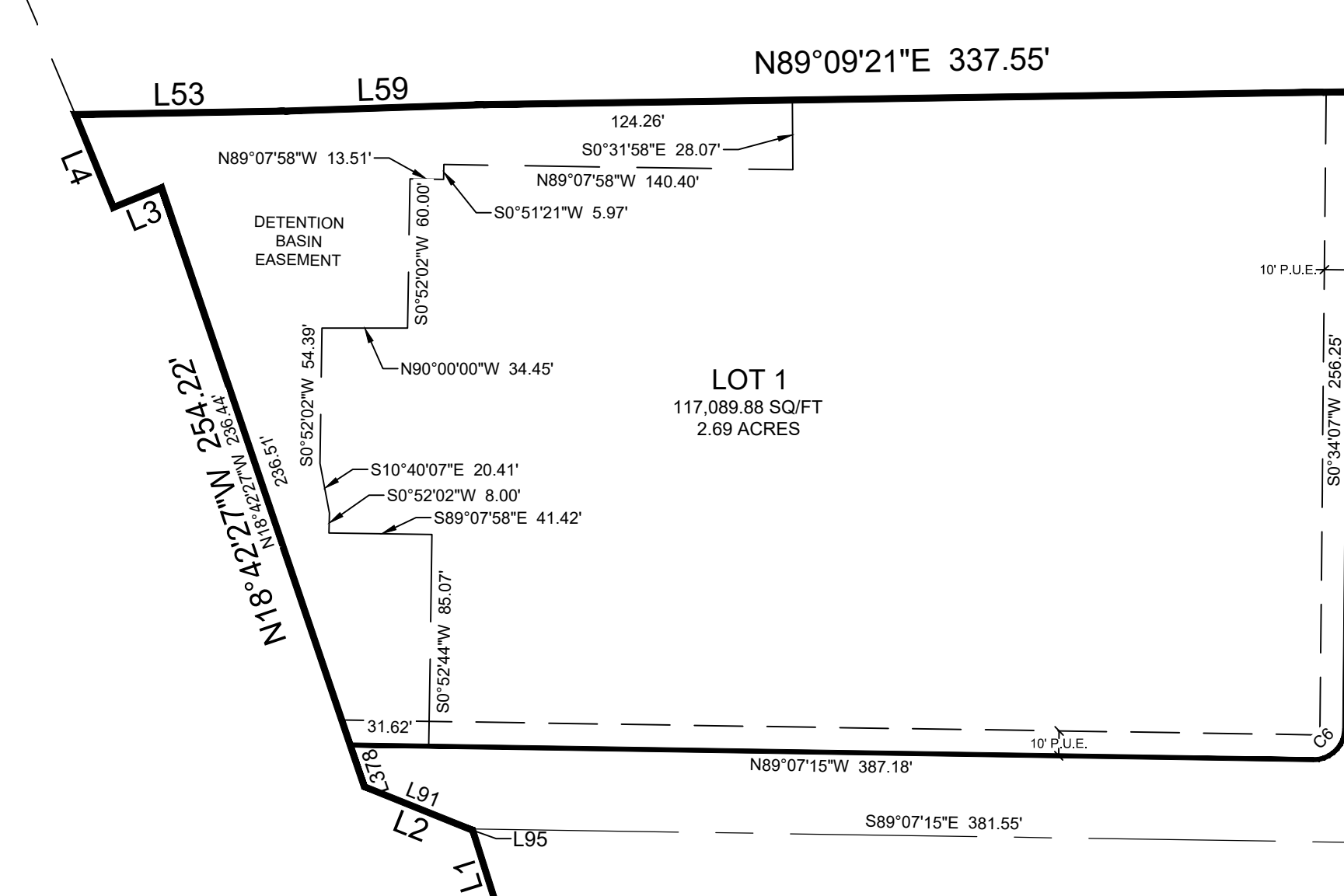
### LEGEND

- Section Monument
- Reference/Witness Monument
- Property Corner To Be Set (Rubber & Cap Stamped "UTAH LAND SURVEYING")
- Break Line
- Property Line
- Section Line
- Center Line
- Public Utility Easement & Access Easement Line
- PRIVATE AREA
- COMMON AREA

FOUND DAVIS COUNTY SURVEYOR  
BRASS CAP MONUMENT  
NORTH QUARTER CORNER, SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

GARFF PPROPERTIES - MICHIGAN LLC  
TAX ID NO. 08-051-0235

(N00°01'47"E 2648.83') 2648.89'  
BASIS OF BEARING



TETON INVESTMENT HOLDING LLC  
TAX ID NO. 08-052-0285

HNJ INVESTMENT COMPANY LLC  
TAX ID NO. 08-051-0180

HNJ INVESTMENT COMPANY LLC  
TAX ID NO. 08-051-0180

ROSE AT FARMINGTON  
OWNERS ASSOCIATION INC  
TAX ID NO. 08-666-0203

LOT 201,  
EAST PARK LANE PHASE 2

FOUND DAVIS COUNTY SURVEYOR  
BRASS CAP MONUMENT  
CENTER OF SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

FOUND DAVIS COUNTY SURVEYOR  
BRASS CAP MONUMENT  
WITNESS CORNER TO THE  
EAST QUARTER CORNER, SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

FOUND DAVIS COUNTY SURVEYOR  
BRASS CAP MONUMENT  
WEST QUARTER CORNER, SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST,  
SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 3

**UTAH LAND SURVEYING, LLC**  
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY



1359 FAIRWAY CIR  
FARMINGTON, UT 84025  
PHONE 801.725.8395  
MIKEW@UTAHLANDSURVEYING.COM  
www.utahlandsurveying.com

**Developer Contact:**



Spencer Wright  
Wright Development Group  
1178 W. Legacy Crossing Blvd #100  
Centerville Utah 84014  
PH: (801) 773-7339

**Davis County Recorder**

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORDER AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.  
AT \_\_\_\_\_ ENTRY NO. \_\_\_\_\_ IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

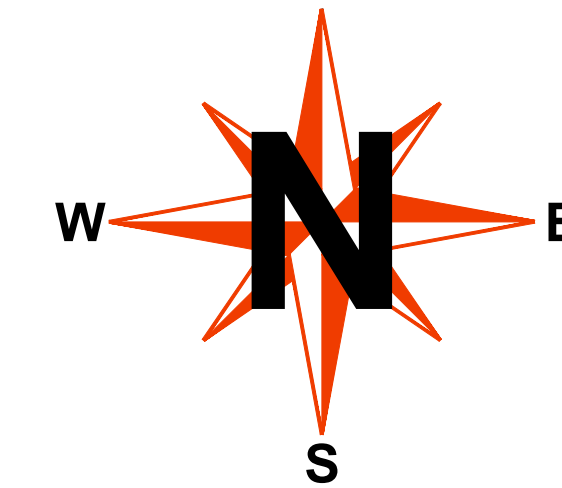
\_\_\_\_\_  
DAVIS COUNTY RECORDER

BY: \_\_\_\_\_  
DEPUTY RECORDER



# HESS FARMS SUBDIVISION

PART OF THE NORTH HALF OF SECTION 13,  
TOWNSHIP 3 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
FARMINGTON CITY, DAVIS COUNTY, UTAH

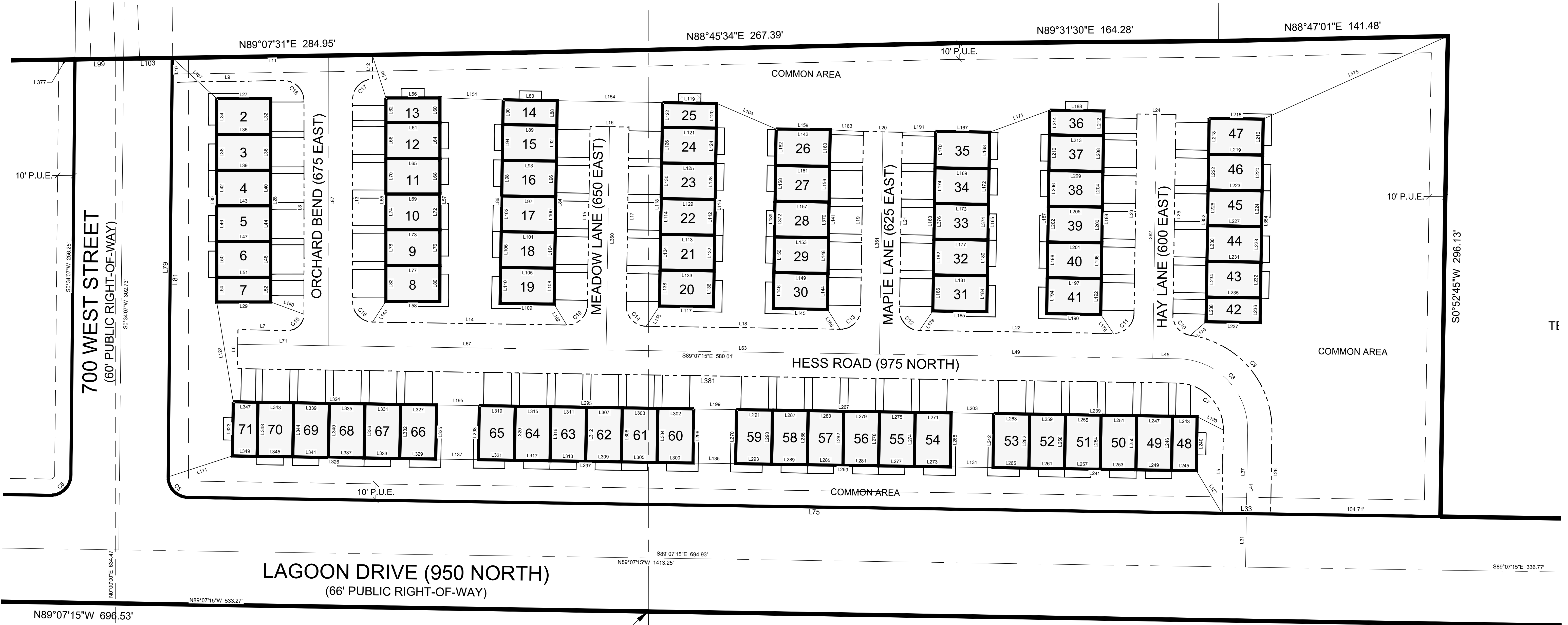


0' 15' 30' 60'  
SCALE: 1" = 30'

## LEGEND

- Section Monument
- Reference/Witness Monument
- Property Corner To Be Set (Retain & Cap Stamped "UTAH LAND SURVEYING")
- Break Line
- Property Line
- Section Line
- Center Line
- Public Utility Easement & Access Easement Line
- PRIVATE AREA
- COMMON AREA

## RESIDENTIAL AREA DETAIL (LOTS 2-71)



**UTAH LAND SURVEYING, LLC**  
A PROFESSIONAL LICENSED LAND SURVEYING COMPANY



1359 FAIRWAY CIR  
FARMINGTON, UT 84025  
PHONE 801.725.8395  
MIKEW@UTAHLANDSURVEYING.COM

www.utahlandsurveying.com



**Developer Contact:**  
Spencer Wright  
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1178 W. Legacy Crossing Blvd #100  
Centerville Utah 84014  
PH: (801) 773-7339

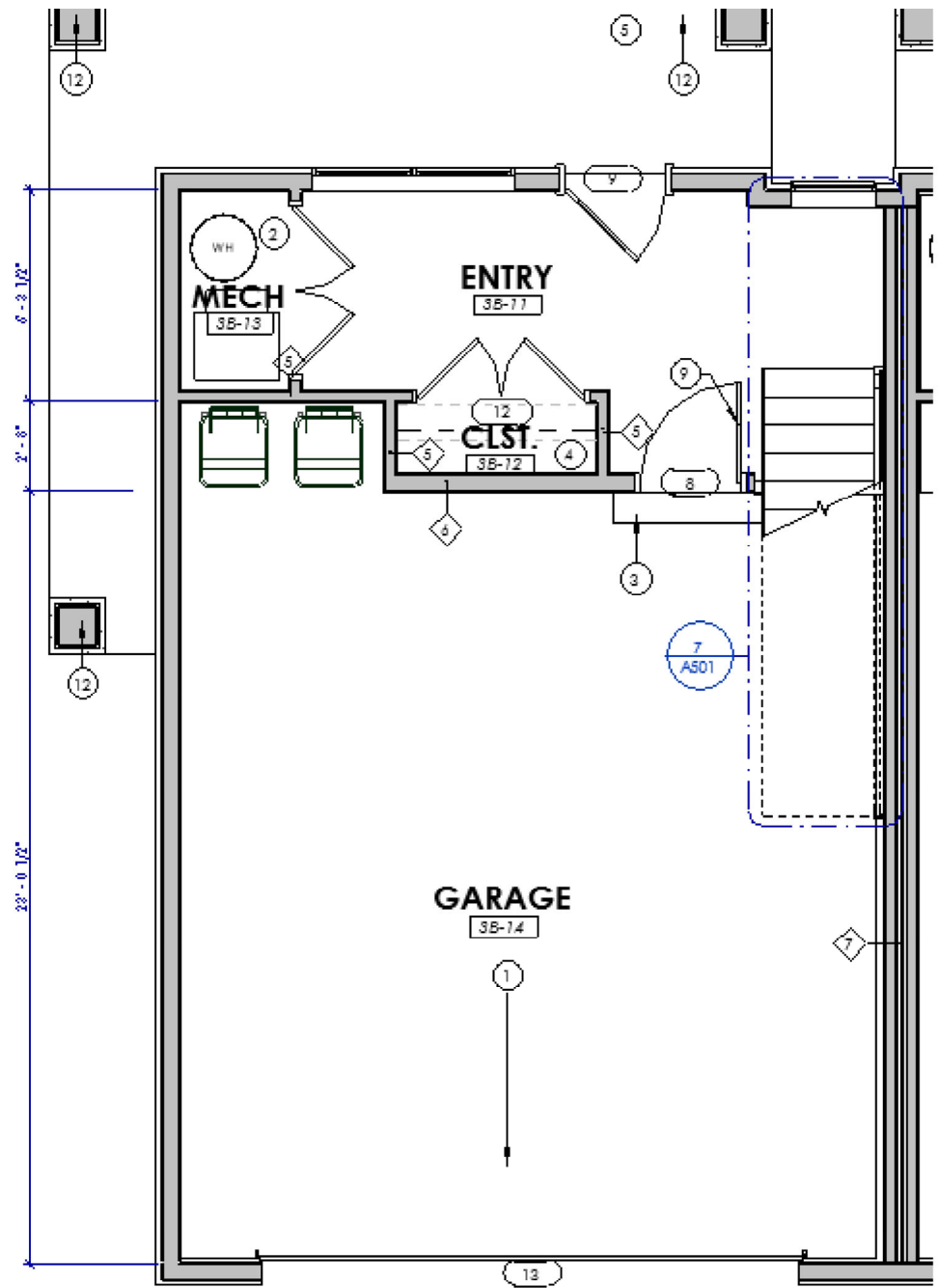
UN INVESTMENT COMPANY LLC

Davis County Recorder

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
FILED FOR RECORDER AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.  
AT \_\_\_\_\_ ENTRY NO. \_\_\_\_\_ IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

DAVIS COUNTY RECORDER

BY: \_\_\_\_\_  
DEPUTY RECORDER

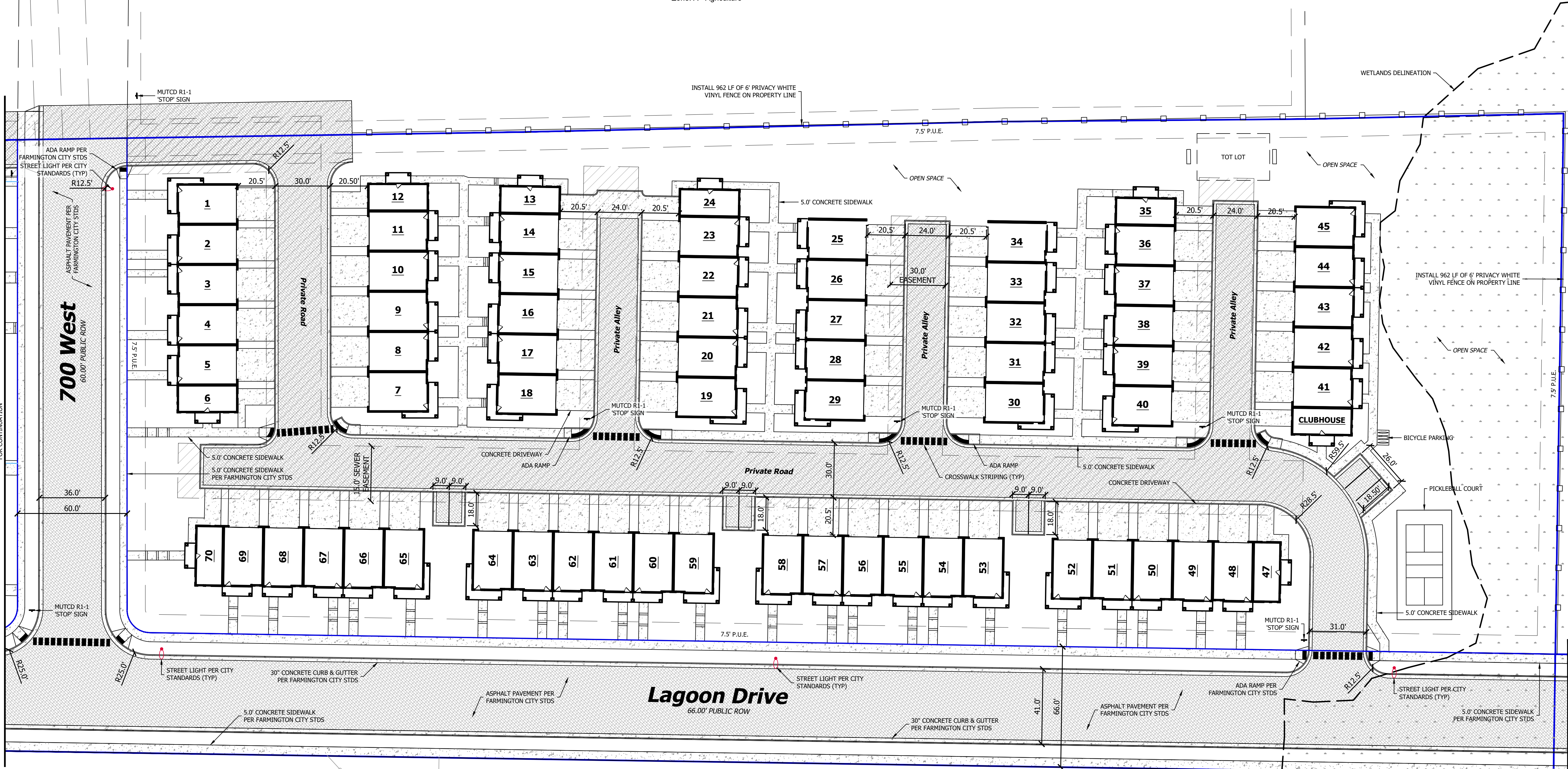


1 UNIT B2 - LEVEL 1 FLOOR PLAN  
1/4" = 1'-0"



GARFF PROPERTIES-MICHIGAN LLC  
Parcel: 08-051-0235  
Zone: A - Agriculture

HJ INVESTMENT COMPANY LLC  
Parcel: 08-051-0180  
Zone: A - Agriculture



- ### General Notes
- TOWNHOMES SEWER LATERALS ARE 4" PVC WITH A MIN SLOPE OF 2.0%.
  - EACH COMMERCIAL TENANT SHALL BE EQUIPPED WITH A GRINDER PUMP THAT WILL BE CONNECTED TO THE 2" LOW PRESSURE SEWER LINE THAT WILL THEN CONNECT TO SSM#6 IN 700 WEST.
  - TOWNHOMES WATER LATERALS SHALL BE A 3/4" WATER METER WITH 1" WATER LATERAL.
  - COMMERCIAL WATER LATERALS SHALL BE A 1" WATER METER WITH 1" WATER LATERAL.
  - ALL SECONDARY WATER LINES NEED TO BE INSTALLED PER BENCHLAND WATER DISTRICT STANDARDS AND SPECIFICATIONS.
  - ALL LOW ELEVATIONS NEED TO DRAIN. ALL HIGH ELEVATIONS NEED TO HAVE AIR RELEASE/VACUUM INSTALLED ON SECONDARY WATER MAINLINES.
  - ALL TRANSFORMERS, METERS, AND SIMILAR EQUIPMENT SHALL BE SCREENED.
  - REFUSE AND RECYCLE CONTAINERS CANS FOR EACH UNIT WILL BE ROLLED TO PRIVATE ALLEY.
  - ALL TOWNHOMES LOCATED OVER THE EXISTING DITCH MUST USE STRUCTURAL FILL FOR FILL IN THE DITCH.
  - WATER LINES IN THE RESIDENTIAL AREAS ARE TO BE PRIVATELY OWNED AND MAINTAINED.
  - PLEASE CONTACT FARMINGTON CITY WATER SUPERINTENDENT AT 801-430-4273 IF ANY QUESTIONS ARISE ABOUT WATER VALVE PLACEMENT.
  - LOW PRESSURE SEWER FLUSHING CONNECTION SHALL BE LOCATED AT 200 FEET ON CENTER.
  - ALL MATERIALS OF LOW PRESSURE SEWER FLUSHING CONNECTION SHALL BE CTS POLY PIPE WITH 200 PSI OPERATION PRESSURE.
  - MAIN SEWER LINES AND LATERALS OF LOW PRESSURE SEWER TO CURB BOX MUST BE WRAPPED IN 3 INCH DETECTABLE SEWER TAPE.
  - CULINARY WATER LINES SHALL BE DR-14 PVC C900.
  - ALL WATER VALVES ARE TO BE CLOW OR MUELLER.
  - ALL WATER METERS IN DRIVEWAYS WILL BE INSTALLED WITH A 30 INCH METER BOX WITH A TRAFFIC RATED LID.
  - SEWER MAINS SHALL BE PER CSDS STANDARDS AND REQUIREMENTS - THEY SHALL BE SCHEDULE 80 PVC C900 DR-18 AND GREEN IN COLOR.
  - PUBLIC STREET LIGHTS ARE TO INSTALL BY THE DEVELOPER.

### Site Data

LOCATION:	CITY OF FARMINGTON, DAVIS COUNTY
ZONING:	CMU - COMMERCIAL MIXED USE
LAND USE:	MULTI-FAMILY
PROPERTY SIZE:	222,177 SF / 5.10 ACRES
BUILDING FOOTPRINT:	50,405 SF (22.7%)
HARD SURFACE AREA:	76,670 SF (34.5%)
LANDSCAPE AREA:	95,102 SF (42.8%)
UNIT COUNT:	
CLUBHOUSE:	1 UNIT
3-BED TOWNHOME:	62 UNITS
1-BED TOWNHOMES:	7 UNITS
TOTAL UNIT COUNT:	70 UNITS
PARKING:	SEE COVER SHEET FOR PROVIDED CALCS

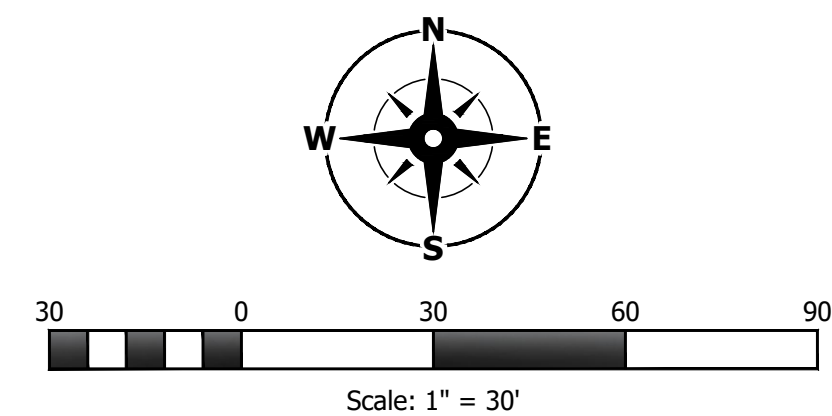
### Notice To Contractors

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY THE SURVEYOR OR CITY PRODUCED DOCUMENTS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE. IF ANY CONFLICT/DISCREPANCIES ARISE, PLEASE CONTACT THE ENGINEER OF RECORD IMMEDIATELY. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE PRECAUTIONARY MEASURES TO PROTECT ANY UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS.

**City Engineer's Approval**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_  
BY FARMINGTON CITY ENGINEER.

CITY ENGINEER \_\_\_\_\_



VERIFY SCALES  
BAR IS ONE INCH ON ORIGINAL DRAWING  
0" = 30' 1"  
IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

SEAL

PROJECT TITLE

## HESS FARMS SUBDIVISION

NORTH 1/2, SEC 13, T3N, R1W, SLB&M  
FARMINGTON, DAVIS COUNTY, UTAH

REV.	DATE	DESCRIPTION	BY
1	08 - 17 - 2023	CITY COMMENTS DATED 08 - 11 - 23	TH
0	01 - 18 - 2022	INITIAL SUBMITTAL	TH

**HUNT ENGINEERING, LLC**  
6619 willow creek rd.  
mountain green, ut 84050  
c. 801.664.4724  
thomas.hunt@hunt-engineering.com

PROJECT INFO.  
Designed: T. Hunt  
Drawn: K. Eaves  
Approved: T. Hunt  
Date: 05 / 02 / 2022  
Proj. No. 102 - 02

SHEET TITLE

## Site Plan (Residential)

SHEET NO.

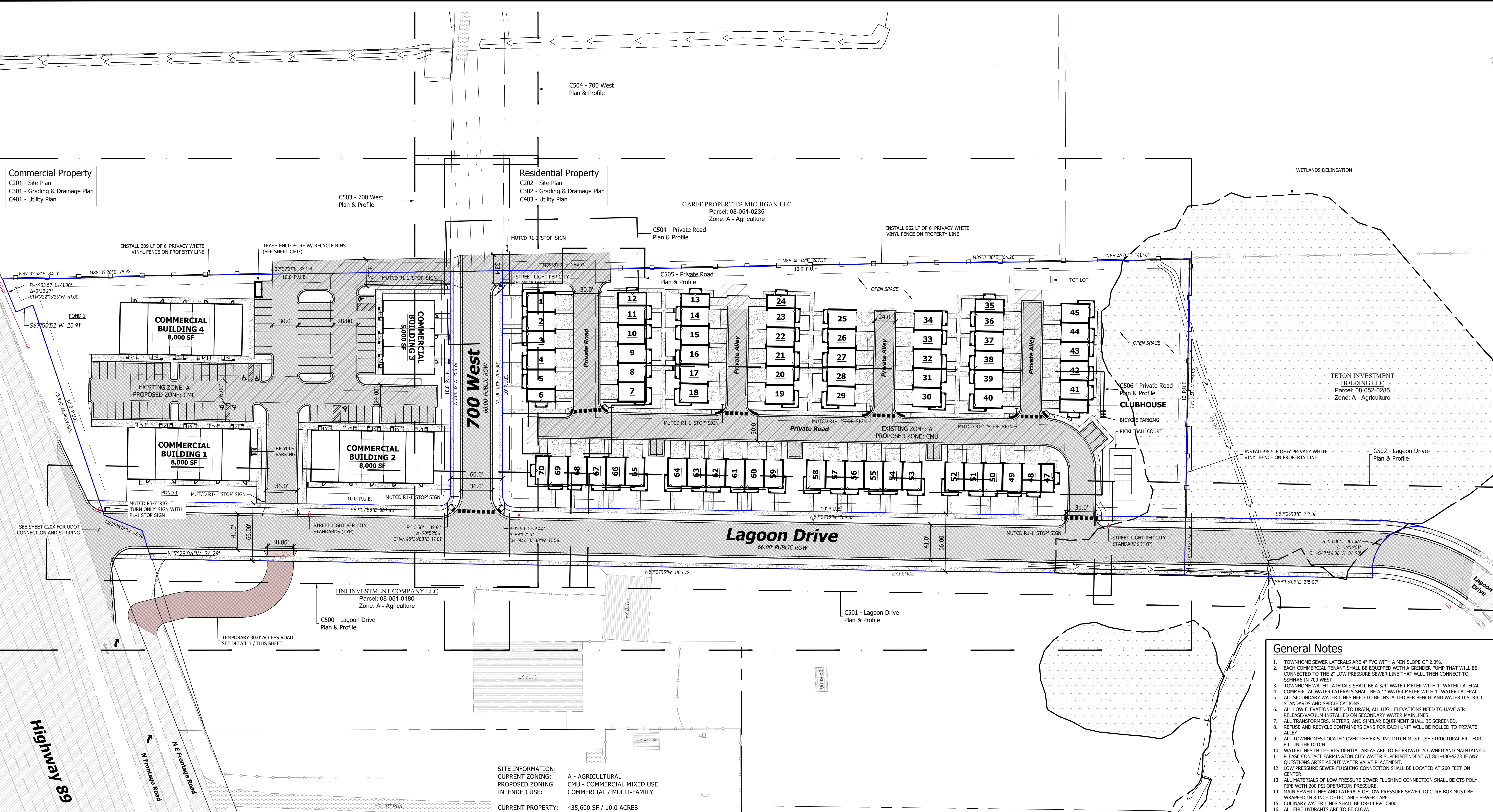
# C202

THOMAS J. HUNT, P.E. 10/10/2023 3:29 PM



**Commercial Property**  
 C201 - Site Plan  
 C301 - Grading & Drainage Plan  
 C401 - Utility Plan

**Residential Property**  
 C202 - Site Plan  
 C302 - Grading & Drainage Plan  
 C403 - Utility Plan



TETON INVESTMENT HOLDING LLC  
 Parcel: 08-052-0285  
 Zone: A - Agriculture

HNJ INVESTMENT COMPANY LLC  
 Parcel: 08-051-0180  
 Zone: A - Agriculture

GARFF PROPERTIES-MICHIGAN LLC  
 Parcel: 08-051-0235  
 Zone: A - Agriculture

- General Notes**
- TOWNHOME SEWER LATERALS ARE 4" PVC WITH A MIN SLOPE OF 2.0%.
  - EACH COMMERCIAL TENANT SHALL BE EQUIPPED WITH A GRINDER PUMP THAT WILL BE CONNECTED TO THE 2" LOW PRESSURE SEWER LINE THAT WILL THEN CONNECT TO 8" P.V.C. IN 700 WEST.
  - TOWNHOME WATER LATERALS SHALL BE A 3/4" WATER METER WITH 1" WATER LATERAL.
  - COMMERCIAL WATER LATERALS SHALL BE A 1" WATER METER WITH 1" WATER LATERAL.
  - ALL SECONDARY WATER LINES NEED TO BE INSTALLED PER BENCHLAND WATER DISTRICT STANDARDS AND SPECIFICATIONS.
  - ALL LOW ELEVATIONS NEED TO DRAIN. ALL HIGH ELEVATIONS MUST HAVE AIR RELEASE/VACUUM INSTALLED ON SECONDARY WATER MAINLINES.
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  - WATERLINES IN THE RESIDENTIAL AREAS ARE TO BE PRIVATELY OWNED AND MAINTAINED.
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  - CULINARY WATER LINES SHALL BE DR-14 PVC C900.
  - ALL FIRE HYDRANTS ARE TO BE CLOW.
  - ALL WATER VALVES ARE TO BE CLOW OR MUELLER.
  - ALL WATER METERS IN DRIVEWAYS WILL BE INSTALLED WITH A 30 INCH METER BOX WITH A TRAFFIC RATED LID.
  - SEWER MAINS SHALL BE PER CDSO STANDARDS AND REQUIREMENTS - THEY SHALL BE SCHEDULE 80 PVC C900 DR-18 AND GREEN IN COLOR.
  - PUBLIC STREET LIGHTS ARE TO INSTALL BY THE DEVELOPER.

**SITE INFORMATION:**  
 CURRENT ZONING: A - AGRICULTURAL  
 PROPOSED ZONING: CMU - COMMERCIAL MIXED USE  
 INTENDED USE: COMMERCIAL / MULTI-FAMILY

**CURRENT PROPERTY:** 435,600 SF / 10.0 ACRES  
**ROW DEDICATION:** 96,112 SF / 2.21 ACRES  
**REMAINDER PARCELS:** 117,334 SF / 2.69 ACRES (COMMERCIAL)  
 222,177 SF / 5.10 ACRES (RESIDENTIAL)

**TOTAL SITE INFORMATION:**  
 CURRENT PROPERTY: 435,600 SF / 10.0 ACRES

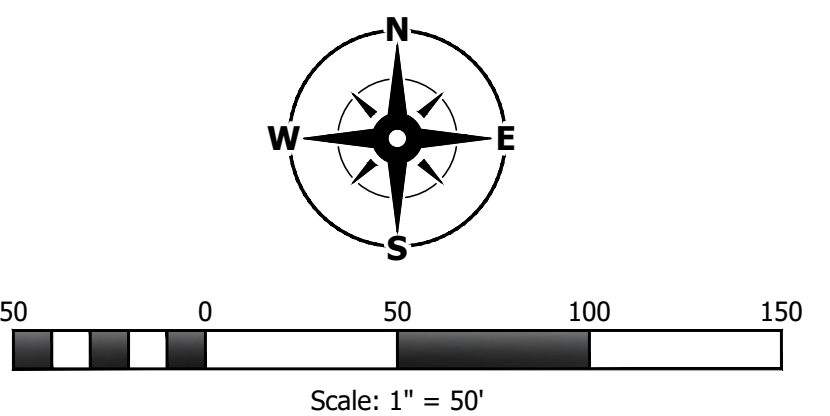
**RESIDENTIAL:**  
 CLUBHOUSE: 1 UNIT  
 3-BED TOWNHOME: 62 UNITS  
 1-BED TOWNHOME: 7 UNITS  
 TOTAL UNIT COUNT: 70 UNITS

**BUILDING FOOTPRINT:** 50,405 SF (22.7% of Residential)  
**IMPERVIOUS AREA:** 76,647 SF (34.5% of Residential)  
**LANDSCAPE AREA:** 95,102 SF (42.8% of Residential)

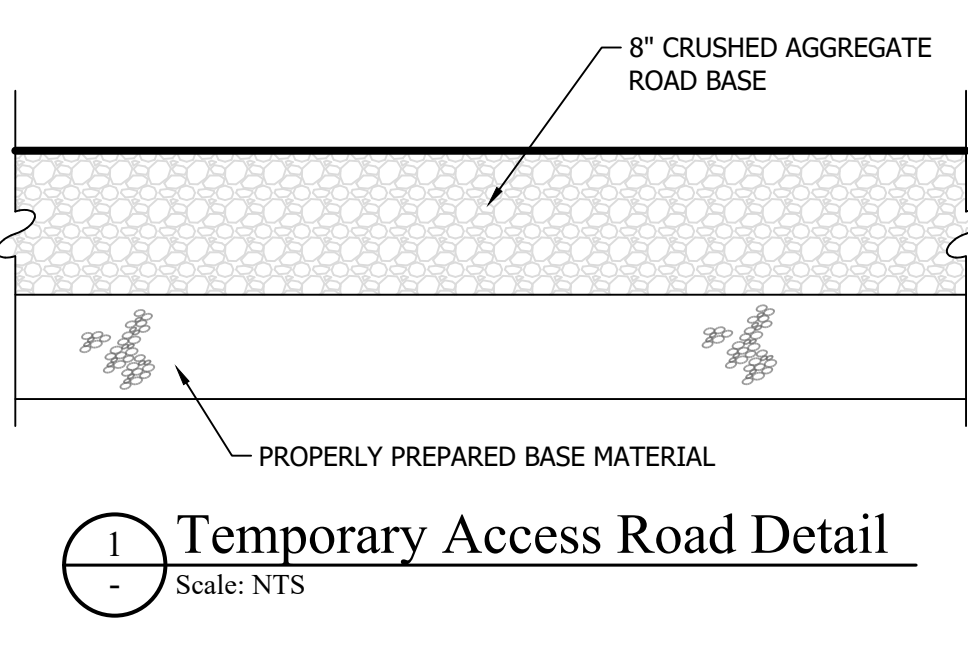
**COMMERCIAL:**  
**BUILDING FOOTPRINT:** 29,000 SF (24.7% of Commercial)  
**IMPERVIOUS AREA:** 43,907 SF (37.5% of Commercial)  
**LANDSCAPE AREA:** 44,427 SF (37.8% of Commercial)

**WITHIN ROW DEDICATION:**  
**IMPERVIOUS AREA:** 77,075 SF (80.0% of Dedication)  
**LANDSCAPE AREA:** 19,037 SF (20.0% of Dedication)

**BUILDING FOOTPRINT:** 79,405 SF  
**IMPERVIOUS AREA:** 197,629 SF  
**LANDSCAPE AREA:** 158,566 SF



TEMPORARY ACCESS FOR FRONTAGE  
 TEMPORARY ACCESS FOR FRONTAGE ROAD IS REQUIRED SO THE HNJ INVESTMENT COMPANY CAN ACCESS THEIR PROPERTY, AND IS ALSO REQUIRED AS AN EMERGENCY EGRESS ROADWAY FOR THE MERCEDES DEALERSHIP. ONCE 700 WEST CONTINUES SOUTH OF LAGOON DRIVE, THIS TEMPORARY ACCESS ROAD CAN BE REMOVED.



**City Engineer's Approval**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_  
 BY FARMINGTON CITY ENGINEER.

CITY ENGINEER \_\_\_\_\_

**VERIFY SCALES**  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 0" = 1" (IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY)

SEAL

PROJECT TITLE  
**HESS FARMS SUBDIVISION**  
**NORTH 1/2, SEC 13, T3N, R1W, SLB&M**  
**FARMINGTON, DAVIS COUNTY, UTAH**

REV.	DATE	DESCRIPTION	BY
1	08 - 17 - 2023	CITY COMMENTS DATED 08 - 11 - 23	TH
0	01 - 18 - 2022	INITIAL SUBMITTAL	TH

**HUNT ENGINEERING, LLC**  
 6619 willow creek rd.  
 mountain green, ut 84050  
 c. 801.664.4724  
 thomas.hunt@hunt-engineering.com

PROJECT INFO.  
 Designed: T. Hunt  
 Drawn: K. Eaves  
 Approved: T. Hunt  
 Date: 05 / 02 / 2022  
 Proj. No. 102 - 02

SHEET TITLE  
**Overall Site Plan & Key Map**

SHEET NO.  
**C200**

THOMAS C:\Users\Thomas.VD.0001\OneDrive\Desktop\Projects\102-02 Hess Farms\Hess Farms Full Cvt Set 2023.10.05 10/10/2023 3:29 PM





**MATERIAL LEGEND**

IMAGE	CODE	MATERIAL	STYLE	COLOR/FINISH
	M-1	MASONRY - STONE	EL DORADO	SILVER LINING
	S-1	FIBER CEMENT SIDING	7" EXPOSURE, LAP SIDING	SW 7006 - EXTRA WHITE
	S-2	FIBER CEMENT SIDING	7" EXPOSURE, LAP SIDING	SW 7073 - NETWORK GRAY
	S-3	FIBER CEMENT SIDING	6" SHAKE	SW 7006 - EXTRA WHITE
	S-4	FIBER CEMENT SIDING	6" SHAKE	SW 7073 - NETWORK GRAY
	S-5	FIBER CEMENT SIDING	BOARD AND BATT SIDING	SW 7006 - EXTRA WHITE
	S-6	FIBER CEMENT SIDING	BOARD AND BATT SIDING	SW - IRON ORE
	T-1	TRIM	FIBERCEMENT TRIM	SW 7006 - EXTRA WHITE
	R-1	ASPHALT	SHINGLES	BLACK

**GENERAL NOTES - ELEVATIONS**

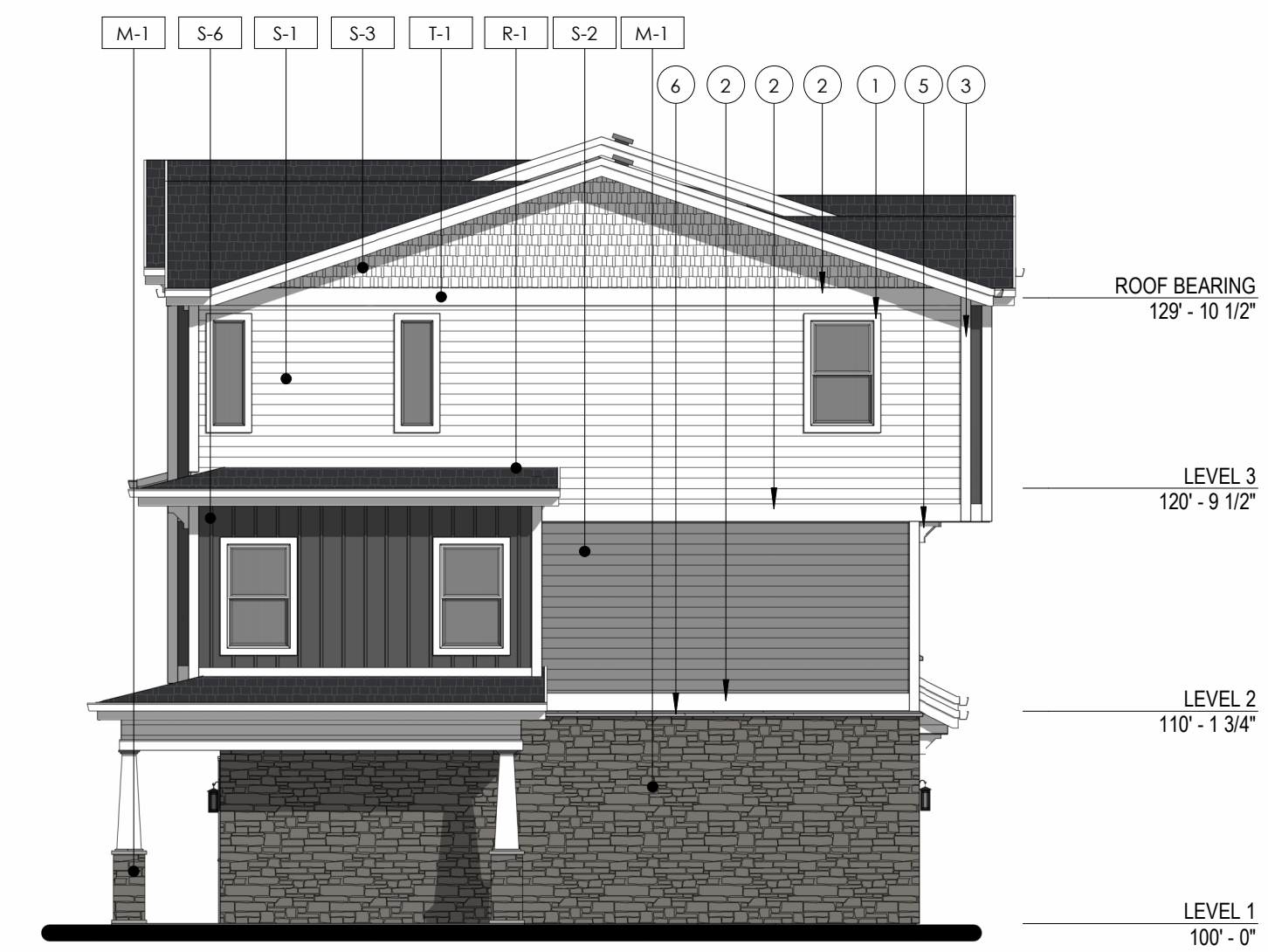
- A SEE GENERAL NOTES FOR ADDITIONAL REQUIREMENTS.
- B COORDINATE WINDOW HEIGHTS WITH WINDOW SCHEDULE.
- C OWNER TO SELECT SIDING COLOR AND TEXTURE. INSTALL AS PER ELEVATIONS.
- D OWNER TO SELECT BRICK FOR BRICK VENEER. INSTALL AS PER ELEVATIONS.
- E SEE ROOF PLAN FOR ALL ROOF SLOPES.

**KEYED NOTES**

- 1 4" FIBER CEMENT TRIM SEE DETAILS
- 2 10" FIBER CEMENT TRIM SEE DETAILS
- 3 CORNER TRIM
- 4 CRAFTSMAN STYLE COLUMN. REFER TO DETAILS.
- 5 WOOD CORBEL - PAINTED SW7006 - EXTRA WHITE.
- 6 PRECAST STONE CAP
- 7 WALL SCONCE, BLACK FINISH. PROVIDE ELECTRICAL.



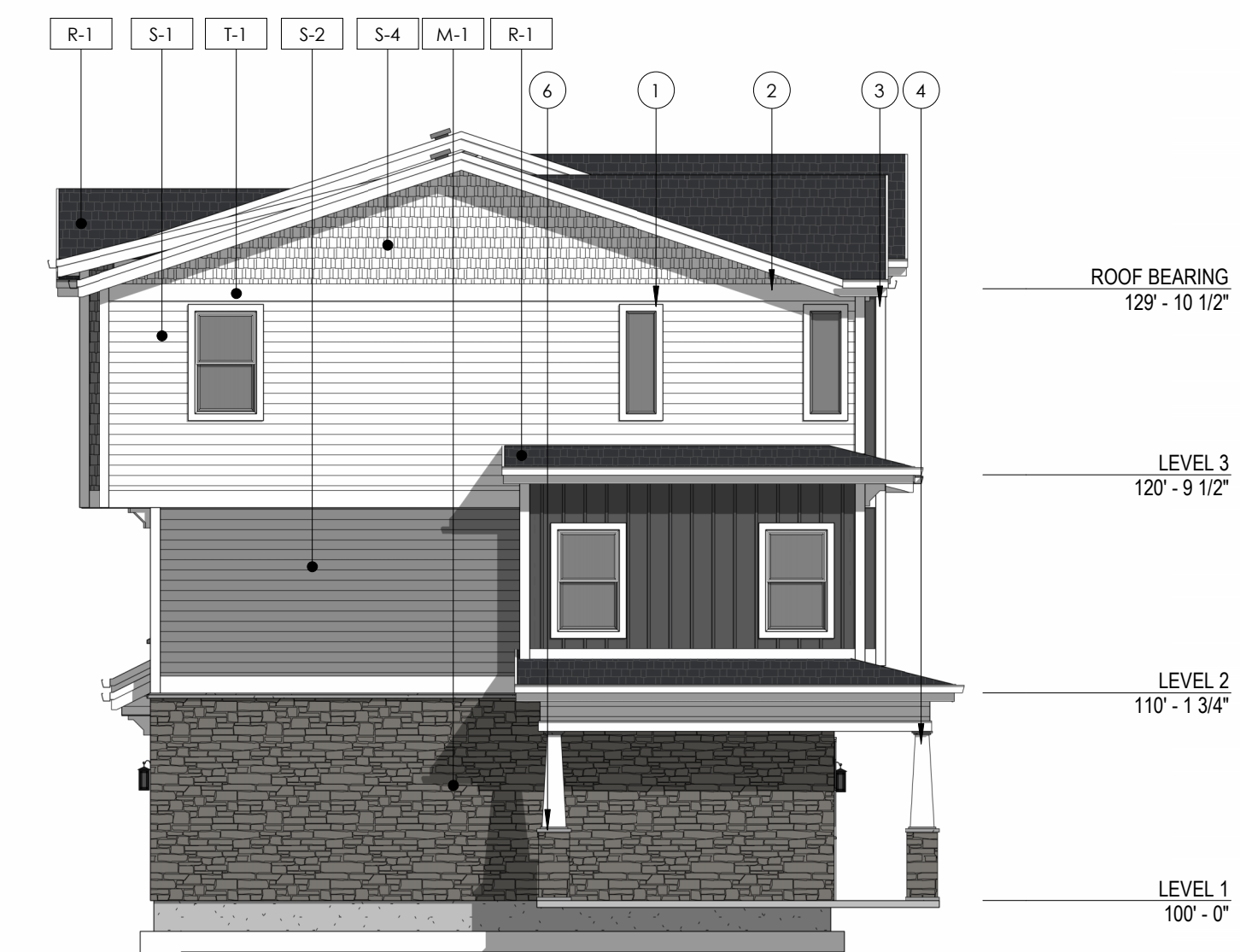
1 5 PLEX - FRONT ELEVATION  
1/8" = 1'-0"



2 5 PLEX - RIGHT ELEVATION  
1/8" = 1'-0"



3 5 PLEX - REAR ELEVATION  
1/8" = 1'-0"



4 5 PLEX - LEFT ELEVATION  
1/8" = 1'-0"





**MATERIAL LEGEND**

IMAGE	CODE	MATERIAL	STYLE	COLOR/FINISH
	M-1	MASONRY - STONE	EL DORADO	SILVER LINING
	S-1	FIBER CEMENT SIDING	7" EXPOSURE, LAP SIDING	SW 7006 - EXTRA WHITE
	S-2	FIBER CEMENT SIDING	7" EXPOSURE, LAP SIDING	SW 7073 - NETWORK GRAY
	S-3	FIBER CEMENT SIDING	6" SHAKE	SW 7006 - EXTRA WHITE
	S-4	FIBER CEMENT SIDING	6" SHAKE	SW 7073 - NETWORK GRAY
	S-5	FIBER CEMENT SIDING	BOARD AND BATT SIDING	SW 7006 - EXTRA WHITE
	S-6	FIBER CEMENT SIDING	BOARD AND BATT SIDING	SW - IRON ORE
	T-1	TRIM	FIBERCEMENT TRIM	SW 7006 - EXTRA WHITE
	R-1	ASPHALT	SHINGLES	BLACK

**GENERAL NOTES - ELEVATIONS**

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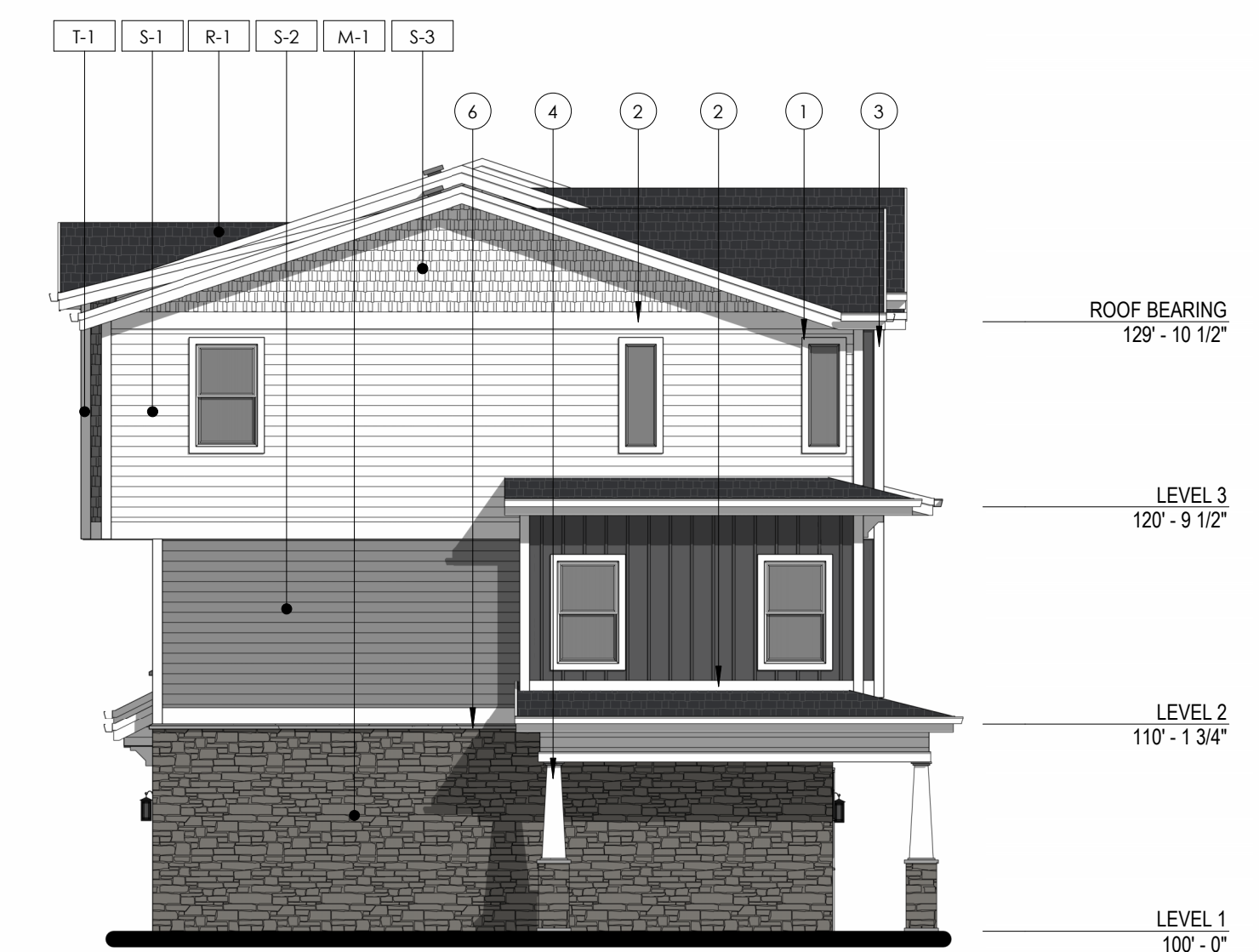
1 6 PLEX A - FRONT ELEVATION  
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	S-6	FIBER CEMENT SIDING	BOARD AND BATT SIDING	SW - IRON ORE
	T-1	TRIM	FIBERCEMENT TRIM	SW 7006 - EXTRA WHITE
	R-1	ASPHALT	SHINGLES	BLACK

**GENERAL NOTES - ELEVATIONS**

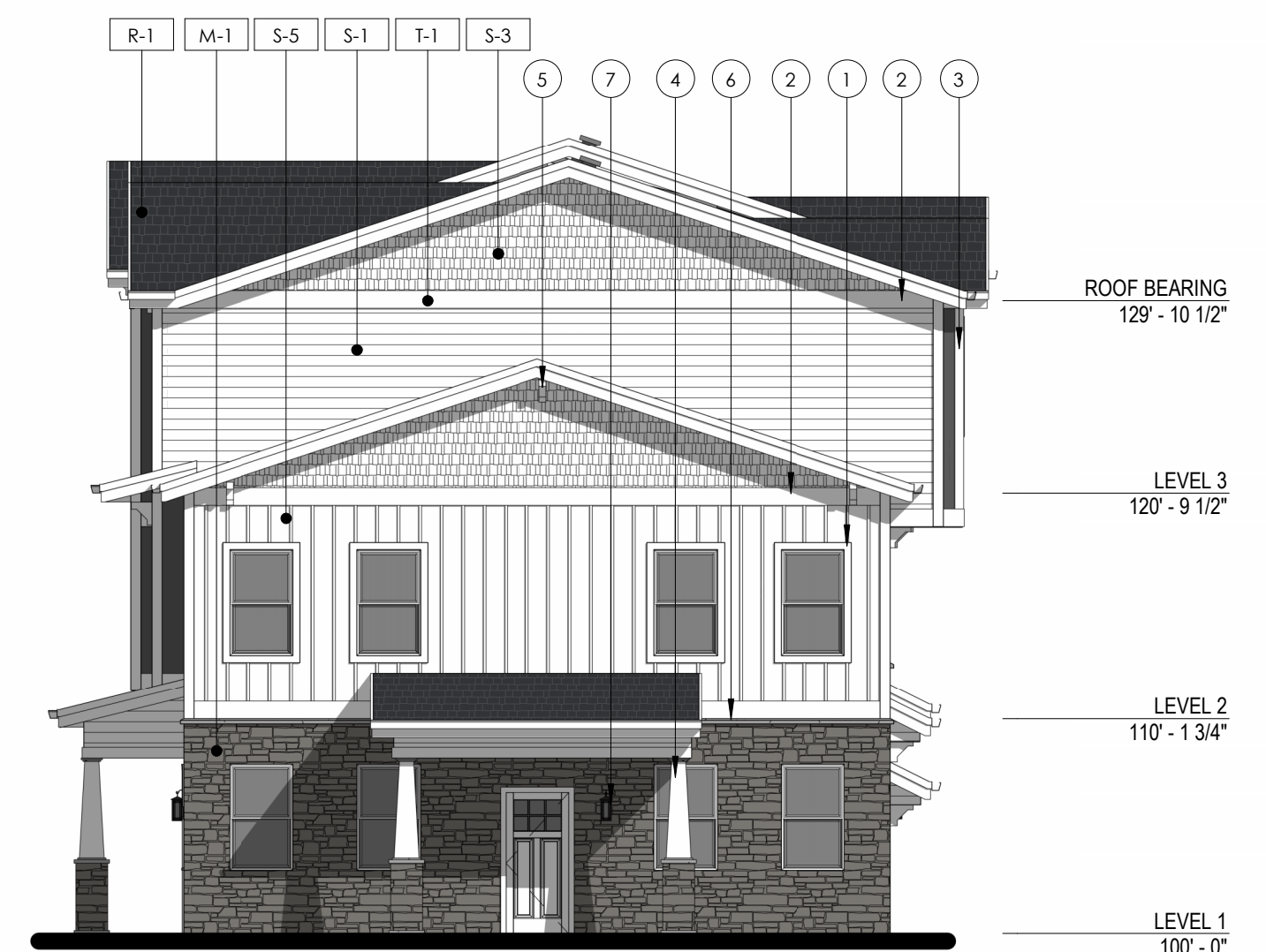
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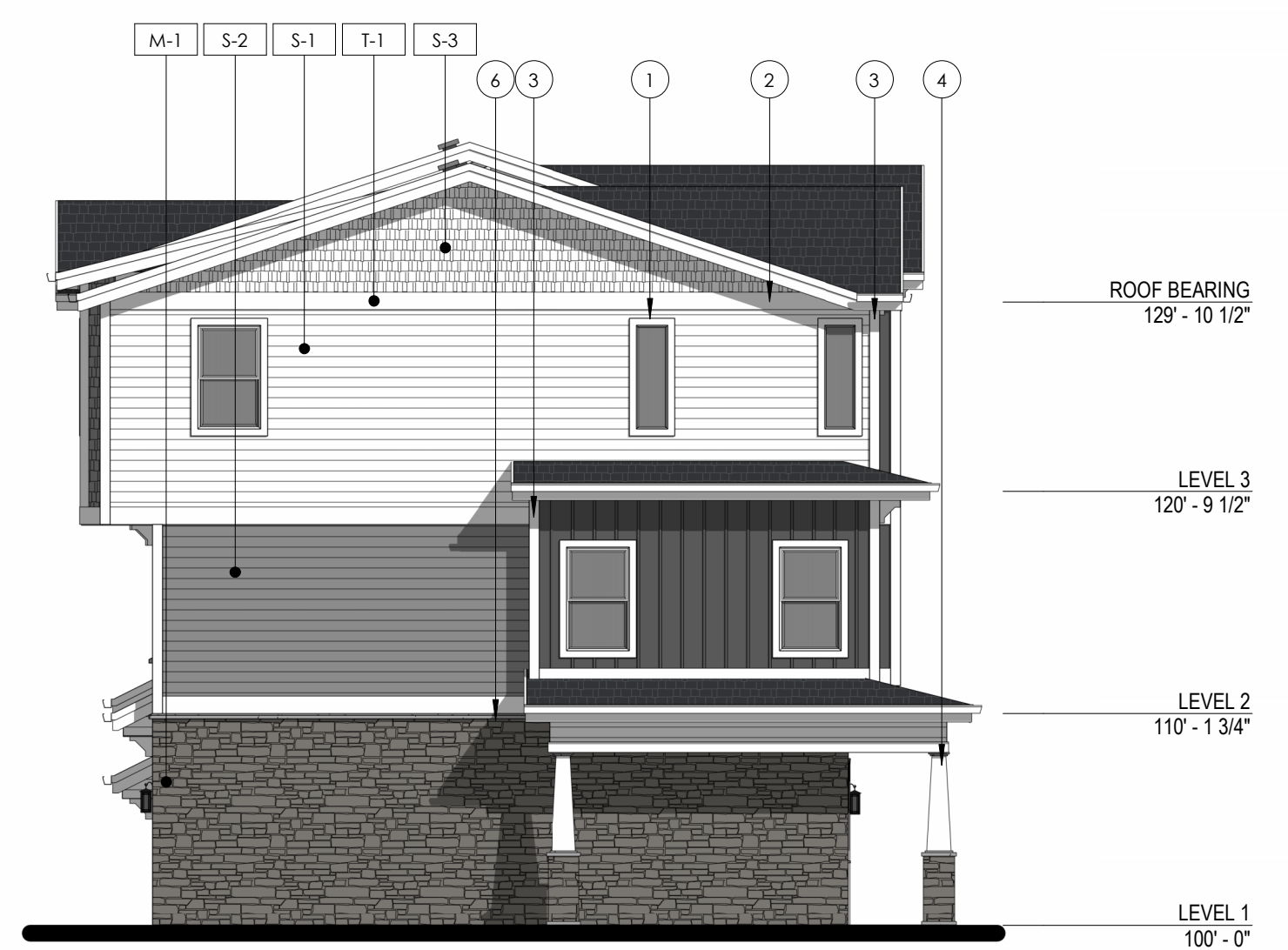
1 6 PLEX B - FRONT ELEVATION  
1/8" = 1'-0"



2 6 PLEX B - RIGHT SIDE ELEVATION  
1/8" = 1'-0"



4 6 PLEX B - REAR ELEVATION  
1/8" = 1'-0"



3 6 PLEX B - LEFT SIDE ELEVATION  
1/8" = 1'-0"





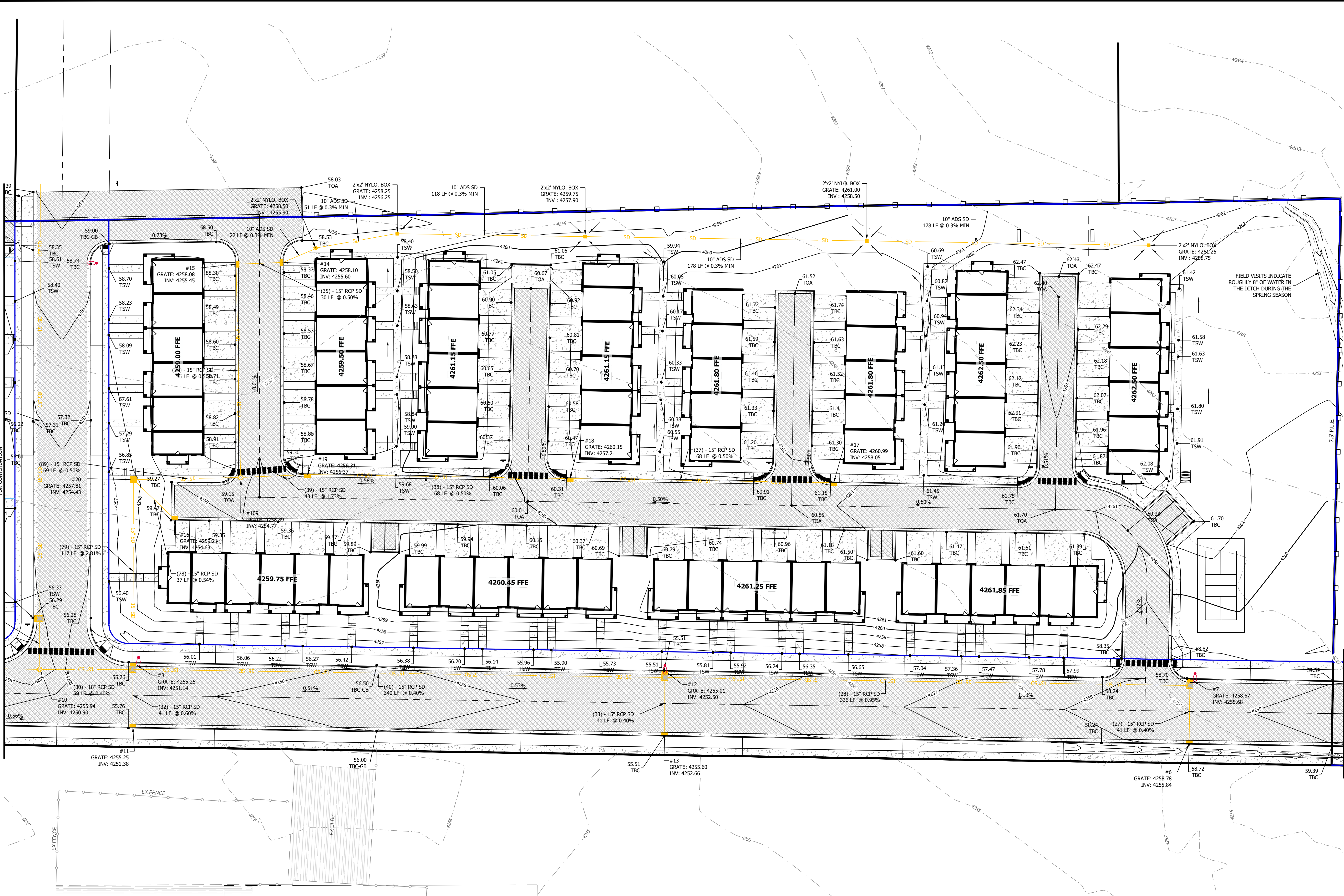












- ### General Notes
- TOWNHOME SEWER LATERALS ARE 4" PVC WITH A MIN SLOPE OF 2.0%.
  - EACH COMMERCIAL TENANT SHALL BE EQUIPPED WITH A GRINDER PUMP THAT WILL BE CONNECTED TO THE 2" LOW PRESSURE SEWER LINE THAT WILL THEN CONNECT TO SSM#6 IN 700 WEST.
  - TOWNHOME WATER LATERALS SHALL BE A 3/4" WATER METER WITH 1" WATER LATERAL.
  - COMMERCIAL WATER LATERALS SHALL BE A 1" WATER METER WITH 1" WATER LATERAL.
  - ALL SECONDARY WATER LINES NEED TO BE INSTALLED PER BENCHLAND WATER DISTRICT STANDARDS AND SPECIFICATIONS.
  - ALL LOW ELEVATIONS NEED TO DRAIN. ALL HIGH ELEVATIONS NEED TO HAVE AIR RELEASE/VACUUM INSTALLED ON SECONDARY WATER MAINLINES.
  - ALL TRANSFORMERS, METERS, AND SIMILAR EQUIPMENT SHALL BE SCREENED.
  - REFUSE AND RECYCLE CONTAINERS CANS FOR EACH UNIT WILL BE ROLLED TO PRIVATE ALLEY.
  - ALL TOWNHOMES LOCATED OVER THE EXISTING DITCH MUST USE STRUCTURAL FILL FOR FILL IN THE DITCH.
  - WATERLINES IN THE RESIDENTIAL AREAS ARE TO BE PRIVATELY OWNED AND MAINTAINED.
  - PLEASE CONTACT FARMINGTON CITY WATER SUPERINTENDENT AT 801-430-4273 IF ANY QUESTIONS ARISE ABOUT WATER VALVE PLACEMENT.
  - LOW PRESSURE SEWER FLUSHING CONNECTION SHALL BE LOCATED AT 200 FEET ON CENTER.
  - ALL MATERIALS OF LOW PRESSURE SEWER FLUSHING CONNECTION SHALL BE CTS POLY PIPE WITH 200 PSI OPERATION PRESSURE.
  - MAIN SEWER LINES AND LATERALS OF LOW PRESSURE SEWER TO CURB BOX MUST BE WRAPPED IN 3 INCH DETECTABLE SEWER TAPE.
  - CULINARY WATER LINES SHALL BE DR-14 PVC C900.
  - ALL FIRE HYDRANTS ARE TO BE CLOW.
  - ALL WATER VALVES ARE TO BE CLOW OR MUELLER.
  - ALL WATER METERS IN DRIVEWAYS WILL BE INSTALLED WITH A 30 INCH METER BOX WITH A TRAFFIC RATED LID.
  - SEWER MAINS SHALL BE PER CSDO STANDARDS AND REQUIREMENTS - THEY SHALL BE SCHEDULE 80 PVC C900 DR-18 AND GREEN IN COLOR.
  - PUBLIC STREET LIGHTS ARE TO INSTALL BY THE DEVELOPER.
  - REFERENCE ARCHITECTURAL DRAWINGS FOR PROVIDED ROOF DRAIN LOCATIONS.
  - CONNECT ALL ROOF DRAINS TO PROPOSED STORM DRAIN SYSTEM.
  - SEE SHEET C301 FOR REQUIRED STORM DRAIN CALCULATIONS.
  - PRIVATE DRIVE/RESIDENTIAL AREA IS TO BE EQUIPPED WITH A MOUNTABLE CURB IN ALL AREAS.
  - THE MINIMUM SLOPE AWAY FROM BUILDINGS IS 6 INCHES IN THE FIRST 10 FEET, OR 5%.

- ### Key Notes
- 5' x 5' ADA LANDING, NOT TO EXCEED GREATER THAN 1.5% IN ANY DIRECTION.

- ### Legend
- = ADA ROUTE - NOT TO EXCEED A RUNNING SLOPE GREATER THAN 4.5% OR CROSS SLOPE GREATER THAN 1.5%
  - = ADA AREA - NOT TO EXCEED SLOPE GREATER THAN 1.5% IN ANY DIRECTION
  - = SPILL CURB, SEE APPLICABLE CURBING DETAIL

### Cut / Fill Quantities

CUT = 2,086 CY FILL = 27,916 CY TOTAL = 25,830 CY (FILL)

NOTE: QUANTITIES DO NOT ACCOUNT FOR COMPACTION OR SHRINKAGE, UTILITY TRENCHING, OR BUILDING FOOTINGS.

### Site Data

LOCATION: CITY OF FARMINGTON, DAVIS COUNTY  
 CURRENT ZONING: A - AGRICULTURAL  
 PROPOSED ZONING: CMU - COMMERCIAL MIXED USE  
 INTENDED USE: COMMERCIAL / MULTI-FAMILY

CURRENT PROPERTY: 435,600 SF / 10.0 ACRES  
 ROW DEDICATION: 96,112 SF / 2.21 ACRES  
 REMAINDER PARCELS: 117,334 SF / 2.69 ACRES (COMMERCIAL)  
 222,177 SF / 5.10 ACRES (RESIDENTIAL)

RESIDENTIAL:  
 CLUBHOUSE: 1 UNIT  
 3-BED TOWNHOME: 62 UNITS  
 1-BED TOWNHOME: 7 UNITS  
 TOTAL UNIT COUNT: 70 UNITS

BUILDING FOOTPRINT: 50,405 SF (22.7% of Residential)  
 IMPERVIOUS AREA: 76,670 SF (34.5% of Residential)  
 LANDSCAPE AREA: 95,102 SF (42.8% of Residential)

COMMERCIAL:  
 BUILDING FOOTPRINT: 30,000 SF (25.5% of Commercial)  
 IMPERVIOUS AREA: 43,907 SF (37.5% of Commercial)  
 LANDSCAPE AREA: 43,427 SF (37.0% of Commercial)

WITHIN ROW DEDICATION:  
 IMPERVIOUS AREA: 77,075 SF (80.0% of Dedication)  
 LANDSCAPE AREA: 19,037 SF (20.0% of Dedication)

### Flood Zone

AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER F.E.M.A. FLOOD INSURANCE RATE MAPS, COMMUNITY PANEL NUMBERS 49011C0229F, DATED 09/15/2022.

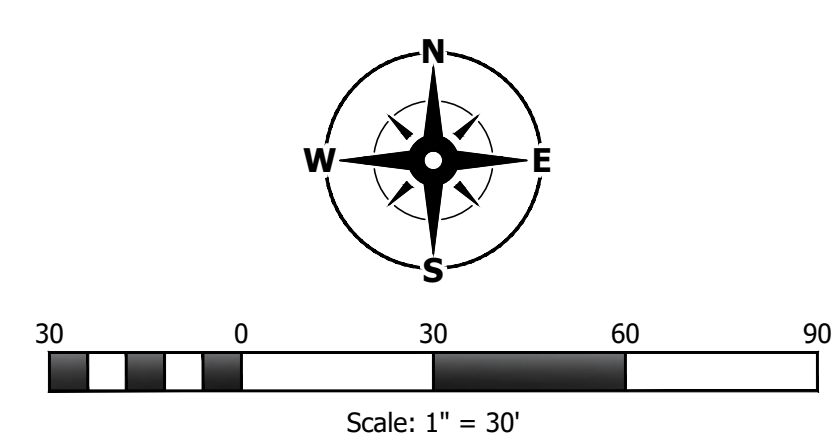
### Notice To Contractors

THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITIES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED FROM AVAILABLE INFORMATION PROVIDED BY THE SURVEYOR OR CITY PRODUCED DOCUMENTS. THE LOCATIONS SHOWN ARE APPROXIMATE AND SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR, SO THAT ANY NECESSARY ADJUSTMENT CAN BE MADE. IF ANY CONFLICT/DISCREPANCIES ARISE, PLEASE CONTACT THE ENGINEER OF RECORD IMMEDIATELY. THE CONTRACTOR IS REQUIRED TO CONTACT THE UTILITY COMPANIES AND TAKE PRECAUTIONARY MEASURES TO PROTECT ANY UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS.

**City Engineer's Approval**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20\_\_\_\_  
 BY FARMINGTON CITY ENGINEER.

CITY ENGINEER \_\_\_\_\_



VERIFY SCALES  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 0" = 30' / 1"  
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

SEAL

PROJECT TITLE

**HESS FARMS SUBDIVISION**  
**NORTH 1/2, SEC 13, T3N, R1W, SLB&M**  
**FARMINGTON, DAVIS COUNTY, UTAH**

REVISIONS

REV.	DATE	DESCRIPTION	BY
1	08 - 17 - 2023	CITY COMMENTS DATED 08 - 11 - 23	TH
0	01 - 18 - 2022	INITIAL SUBMITTAL	TH

**HUNT ENGINEERING, LLC**  
 6619 willow creek rd.  
 mountain green, ut 84050  
 c. 801.664.4724  
 thomas.hunt@hunt-engineering.com

SHEET TITLE

**Grading Plan (Residential)**

SHEET NO.

**C302**

PROJECT INFO.

Designed: T. Hunt  
 Drawn: K. Eaves  
 Approved: T. Hunt  
 Date: 05 / 02 / 2022  
 Proj. No. 102 - 02

THOMAS C:\Users\Thomas.VD.000\Hunt\_Day Dropbox\Projects\102-02 Hess Farms\Hess Farms Full Cvt Set 10/10/2023 3:30 PM















Schedule									
Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
○	WP1	2	ANP Lighting	BVA2001E065LDST330K	BELLA VISTA - 20.00" ANGLE SHADE	1	7169	0.9	65
□	WP2	197	INDESSA LIGHTING	546-1LED19-SAL	OUTDOOR LED LUMINAIRE	1	1264	0.9	16.78
○ □	P2	5	ANP Lighting	BVA2001E065LDST530K	BELLA VISTA - 20.00" ANGLE SHADE	1	6579	0.9	65

Statistics					
Description	Symbol	Avg	Max	Min	Avg/Min
COMMERCIAL PROPERTY LINE	+	0.0 fc	0.3 fc	0.0 fc	N/A
TOWNHOME DRIVE	+	0.4 fc	1.7 fc	0.2 fc	2.0:1
TOWNHOME PROPERTY LINE	+	0.1 fc	0.2 fc	0.0 fc	N/A
WALKWAY2	+	0.7 fc	1.5 fc	0.2 fc	3.5:1
WALKWAY4	+	0.6 fc	1.3 fc	0.3 fc	2.0:1
WALKWAY5	+	0.6 fc	0.9 fc	0.3 fc	2.0:1
WALKWAY1	+	0.3 fc	1.0 fc	0.1 fc	3.0:1
WALKWAY3	+	0.6 fc	1.4 fc	0.2 fc	3.0:1
COMMERCIAL PARKING	+	0.6 fc	2.0 fc	0.1 fc	6.0:1

HESS

EAST PARK LANE  
900 NORTH LAGOON DR  
FARMINGTON, UT 84025

STAMP

NOT FOR CONSTRUCTION

REVISIONS

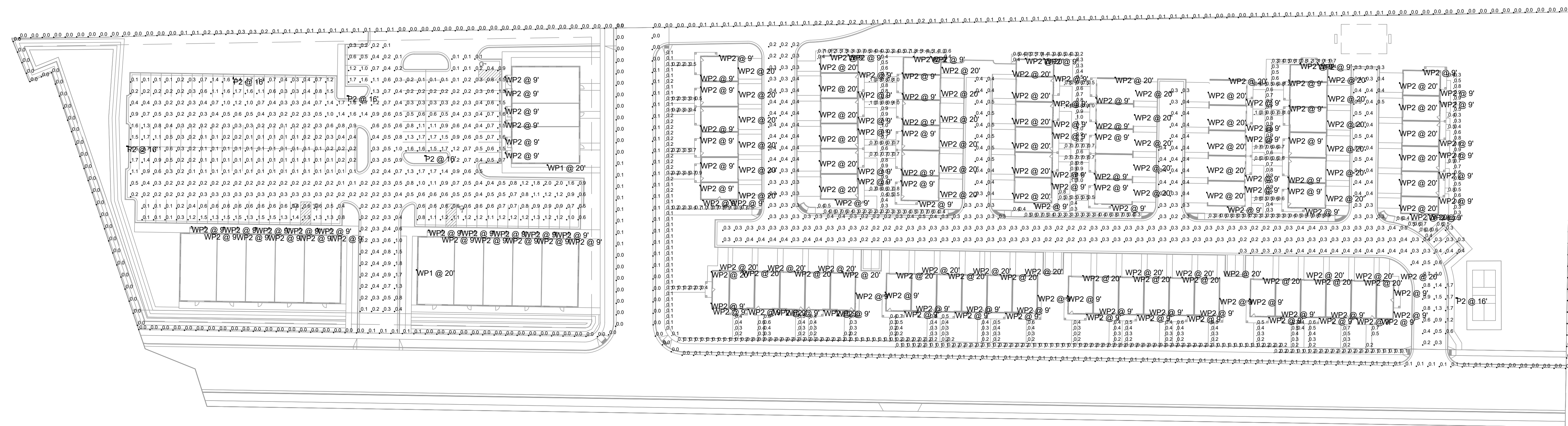
ROCKY MOUNTAIN  
CONSULTING ENGINEERS, INC.  
2117 South 3600 West, Salt Lake City, UT 84119  
(801) 566-0555 www.rmcu.com

PROJECT #: 22016  
DRAWN BY: BW  
CHECKED BY: AP  
DATE: 01/24/2022  
(C) ROCKY MOUNTAIN CONSULTING ENGINEERS, INC. - 2022

SHEET TITLE:

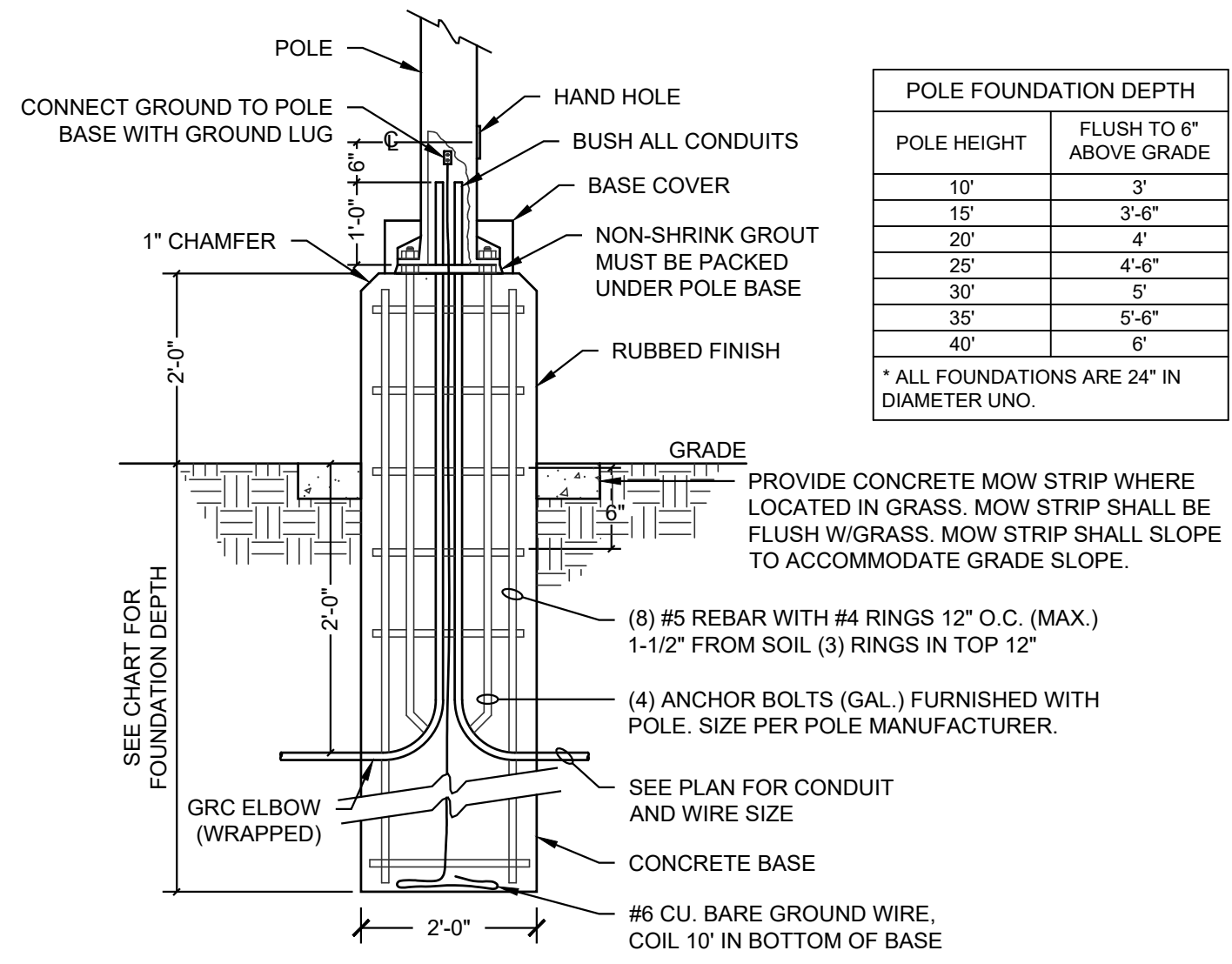
SITE  
PHOTOMETRIC  
PLAN

ES001



1 SITE PHOTOMETRIC PLAN - FOR REFERENCE ONLY  
ES001 SCALE: 1" = 20'-0"





2 LIGHT POLE BASE DETAIL  
ES002 NO SCALE

### Specifications BVA2001

**Project:** \_\_\_\_\_  
**Quantity:** \_\_\_\_\_

**Future Type:** \_\_\_\_\_  
**Customer:** \_\_\_\_\_

**Specifications:**  
All parts are durable 305 cast aluminum and high quality finish. All parts are powder coated and finished with a clear coat. All parts are finished with a clear coat. All parts are finished with a clear coat.

**Mounting:**  
Mounting hardware is provided with the fixture. Mounting hardware is provided with the fixture. Mounting hardware is provided with the fixture.

**Accessories:**  
Accessories are available for this fixture. Accessories are available for this fixture. Accessories are available for this fixture.

**Options:**  
Options are available for this fixture. Options are available for this fixture. Options are available for this fixture.

**Color Temperature (CCT):**  
30K (3000K)  
35K (3500K)  
40K (4000K)

### Specifications WM161

**Project:** \_\_\_\_\_  
**Quantity:** \_\_\_\_\_

**Future Type:** \_\_\_\_\_  
**Customer:** \_\_\_\_\_

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30K (3000K)  
35K (3500K)  
40K (4000K)

### Specifications CB0101

**Project:** \_\_\_\_\_  
**Quantity:** \_\_\_\_\_

**Future Type:** \_\_\_\_\_  
**Customer:** \_\_\_\_\_

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40K (4000K)

HESS  
EAST PARK LANE  
900 NORTH LAGOON DR  
FARMINGTON, UT 84025

STAMP  
NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	DESCRIPTION

ROCKY MOUNTAIN CONSULTING ENGINEERS, INC.  
2117 South 3600 West, Salt Lake City, UT 84119  
(801) 366-0555 www.rmccei.com

PROJECT #: 22016  
DRAWN BY: BW  
CHECKED BY: AP  
DATE: 01/24/2022

(C) ROCKY MOUNTAIN CONSULTING ENGINEERS, INC. - 2022

SHEET TITLE:  
SITE PHOTOMETRIC PLAN  
ES002





# Farmington City Planning Commission Staff Report November 2, 2023

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## Item 3: Zone Text Amendments regarding the Subdivision Process

Public Hearing: No - (Public hearing was held at the 10/5/2023 meeting)  
Application No.: ZT-12-23  
Applicant: Farmington City

Request: *The proposed amendments are in response to requirements from the State of Utah to remove the requirement for concept/schematic reviews on conventional subdivisions and to establish an appeal process as outlined by the State. The amendments further clarify submittal requirements and the review process. This item was tabled during the 10/5/23 meeting and tabled again on the 10/19/23 meeting date.*

---

### **Background Information**

During the 2023 Utah State Legislative Session, a new law was passed in the form of [SB174](#) which required cities throughout the state comply with certain provisions related to how subdivisions are reviewed and approved. The bill's requirements are directed at residential subdivisions, however, to provide consistency in processes followed in Farmington City, the proposed text changes included with this report impact all subdivisions.

Included with this report is a summary sheet of what SB174 requires from the Utah League of Cities and Towns.

In brief, there are 2 types of subdivisions that are generally considered in Farmington City.

1. **Conventional Subdivision:** a subdivision which meets the zoning requirements without any deviation from development standards or any variation from what is identified by the zoning as conventional lots. This type of subdivision approval and review is entirely administrative. Verifying whether or not it meets the zoning and does not have legislative discretion.
2. **Non-Conventional Subdivision - Planned Unit Development (PUD) / Conservation Subdivision / Alternate Lot Size Subdivision / Project Master Plan (PMP):** these subdivisions all include elements of legislative discretion meaning that the city does not have to approve the requests or project as proposed and the regulations for development of the subdivision are most often memorialized in a Development Agreement (DA) with the city or on occasion through conditions imposed as part of a motion by the City Council.

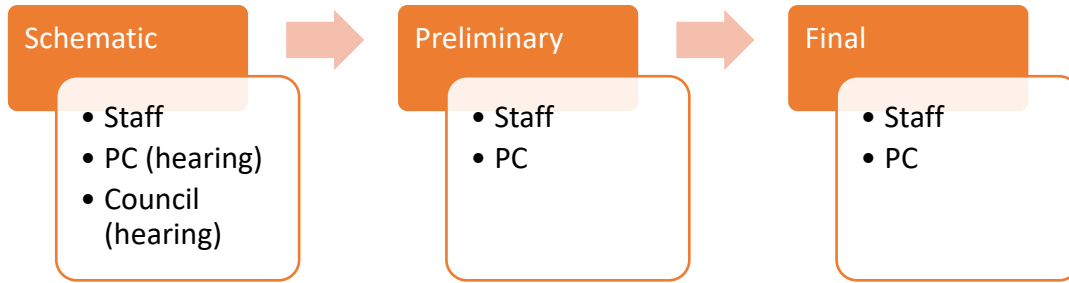
Based on conversations with the Planning Commission at prior meetings, the process under consideration would put the review of purely residential subdivisions under the purview of city staff as long as they are conventional in nature. The Planning Commission and City Council will be involved in the initial step of non-conventional subdivisions which include legislative type decisions. The PC will also have the administrative function of ensuring a non-conventional preliminary plat follows the parameters established by the city council.



A visual comparison of the proposed changes follows:

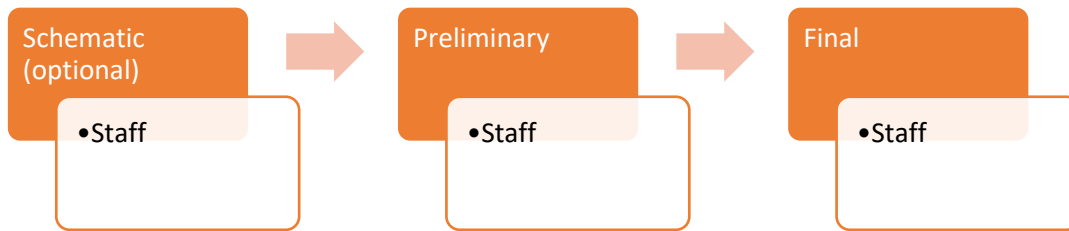
**Conventional Subdivisions**

**Current Process**



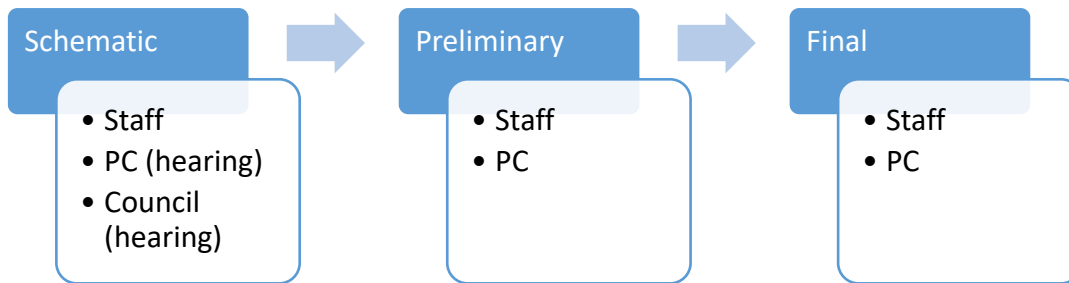
**Required Process – Single Family/Two Family/Townhomes**

Staff recommendation would include Conventional Commercial and Multi-family subdivisions.

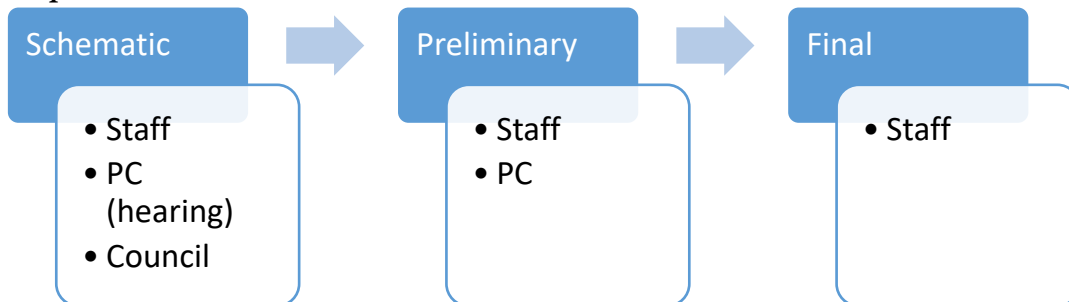


**PUD / Conservation Subdivisions / Alternate Lot Size / PMP (DAs)**

**Current Process**



**Proposed Process**





The latest ordinance draft in this report includes comments from planning staff, the City Engineer, and the City Attorney. Application forms in any format will then be altered to fulfill what is required by the ordinance.

To ensure these updates meet the implementation timeframe required by the State, staff is encouraging that the Planning Commission make a recommendation in time to have the council do their first review on 11/14/23.

Update:

Comments from the Planning Commission during the 10/5/2023 meeting are included below. These items have been addressed or included in the current ordinance draft as indicated.

*Clarify – denied or approved at 4 reviews? If they can't fix deficiencies after 4 reviews, is it automatic approval or denial? (Depending on who the land use authority is, they would have the chance to formally deny or approve the application. If deficiencies aren't addressed within the limit of review cycles it would be denied – 12-6-130 (C) last sentence)*

*Does PC review constitute a review? For example, does tabling a project constitute a review? (This is not clear in statute. Staff can continue working with the City Attorney to verify. As written the ordinance assumes that the DRC has 4 chances to review before sending to PC for decision. PC would then approve or deny rather than table. Unless applicant consents to tabling item, appeal process would be next option if desired.)*

*Does quality of application info come into play at optional schematic review? (Staff will maintain a list of items requested at schematic review. For applications which aren't required to submit this, we will not be able to force them to fully submit the desired details. The quality and amount of feedback that an applicant can receive will be based on the quality or amount of information provided at schematic review and can help an applicant with better direction moving forward.)*

*Public hearing at prelim plat – optional? What's the point in PH or even PC review at conventional? (A public hearing is important primarily when opinion and policy is under consideration. For administrative actions where something is simply being reviewed for compliance with existing rules, a hearing can be ineffective or even problematic. For this reason, the proposed process does not include a hearing on conventional subdivisions. 12-1-060 proposes staff as the authority for conventional single-family and two-family dwellings.)*

*Designate a land use authority in the ordinance. – (Updated 12-1-060 to clarify this and added definitions)*

*DAs – how does the Planning Commission communicate their conditions/changes effectively? For example, PC can do conditions in their recommendation that are not implemented by the CC in the DA, what happens to those conditions? What is the point of PC review of DA/PMP/PUD etc. at that point? (Conditions in this case are an addition to or a variation from the established regulations or standards for a subdivision and are legislative in nature. As such the PC will give recommendations on legislative items or additional or modified rules which the City Council which is the elected legislative body may choose to implement those recommendations or not.)*



*Boilerplate of all DAs should include all conditions (past, current or future?) made by the CC and/or PC. (Staff can include all conditions for consideration in a template DA from past projects on upcoming proposals. Reports will also likely include a DA which has been modified from that template as the proposed agreement as negotiated or modified by the developer and staff being recommended to the PC. The PC can then recommend changes to the agreement for the consideration of the City Council.)*

*All notices should include that there will be only one public hearing in a project's process. (Staff will include this language in future notices)*

Additional submittal requirements have been added based on comments from the city engineer.

Additional changes have been made to the order of Title 12 with reference added to applicable sections of State Code based on comments from the 10/19/23 PC meeting.

### **Suggested Motion**

Move the Planning Commission recommend approval of the included subdivision ordinance text amendments to the City Council.

Findings:

1. The proposed changes will bring the city ordinances into compliance with processes mandated by the State of Utah.
2. The proposed text amendments clarify when steps are optional and when processes are required based on different application types.
3. The proposed changes will help clarify which items must be submitted during the process for a complete application and clarifies the review process for both city staff and applicants.
4. As proposed, the process considered by the text amendments will keep legislative decisions in the hands of the legislative body and keep more technical or administrative issues with administrative bodies for review and consideration.

### **Supplemental Information**

1. Draft Changes to Title 12: Subdivisions



**Title 11: Planning and Zoning**  
**Chapter 11-3: Planning Commission**

**11-3-040: FUNCTIONS AND DUTIES:**

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

- A. Prepare and recommend a General Plan, street plan, zoning map, zoning ordinances, and any other relevant proposals or recommendations to the City Council for the proper development of property within the City;
- B. Prepare and recommend any additions, changes or amendments to the City's General Plan, street plan, zoning map, zoning ordinances or other relevant items to the City Council for the proper development of the City;
- C. Administer the provisions of the zoning ordinances;
- D. Recommend subdivision ordinances and regulations and amendments thereto to the City Council;
- E. ~~Recommend approval or denial of~~ Review non-conventional subdivision applications;
- F. Advise the City Council on matters requested by the City Council;
- G. Hear or decide any matter that the City Council designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;
- H. Prepare and recommend programs for public improvements and the financing thereof to the City Council; and
- I. Exercise any other powers that are necessary to enable the Planning Commission to perform its function or that are delegated to it by the City Council.



## Chapter 11-4 Administration

### **11-4-020: CITY PLANNER:**

There is hereby created the office of city planner. The city planner shall be appointed by the city manager, with advice from the planning commission and with the advice and upon the consent of the governing body. The city planner shall receive and review applications for development approval as required by this title [and title 12 of this code](#). The city planner may set the agenda for planning commission meetings.

## **MIXED USE DISTRICTS**

### **11-18-070: DEVELOPMENT PLAN REVIEW:**

A. Applicability: In the OS, RMU, OMU, GMU and TMU Districts, the review procedures, standards and criteria set forth in this section shall be applied during the development plan review process.

B. Review: All structures shall be subject to the design criteria and development standards, and the review procedures set forth herein prior to issuance of a building permit.

1. Review Process: Review shall consist of the following three (3) phases. Review phases may be combined or eliminated by the city planner/zoning administrator after consideration of a recommendation by the community development director and/or city manager.

a. Presubmittal Conference: Prior to filing an application, the applicant and the community development department shall have a presubmittal conference to discuss the application and process. Information about the proposed uses, project program and building footprint should be provided for discussion.

b. Schematic (Concept) Design Phase: The architectural schematic design application shall be submitted.

c. Design Development Phase: The architectural design development application shall be submitted.

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

Plans and any accompanying information for each phase of the development plan review process shall be delivered by the applicant to such city departments, special districts, governmental boards, bureaus, utility companies and other agencies, which will need to provide facilities and services to the site, which together constitute the city's development review committee (DRC), for information and comment. The community development department is



responsible for coordinating the comments received from all public and private entities, and shall decide which agencies to refer site plans to, but the applicant is responsible for obtaining the comments back from these entities within a reasonable time in a manner and/or form as prescribed by the community development department.

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

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

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

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

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

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

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

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

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

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

c. Review by the community development department at the design development phase shall be ~~completed~~completed within thirty (30) days after the submission of a complete application. The planning office shall make a determination of consistency of the application with the adopted plans, standards and criteria and any applicable rules and regulations and guidelines and shall make a recommendation to the city planner/zoning administrator or the SPARC. The city planner/zoning administrator shall have fifteen (15) days to approve, approve



with conditions, continue for further study, or deny the application; or determine if review by the planning commission is necessary according to the conditions stated above.

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

e. Any person or entity aggrieved by the decision of the city planner/zoning administrator and/or the planning commission in the administration of this development plan review process may appeal such decision to the city council. Such appeals must be taken within fifteen (15) days of the action or decision by filing a written notice with the city recorder, specifying the grounds for appeal. Only those grounds specified in the appeal shall be considered by the city council.



PROPOSED FORMAT

**TITLE 12 SUBDIVISION REGULATIONS**

**CHAPTER 1 GENERAL PROVISIONS**

**CHAPTER 2 CONTROL AND APPLICATION**

**CHAPTER 3 CONVENTIONAL SUBDIVISIONS**

- For all residential subdivisions meeting standards of zone where requested – including meets and bounds subdivisions.
- This would reference or match Utah Code 10-9a-604.1
- Spells out Schematic Plan option
- Outlines Preliminary and Final Plat process.
- Put Planning Department as Land Use Authority over conventional/standard subdivisions. (no public review)
- Planning Department and DRC would review residential subdivisions of all sizes start to finish if there are not variations from conventional standards.

**CHAPTER 4 NON-CONVENTIONAL SUBDIVISIONS**

- All non-residential and subdivisions which request variation from typical standards, Conservation, PUD, alternate lot size, etc.
- Outlines process, Schematic, Preliminary Final. Who is land use authority over each.
- PC holds hearing and recommends Schematic, Council approves schematic.
- PC approves Preliminary
- Staff approves Final

**CHAPTER 5 GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS**

**CHAPTER 6 PUBLIC IMPROVEMENTS**

**CHAPTER 7 LOT CONSOLIDATION AND BOUNDARY ADJUSTMENT**

- Currently falls within purview of staff, these are reduction in lots or fence line adjustments which maintain compliance with conventional lots. This may be done either

**NEW - CHAPTER 8 DEVELOPMENT STANDARDS**

- Adopt existing (soon to be updated) standards by ordinance.



# TITLE 12 SUBDIVISION REGULATIONS

## CHAPTER 1 GENERAL PROVISIONS

SECTION:

[12-1-010](#): Short Title

[12-1-020](#): Purpose

[12-1-030](#): Interpretation

[12-1-040](#): Definitions

[12-1-050](#): Considerations

[12-1-060](#): General Responsibilities

[12-1-070](#): Appeal Of Planning Commission Decisions

[12-1-080](#): Judicial Review Of City Council Decisions

### **12-1-010: SHORT TITLE:**

This title shall be known as the *FARMINGTON CITY SUBDIVISION ORDINANCE* and may be referenced as this title.

### **12-1-020: PURPOSE:**

A. Purpose: The purpose of this title, and any rules, regulations and specifications hereafter adopted, are to promote and protect the public health, safety and general welfare through provisions designed to:

1. Provide for the harmonious and coordinated development of the city, and to assure sites suitable for building purposes and human habitation.
2. Ensure adequate open space for traffic, recreation, light, and air.
3. Facilitate the conservation of, or production of, adequate transportation, water, sanitation, drainage and energy resources.
4. Avoid scattered and premature subdivisions which would cause insufficient public services and facilities, or necessitate an excessive expenditure of public funds for the supply of such services and facilities.
5. Preserve outstanding natural, cultural or historic features.

B. Intent: This title is designed to inform the subdivider and public of the requirements and conditions necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are expressly delineated in this title or other applicable ordinances. However, since it is impossible to cover every possibility, and there are some aspects which do not lend themselves to being easily articulated, this title allows the planning commission and city council to impose reasonable conditions upon a subdivider in addition to those expressly required, so long as such conditions do not conflict with any requirements set forth in this title or other applicable ordinances.



### **12-1-030: INTERPRETATION:**

In their interpretation and application, the provisions of this title shall be considered as minimum requirements. Where the provisions of this title impose greater restrictions than any statute, other regulation, ordinance or covenant, the provisions of this title shall prevail. Where the provisions of any statute, other regulation, ordinance or covenant impose greater restrictions than the provisions of this title, the provision of such statute, other regulation, ordinance or covenant shall prevail. The provisions of this title are not intended to abrogate any easement, covenant, or any other private agreement or restriction which is not inconsistent with these regulations.

### **12-1-040: DEFINITIONS:**

Whenever any word or phrase used in this title is not defined herein, but is defined in related sections of Utah Code Annotated or in the Farmington City zoning ordinance, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive. The following terms as used in this title shall have the respective meanings hereinafter set forth:

**AGRICULTURAL USE:** Land used for the production of food through the tilling of the soil, the raising of crops, breeding and raising of domestic animals and fowl, except household pets, and not including any agricultural, industry or business.

**ALLEY:** A public way which generally affords a secondary means of vehicular access to abutting properties and not intended for general traffic circulation.

**APPLICANT:** The owner of land proposed to be subdivided or such owner's duly authorized agent.

**BOND:** An agreement to install improvements secured by cash, a letter of credit, or escrow funds on deposit in a financial institution, or with the city, in an amount corresponding to an engineering estimate and in a form satisfactory to the city attorney.

**CAPITAL PROJECT:** An organized undertaking which provides, or is intended to provide, the city with a capital asset. "Capital asset" is defined according to generally accepted accounting principles.

**CITY:** Farmington City.

**CITY COUNCIL:** The city council of Farmington City.

**CITY MANAGER:** The city manager of Farmington City.

**CONDOMINIUM:** Property conforming to the definition set forth in Utah Code Annotated section 57-8-3, as amended. A condominium is also a "subdivision" subject to these regulations.

**CONSOLIDATED FEE SCHEDULE:** The schedule of fees adopted periodically by resolution of the city council setting forth the various fees charged by the city.

**Conventional Subdivision:** Any exclusively residential subdivision of property for single family, two-family, or townhome development which meets all development standards adopted by ordinances and all minimum lot size and frontage requirements identified by the applicable zoning district.



**CUL-DE-SAC:** A minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic.

**DEDICATION OF LAND:** Refers to land set aside by the subdivider to be used by the public, such land being conveyed to the city or other governmental entity.

**DEVELOPER:** As the case may be, either: a) an applicant for subdivision approval; b) an applicant for a building permit or another permit issued; or c) the owner of any right, title or interest in real property for which subdivision approval or site plan approval is sought.

**DWELLING UNIT:** One or more rooms in a dwelling, designed for or occupied by one family for living or sleeping purposes and having one, but not more than one, kitchen or set of fixed cooking facilities, other than hot plates or other portable cooking units or wet bars.

**EASEMENT:** A nonprofitable interest in property owned by another that entitles its holder to specific use on, under or above said property.

**FINAL PLAT:** A map of a subdivision, required of all major subdivisions, which is prepared for final approval and recordation, which has been accurately surveyed, so that streets, alleys, blocks, lots and other divisions thereof can be identified; such plat being in conformity with the ordinances of the city and the municipal land use development and management act, set forth at Utah Code Annotated title 10, chapter 9a, as amended.

**FLAG LOT:** A lot that has been approved by the city with access provided to the bulk of the lot by means of a narrow corridor.

**FLOOD DAMAGE PREVENTION ORDINANCE:** The Farmington City flood control and storm drainage ordinance, as amended.

**FLOOD, 100-YEAR:** A flood having a one percent (1%) chance of being equaled or exceeded in any given year.

**FLOOD, 10-YEAR:** A flood having a ten percent (10%) chance of being equaled or exceeded in any given year.

**FLOODPLAIN, 100-YEAR:** That area adjacent to a drainage channel which may be inundated by a 100-year flood.

**FREEWAY:** A street with fully controlled access designed to link major destination points. A freeway is designed for high speed traffic with a minimum of four (4) travel lanes.

**GENERAL PLAN:** The document adopted by the city which sets forth general guidelines for proposed future development of land within the city, as provided in Utah Code Annotated title 10, chapter 9a, as amended. "General plan" includes what is also commonly referred to as a "master plan".

**LOT:** A parcel of land occupied or capable of being occupied by one building or a group of buildings, together with such yards, open spaces and yard areas as are required by this title and the Farmington City zoning ordinance, and having frontage on a public street equal to fifty percent (50%) of the minimum required frontage for the lot, except for flag lots.

**LOT SPLIT:** The division of a property which may be divided into no more than two (2) legal size lots.

**MAJOR STREET PLAN:** The plan which defines the future alignments of streets and their rights of way, including maps or reports or both, which has been approved by the planning



commission and city council. Also known as an "official map" as referred to in the Utah municipal land use development act.

NATURAL DRAINAGE COURSE: Any natural watercourse which is open continuously for flow of water in a definite direction or course.

**Non-Conventional Subdivision: Any subdivision which involves 1 or more of the following processes or considerations:**

- a. Planned Unit Development (PUD),
- b. Conservation Subdivision,
- c. Subdivision which includes alternative lot sizes and frontages, or which deviates from development standards for public improvements,
- d. Subdivision which includes Commercial, Industrial, or Multifamily Development
- e. Any subdivision requiring a Project Master Plan (PMP) or similar approval memorialized by a development agreement.

OWNER: The owner in fee simple of real property as shown in the records of the Davis County recorder's office and includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, limited liability company, trust, private corporation, public or quasi-public corporation, or any combination thereof.

PARCEL OF LAND: A contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same owner.

PLANNED UNIT DEVELOPMENT: A development designed pursuant to the planned unit development ordinance set forth in the Farmington City zoning ordinance. Such development is a subdivision and shall comply with the applicable provisions of these regulations.

PLANNING COMMISSION: The Farmington City planning commission.

PLANNING DEPARTMENT: The planning department of Farmington City.

PRELIMINARY PLAT: The initial map of a proposed land division or subdivision required for major subdivisions.

PROTECTION STRIP: A strip of land bordering a subdivision, or a street within a subdivision, which serves to bar access of adjacent property owners to required public improvements installed within the subdivision until such time as the adjacent owners share in the cost of such improvements.

PUBLIC IMPROVEMENTS: Streets, curb, gutter, sidewalk, water and sewer lines, storm sewers, and other similar facilities which are required to be dedicated to the city in connection with subdivision, conditional use, or site plan approval.

PUBLIC WAY: Any road, street, alley, lane, court, place, parkway, walk, public easement, viaduct, tunnel, culvert or bridge laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in any action by the subdivision of real property, and includes the entire area within the right of way.

PUBLIC WORKS DEPARTMENT: The public works department of Farmington City.

RESERVATION OF LAND: Refers to land set aside for common use within a subdivision, such land to be developed and maintained by the subdivider or by the residents of the subdivision.

RIGHT OF WAY: A strip of land used or intended to be used for a street, sidewalk, sanitary or storm sewer, drainage, utility, railroad, or other similar use.



SCHEMATIC PLAN: A sketch prior to the preliminary plat for major subdivisions or prior to final plat in the case of minor subdivisions to enable the subdivider to save time and expense in reaching general agreement with the planning and zoning division as to the form of the plat and the objectives of these regulations.

SIDEWALK: A passageway for pedestrians, excluding motor vehicles.

STREET, DEAD END: A street with only one outlet which is intended to be extended at a future time to connect with other streets and to provide future access for abutting properties.

STREET, LOCAL: A street for which the principal function is access to abutting land. Traffic movement is a secondary function.

STREET, MAJOR COLLECTOR: A street which carries traffic from minor streets and minor collector streets to the arterial street system. The primary function of such streets is the movement of traffic. Providing access to abutting properties is a secondary function.

STREET, MINOR ARTERIAL: A street for which the principal function is movement of large volumes of traffic from collector streets to freeways. Providing access to abutting land is a secondary function.

STREET, MINOR COLLECTOR: A street which carries traffic from minor streets to the collector and major street system. Such streets include the principal entrance streets of residential developments and the primary circulating streets within such developments.

STREET, PRIVATE: A privately owned and maintained way used, or intended to be used, for passage or travel by motor vehicles and to provide access to abutting properties.

STREET, PUBLIC: A public way, having a width of at least fifty feet (50'), used or intended to be used for passage or travel by motor vehicles and to provide access to abutting properties, which has been accepted and is maintained by the city.

SUBDIVIDER: The owner of the real property proposed to be subdivided, including any successors or assigns.

SUBDIVISION: Any land that is divided, redivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development, either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. Subdivision includes the division or development of land, whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument, and divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

~~SUBDIVISION, MAJOR: All subdivisions of ten (10) or more lots, or any size subdivision requiring any new street or extension of the local governmental facilities.~~

~~SUBDIVISION, MINOR: Any subdivision of land that results in nine (9) or fewer lots; provided, that each lot thereby created has frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets.~~

SURVEY MONUMENT: A mark affixed to a permanent object along a line of survey to furnish a survey control.



UTILITIES: Includes culinary water lines, pressure and gravity irrigation lines, sanitary and storm sewer lines, subsurface drainage systems, electric power, natural gas and telephone transmission lines, cable television lines, and underground conduits and junction boxes.

WATER AND SEWER IMPROVEMENT DISTRICTS: The Farmington City area pressure irrigation district and the Central Davis sewer district, and any other water or sewer improvement district existing or hereinafter organized, whichever has jurisdiction over the land proposed to be subdivided.

ZONING ORDINANCE: The Farmington City zoning ordinance, as amended.

**12-1-050: CONSIDERATIONS:**

A. General Plan: The general plan shall guide the use of all land within the corporate boundaries of the city. The size and design of lots, the nature of utilities, the design and improvement of streets, the type and intensity of land use, and the provisions for any special facilities in any subdivision shall conform to the land uses shown and the standards established in the general plan, the zoning ordinance and other applicable ordinances.

B. Natural Landscape: Trees, native land cover, natural watercourses and topography shall be preserved when possible. Subdivisions shall be so designed as to prevent excessive grading and scarring of the landscape in conformance with the foothill development ordinance. The design of new subdivisions shall consider, and relate to, existing street widths, alignments and names. (Ord. 1996-24, 6-19-1996)

C. Community Facilities: Community facilities, such as parks, recreation areas, trails and transportation facilities shall be provided in the subdivision in accordance with general plan standards, this title, and other applicable ordinances and resolutions. This title establishes procedures for the referral of information on proposed subdivisions to interested boards, bureaus and other governmental agencies and utility companies, both private and public, so that the extension of community facilities and utilities may be accomplished in an orderly manner, coordinated with the development of the subdivision. In order to facilitate the acquisition of land areas required to implement this policy, the subdivider may be required to dedicate, grant easements over or otherwise reserve land for schools, parks, playgrounds, public ways, utility easements and other public purposes as specified. (Ord. 2006-28, 4-19-2006)

**12-1-060: GENERAL RESPONSIBILITIES:**

A. Subdivider: The subdivider shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The city shall process said plats in accordance with the regulations set forth herein. The subdivider shall not alter the terrain or remove any vegetation from the proposed subdivision site or engage in any site development until the necessary approvals as outlined herein have been obtained.

B. Planning Department: The planning department shall review the plats for design; for conformity to the master plan and to the zoning ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title. The City Planner or designee shall be the land use authority as it pertains to preliminary and final plat for conventional subdivisions creating lots for single-family, two-family dwellings, and townhomes. The City Planner or designee shall also serve as the land use authority for all final subdivision plats and subdivisions by metes and bounds.

C. Other Agencies: Plats of proposed subdivisions may be referred by the planning department to such city departments and special districts, governmental boards, bureaus, utility companies and other agencies which will provide public and private facilities and services to the



subdivision for their information and comment. The planning department shall decide which agencies to refer proposed subdivision plats to. ~~Subdividers shall be responsible for distributing plans to and coordinating the comments received from all public and private entities.~~

D. Public Works And Engineer: The public works department and city engineer shall make comments as to engineering requirements for street widths, grades, alignments and flood control, whether the proposed public improvements are consistent with this title and other applicable ordinances and shall be responsible for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with transportation planning in the planning department.

E. Planning Commission: The planning commission shall act as an advisory agency to the city council as set forth herein. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the master plan and zoning ordinance, and other pertinent documents. The planning commission shall recommend approval, approval with conditions, or disapproval of schematic plans when applicable, and minor plats to the city council. The planning commission shall act as the land use authority and has final jurisdiction in the approval of ~~subdivisions by metes and bounds, preliminary plats~~ plats ~~and final subdivision plats~~ for non-conventional subdivisions.

F. City Attorney: The city attorney shall verify, prior to recordation of a plat, that the form of the final plat is correct and acceptable, that the subdivider dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report submitted by the subdivider.

~~G. City Manager: The city manager acts as liaison between the planning commission, planning department staff, and the city council. Prior to preliminary approval for a subdivision, the city manager may review the proposed plat and receive written comments from the city council on the plat. The comments may then be forwarded to the planning commission for evaluation. Upon final approval by the planning commission, the plat will be sent to the city manager who will present it to the city council.~~

H.C. City Council: The city council has final jurisdiction as the land use authority in the approval of schematic plans when applicable, and minor subdivision plats, and the establishment of requirements and design standards for public improvements by ordinance or development agreement, and the acceptance of lands and public improvements that may be proposed for dedication, and shall consider appeals regarding the administration of this title as provided herein.

#### **12-1-070: APPEALS OF PLANNING COMMISSION DECISIONS FROM SUBDIVISION ORDINANCE REVIEW:**

A. City Council Review of Planning Commission Decisions:

1. Appeal may be made to the city council from any decision, determination or requirement of the planning commission under this title by filing with the city recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made. Such notice shall set forth in detail the action and grounds upon which the subdivider, or other interested person, deems himself or herself aggrieved. ~~At~~ the event of an appeal, a

2. Application deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals.

~~3. B. Hearing:~~ The city recorder shall set the appeal for hearing before the city council to be held within a reasonable time from the date of receipt of the appeal. Such hearing



may, for good cause, be continued by order of the city council. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing. After hearing the appeal, the city council may affirm, modify or overrule the decision, determination or requirement appealed and enter any such order or orders as are in harmony with the spirit and purpose of this title. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the city council.

**B. Administrative Review of Staff Decisions:**

- 1) An appeal from a decision by staff denying a plat based upon the City's subdivision ordinance or the provisions of this title may be made to an Administrative Hearing Officer appointed by the City Manager in accordance with provisions of this Code, made by filing with the city recorder a notice thereof in writing within fifteen (15) days after such decision, determination or requirement is made.
- 2) Application deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals.
- 3) The Zoning Administrator shall set the appeal for hearing before the Administrative Hearing Officer within a reasonable time from date of receipt of the appeal. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing.
- 4) The Administrative Hearing Officer may affirm, modify or overrule the decision, determination or requirement appealed and enter a written order explaining the officer's decision.

**Commented [PR1]:** Modified by proposed amendments associated with administrative hearing officer.

**12-1-075: APPEALS FROM SUBDIVISION IMPROVEMENT PLAN DECISIONS:**

- A. Appeals from review comments made related to subdivision improvement plans during the review cycle described in Section 12-6-130 of this Title may be made by filing a written notice of appeal to the City Recorder within fifteen (15) days of denial of the final plat by the City Engineer.
- B. Upon receiving the appeal, the City Engineer and the appellant shall, unless otherwise agreed by the City and appellant, designate a licensed engineer to serve on a three-member panel described in Utah Code Ann .§ 10-9a-508(5)(d). Neither engineer designated may have an interest in the application subject to appeal. Any engineer employed by or working at a firm retained by the city or appellant to review, modify or draft plans is considered to have an interest in the application and are not eligible to serve.
- C. The two designated engineers shall confer and designate one additional licensed engineer.
- D. The land use applicant is responsible for payment of fifty percent (50%) of the cost of the panel and an appeal fee designated on the City's consolidated fee schedule.
- E. The panel shall hear arguments and exhibits provided by the parties and render a written decision supported by applicable codes and the City's adopted construction standards and specifications. The panel may not overrule the City's adopted construction standards and specifications unless a state law expressly overrides a provision of those standards.

The panel's decision may be reviewed by a district court by either party, by filing a petition for review within thirty days after the date on which the decision is final.



**12-1-080: JUDICIAL REVIEW ~~OF CITY COUNCIL DECISIONS:~~**

Any person [with standing](#) aggrieved by ~~any~~ decision of the ~~city council~~[appeal authority or the City Council](#) under this title may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of the decision by the ~~city council~~[appeal authority or council](#). No person may challenge in district court any land use decision made by the city under this title until that person has exhausted his or her administrative remedies as provided herein.



## CHAPTER 2 CONTROL AND APPLICATION

SECTION:

[12-2-010: Subdivision Control](#)

[12-2-020: Required Plat Approval](#)

[12-2-030: Transfer Of Land](#)

[12-2-040: Transfer Of Land; Voidable](#)

[12-2-045: Building Permits](#)

[12-2-047: Certificates Of Occupancy](#)

[12-2-050: Penalties](#)

### **12-2-010: SUBDIVISION CONTROL:**

It shall be unlawful for any owner, or agent of the owner, of any land within the corporate limits and jurisdiction of the city to subdivide such land unless and until:

A. Plat: A plat, or metes and bounds description(s) based upon a survey as specified in chapter 4 of this title, of such subdivision is made in accordance with the requirements set forth herein;

B. Approval: Approval of such plat or metes and bounds description(s) based upon a survey is secured as provided herein; and

C. Recording: The approved plat, or metes and bounds description(s) based on a survey as approved herein, is recorded in the office of the Davis County recorder by the city recorder or, in the case of a metes and bounds description, by the subdivider.

### **12-2-020: REQUIRED PLAT APPROVAL:**

No plat of any subdivision shall be recorded in the county recorder's office until it has been submitted and approved as provided herein by the planning commission, or the city council in the case of minor plats, and such approvals are entered in writing on the plat by the mayor and chair of the planning commission. A plat shall not be approved if such plat is in conflict with any provision or portion of the general plan, major street plan, zoning ordinance, this title or any other state law or city ordinance.

### **12-2-030: TRANSFER OF LAND:**

Land shall not be transferred, sold or offered for sale, nor shall a building permit be issued for a structure thereon, until the final subdivision plat is recorded in the Davis County recorder's office in accordance with this title and any applicable provisions of state law, and until the improvements required in connection with the subdivision have been constructed or guaranteed as provided herein.

### **12-2-040: TRANSFER OF LAND; VOIDABLE:**

No person shall offer to sell, contract to sell, sell, deed or convey any property contrary to the provisions of this title. Any deed or conveyance, sale or contract to sell made contrary to the provisions of this title is voidable at the sole option of the grantee, buyer or person contracting to purchase, his heirs, personal representative, or trustee in bankruptcy, within one year after the date of execution of the deed of conveyance, sale or contract to sell, but the deed of



conveyance, sale or contract to sell is binding upon any assignee or transferee of the grantee, buyer or person contracting to purchase, other than those above enumerated, and upon the grantor, vendor or person contracting to sell, or his assignee, heir or devisee.

**12-2-045: BUILDING PERMITS:**

A. Requirements: No building permit shall be issued for any structure within a subdivision until the final subdivision plat is recorded in the Davis County recorder's office, a bond is provided acceptable to the city ensuring the adequate installation of required public improvements and utilities, and the required improvements and utilities have been installed and are operable as provided herein. No building permit shall be issued for any structure within a subdivision until all sanitary sewer, storm sewer, culinary water lines, pressure irrigation (if applicable), fire hydrants, curb and gutter, streets, other underground utilities located under the street surface, and required grading and drainage improvements, are installed and fully functional, as determined by the city, providing continuous access and/or service to the lot. Notwithstanding the foregoing, for condominium projects only, permits for footings and foundations which are accompanied by a certificate of survey by a licensed surveyor verifying its location, may be issued by the city council, subject to compliance with applicable requirements, including adequate access for emergency vehicles, prior to the installation of utilities and street improvements. For purposes of this section, street improvements shall require asphalt or concrete hard surfacing of the streets, except as otherwise provided in subsection B of this section.

B. Issuance Prior To Street Surfacing: A building permit may be issued by the city for the construction of a structure within a subdivision prior to application of hard surfacing of the streets within the subdivision under the following conditions:

1. The street improvements are being constructed during the months when cold weather prohibits the laying of a hard surface on the street.
2. The streets shall be completed with all utilities, rough grading, and all weather road base sufficient for emergency vehicle access and construction traffic. Sufficiency of the road base, including road base gradation and thickness, shall be determined by the city engineer upon review and consideration of applicable soils reports, drainage factors and existing topographic conditions of the property.
3. The developer enters into an agreement with the city that the developer will take responsibility to ensure that the road is accessible for emergency vehicles and construction traffic at all times, including snow removal and other required maintenance.
4. The developer enters into an agreement with the city that developer will hard surface the road as soon as weather permits and as authorized by the city. If developer fails to do so, the city can declare the developer in default of the applicable improvements bond agreement and may withdraw any or all of the funds from the bond and cause the improvements to the street to be constructed, completed and/or repaired in accordance with the terms and procedures set forth in the bond agreement for the withdrawal of funds.
5. The building contractor, property owner and building permit applicant enters into an assumption of risk agreement acknowledging the lack of hard surface streets within the subdivision and developer's obligation regarding maintenance and access of the same and assuming the risk of proceeding with construction under such circumstances pursuant to the terms and conditions set forth herein.
6. No certificate of occupancy shall be granted by the city for any structure within the subdivision until all streets are hard surfaced.



**12-2-047: CERTIFICATES OF OCCUPANCY:**

No building within a subdivision shall be occupied until a certificate of occupancy has been issued for such structure by the city. No certificate of occupancy shall be issued for any structure within a subdivision by the city until all required improvements for the subdivision are complete, including the hard surfacing of the streets, all required street signs are installed for the subdivision and house numbers are placed on the structure, all required utilities are installed providing service to the structure, and all other applicable ordinance provisions have been satisfied.

**12-2-050: PENALTIES:**

It shall be a class C misdemeanor for any person to fail to comply with the provisions of this title. In addition to any criminal prosecution, the city may pursue any other legal remedies provided by law to ensure compliance with this title, including, but not limited to, instituting an injunction, mandamus, abatement or other appropriate actions, or proceedings to prevent, enjoin, abate or remove the unlawful use or act.



**CHAPTER 3**  
**CONVENTIONAL SUBDIVISIONS**  
**SCHEMATIC PLANS**

SECTION:

**12-3-010: Purpose**

**12-3-020: Applicability**

**12-4-030: Process**

**12-3-040: Administrative Land Use Authority**

**~~12-3-040~~12-3-050: Schematic Plan**

**~~12-3-020: Vested Rights~~**

**~~12-3-040: Submission~~**

**~~12-3-050: Notification~~**

**~~12-3-060: Review By The Planning Commission~~**

**~~12-3-070: Approval By The City Council~~**

**~~12-3-080: Expiration Of Schematic Plan Approval~~**

**12-3-060: Preliminary Plat**

**12-3-070: Final Plat**

**12-3-080: Subdivisions by Metes and Bounds**

**12-3-010: PURPOSE**

A conventional subdivision as defined in [section 12-1-040 of this Code](#) is a subdivision which is designed to meet all the standard criteria of the zoning district where it is proposed. As such, the review of a conventional subdivision is administrative in nature and an exercise in verifying whether or not the existing codified standards have been met ~~or not~~. These types of subdivision are not subject to opinion or preference and are therefore under the purview of the City Planner to provide simplicity and efficiency to the review process ~~while avoiding undue requirements that may arise as preference issues through a public process.~~

**12-3-020: APPLICABILITY**

The conventional subdivision process shall be applied to those subdivision types defined by [FMC-section 12-1-040 of this Code](#) as a conventional subdivision including the subdivision of property for single family, two family, and townhome development by plat or metes and bounds as further described in this title.

**12-3-030: PROCESS:**

The process for review and approval of a conventional subdivision shall follow [section 10-9a-604.1 of the Utah State Code, as amended](#). [The specific requirements for applications for](#)



preliminary and final plat applications are as established in sections 12-7-110 and 12-7-120 of this Title.

**12-4-040: ADMINISTRATIVE LAND USE AUTHORITY:**

The City Planner:

- A. ~~The City Planner is hereby designated as the land use authority for both preliminary and final plat approvals for conventional subdivisions, including subdivisions by metes and bounds; and~~
- B. ~~The City Planner shall oversee review of all schematic plans when submitted; and is hereby given authority to give final approval of all preliminary subdivision plats, final plats and approval of metes and bounds subdivisions which are defined as conventional subdivisions.~~

**12-3-010050: SCHEMATIC PLAN:**

- (A) **OPTIONAL SUBMITTAL FOR CONVENTIONAL SUBDIVISIONS:** A schematic plan ~~shall be required~~ is not required, but is encouraged of all subdividers when pursuing a conventional subdivision. This provides the subdivider with an opportunity to consult with and receive assistance from the city regarding the regulations and design requirements applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat or more detailed documentations and plans. The schematic plan should be based on an accurate survey showing boundaries, topography, important physical features, adjacent properties and the sketch of the proposed subdivision. The applicant or applicant's duly authorized agent shall submit an application to the city planning department for schematic plan approval and at the same time, the applicant shall pay an application fee as provided in the city's consolidated fee schedule.

- (B) **~~STAFF CANNOT BIND SCHEMATIC PLAN DOES NOT BIND CITY:~~** The schematic plan requirement process is designed to provide the subdivider with helpful information and suggestions before the expense and time involved in preparing more detailed documentation a preliminary plat is incurred. However, for conventional subdivisions only the city council may bind the city and only the city manager and planning commission can make official recommendations to the city council. City employees and all other officers of the city act in advisory capacity ~~to the city council and have no authority to make binding decisions or to make authoritative representations, approvals or determinations.~~ Employees and officers of the city may make recommendations, suggestions, and dispense information regarding city ordinances and the master plan, but such comments shall in no way whatsoever be binding on the city at the schematic level of review. **~~12-3-030: VESTED RIGHTS:~~** Submission of a schematic plan shall in no way confer any vested rights upon the subdivider. Vested rights may attach only upon the filing of a complete application for preliminary plat review of a conventional subdivision subdivision plan under chapter 4, 5, 6 or 7 of this title, and the subdivision being able to meet the requirements of this title and other applicable ordinances at the time of the application. However, if there is a compelling, countervailing public interest or the city has initiated proceedings to amend this title or other applicable ordinances at the time of the application, then there shall be no vested rights.

- (C) **~~12-3-040: SUBMISSION:~~**



Aj. Requirements: The subdivider choosing to undergo Schematic plan review shall submit ~~two (2) copies~~ documentation as required by the applicable application form of the proposed schematic plan to the city planning department. The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, ~~and the subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgement.~~

Bij. Items Included: The proposed schematic plan shall include the following items:

1. The proposed name of the subdivision.
2. A subdivision yield plan pursuant to title 11, chapter 12 of this code if a conservation subdivision or a planned unit development is proposed by the applicant.
3. A vicinity plan showing significant natural and manmade features on the site and within five hundred feet (500') of any portion of it; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than five feet (5'); and north arrow.
4. A proposed lot and street layout.
5. A description of the type of culinary and irrigation water system(s) proposed; also, documentation of water rights and secondary water shares.
6. A description of the size and location of sanitary sewer and stormwater drain lines and subsurface drainage.
7. A description of those portions of the property which are included in the most recent flood insurance rate maps prepared by FEMA.
8. The total acreage of the entire tract proposed for subdivision.
9. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.

**(D) ~~12-3-050~~: NOTIFICATION:**

A. Distribution Of Plan: The ~~subdivider, upon receipt of the letter of acknowledgment, planning department, after confirming receipt of a complete application,~~ shall distribute copies of the plan to such government departments and other agencies or advisors as in the opinion of the department ~~and the planning commission~~ may contribute to a decision in the best interest of the public.

~~—B.— Notice Of Planning Commission Review: The planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the planning commission will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.~~

~~—C.— Notice Of City Council Review: The planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the city council will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.~~



**~~12-3-060: REVIEW BY THE PLANNING COMMISSION:~~**

~~—A.— Scope Of Review: At the time and place specified in the written notice described in section 12-3-050 of this chapter, the planning commission shall review the submitted schematic plan and check compliance with the city master plan, zoning ordinance, this title, and other appropriate regulations. The planning commission may recommend approval or denial to the city council, and shall make findings regarding the submitted schematic plan, specifying any inadequacy in the information submitted, noncompliance with city regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the planning commission to evaluate the proposed subdivision and in making a recommendation to the city council.~~

~~—B.— Additional Information: The planning commission may require additional information, data or studies to be provided to the planning commission by the subdivider for the overall development before any recommendation is given by the planning commission to the city council and the planning commission may include requirements for the overall development as part of its findings on the concept plan. (Ord. 2000-13, 4-19-2000)~~

**~~12-3-070: APPROVAL BY THE CITY COUNCIL:~~**

~~—A.— Scope Of Approval: After receiving a recommendation from the planning commission, together with any information related thereto and at the time and place specified in the written notice described in section 12-3-050 of this chapter, the city council may grant or deny schematic plan approval for the proposed subdivision and may adopt, amend or reject any of the findings made by the planning commission regarding the submitted concept plan.~~

~~—B.— Denial: If the city council denies schematic plan approval, no further review of the proposed subdivision shall be made by the city council, and a new schematic plan submittal shall be required to reinstate the subdivision process.~~

~~—C.— Limitation Of Approval: Granting of schematic plan approval by the city council shall not constitute an absolute approval or disapproval of the proposed subdivision, but is intended to give the subdivider general guidance as to the requirements and constraints for subdivider's proposed subdivision within the city. (Ord. 2000-13, 4-19-2000)~~

**~~12-3-080: EXPIRATION OF SCHEMATIC PLAN APPROVAL:~~**

~~Once schematic plan approval has been granted, the subdivider may apply for preliminary plat approval consistent with the schematic plan. If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the city. (Ord. 2000-13, 4-19-2000)~~



## CHAPTER 5 MINOR SUBDIVISIONS

### SECTION:

#### 12-5-010: Purpose

#### 12-5-020: Requirements For Minor Subdivisions

#### 12-5-030: Applicability

#### 12-5-040: Schematic Plan Required

#### 12-5-050: Minor Subdivision Application

#### 12-5-060: Planning Department Review

#### 12-5-070: Planning Commission Action

#### 12-5-080: Expiration Of Final Approval

#### 12-5-090: Bond Agreement

#### 12-5-100: Plat Requirements

#### 12-5-110: Recording Of Plat

#### **12-5-010: PURPOSE:**

The intent of this chapter is to provide an efficient review process for minor subdivisions. Minor subdivisions include those developments of less than ten (10) lots which also meet the requirements set forth herein. In this process, the preliminary and final plats, required for most subdivisions, are simplified and combined. (Ord. 1999-06, 2-3-1999)

#### **12-5-020: REQUIREMENTS FOR MINOR SUBDIVISIONS:**

A subdivider of property located within Farmington City may submit an application for a minor subdivision; provided, that the property to be subdivided meets the following conditions:

- A. Less than ten (10) lots shall be created in the subdivision;
- B. The subdivision shall not require the dedication of any land for public streets or other public purposes;
- C. The area to be subdivided shall be immediately adjacent to existing public streets and utilities and shall not require the extension of any such streets or utilities. The subdivider shall be required to complete any public improvements on an existing street which are not in place at the time the application to develop a minor subdivision is made. Such improvements shall include any necessary storm drainage facilities, high back curb, gutter, sidewalk and/or asphalt paving;
- D. The subdivision is not traversed by the mapped lines of a proposed street as shown in the general plan;
- E. The proposed minor subdivision shall conform to the general character of the surrounding area. New lot lines shall conform to the general pattern of existing lot lines;
- F. Lots created shall not adversely affect the remainder of the parcel or adjoining property and shall conform to the applicable provisions of the zoning ordinance; and



~~—G.— Utility easements shall be dedicated. (Ord. 1999-06, 2-3-1999)~~

**~~12-5-030: APPLICABILITY:~~**

~~The procedures set forth in this chapter shall govern the processing of, and the requirements pertaining to, minor subdivisions, and shall take precedence over any other provisions to the contrary. (Ord. 1999-06, 2-3-1999)~~

**~~12-5-040: SCHEMATIC PLAN REQUIRED:~~**

~~Prior to filing a minor subdivision application, all subdividers of proposed minor subdivisions within Farmington City shall be required to complete a schematic plan as set forth in this title. (Ord. 1999-06, 2-3-1999)~~

**~~12-5-050: MINOR SUBDIVISION APPLICATION:~~**

~~All subdividers of proposed minor subdivisions within Farmington City shall submit a minor subdivision application to the city planner on a form approved by the city. The application shall include one reproducible copy and two (2) prints of a plat meeting the requirements of section 12-5-100 of this chapter. If public improvements, as specified within this chapter, are required, the application shall be accompanied by improvement drawings for such improvements. The city planner may also, upon advice from the city engineer, require that a soil report meeting the requirements set forth in section 12-6-040 of this title be provided. At the time the application is submitted, the subdivider shall pay the appropriate application fee as set forth in the city's consolidated fee schedule. The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. (Ord. 2006-28, 4-19-2006)~~

**~~12-5-060: PLANNING DEPARTMENT REVIEW:~~**

~~Within a reasonable time after receipt of a minor subdivision application and comments and/or approval from all appropriate reviewing entities, the planning department shall include the application on the planning commission agenda and prepare a report on the application's compliance with the general plan, city ordinances, rules and regulations. The subdivider's application and the report of the city planning department shall then be presented to the planning commission. (Ord. 2006-28, 4-19-2006)~~

**~~12-5-070: PLANNING COMMISSION ACTION:~~**

~~—A.— Scope Of Action: Within a reasonable time following the receipt of an application for minor subdivision approval from the planning department, the planning commission shall act thereon. The planning commission shall assure that the plat is in conformity with the requirements of this chapter and title, other applicable ordinances or regulations, and any conditions of approval deemed necessary by the planning commission. If the planning commission finds that the proposed plat complies with the requirements of this title and that it is satisfied with the plat of the subdivision, it shall approve or approve with conditions the minor plat subdivision.~~

~~—B.— Disapproval: If the planning commission determines that the proposed plat is not in conformity with the ordinances of the city or any reasonable conditions imposed, it shall not approve the plat, specifying the reasons for such disapproval. If a proposed plat is disapproved by the planning commission, no further plat shall be submitted and a new minor subdivision application shall be required to initiate minor subdivision approval, including the payment of the required fee. (Ord. 2016-07, 2-16-2016)~~

**~~12-5-080: EXPIRATION OF FINAL APPROVAL:~~**



If the plat is not recorded within six (6) months from the date of planning commission approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the city manager. The subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, park fees, flood control fees, as well as the amounts the city uses to estimate bonds to insure completion of improvements have increased, the city manager may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting the extension. (Ord. 2016-07, 2-16-2016)

#### **12-5-090: BOND AGREEMENT:**

In the event public improvements are required within the subdivision, the subdivider shall comply with the bond requirements of section 12-6-160 of this title. (Ord. 1999-06, 2-3-1999)

#### **12-5-100: PLAT REQUIREMENTS:**

—A.— Contents: Each plat submitted under this chapter shall, at a minimum, contain the following:

- 1. The boundaries, courses and dimensions of the parcels of ground to be subdivided;
- 2. The number, temporary address and length and width of the blocks and lots intended for sale;
- 3. Existing right of way and easement grants of record for underground facilities, as defined in Utah Code Annotated section 54-8a-2, and for other utility facilities;
- 4. An acknowledgment from the owner(s) of the property to be subdivided acknowledging the preparation of the plat and the owner's consent to subdivide the parcel as shown on the plat;
- 5. A certification from the surveyor preparing the plat; and
- 6. Signatures from owners or operators of all underground facilities and utility providers approving of the plat and the dedication of the required easements thereon.

—B.— Additional Requirements: In addition to the plat requirements of subsection A of this section, the planning commission and city council may require that the plat comply with any of the requirements set forth in section 12-6-110 of this title. (Ord. 1999-06, 2-3-1999)

#### **12-3-060: PRELIMINARY PLAT**

An applicant shall submit plans and documents as outlined in Section 12-5-110 of this Title.

#### **12-3-065: REVIEW OF PRELIMINARY PLAT**

The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the planning department shall distribute plans for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgement. After 15 business days from the date of a complete application the letter of acknowledgement, each of the public agencies and utilities will provide their review comments to the subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the subdivider a



written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, water and sewer improvement districts, the public works department, the city engineer and the fire department. The planning department will also provide the city manager with one full set of plans for comment and review. The subdivider shall be required to address each comment made by a reviewing entity, either modifying the plans or indicating their objection to the review comment, citing code authority for their objection. Failure to address each comment shall be grounds for rejection of the re-submission, and a subsequent review cycle may not begin until those comments are addressed. The process of accepting an application and completing a review may occur as many as 4 times.

### **12-3-070: FINAL PLAT SUBMITTAL REQUIREMENTS**

An applicant shall submit plans and documents as outlined in Section 12-5-110 of this Title.

## **CHAPTER 4** **SUBDIVISION BY METES AND BOUNDS**

### **SECTION:**

#### **12-4-010: Purpose**

#### **12-4-020: Metes And Bounds Subdivisions; When Permitted**

#### **12-4-030: Application**

#### **12-4-040: City Planner Review**

#### **12-4-050: Planning Commission Review**

#### **12-4-060: Requirements**

#### **12-4-070: Statement Of Approval**

#### **12-34-010080:**

##### **(A) PURPOSE:**

The intent of this chapter-section is to allow the division of lots located in agricultural and residential zones into two (2) lots through the recording of approved deeds in restricted situations rather than requiring the recording of a subdivision plat.

##### **12-4-020: (B) METES AND BOUNDS SUBDIVISIONS; WHEN PERMITTED:**

An owner or developer of property consisting of a single parcel of land or lot located within any zone may subdivide the parcel of land or lot into not more than two (2) lots for residential dwellings or accessory buildings related to the primary use by recording deeds containing metes and bounds descriptions of the lots without the necessity of recording a plat; provided, that:

A. The area to be divided is immediately adjacent to existing streets and utilities and does not involve the extension of any such streets or utilities;



B. The area to be divided is not traversed by the mapped lines of a proposed street as shown in the comprehensive general plan and does not require the dedication of any land for street or other public purposes;

C. The proposed lots conform to the city's zoning regulations and comprehensive general plan for the area;

D. No remnant parcels are created which, due to size, configuration or location, cannot be developed under the provisions of the Farmington City zoning ordinance;

E. No land immediately adjacent to the parcel of land or lot has been divided by the recording of metes and bounds deeds within five (5) years of the date of the application; and

F. The division of the property is approved by the city as set forth in this chapter.

#### **12-4-030: (C) APPLICATION:**

An owner or subdivider wishing to divide a single parcel of land or lot within an agricultural or residential zone within the city into not more than two (2) lots shall submit an application to the city planner on a form approved by the city. The application shall include ~~one reproducible copy and two (2) prints of a preliminary layout of detail~~ the proposed boundaries of the property to be divided with a legal description prepared by a licensed surveyor. The application shall also be accompanied by any necessary plans for the installation of required public improvements and accompanying bond agreements. At the time the application is submitted, the applicant shall also pay the required application fee, as set forth in the city's consolidated fee schedule.

#### **12-4-040: (D) CITY PLANNER REVIEW:**

Upon receipt of the application, ~~the city planner shall schedule a date for the application to be reviewed by the planning commission, which date shall not be more than sixty (60) days from the receipt of the application.~~ The city planner shall also review the application with applicable city departments to assure compliance with city ordinances and shall determine if the application should be submitted to the providers of any utility service for comment.

#### **12-4-050: PLANNING COMMISSION REVIEW:**

Upon review of all information submitted by the applicant and all comments or recommendations from city departments and utility providers, ~~the city planner shall prepare a report on the application recommending either approval, approval with conditions or disapproval of the application, and shall submit such report to the planning commission for its consideration prior to the scheduled hearing. With the exception of applications for flag lots, which shall be reviewed and considered for approval by the city council after receiving a recommendation from the planning commission, the planning commission shall either approve the application, approve the application with conditions or deny the application. Such decision shall be made by the planning commission within a reasonable time after the hearing. (Ord. 1999-04, 1-6-1999)~~

#### **12-4-060: (E) REQUIREMENTS:**

A. Improvements: As a condition of approval of a metes and bounds subdivision, the applicant may be required to install or provide the following improvements, unless specifically waived in writing by the ~~planning commission~~ city engineer:

1. Boundary monuments, established in accordance with standards set forth by the Davis County surveyor and Utah Code Annotated title 17, chapter 23;

2. Curb and gutter;

3. Sidewalk;



4. Asphalt or concrete paving of rights of way;

5. Appropriate storm drainage facilities; and

6. Public utility easements.

B. Installation: All required public improvements shall be installed in accordance with the provisions of chapter 8 of this title and the city construction standards and specifications.

C. Security: The installation of any required public improvements shall be secured as provided in ~~section 12-6-160~~Chapter 6 of this title.

**12-4-070: (F) STATEMENT OF APPROVAL:**

Upon approval of an application under this chapter and the performance of all required conditions by the applicant, the applicant shall submit to the city such proposed deeds as the applicant intends to record to accomplish the division of the property provided for under this chapter, along with one reproducible copy and two (2) prints of the record of survey map filed in accordance with Utah Code Annotated title 17, chapter 23. The city shall review such deeds to assure that they conform to the representations made in the application. Upon approval, the ~~chair of the planning commission~~city planner shall sign a statement to be attached to the deeds reflecting the city's approval of the division of the property into two (2) lots. ~~The chair of the planning commission shall not sign the statement until at least fifteen (15) days have passed from the date of approval from the planning commission. (Ord. 1999-04, 1-6-1999)~~



## CHAPTER 46

### MAJOR SUBDIVISIONSNON-CONVENTIONAL SUBDIVISIONS

#### SECTION:

[12-6-010: Schematic Review](#)

[12-6-015: Preliminary Plat; Purpose](#)

[12-6-020: Application And Fees](#)

[12-6-030: Preliminary Plat; Preparation And Required Information](#)

[12-6-040: Soil Report](#)

[12-6-050: Evaluation Of Preliminary Plat](#)

[12-6-060: Planning Commission Action; Preliminary Plat](#)

[12-6-070: Notification Of Action](#)

[12-6-080: Effect Of Approval Of The Preliminary Plat](#)

[12-6-090: Final Plat; Purpose](#)

[12-6-100: Filing Deadline, Application And Fees](#)

[12-6-110: Final Plat; Preparation And Required Information](#)

[12-6-120: Data To Accompany Final Plat](#)

[12-6-130: Evaluation Of Final Plat](#)

[12-6-140: Planning Commission Action; Final Plat](#)

[12-6-150: Disapproval By The Planning Commission](#)

[12-6-160: Security Bond; Subdivider](#)

[12-6-170: Delay Agreement](#)

[12-6-180: Recording Of Plat](#)

[12-6-190: Expiration Of Final Approval](#)

#### **SCHEMATIC REVIEW**

##### **12-3-010: SCHEMATIC PLAN:**

- A. A schematic plan shall be required of all subdivider pursuing the following:
- a. Planned Unit Development (PUD).
  - b. Conservation Subdivision.
  - c. Subdivision which includes ~~or~~ alternative lot sizes and frontages, or which deviates from development standards for public improvements.
  - d. Subdivision which includes Commercial, Industrial, or Multifamily Development
  - e. Any subdivision requiring a Project Master Plan (PMP) or similar approval memorialized by a development agreement. ~~For subdivisions~~
- B. This Schematic plan review provides the subdivider with an opportunity to consult with and receive assistance from the city regarding the regulations and design requirements



applicable to the subdivision of property and facilitates resolution of problems and revisions before the preparation of a preliminary plat. The schematic plan should be based on an accurate survey showing boundaries, topography, important physical features, adjacent properties and the sketch of the proposed subdivision.

~~A-C.~~ The applicant or applicant's duly authorized agent shall submit an application to the city planning department for ~~schematic~~ Schematic plan approval and at the same time, the applicant shall pay an application fee as provided in the city's consolidated fee schedule.

### **12-3-020: STAFF CANNOT BIND CITY:**

~~The schematic~~ Schematic plan ~~requirement~~ review is designed to provide the subdivider with helpful information and suggestions before the expense and time involved in preparing a preliminary plat is incurred. ~~or to provide exhibits for development agreements associated with certain applications.~~ However, ~~only the land use authority for the specific land use application only the city council~~ may bind the city. ~~For zoning applications and development agreements, and~~ only the city manager and planning commission can make official recommendations to the city council. ~~City employees and all other officers of the city act in advisory capacity to the city council and have no authority to make binding decisions or to make authoritative representations, approvals or determinations.~~ Employees and officers of the city may make recommendations, suggestions, and dispense information regarding city ordinances and the master plan, but such comments shall in no way whatsoever be binding on the city.

### **12-3-030: VESTED RIGHTS:**

Submission of a schematic plan shall in no way confer any vested rights upon the subdivider. Vested rights may attach only ~~upon the filing of a subdivision plan under chapter 4, 5, 6 or 7 of this title as memorialized by approval of the City Council, such~~ which approval may come in the form of a development agreement which has been approved by the City Council, and the subdivision being able to meet the requirements of this title and other applicable ordinances at the time of the application. However, if there is a compelling, countervailing public interest or the city has initiated proceedings to amend this title or other applicable ordinances at the time of the application, then there shall be no vested rights.

### **12-3-040: SUBMISSION:**

A. Requirements: The subdivider ~~undergoing s~~ Schematic plan review shall submit ~~documentation as required by the applicable application form two (2) copies~~ of the proposed schematic plan to the city planning department. The planning department will determine if the ~~appropriate plan is submitted, if the~~ application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, ~~and the subdivider shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgment.~~

B. Items Included: The proposed schematic plan shall include the following items: (Ord. 2006-28, 4-19-2006)

1. The proposed name of the subdivision.
2. A subdivision yield plan pursuant to title 11, chapter 12 of this code if a conservation subdivision or a planned unit development is proposed by the applicant.
3. A vicinity plan showing significant natural and manmade features on the site and within five hundred feet (500') of any portion of it; the property boundaries of the proposed subdivision;



the names of adjacent property owners; topographic contours at no greater interval than five feet (5'); and north arrow.

4. A proposed lot and street layout.

5. A description of the type of culinary and irrigation water system(s) proposed; also, documentation of water rights and secondary water shares.

6. A description of the size and location of sanitary sewer and stormwater drain lines and subsurface drainage.

7. A description of those portions of the property which are included in the most recent flood insurance rate maps prepared by FEMA.

8. The total acreage of the entire tract proposed for subdivision.

9. Proposed changes to existing zoning district boundaries or zoning classifications or conditional use permits, if any.

#### **12-3-050: NOTIFICATION:**

A. Distribution Of Plan: The ~~subdivider, upon receipt of the letter of acknowledgment, planning department, after confirming receipt of a complete application,~~ shall distribute copies of the plan to such government departments and other agencies or advisors as in the opinion of the department ~~and the planning commission~~ may contribute to a decision in the best interest of the public.

B. Notice Of Planning Commission Review: ~~(A)~~The planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the planning commission will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision.

~~—C.— Notice Of City Council Review: The planning department shall mail to all owners of property located within three hundred feet (300') of the boundary of the proposed subdivision a written notice of the time, date and place where the city council will review and consider the subdivision proposal. The written notice shall also advise the property owner that he/she has the right to be present and to comment on the proposed subdivision. (Ord. 2000-13, 4-19-2000)~~

#### **12-3-060: REVIEW BY THE PLANNING COMMISSION:**

A. Scope Of Review: ~~(A)~~At the time and place specified in the written notice described in ~~section 12-3-050~~ of this chapter, the planning commission shall review the submitted schematic plan and check compliance with the city master plan, zoning ordinance, this title, and other appropriate regulations. The planning commission may recommend approval or denial to the city council, and shall make findings regarding the submitted schematic plan, specifying any inadequacy in the information submitted, noncompliance with city regulations, questionable or undesirable design and/or engineering, and the need for any additional information which may assist the planning commission to evaluate the proposed subdivision and in making a recommendation to the city council.

B. Additional Information: The planning commission may require additional information, data or studies to be provided to the planning commission by the subdivider for the overall development before any recommendation is given by the planning commission to the city council and the planning commission may include requirements for the overall development as part of its findings on the concept plan.

**Commented [LG2]:** Correct reference with updated section #s



### **12-3-070: APPROVAL BY THE CITY COUNCIL:**

A. Scope Of Approval: ~~(A)~~After receiving a recommendation from the planning commission, together with any information related thereto ~~and at the time and place specified in the written notice described in section 12-3-050 of this chapter~~, the city council may grant or deny schematic plan approval for the proposed subdivision and may adopt, amend or reject any of the findings made by the planning commission regarding the submitted concept plan. Such approval and any conditions or allowances deemed applicable by the City Council may be memorialized in a development agreement.

B. Denial: If the city council denies schematic plan approval, no further review of the proposed subdivision shall be made by the city council, and a new ~~schematic plan~~-submittal shall be required to reinitiate the subdivision process.

C. Limitation Of Approval: Granting of schematic plan approval by the city council shall not constitute an absolute approval or disapproval of the proposed subdivision, but is intended to give the subdivider general guidance as to the requirements and constraints for subdivider's proposed subdivision within the city.

### **~~12-3-080: EXPIRATION OF SCHEMATIC PLAN APPROVAL:~~**

~~Once schematic plan approval has been granted, the subdivider may apply for preliminary plat approval consistent with the schematic plan. If preliminary plat approval for any portion of an approved schematic plan has not been obtained within twelve (12) months of the date on which schematic plan approval was granted, a resubmittal and reapproval of the schematic plan may be required by the city. (Ord. 2000-13, 4-19-2000)~~

### **PRELIMINARY PLAT REVIEW**

#### **12-6-010: PRELIMINARY PLAT; PURPOSE:**

The purpose of the preliminary plat is to require formal preliminary approval of a major subdivision in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall, in all respects, be in compliance with the provisions of this title and any other applicable ordinances.

#### **12-6-020: APPLICATION AND FEES:**

The subdivider of a ~~major-non-conventional~~ subdivision, shall schedule a meeting with the planning department where the city planner and city engineer or their representative will review submission requirements with the applicant. after completing the schematic plan ~~required by this title as applicable, the subdivider shall then~~ file an application for preliminary plat approval with the planning department on a form prescribed by the city, together with ~~one reproducible copy and two (2) prints of the preliminary plat~~ the documentation requested on the form. After submitting the application form and requested documentation, the submittal shall be reviewed by the city planner and city engineer or their representative to determine if all required documentation has been provided. If all requirements for an application are met, a letter of acknowledgment will be provided by the planning department. At the same time, the subdivider shall then pay an application fee as published in the consolidated fee schedule of the city to complete the application. The planning department will determine if the appropriate plan is submitted, ~~if the application is has been determined to be complete and if all the fees have been paid.~~ If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the subdivider-planning department shall distribute plans, accompanied by the letter, for comment to all appropriate public and private entities. An



application has not been fully accepted by the city or deemed complete until the city issues a letter of acknowledgement and all fees have been paid. (Ord. 2006-28, 4-19-2006)

#### **12-6-030: PRELIMINARY PLAT; PREPARATION AND REQUIRED INFORMATION:**

An applicant shall submit plans and documents as outlined in Section 12-5-110 of this Title.

#### **~~12-6-040: SOIL REPORT:~~**

~~—A. Form: A soil report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the state of Utah, shall be required prior to preliminary approval of any subdivision plat. The soil report shall include, among other things, a description of the soil types and characteristics on the site, describe whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered, recommendations for road designs, slope stability studies, percolation rates, and shall identify the location of any seismic zones or flood zones on the property.~~

~~—B. Investigation: If the soil report indicates the presence of critically expansive soils, high water table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water, premature deterioration of the public improvements, or which would represent a public health hazard, a soil investigation of each lot in the subdivision may be required by the city engineer. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application. (Ord. 1996-24, 6-19-1996)~~

#### **12-6-050: EVALUATION OF PRELIMINARY PLAT:**

The planning department will determine if the appropriate plan is submitted, if the application is complete and if all the fees have been paid. If all requirements are met, a letter of acknowledgment will be provided by the planning department, and the subdivider-planning department shall distribute plans for comment to all appropriate public and private entities. An application has not been accepted by the city until the city issues a letter of acknowledgement. After 15 business days from the date of a complete application~~After reviewing the plans,~~ each of the public agencies and utilities will provide the acknowledgment letter~~their review comments~~ to the subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, water and sewer improvement districts, the public works department, the city engineer and the fire department. The planning department will also provide the city manager with one full set of plans for comment and review. The subdivider shall be required to address each comment made by a reviewing entity, either modifying the plans or indicating their objection to the review comment, citing code authority for their objection. Failure to address each comment shall be grounds for rejection of the re-submission, and a subsequent review cycle may not begin until those comments are addressed. The process of accepting an application and completing a review may occur as many as 4 times. (Ord. 2006-28, 4-19-2006)

#### **12-6-060: PLANNING COMMISSION ACTION; PRELIMINARY PLAT:**

A. Scope Of Action: Within a reasonable time after the filing of a~~satisfying all applicable reviewing entities during the preliminary plat review~~preliminary plat of a subdivision and any



~~other information required~~, the planning commission shall act thereon. If the planning commission finds that the proposed plat complies with the requirements of this chapter and that it is satisfied with the plat of the subdivision, it shall approve, or approve with conditions, the plat. If the planning commission finds that the proposed plat does not meet the requirements of this title or other applicable ordinances, it shall deny approval of such plat.

B. Findings: The planning commission may approve or deny the preliminary plat and shall make findings regarding the submitted plat, specifying any inadequacy in the information submitted, noncompliance with city regulations, **inconsistencies with the schematic plan when applicable**, and the need for any additional information which may assist the planning commission to evaluate the preliminary plat and in making a final determination.

C. Examination Of Plat: Upon receipt of the preliminary plat, the planning commission shall also examine the plat to determine whether the plat is consistent with the concepts set forth in the approved schematic plan **when applicable** and with all changes requested and all requirements imposed as conditions of acceptance. ~~In the event that~~ the preliminary plat has been altered substantially from the ~~approved~~ schematic plan **approved by the City Council**, at the discretion of the planning commission chair, with the recommendation of the planning department, the chair may suspend planning commission review of the preliminary plat and require that the subdivider resubmit the plan subject to the schematic plan review process, or require a public hearing as part of the commission's consideration of preliminary plat. The chair may also defer such decisions related to schematic plan resubmittal ~~and/or~~ preliminary plat review to the planning commission for its approval. Any public hearing in consideration of a preliminary plat shall meet the notice requirements of section [12-3-050](#) of this title.

D. Substantial Change: The planning commission shall determine whether a proposed modification to an approved schematic plan is a "substantial" change. Alterations of the following types shall define a substantial change:

1. A significant change to the roadway alignment or configuration;
2. Significant changes to lot areas or lot configuration;
3. Any increase to the number of lots;
4. Any change to the configuration and amount of open space required;
5. A significant change to culinary water, sanitary sewer, or storm drain plans related to the application;
6. Any deviation from the approved schematic plan as determined by the provisions set forth in this title;
7. A modification of any other aspect of the schematic plan that would significantly change its character. (Ord. 2015-06, 2-17-2015)

#### **12-6-070: NOTIFICATION OF ACTION:**

The planning department shall notify the subdivider, in writing, of the action taken by the planning commission. One copy of the plat and accompanying conditions, if applicable, and the minutes of the planning commission meeting shall be retained in the permanent file of the planning commission. Notification of the approval of the preliminary plat shall be authorization for the subdivider to proceed with the preparation of detailed plans and specifications for the improvements required by city ordinances and the planning commission, and with the preparation of the final plat. (Ord. 1996-24, 6-19-1996)



**12-6-080: EFFECT OF APPROVAL OF THE PRELIMINARY PLAT:**

Approval of the preliminary plat shall in no way relieve the subdivider of the responsibility to comply with all required conditions and ordinances, and to provide the improvements and easements necessary to meet all city standards. (Ord. 1996-24, 6-19-1996)

**FINAL PLAT REVIEW**

**12-6-090: FINAL PLAT; PURPOSE:**

The purpose of the final plat is to require formal approval by ~~the planning commission~~ city staff before a major subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all respects ~~be in compliance~~ comply with the provisions of this title. The final plat and improvement plans submitted shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure. Pursuant to Utah Code Annotated section 10-9a-604, as amended, the planning commission designates the planning commission chair as its agent to sign final subdivision plats. The planning commission chair shall not sign any final plat until such plat has been approved by ~~the planning commission~~ city staff in accordance with the provisions set forth herein. (Ord. 2015-06, 2-17-2015; amd. 2016 Code)

**12-6-100: FILING DEADLINE, APPLICATION AND FEES:**

The subdivider shall file an application for final plat approval with the community development department on a form prescribed by the city along with all documentation requested within the application form, together with one reproducible copy and prints of the final plat. ~~After submitting the application form and requested documentation, the submittal shall be reviewed by the city planner and city engineer or their representative to determine if all required documentation has been provided. If all requirements for an application are met, a letter of acknowledgment will be provided by the planning department. Upon receipt of the acknowledgement letter, the subdivider shall the number of which shall be determined by city staff, and pay~~ all required fees. Upon receipt of all required documentation and applicable fees, the final plat application shall be considered complete and accepted by the city. The preliminary plat shall become null and void unless the subdivider submits a complete application for and obtains final plat approval for all phases encompassing the area of the preliminary plat within twelve (12) months after approval or conditional approval of the preliminary plat by the planning commission, except as otherwise provided for by written agreement with the city. This time period may be extended for up to twelve (12) months for good cause shown if the subdivider petitions the planning commission in writing for an extension prior to the expiration date of the preliminary plat together with any applicable fees. Only one extension of the preliminary plat approval may be granted. ~~It~~ in the event the final plat approval expires, or the city does not grant an extension of final plat approval, or the city does not reapprove a previously approved final plat, the preliminary plat approval shall also expire, unless twelve (12) months has not lapsed from the date of its approval and/or a twelve (12) month extension of time has been granted as provided herein. (Ord. 2011-10, 5-17-2011)

**12-6-110: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:**

An applicant shall submit plans and documents as outlined in Section 12-5-110 of this Title.

**12-6-160: SECURITY BOND; SUBDIVIDER:**

~~Prior to the installation of or any work on any required public improvements, the subdivider shall enter into a security bond agreement acceptable to the city to insure completion of all public~~



improvements required to be installed in the subdivision. The bond agreement shall be in a form and contain such provisions as approved by the city attorney. The bond agreement shall include, but not be limited to, the following:

—A.— Incorporation: Incorporation by reference of the final plat and all accompanying data required herein which is used to compute the cost of the improvements by the city engineer;

—B.— Completion Of Improvements: Completion of the improvements within a period of time not to exceed two (2) years from the date the bond agreement is executed;

—C.— Satisfactory Completion: The improvements shall be completed to the satisfaction of the city and according to city standards, as established by the city engineer and as specified in chapter 8 of this title;

—D.— Amount: The bond amount shall be equal to one hundred twenty percent (120%) of the city engineer's estimated cost of the public improvements to be installed;

—E.— Exclusive Control By City: The city shall have exclusive control over the bond proceeds and they may be released only upon written approval of the city manager;

—F.— Reduction: The bond proceeds may be reduced upon request of the subdivider as the improvements are installed. The amount of the reduction shall be determined by the city. Such requests may be made only once every thirty (30) days and no reductions shall be authorized until such time as the city has inspected the improvements and found them to be in compliance with city standards. All reductions shall be by the written authorization of the city manager;

—G.— Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion of the improvements according to city standards for whatever reason, including previous reductions, the subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until the improvements are completed or, with city council approval, a new bond, satisfactory to the city, has been executed and delivered to the city to ensure completion of the remaining improvements;

—H.— Deductions For Failure: If, upon written demand by the city after expiration of the time period, bond proceeds are not transferred to the city within thirty (30) days, the city's costs of obtaining the proceeds, including attorney fees and court costs, shall be deducted from the bond proceeds;

—I.— Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period, the costs of completion shall include reimbursement to the city for the costs of administration incurred by the city in obtaining the completion of the improvements;

—J.— Nonliability: The subdivider shall agree to hold the city harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the city certifies the improvements as complete;

—K.— Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by the city:

— 1.— A cash bond agreement accompanied by a cashier's check or a money market certificate made payable only to the city;

— 2.— An escrow bond agreement and an escrow account with a financial institution federally insured; or



~~—3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial institution federally insured;~~

~~—L. Right Of Rejection: The city reserves the right to reject any bond. The bonds required by this section are for the sole benefit of the city. The bonds are not for the benefit of any individual citizen or identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;~~

~~—M. Extension: The time period for the completion of the required public improvements may be extended in the following manner upon approval of the city council:~~

~~—1. The subdivider may submit a new bond for approval;~~

~~—2. The existing bond may be extended upon payment, by the subdivider, of the actual administrative costs incurred in reevaluating the sufficiency of the bond amount. (Ord. 2015-06, 2-17-2015)~~

**~~12-6-170: DELAY AGREEMENT:~~**

~~In lieu of the bond requirements outlined above, at the city's sole option, the subdivider may be permitted to execute an agreement, in a form acceptable to the city attorney, delaying the installation of any or all of the public improvements required pursuant to this title. (Ord. 2015-06, 2-17-2015)~~

**~~12-6-180: RECORDING OF PLAT:~~**

~~After planning commission approval, completion of the required public improvements or filing of the bond agreement described herein, and signing of the plat by the planning commission chair and the mayor, the plat shall be presented by the city recorder to the Davis County recorder for recordation. (Ord. 2015-06, 2-17-2015)~~

**~~12-6-190: EXPIRATION OF FINAL APPROVAL:~~**

~~If the plat is not recorded within six (6) months from the date of planning commission approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the city manager. The subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, parks fees, flood control fees, as well as the amounts the city uses to estimate bonds to ensure completion of improvements, have increased, the city manager may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting the extension.~~



## **CHAPTER 75**

### **GENERAL REQUIREMENTS FOR ALL SUBDIVISIONS**

SECTION:

[12-7-010: Subdivision Layout](#)

[12-7-020: Blocks](#)

[12-7-030: Lots](#)

[12-7-040: Streets](#)

[12-7-050: Protection Strips](#)

[12-7-060: Dedication And Reservation](#)

[12-7-070: Landscaping](#)

[12-7-080: Utilities And Easements](#)

[12-7-090: Watercourses](#)

[12-7-100: Warranty Period](#)

[12-7-110: Preliminary Plat Application Requirements](#)

[12-7-120: Final Plat Application Requirements](#)

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#### **12-7-010: SUBDIVISION LAYOUT:**

- A. Conformance To Plan: The subdivision layout shall conform to the official master plan.
- B. Preservation Of Features: Where trees, groves, waterways, scenic points, historic spots or other city assets and landmarks, as determined by the city, are located within a proposed subdivision, every reasonable means shall be provided to preserve these features.
- C. Adjoining Existing Street: Whenever a tract to be subdivided adjoins or embraces any part of an existing or proposed street so designated on the major street plan, such part of the public way shall be platted, dedicated and improved by the subdivider in the location and at the width specified.
- D. Railroad Right Of Way: Where a railroad right of way abuts a subdivision, the plat shall make provisions for future grade separations whenever the city shall find such a requirement to be necessary. (Ord. 1996-24, 6-19-1996)

#### **12-7-020: BLOCKS:**

- A. Double Frontage: Lots having double frontage shall not be approved except where necessitated by topographic or other unusual conditions.
- B. Width; Variation: The width of each block shall be sufficient for an ultimate layout of two (2) tiers of lots therein of a size required by the provisions of this title, unless the general layout of the vicinity, lines of ownership, topographical conditions or locations of arterial streets or freeways justify or make necessary a variation from this requirement.
- C. Length: The maximum length of blocks shall be one thousand feet (1,000') and the minimum length of blocks shall be four hundred feet (400'). In blocks over eight hundred feet (800') in length, a dedicated walkway through the block, at approximately the center of the



block, may be required. Such walkways shall be not less than ten feet (10') in width. (Ord. 1996-24, 6-19-1996)

**12-7-030: LOTS:**

A. General Requirements: All subdivisions shall result in the creation of lots which are developable and capable of being built upon. A subdivision shall not create lots, and no building permit shall be issued for any lots which would make improvement impractical due to size, shape, steepness of terrain, location of watercourses, problems of sewerage or driveway grades, or other physical conditions. (Ord. 1996-24, 6-19-1996)

B. Frontage; Private Streets: All lots or parcels created by the subdivision shall have frontage on a dedicated street, improved to standards hereinafter required, equal to at least fifty percent (50%) of its minimum required width, except for flag lots which shall have a minimum of twenty eight feet (28') of frontage. Private streets shall not be permitted unless the planning commission finds that the most logical development of the land requires that lots be created which are served by a private street or other means of access, and makes such findings in writing with the reasons stated therein. All private streets shall meet Farmington City development standards as it pertains to standard street intersections, typical cul-de-sac and standard roadway sections. This includes, but is not limited to, submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of existing improvements, storm drainage systems, boundary markers and survey monuments, geotextiles and concrete reinforcement. Land designated as public right of way shall be separate and distinct from lots adjoining such right of way and shall not be included in the area of such lots. (Ord. 2016-07, 2-16-2016)

C. Area, Dimensions: The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinance for the district in which the subdivision is located.

D. Side Lines At Right Angles: The side lines of all lots, so far as possible, shall be at right angles to the street which the lot faces, or approximately radial to the center of curves, if such street is curved. Side lines of lots shall be approximately radial to the center of a cul-de-sac on which the lot faces. The planning commission may allow exceptions to this requirement where considerations for solar orientation are involved.

E. Corner Lots: Corner lots for residential use shall be platted ten feet (10') wider than interior lots in order to facilitate conformance with the required street setback requirements of the zoning ordinance.

F. Lot, Boundary Lines: A lot shall not be divided by a city limit line. Each such boundary line shall be made a lot line.

G. Remnants: Remnants of property shall not be left in the subdivision which do not conform to lot requirements or are not required or suitable for common open space, private utility or public purpose.

H. Lot Numbers: Lot numbers shall begin with the number "1" and shall continue consecutively through the subdivision, with no omissions or duplications. No block designations shall be used. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.

I. One Dwelling Per Lot: Except for group dwellings and planned unit developments, as specifically authorized by this title and the zoning ordinance, not more than one dwelling unit shall occupy any one lot. (Ord. 1996-24, 6-19-1996)

J. Flag Lots: Flag lots may be approved by the planning commission and the city council and are prohibited except to reasonably utilize an irregularly shaped parcel, to reasonably utilize land with severe topography, to provide for the protection of significant natural or environmentally sensitive areas, or to allow a property owner reasonable use and benefit of a parcel of land not otherwise developable. (Ord. 2016-07, 2-16-2016)

1. General Requirements: The creation of a flag lot is a subdivision, therefore all applicable subdivision ordinances, standards and regulations apply. Flag lots are for single-family residential dwellings only and are prohibited if the proposed flag lot will increase the number of access points onto a major thoroughfare. (Ord. 2016-23, 2-16-2016)

2. Design Requirements: The design requirements for a flag lot are as follows:

a. A flag lot shall be comprised of a stem portion and a flag portion.

b. The stem portion must be contiguous to a dedicated public street.

c. All buildings can be placed on the flag portion only.

d. The front yard shall be considered one of the two (2) sides of the flag portion that adjoins the stem and all buildings must face the front yard.

e. A flag lot must comply with all requirements, standards and ordinances as determined by the underlying zone district in which it is located. This includes setbacks, building height, accessory buildings, minimum lot size, etc.

f. Minimum lot size calculations exclude the stem and only take the flag portion of the lot into consideration.

g. The stem shall be at least twenty eight feet (28') wide and no longer than one hundred fifty feet (150') long.

h. The stem shall service one lot only.

i. No more than two (2) flag lots shall be allowed in a subdivision.

j. For back to back flag lots, a reduction of each stem to twenty feet (20') wide is permitted where the stems abut one another.

k. The access drive shall be at least twenty feet (20') wide and no greater than a fifteen percent (15%) grade. The drive shall be paved with a hard surface, such as asphalt or concrete, and conform to all applicable fire code regulations, including access to fire hydrants, emergency access and turnarounds.

l. The access drive must have a minimum of four feet (4') wide landscaped yard along both sides.

m. All utilities and related services (including easements) shall be provided to the flag lot in accordance with the applicable regulations and ordinances adopted by the city. (Ord. 2016-07, 2-16-2016)

K. Circular Drive: On lots with available access only onto a major arterial, minor arterial or major collector street, a circular drive or some other type of vehicular maneuvering area shall be provided to enable vehicles to enter traffic moving forward rather than backing. The minimum depth of such lots shall be not less than one hundred ten feet (110'). (Ord. 2006-28, 4-19-2006)

#### **12-7-040: STREETS:**



A. Classification: All streets shall be designated and constructed with the appropriate street classification requirements specified herein:

**STREET CLASSIFICATION**

	<i>Major Arterial</i>	<i>Minor Arterial</i>	<i>Major Collector</i>	<i>Minor Collector</i>	<i>Important Local</i>	<i>Local</i>
ROW width	106 ft.	100 ft.	80 ft.	66 ft.	60 ft.	56 ft.
Width to back of curb	86 ft.	65 ft.	57 ft.	42 ft.	37 ft.	33 ft.

(Ord. 2014-07, 3-4-2014)

B. Study May Be Required: Where the potential impacts on the existing street systems are considered to be great, or in the case of unique circumstances concerning access, topography or street layout, a transportation planning/engineering study may be required.

C. Street Names: The following principles shall govern street names in a subdivision:

1. Assignment: Street names, wherever practical, shall be assigned numerical names. Alphabetic names may be considered for streets of a meandering or diagonal nature or for other streets as specifically approved by the city council.

2. Continuation Of Existing Street: Each street which is a continuation of, or an approximate continuation of, any existing dedicated street shall be given the name of such existing street. When any street forms a portion of a proposed street previously ordered by the city council to be surveyed, opened, widened or improved, the street shall be given the name established in said council order.

3. Duplication: The names of newly created streets of a noncontinuous or noncontiguous nature shall not duplicate or nearly duplicate the name of any streets in the city.

4. Name Designations: The words "Street", "Avenue", "Boulevard", "Place", "Way", "Court", or other designation of any street shall be spelled out in full on the plat and shall be subject to approval by the planning commission. Any street name incorporating one of the terms used above shall conform to the established definition of that term. Any named street shall also have the proper numerical coordinate as approved by the city building inspector.

D. Street Patterns: Street patterns in the subdivision shall be in conformity with a master street plan for the most advantageous development of adjoining areas and the entire neighborhood or district. In the event a master street plan does not exist, the subdivider shall prepare such a plan for review and approval by the planning commission and city council prior to consideration of a subdivision application. The following principles shall be observed:

1. Continuous; Alignment: Where appropriate to the design and terrain, proposed streets shall be continuous and in alignment with existing planned or platted streets with which they are to connect;

2. Extension To Boundary Lines: Proposed streets shall be extended to the boundary lines of the land to be subdivided, unless prevented by topography or other physical conditions, or unless, in the opinion of the planning commission, such extension is not desirable for the

coordination of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;

3. Dead End Streets: Dead end streets which exceed one lot depth in length shall have a forty foot (40') radius temporary turnaround area at the end. The turnaround shall have an all weather surface acceptable to the city. The following standards shall apply to dead end streets: (Ord. 1996-24, 6-19-1996)

a. Dead end streets shall serve as access for not more than twenty four (24) dwelling units and shall not exceed one thousand feet (1,000') in length. (Ord. 2006-63, 9-19-2006)

b. When a dead end street reaches its maximum length and/or maximum number of lots, it shall not be extended except to connect to another street which provides a second point of independent access.

c. Exceptions to the requirement for a second point of independent access may be granted by the city council, after receiving a recommendation from the planning commission, upon a finding that the topography or other physical conditions of the development site make it impossible to provide a second access which complies with street design standards established by the city and that an increased street length and/or density will not unreasonably impact the ability to provide emergency and other public services;

4. Nonconforming Dead End Streets: The provisions of this section shall not be construed to prevent construction on approved residential lots fronting on nonconforming streets exceeding one thousand feet (1,000') in length which existed prior to January 9, 1991. These streets include, but are not necessarily limited to, 1400 North Street, Summerwood Drive, Cherry Blossom Drive, Welling Way, and 1100 West Street (south of Shepard Lane). Extension of these nonconforming streets may be permitted, but shall be subject to the following standards and restrictions: (Ord. 1996-24, 6-19-1996)

a. Extension of a nonconforming street may be approved by the city council only after receiving recommendations from the planning commission, fire department, police department, public works department, and the city engineer. The fire department and/or police department may recommend additional conditions to facilitate public safety and emergency services; (Ord. 1996-24, 6-19-1996; amd. 2016 Code)

b. All streets shall be fully improved and shall be designed and constructed at locations shown on an approved street master plan;

c. A temporary turnaround, with a radius of forty feet (40'), shall be provided at the end of the street. The temporary turnaround shall have an all weather surface acceptable to the fire department; and (Ord. 1996-24, 6-19-1996)

d. Until such time as nonconforming streets can be connected to a second access, lots on such streets shall not be approved which are less than two (2) acres in size, unless the city council in consideration of all circumstances shall differently approve by resolution; (Ord. 1996-24, 6-19-1996; amd. 2016 Code)

5. Cul-De-Sac Standards: The following standards shall govern the development of cul-de-sacs:

a. Cul-de-sacs shall serve as access for not more than twenty four (24) dwelling units, shall not exceed one thousand feet (1,000') in length, and shall have a fully improved turnaround at the end with a minimum radius of forty two feet (42') to back of curb and fifty feet (50') to the right of way line. Exceptions to the maximum length or maximum number of lot



standards may be granted by the city council, after receiving a recommendation from the planning commission, upon a finding that the topography or other physical conditions of the development site make it impossible to develop the property any other way and that an increased street length and/or density will not unreasonably impact the ability to provide emergency and other public services; (Ord. 2006-63, 9-19-2006)

b. Transverse grades within the turnaround of a cul-de-sac shall not exceed five percent (5%);

c. If surface water drains into the cul-de-sac due to the grade of the street, necessary catch basins and drainage easements shall be provided;

d. Driveways, mailboxes, fire hydrants or any other obstruction at the terminal of a cul-de-sac shall be designed in such a way as to provide an area for the piling of snow;

6. Intersect At Right Angles: Proposed streets shall intersect one another as nearly at right angles as topography and other limiting factors of good design permit. "T" intersections rather than "cross" intersections shall be used wherever possible for minor streets; (Ord. 1996-24, 6-19-1996)

7. Alleys: Alleys shall not be permitted in residential subdivisions except when approved for access to lots abutting an arterial. Alleys in nonresidential subdivisions may be permitted;

8. Grade: The maximum grade for any street in the city shall be ten percent (10%). Where unusual and unique topographic or environmental conditions exist on a proposed development site, exceptions may be specifically approved by the city council to permit streets with grades up to, but not exceeding, twelve percent (12%) for collector streets and fourteen percent (14%) for local streets. Such exceptions may be granted only after careful review of each individual application and after receiving a recommendation from the planning commission. The maximum length of a street segment at grades steeper than ten percent (10%) shall also be determined, and specifically approved, by the city council. (Ord. 1996-24, 6-19-1996; amd. Ord. 2015-16, 5-26-2015; Ord. 2015-16A, 5-26-2015)

E. Adjacent To Major Streets, Freeways: Subdivisions adjacent to major streets and freeways shall be designed as specified in the major street plan and as determined by the planning commission. The following principles and standards shall be observed:

1. Design: Street design shall have the purpose of making adjacent lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic and of minimizing the interference with traffic on major streets. The number of intersecting streets along major streets shall be held to a minimum;

2. Sidewalks: Sidewalks along major streets shall be not less than five feet (5') in width;

3. Double Frontage Lot Bordering Major Street: When the rear line of a double frontage lot borders a major street, the subdivider may be required to execute and deliver to the city an instrument, deemed sufficient by the city attorney, prohibiting the right of ingress and egress from the street to the lot. The subdivider shall also be required to install such paving as necessary to construct the street or to bring it up to standard width and shall install curb, gutter and sidewalk, along the street. However, the city may for good cause waive the foregoing requirements. (Ord. 1996-24, 6-19-1996)

**12-7-050: PROTECTION STRIPS:**

Protection strips shall not be permitted under any circumstances. (Ord. 1996-24, 6-19-1996)

#### **12-7-060: DEDICATION AND RESERVATION:**

A. Fee For Park Land: In order to satisfy increased recreation facility needs created by new development, a fee shall be paid for the acquisition and development of park land. The fee shall be listed in the consolidated fee schedule and may be amended from time to time. The fee shall be deposited in a designated account with monies expended only for planned park and recreation facilities which will be of some demonstrable benefit to the subdivision for which fees have been assessed. The fee shall be paid prior to recordation of a subdivision plat.

B. Dedication In Lieu Of Fee: The planning commission may, at its discretion, require the dedication of land for park and recreation purposes in lieu of some or all of the fee. In subdivisions containing less than forty (40) lots the subdivider may be required to dedicate up to one twenty-fifth ( $\frac{1}{25}$ ) of the total area of all lots for parks and recreation purposes in lieu of a fee. For subdivisions containing more than forty (40) lots, additional dedication may be required at the same ratio as for less than forty (40) lots. The subdivider shall be notified, prior to preliminary plat approval, if dedication of land is to be required in lieu of some or all of the fee.

C. Requirement Of Excess Land: When land in the subdivision in excess of that required by subsection B of this section is determined to be needed in order to meet the recreation needs of the city, the subdivider shall not be required to hold such excess land for more than one year without payment being made on the basis of land and improvement costs.

D. Suitable Land: All land to be dedicated for park or recreational purposes shall be found to be suitable by the planning commission, the planning department, public works department and recreation department as to location, parcel size and topography for the park and recreation purposes for which it is indicated in the master plan or any planned community plan. Such purposes may include active recreation facilities, such as playgrounds, play fields, pedestrian or bicycle paths, areas of particular natural beauty and wooded areas to be developed or left in their natural state.

E. Preservation Conditions: When park or recreational facilities are reserved, the developer shall establish conditions as to ownership, maintenance and use of such areas as deemed necessary by the planning commission to assure preservation of the intended use.

F. Commercial, Industrial Subdivisions: The provisions of this section shall not normally apply to commercial or industrial subdivisions; however, the planning commission may recommend as a condition of approval, that a commercial or industrial subdivider dedicate to the city that portion of a streambed or drainage channel falling within an industrial subdivision when such portion forms part of an open space network designated in the master plan or a planned community plan.

G. Applicability To Conditional Use Subdivisions: In addition to subdivisions, the provisions of this section requiring the payment of a fee, or dedication in lieu of a fee, shall apply to all residential developments which require conditional use approval. Such developments shall include, but not be limited to, condominiums, planned unit developments and dwelling groups. However, open space normally provided in these types of developments may apply toward the required fee or dedication of land up to a maximum of fifty percent (50%) of the required fee. The percentage of credit shall be determined by the planning commission prior to final approval of a development plan. The fee shall be paid prior to issuance of a building permit for the first dwelling unit in the development.

H. Hearing For Modification: If the subdivider or developer feels that the impact of the proposed subdivision or other residential development is substantially different than that presumed by this section, the subdivider or developer may apply for a hearing before the city



council to request a modification of the fee, or in lieu of dedication requirement of this section. The request for the hearing shall be made prior to the final approval by the planning commission of the subdivision or conditional use approval of the residential development. The planning commission may recommend the modification only if the subdivider or developer proves that what is required under this section bears no reasonable relationship to the need for parks and recreation facilities created by the subdivision or development. If the planning commission recommends such a modification, the request shall be submitted to the city council for final determination. If the planning commission finds that no modification is warranted, that finding may be appealed as provided in the appeal provisions provided in chapter 1 of this title. (Ord. 1996-24, 6-19-1996)

**12-7-070: LANDSCAPING:**

A. Special Treatment: Whenever, in the opinion of the planning commission, the cuts and fills in a hillside subdivision are of sufficient size or visibility to demand special treatment, the subdivider shall be required to landscape such areas with suitable permanent plant materials and to provide for their maintenance.

B. Preservation: The subdivision shall be so designed as to either preserve, or provide for, the greatest amount of on site vegetation.

C. Foothill Overlay: Subdivisions in the foothill overlay zones shall comply with all provisions of the city foothill development ordinance. (Ord. 1996-24, 6-19-1996)

**12-7-080: UTILITIES AND EASEMENTS:**

A. Underground Utilities: All utilities shall be provided through underground service, except where existing utilities are already in place.

B. Easements: Utility easements shall be provided within the subdivision as required for public utility purposes. All lots shall have a front yard easement of ten feet (10'). Additional easements, or increased width of easements, may be required as necessary to provide for adequate utility service and/or drainage within the subdivision and to or from adjoining parcels. (Ord. 2010-20, 5-18-2010)

**12-7-090: WATERCOURSES:**

The subdivider shall dedicate a right of way for storm drainage conforming substantially with the lines of any natural watercourse or channel, stream, creek, irrigation ditch or floodplain that enters or traverses the subdivision, as determined by Davis County flood control and/or the city engineer. The subdivider shall also dedicate acceptable rights of way for any pipe, conduit, channel, and retention or detention area as approved by the city engineer for flood control. (Ord. 1996-24, 6-19-1996)

**12-7-100: WARRANTY PERIOD:**

The warranty period shall commence upon the date that all improvements required by the city to be installed within the subdivision have been completed to the satisfaction of the city and a final inspection thereof has been made approving the same. The warranty period shall commence at that date and shall continue for a period of one year thereafter. If any deficiencies are found by the city during the warranty period in materials or workmanship, the subdivider shall promptly resolve such defects or deficiencies and request the city engineer to reinspect the improvements. At the end of the two (2) year warranty period, the subdivider shall request the city engineer to make a final warranty period inspection of all improvements. If the city engineer verifies that the improvements are acceptable, the city engineer shall notify the city manager, who shall refer the matter to the city council. The city council shall then review the matter and

upon approval of the same shall release the balance of the security posted by the subdivider under the bond agreement. (Ord. 2012-23, 6-5-2012)

**12-7-110: Preliminary Plat Application Requirements:**

The following shall be submitted with an application for ~~for review and consideration of a preliminary plat~~ in order to constitute a complete application, unless waived in writing by the city engineer:

**Format and General Items**

- (1) ~~All engineering and/or surveying documents shall be stamped by engineer or land surveyor in accordance with the procedures of the Utah State Board for Professional Registration.~~
- (2) ~~The words "Preliminary Plat - Not To Be Recorded" shall be shown on the plat. (Ord. 1996-24, 6-19-1996)~~
- (3) ~~A title block showing:
  - (a) ~~Name of the subdivision.~~
  - (b) ~~Type of development (residential, commercial, PUD, PRD, etc.).~~
  - (c) ~~Name and address of owner of record, developer and designer.~~
  - (d) ~~Name and address of engineer or land surveyor.~~
  - (e) ~~Date of preparation.~~
  - (f) ~~Tabulation of acres, lots, open space and units per acre.~~~~
- (4) ~~Graphic and written scale at no more than one (1) inch equals one hundred (100) feet or as recommended by City Engineer.~~
- (5) ~~North arrow.~~
- (6) ~~Township and Range, section lines, and other monuments.~~
- (7) ~~Vicinity map at a scale of one (1) inch equals one thousand (1,000) feet.~~
- (8) ~~Topographic contour intervals of no greater than two (2) feet, unless otherwise specified by City Engineer.~~
- (9) ~~Surveyed boundary of the subdivision.~~
- (10) ~~Location and names of adjacent properties/property owners and platted subdivisions.~~
- (11) ~~Location of zoning boundary lines within and adjacent to the proposed subdivision.~~
- (12) ~~Location, height and type of existing fence lines within and contiguous to the subdivision.~~
- (13) ~~Location, use, and dimensions of all existing buildings within the proposed subdivision. Indicate which buildings are to remain and which are to be removed.~~
- (14) ~~Location of all proposed lots including:
  - (a) ~~Lot dimensions.~~
  - (b) ~~Lot frontage.~~
  - (c) ~~Lot area (square feet).~~
  - (d) ~~Building setback lines (building envelopes).~~~~
- (15) ~~Lots consecutively numbered or lettered in alphabetical order.~~
- (16) ~~Location of existing features within and contiguous to the proposed subdivision including:
  - (a) ~~Existing public utility, drainage, and sewerage easements.~~
  - (b) ~~Existing dedications.~~
  - (c) ~~Deed restrictions~~
  - (d) ~~Existing utilities including power lines/poles (must identify ownership of lines), telephone, cable, gas, fiber optic, etc. Indicate whether they are to remain or be re-located. If they are to be relocated, show the proposed new location.~~
  - (e) ~~Irrigation ditches.~~
  - (f) ~~Drain pipes, drainage channels, and culverts.~~
  - (g) ~~Railroads.~~
  - (h) ~~Bridges.~~
  - (i) ~~Water bodies, springs or water sources within twenty-five hundred (2,500) feet.~~
  - (j) ~~Wells (show and label whether the well is to remain or be abandoned - if the well is to be abandoned, add a note on the plans stating "existing well to be abandoned and capped by~~~~



a certified well driller and documentation provided to Farmington City”).

(k) Equestrian, pedestrian and bicycle trails.

- (17) Location and dimensions of any common space or open space areas including property to be set aside for parks, playgrounds, trails, or other public or private uses, with a designation of the purpose of those areas, and conditions, if any, of the dedication or reservation.
- (18) Location and extent of all cuts and fills exceeding (3) three feet anywhere on the project site and any associated retaining walls.

#### **Roads**

- (19) The location and width of all existing and proposed roads, rights-of-way, alleys, and other public ways (all main roads must comply with the Farmington City Master Transportation Plan).
- (20) Cross sections of all existing and proposed roads (include road dimensions and location of utilities within the road.)
- (21) Proposed names of all new roads.
- (22) Location of all existing and proposed curb, gutter and sidewalk within the subdivision including:  
(a) An indication of the grades, TBC elevations.  
(b) Flow arrows showing direction of storm water surface flows.
- (23) Location of any necessary temporary turnaround easements for emergency access on dead end roads.
- (24) Provide a circulation plan that includes information on cul-de-sac lengths, block lengths, and connectivity.
- (25) Provide road centerline elevations.
- (26) Not more than 24 units off of a single point of access and provision for future access to adjacent vacant parcels. Dead end streets shall not exceed one thousand (1,000) feet in length.
- (27) Street intersection offsets of not less than 150 feet.
- (28) Do not exceed 12% slope.
- (29) Minimum TBC slope of 0.50%.
- (30) Minimum cul-de-sac slope of 0.60%.
- (31) Cul-de-sac radius point to the property line shall measure 53.5 feet.
- (32) If adjacent to a state road specify UDOT access size and location (UDOT approval will be required at final plat).

#### **Water**

- (33) Location, type and size of existing and proposed culinary water lines (including existing lines adjacent to and/or affected by the proposed subdivision).
- (34) Water lines typically located on the north/east sides of the road.
- (35) Water lines and laterals separated 10 feet from sewer.
- (36) Water lines buried no deeper than 4 feet to top of pipe.
- (37) Show in plan and profile views. Depict any and all utility crossings.
- (38) Water lines to have a minimum vertical, edge of pipe to edge of pipe, spacing of 18 inches for all sewer and water crossings.
- (39) A note stating that all fire hydrants are to be Clow.
- (40) A note that valves are to be Mueller or Clow.
- (41) Show water meters in the park strip.
- (42) Show sizes for all water meters.
- (43) A note stating that all water meters in driveways shall be installed with a 30 inch meter box with a traffic rated lid.
- (44) Valves are placed to isolate a maximum of 15 residential lots.
- (45) Culinary water is located on the opposite side of the street from secondary water.
- (46) Fire hydrants are spaced within 300 feet of each other.
- (47) Fire hydrants are to be placed at intersections and dead end streets.
- (48) Fire hydrants are typically located on property lines on the same side of the road as the culinary water mains.

#### **Secondary Water/Irrigation Systems**

- (49) Must have a secondary water connection.
- (50) Location, type and size of existing and proposed irrigation water lines (including existing lines adjacent to

and/or affected by the proposed subdivision).

- (51) Located on the opposite side of the street from culinary water.
- (52) Show in plan and profile views. Depict any and all utility crossings.
- (53) Must be reviewed and approved by the jurisdictional authority.
- (54) Secondary water meters shown in the park strip.

#### **Irrigation Ditches**

- (55) A written statement from the appropriate agency (such as irrigation companies, private land owners, etc.) regarding the effect of the proposed subdivision on any irrigation channels or ditches and any piping or other mitigation required.
- (56) The location, size and grade of any required piping for irrigation ditches as per the irrigation company requirements.

#### **Sewer**

- (57) Sewer lines typically located on the south/west sides of the road.
- (58) Location, type, rim elevation, slope and size of existing and proposed sewer lines (including existing lines adjacent to and/or affected by the proposed subdivision).
- (59) Easements for any necessary offsite water or sewer easements across privately owned land.
- (60) Sewer separated 6 feet from all other utilities except culinary water where 10 feet is required. Including all laterals.
- (61) Sewer deeper than 12 feet shall be PVC pipe Schedule 80 with solvent weld joints.
- (62) Manholes with 3 or more pipes shall be 60 inch diameter.
- (63) No acute angles allowed in relationship to changes in flow direction in manholes.
- (64) Laterals designed to connect into the upper quadrant of the sewer main.
- (65) Maximum spacing of manholes is 400 feet.
- (66) Show in plan and profile views. Depict any and all utility crossings.
- (67) Sewer lines to have a minimum vertical, edge of pipe to edge of pipe, spacing of 18 inches for all sewer and water crossings.
- (68) Sewer cleanouts are required on laterals that are 100 feet or longer, and at bends.

#### **Drainage**

- (69) Drainage system calculations and an explanatory narrative stamped and signed by a licensed engineer.
  - (a) Provide a drainage study showing calculations for the 25- and 100-year flood events.
  - (b) Size detention basins for the 100-year flood event.
  - (c) Basins must retain the 80<sup>th</sup> percentile storm.
  - (d) Design storm drain lines using the 25-year flood event.
  - (e) Show capacity and designed flow for all existing culverts, drainage swells, storm drain lines and back yard drains.
  - (f) Show high water elevation lines for basins, streams, waterways, 100-year flood inundation zone, or any area subject to flooding.
- (70) Existing and proposed storm drainage improvements including:
  - (a) Major drainage facilities, outfalls, and discharge.
  - (b) Drainage pipe locations, sizes, type, rim elevations, invert elevations, slopes, and depths.
- (71) Location of detention/retention basins with an indication that the basin(s) will include the following:
  - (a) Minimum 1-foot freeboard.
  - (b) 3:1 slopes or flatter.
  - (c) Grass covering with underground sprinkler system or xeriscaping.
  - (d) Designation of the purpose and conditions, if any, of the dedication or reservation.
  - (e) Information on who will be owning and maintaining the detention basins.
- (72) A written statement from the appropriate agency accepting responsibility for all surface and subsurface drainage, which is directed into channels owned, by the agency (such as irrigation companies, private land owners, etc.).
- (73) Easements for any necessary offsite and onsite drainage easements across privately owned land.
- (74) Drainage Report section describing how Low Impact Development (LID) is being incorporated into the site and how storm water quality will be improved.
- (75) Flood control and stream alteration permits



(76) Show storm drain system in plan and profile views. Depict any and all utility crossings.

(77) Provide a lot grading and drainage plan depicting individual lot grading with arrows.

**Sensitive Lands**

(78) Identification of natural features or sensitive lands including, but not limited to:

(a) Wetlands.

(b) Floodplains, floodways and areas that would be covered in water in a 100-year storm event.

(c) Areas where ground water rises periodically to within two (2) feet of the surface of the ground.

(d) Slopes exceeding thirty (30) percent marked non-buildable.

(e) Vegetation areas (including ~~name~~ species and size of all existing trees and shrubs which could be incorporated into the subdivision).

(f) Threatened or endangered species habitat areas.

(79) A letter from the Army Corp of Engineers regarding any wetland areas within boundaries of the proposed plat.

**Buffering**

(80) The proposed treatment of the perimeter of the development, including materials and techniques used, such as:

(a) Fences;

(b) Berms;

(c) Walls.

(81) Provide a note on the preliminary plat which states that the following items will be reviewed at the time of Final Plat review ~~(because these items will be reviewed with the final plat, please do not show them on the Preliminary Plat):~~

(a) All pipe types, specific locations & details (bends, detector tape etc.).

(b) Valves.

(c) Blowoffs including size type & protection.

(d) Manholes, boxes and related details.

(e) Water & sewer service details.

(f) Fire hydrant details.

(g) Street lights/street signs/traffic signs.

(h) Power line extensions & dome/transformer locations.

(i) Lot addresses

(j) Subdivision monumentation and lot corner markers.

**Other Required documents**

(82) Landscaping plan for all park, open space, and common ownership areas including:

(a) Location, name and size of all proposed trees, shrubs, and plants.

(b) Indication of proposed seed mix for grass areas (previously accepted seed mixes have included: 18% "Bluestar" Kentucky Bluegrass, 19% "Marquis" Kentucky Bluegrass, 17% "Newport" Kentucky Bluegrass, 17% "Touchdown" Kentucky Bluegrass, 16% "APM" Perennial Ryegrass, 13% "Accent" Perennial Ryegrass).

(c) Indication of proposed irrigation facilities (underground sprinkler system).

(d) Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at points 35 feet in each direction from the intersection) and an indication that no landscaping or other obstruction in excess of 3 feet above finished grade shall be allowed in the clear view area.

(83) A development phasing schedule (if applicable) including the sequence for each phase; approximate size in area of each phase; and, proposed phasing of construction of public improvements, recreation and common open space areas.

A signed statement acknowledging the following:

(a) Applicant and ~~for~~ Applicant's engineer/surveyor has a copy of the latest Farmington City Design Standards and Public Improvements Specifications Manual; and

- (b) \_\_\_\_\_ Applicant and/or Applicant's engineer/surveyor has reviewed Farmington City's existing and master plan utility maps (available for review at the Planning Department Office).

#### **12-6-040: SOIL REPORT:**

A. Form: A soil report, based upon adequate test borings and excavations, prepared by a civil engineer specializing in soil mechanics and registered by the state of Utah, shall be required prior to preliminary approval of any subdivision plat. The soil report shall include, among other things, a description of the soil types and characteristics on the site, describe whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered, recommendations for road designs, slope stability studies, percolation rates, and shall identify the location of any seismic zones or flood zones on the property.

B. Investigation: If the soil report indicates the presence of critically expansive soils, high water table, the presence of toxic or hazardous waste, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the buildings from the water, premature deterioration of the public improvements, or which would represent a public health hazard, a soil investigation of each lot in the subdivision may be required by the city engineer. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements. The fact that a soil report has been prepared shall be noted on the final plat and a copy attached to the preliminary plat application. (Ord. 1996-24, 6-19-1996)

#### **12-5-120: Final Plat Application Requirements:**

The following items shall be submitted for review and consideration of the Final Plat, unless waived in writing by the city engineer:

##### **Format and General Items**

- (84) \_\_\_\_\_ A title block which contains the following:
- (a) \_\_\_\_\_ Name of the subdivision.
  - (b) \_\_\_\_\_ Type of development (residential, commercial, PUD, PRD, etc.).
  - (c) \_\_\_\_\_ Surveyor's certificate that has been signed and dated, showing the name and registration number of the surveyor responsible for making the survey.
  - (d) \_\_\_\_\_ A legal description of the subdivision boundaries that include the quarter-quarter section, section, township, range, principal median and the County of its location.
  - (e) \_\_\_\_\_ The owner's dedication that includes the dedication of all public ways or spaces. The owner's dedication shall be signed by every person having a security interest in the subdivision property, dated, and notarized and should include a reference to any covenants that may be declared and blanks where the County Recorder may enter the book and page number of their recording.
  - (f) \_\_\_\_\_ Signature blocks prepared for the dated signatures for the following:
    - (i) \_\_\_\_\_ City Council;
    - (ii) \_\_\_\_\_ City Recorder;
    - (iii) \_\_\_\_\_ City Engineer;
    - (iv) \_\_\_\_\_ City Attorney;
    - (v) \_\_\_\_\_ Planning Commission;
    - (vi) \_\_\_\_\_ respective irrigation water district;
    - (vii) \_\_\_\_\_ Central Davis Sewer District;
    - (viii) \_\_\_\_\_ affected gas pipeline company (if applicable) (Ord. 2015-16, 5-26-2015).



- (85) Graphic and written scale at no more than one (1) inch equals one hundred (100) feet or as recommended by City Engineer.
- (86) The basis of bearings used and a north point.
- (87) Township and Range, section lines, and other monuments.
- (88) Vicinity map on the first sheet locating the subdivision showing prominent landmarks.
- (89) The exterior boundaries of the platted areas giving lengths and bearings of the boundary lines. All subdivisions must have proper closure.
- (90) If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a 100-year flood.
- (91) Location of existing easements or right-of-way, including those contiguous to the platted area, their nature, width, and the book and page number of their recording in the County's records.
- (92) Location of proposed easements including any required easements for water, sewer, drainage or irrigation, temporary turnaround easements and a ten (10) foot public utility easement shown on the front of each lot and any side or rear of a lot adjacent to a road right of way.
- (93) All lots, blocks, rights-of-way and easements (including open space) created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose. For curved boundaries the curve radius, central angle, and length of arc shall be given.
- (94) Indication of lot areas (square feet).
- (95) Lots consecutively numbered or lettered in alphabetical order.
- (96) Proposed addresses shown on each lot (corner lots should include two addresses) as obtained from Farmington City Planning Departement.
- (97) All proposed new streets named or numbered in accordance with the street naming and numbering system of the City.
- (98) Location and names of adjacent properties/property owners and platted subdivisions.
- (99) Location of zoning boundary lines within and adjacent to the proposed subdivision.
- (100) Location of all existing homes or buildings within the proposed subdivision that are to remain.
- (101) All existing monuments found during the course of the survey (including a physical description such as "brass cap").
- (102) All monuments erected, corners, and other points established in the field. The monuments shall be made of brass and the legend shall indicate the diameter, length, and weight of the monuments All exterior boundary angle points of the subdivision and lot corners shall be marked in accordance with the Farmington City Design Standards and Public Improvements Specifications including brass pins in the BOC for all front property lines.
- (103) A detail diagram showing typical setbacks for a corner and interior lot and a typical 35' clear view area (sight triangle) on the corner lot.
- Required Notes on the Final Plat**
- (104) A notation of the distance (shown as a dimension and note on the plat) from the centerline of each existing road right-of-way (centerline of existing asphalt) to the new property line of the subdivision.
- (105) A summary of total project acreage, total acreage in lots, total number of units, total acreage of open space or other dedicated parcels, and total acreage in roads and lane miles of road.
- (106) A notation of any limited access restrictions on the lots that are affected.
- (107) If a detention pond is required, note the capacity of the pond on the final plat.
- (108) If there is no detention pond on the plat, provide a note explaining how detention is handled.
- (109) If surface drainage is to be directed onto a privately owned area for detention or retention as part of the storm drainage system, show an easement around the detention/retention area on the final plat with the following note on the easement area: "Permanent detention/retention (whichever is applicable) facility to be owned and maintained by the owners of this property not to be altered without approval by Farmington City Council and City Engineer".
- (110) If the proposed subdivision is adjacent to or in close proximity to an existing agricultural area or activity, the following note regarding the Right to Farm must be added to the Final Plat: "This area is subject to the normal everyday sounds, odors, sights, equipment, facilities, and all other aspects associated with an agricultural lifestyle. Future residents should also recognize the risks inherent with livestock."

- (111) If a temporary turnaround is required, add the following note on the final plat with reference to the turnaround: "temporary asphalt turnaround with appropriate road base, and no above ground utilities allowed in the turnaround area. A letter will be provided to the Building Division prior to issuance of a building permit for the affected lot stating that the homeowner/lot buyer is aware of the temporary turnaround on their property and that it is to remain unaltered and no parking allowed until the City approves removal of the turnaround."
- (112) For PRD and PUD subdivisions, note any exceptions to minimum home size requirements, setbacks, and note that all homes are required to meet the architectural requirements contained in the Development Code including product mix on home elevations.
- (113) For subdivisions with trails, a note stating that the trail location(s) must be staked and reviewed by the Parks and Planning Divisions prior to installation.
- (114) For subdivisions with common area where an HOA is involved, add the following note in the owner's dedication area of the title block: "Pursuant to Utah Code 10-9a-604 (D), the owner(s) hereby convey all common areas shown on this plat as indicated hereon to the (insert name of HOA and their mailing address)."
- (115) A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the city for the proposed subdivision.
- (116) A note stating that only 1 culinary water meter or 1 secondary water meter shall be allowed in a driveway.
- (117) All culinary water meters located in driveways shall have a 30 inch meter box with a traffic rated lid.
- (118) Wells (show and label whether the well is to remain or be abandoned - if the well is to be abandoned, add a note on the plans stating "existing well to be abandoned and capped by a certified well driller and documentation provided to Farmington City").

#### **Construction Drawings**

- (119) Final construction/plan & profile drawings of all required public improvements consistent with Farmington City Design Standards and Public Improvement Specifications. An engineer or land surveyor must stamp all construction drawings in accordance with the procedures of the Utah State Board for Professional Registration. Construction drawings shall include:
- (a) Each sheet shall contain a signature box for the city engineer.
  - (b) An overall public improvement plan or index sheet that includes a summary of all improvement and utility information (this sheet is used by City Staff to prepare the bond for public improvements).
  - (c) Location, pipe type (pipe type may be noted in a utility legend), and size of existing and proposed culinary and pressurized irrigation lines and associated fire hydrants, valves, and blowoffs (note where bends are required on water lines).
  - (d) Location, depth, pipe type (pipe type may be noted in a utility legend), and slope of all drainage, and sewer lines, including the location and proper spacing of all boxes, manholes and other improvements.
  - (e) A note stating that all mechanical joints require a mega lug or other approved equal joint restraint.
  - (f) Location of water and sewer service laterals for each lot including the location of the laterals in relation to each other (water laterals must be located at the center of the lot and sewer laterals 10 feet downstream from the water laterals).
  - (g) On each corner lot, add a label stating "front" to indicate which street frontage is considered the front of the lot (the front of the lot must be consistent with the location of the water and sewer service laterals).
  - (h) Details of detention basin(s) including:
    - (i) Piping and orifices.
    - (ii) A note stating that the bottom of the basin will be sloped towards the outlet.
    - (iii) Cross section of detention pond.
    - (iv) 100 year water level.
    - (v) Capacity of detention pond in cubic feet.
    - (vi) Minimum 1 foot freeboard.



- (vii) 3:1 slopes or flatter.
  - (viii) Grass covering and underground sprinkler system or approved xeriscaping.
  - (i) If the placement of irrigation system improvements is required, show all irrigation improvements including piping, head gates, boxes, grates etc. (in conformance with letter issued by the irrigation company) and provide a signature block for the irrigation company on all applicable construction drawing sheets.
  - (j) Cross sections of all roads including pavement design, base and sub base amounts and location of utilities within the street right of way (please note that base and sub base should be shown and labeled extending 1 foot beyond the back of curb).
  - (k) All roads must have a minimum standard of 3 inches of asphalt with 12 inches or road base, unless the soils report requires a higher level of strength ratio. A note stating all concrete shall have fiber.
  - (l) Sidewalk shall be installed along the entire frontage of the property. The developer must provide sidewalk access to adjacent amenities when required by the City Engineer. This may require the installation of sidewalk off site.
  - (m) Location of proposed underground power, domes and transformers.
  - (n) Location of existing power infrastructure and ownership.
  - (o) Location, type, and height of existing fencing and new fencing, berming or other buffering to be installed as part of the development.
  - (p) Street signs and traffic control signs.
  - (q) Show existing and proposed streetlights. Proposed streetlights are to be shown in the park strip. Street lights shall be installed at intersections and spaced at 350 feet. Streetlights are to be installed per city standards.
  - (r) Location of USPS gang box/mailbox locations (applicant must meet with a Post Office representative to determine locations).
  - (s) All other specifications, details, and references required by the Design Standards and Public Improvements Specifications and Standard Drawings.
- (120) Construction drawings are to include the following notes:
- (a) A note stating the developer will install all streetlights unless otherwise directed by the City Engineer.
  - (b) A note stating that all construction is to be done as per the latest edition of the Farmington City Design Standards and Public Improvements Specifications.
  - (c) \_\_\_\_\_
  - (d) A note stating that all fire hydrants are to be Clow.
  - (e) A note that valves are to be Mueller or Clow.
  - (f) A note stating that all water meters in driveways shall be installed with a 30 inch meter box with a traffic rated lid.
- (121) Landscaping plan for all park, open space, and common ownership areas including:
- (a) A table indicating the percent of the site to be landscaped.
  - (b) Planting areas with a list of the name, number and size of plants designated for each area.
  - (c) Location, name and size of all existing and proposed trees and shrubs.
  - (d) Location and sizes of proposed irrigation facilities adequate to maintain the planting areas.
  - (e) Location of the clear view area at all street intersections (a triangular area formed by a line connecting the property lines at points 30 feet in each direction from the intersection of the two street property lines) and an indication that no landscaping or other obstruction in excess of 3 feet above top back of curb shall be allowed in the clear view area unless otherwise approved by the City Transportation Engineer. Trees must be planted outside of the sight triangle with branches trimmed to 10 feet above the top back of curb.
- Other Required Items**
- (122) Long Term Stormwater Maintenance Plan and Agreement for all privately owned stormwater infrastructure.
- (123) Letters from the Utah Department of Environmental Quality regarding any proposed exceptions to

requirements of R309-500 through 550

**Required Items Prior to Recording of Plat**

- (124) . Bonded for the project. Bond amounts are provided by Farmington City Engineering.
- (125) A final copy of any restrictive covenants (CC&Rs), reservations, or private easements.
- (126) Evidence that all property taxes are current and that roll back taxes have been paid, and that no other debts or obligations are outstanding and no liens or encumbrances are placed on the property.
- (127) If the property has been in greenbelt, verification from the title company that all roll-back taxes have been paid.
- (128) A preliminary title report covering all the property located within the subdivision. The report shall be prepared or updated within thirty (30) days of the date of recording of the Final Plat.
- (129) Warranty deed/title insurance on property dedicated to the City (open space, detention, City park property, City trails, some road dedication). Title insurance policies on each.
- (130) Prepared easements for any necessary offsite water, sewer, or drainage easements across privately owned land, or for temporary turnarounds. Farmington City requires a minimum of 20 feet on through property easements
- (131) A copy of any necessary deeds or boundary line agreements necessary for recording of the Final Plat.
- (132) Any required UDOT approvals for access, etc.
- (133)
- (134) An electronic (computer disc or email) copy of the proposed Final Plat and Construction Drawings in a format acceptable to the City Engineer (PDF, DGN or DXF).
- (135) During the DRC review process, the proposed property lines along existing streets must be staked for review by staff.
- (136) Prior to the pre-construction meeting, the developer will provide 6 copies of the approved set of drawings, obtained a SWPPP, bonded for the project and or obtained an excavation permit. When changes need to be made to a check set, revise the affected sheets only. All these must be completed prior to the preconstruction meeting being scheduled.

—A.— Requirements: The final plat shall consist of a sheet of approved mylar to the outside or trim line dimensions of nineteen inches by thirty inches (19" x 30"), and the border line of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inch (1½") on the left margin of the sheet for binding, and not less than a one-half inch (½") margin in from the outside or trim line around the other three (3) edges of the sheet. The plat shall be so drawn that the top of the sheet either faces north or east, whichever accommodates the drawing best. All lines, dimensions and markings shall be made on the mylar with approved waterproof black drawing ink. (Ord. 2010-20, 5-18-2010)

—B.— Scale: The final plat shall be drawn at a scale of not less than one inch equaling one hundred feet (1" = 100'), and the workmanship on the finished drawing shall be neat, clear and readable.

—C.— Signatures; Small Scale Vicinity Map: The plat shall be signed by all required and authorized parties and the final drawings shall contain all information set forth in this section. The location of the subdivision within the city shall be shown by a small scale vicinity map on the first sheet. (Ord. 1996-24, 6-19-1996)

—D.— Name, Unit Number: The title of each sheet of the final plat shall consist of the approved name and unit number of the subdivision in bold letters, and if applicable, the words "a Planned Unit Development (PUD)" or "a Conservation Subdivision", followed by the words "Farmington City" at the top of the sheet. (Ord. 2011-10, 5-17-2011)

—E.— Coordinates: Wherever the city engineer has established a system of coordinates, the survey shall use such system. The adjoining corners of all adjoining subdivisions shall be



identified by lot and block numbers, subdivision name and place of record, or other proper designation.

—F.— **Boundary Survey:** An accurate and complete boundary survey to second order accuracy shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground, shall close within a tolerance of one foot (1') to twenty thousand feet (20,000') of perimeter.

—G.— **Monuments, Lines:** The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of the beginning and ending points of curves.

—H.— **Dedications, Lots:** All lots, blocks and parcels offered for dedication for any purpose shall be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. Parcels offered for dedication other than for streets or easements shall be designated by letter. Sufficient linear, angular and curve data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. Sheets shall be so arranged that no lot is split between two (2) or more sheets, and wherever practicable, blocks in their entirety shall be shown on one sheet. No ditto marks shall be used for lot dimensions. Lot numbers shall begin with numeral "1" and continue consecutively throughout the subdivision with no omissions or duplications. When a subdivision is developed in phases, the phase number shall precede each lot number. For example, phase 2 would be numbered 201, 202, 203, etc.

—I.— **Right Of Way Lines:** The plat shall show the right of way lines of each street, and the width of any portion being dedicated, and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dotted lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such street to such existing streets shall be accurately shown.

—J.— **Street Names, Numbers:** All streets within the subdivision shall be assigned a name. Numerical names are preferred. Streets which have an alphabetic name shall also be assigned a coordinate reference number which conforms to the numbering system adopted by the city. All numbering shall be accomplished by the city building official.

—K.— **Easements:** The side lines of all easements shall be shown by fine dashed lines. The widths of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.

—L.— **High Water Lines:** If the subdivision is adjacent to a waterway or any other area which is subject to flooding, the plat shall show the line of high water with a continuous line and shall also show with a fine continuous line, any lots subject to inundation by a 100-year flood.

—M.— **Boundary Identification:** The plat shall show fully and clearly stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements, shall be replaced by the subdivider under the direction of the city engineer. The following required monuments shall be shown on the final plat:

~~—1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties;~~

~~—2. All right of way monuments at angle points and intersections as approved by the city engineer. (Ord. 1996-24, 6-19-1996)~~

~~—N. Identification; Certificates: The title sheet of the map shall show the name of the engineer or surveyor, the scale of the map and the number of sheets. The following certificates, acknowledgments and description shall appear on the title sheet of the final maps, and such certificates may be combined where appropriate: (Ord. 2010-20, 5-18-2010)~~

~~—1. Registered land surveyor's "certificate of survey";~~

~~—2. Owner's dedication certificate;~~

~~—3. Notary public's acknowledgment for each signature on the plat;~~

~~—4. A description of all property being subdivided with reference to maps or deeds of the property as shall have been previously recorded or filed. Each reference in such description shall show a complete reference to the book and page of records of the county and commence from section corners of known location, bearing and distance. The description shall also include reference to any vacated area with the vacation ordinance number indicated; (Ord. 1996-24, 6-19-1996)~~

~~—5. Blocks for authorized signatures of the planning commission, city engineer, respective irrigation water district, Central Davis sewer district, city attorney and city council shall be provided along the bottom or right side of the plat. A block for the Davis County recorder shall be provided in the lower right corner of the plat. Additionally, for any plat that has gas pipelines traversing its boundaries, the plat shall have a signature block for each affected gas pipeline company. (Ord. 2015-16, 5-26-2015)~~

~~—6. Such other affidavits, certificates, acknowledgments, endorsements and notarial seals as are required by law, by this title or by the city attorney;~~

~~—7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the city attorney. A "current" title report is considered to be one which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.~~

~~—O. Soil Report: A note shall be placed on the final plat indicating that a soil report has been prepared and submitted to the city for the proposed subdivision in accordance with the provisions of this title.~~

~~—P. Land Reserved In Private Ownership: When a subdivision contains lands which are reserved in private ownership for community use, the subdivider shall submit with the final plat, the name, proposed articles of incorporation and bylaws of the owner or organization empowered to own, maintain and pay taxes on such lands.~~

~~—Q. Addresses: An address shall be placed on each lot shown on the final plat. Addresses shall conform to the established grid system for Davis County and shall include optional addresses for corner lots. (Ord. 1996-24, 6-19-1996)~~

**12-6-120: DATA TO ACCOMPANY FINAL PLAT:**

At the time a final plat of a subdivision is submitted to the city, the subdivider shall also submit the following documents:



~~—A.— Calculation, Traverse Sheets: Calculation and traverse sheets giving bearings, distances and coordinates of the boundary of the subdivision and blocks and lots as shown on the final plat.~~

~~—B.— Data, Assumptions, Computations: Design data, assumptions and computations for proper analysis in accordance with sound engineering practice, along with appropriate plan, section and profile sheets for all public improvements.~~

#### **12-6-130: EVALUATION OF FINAL PLAT:**

A. Planning Department: The planning department will determine if the final plat submission is complete and if all the fees have been paid. If all requirements are met, ~~a letter of acknowledgment will be provided by the planning department and all fees have been been,~~ and the ~~subdivider planning department~~ shall distribute plans, ~~accompanied by the letter,~~ for comment to all appropriate public and private entities.

B. Reviewing Entities: ~~Reviewing entities shall review plans within 20 calendar business days of distribution.~~ After reviewing the plans, each of the public agencies and utilities will provide the ~~acknowledgment letter~~ their review comments to the subdivider indicating whether the plans are acceptable or need to be revised, and may forward to the subdivider a written report of its findings and recommendations. These agencies shall include, but are not necessarily limited to, water and sewer improvement districts, the public works department, the city engineer and the fire department.

C. Additional Reviews: In cases where subdivider's submission or plat is incomplete, incorrect or otherwise fails to comply with Farmington City ordinances and/or development standards as determined by the city and where such failure makes additional or repeat reviews on the part of the city engineer and/or other consultants to the city necessary, subdivider shall be required to resubmit the plans to those reviewing entities that will be affected by changes. The subdivider shall be required to address each comment made by a reviewing entity, either modifying the plans or indicating their objection to the review comment, citing code authority for their objection. Failure to address each comment shall be grounds for rejection of the re-submission, and a subsequent review cycle may not begin until those comments are addressed. Reviewing entities shall be allowed an additional 20 business days to review after each complete submittal or complete resubmittal. After reviewing the plans, each of the public agencies and utilities will provide ~~the acknowledgment letter~~ their comments to the subdivider indicating whether the plans are acceptable or need to be revised. This process shall continue for as many as 4 review cycles or until all reviewing entities have accepted the plans. Approval by all reviewing entities shall be cause for the city engineer to give final approval of a final plat application. If a developer does not address all comments identified in acknowledgment letters from reviewers by the 4<sup>th</sup> Final Plat review cycle, the application shall be denied.

~~—D.— Report To Planning Commission: Within a reasonable time after receipt of a final plat and approval or comments from all appropriate reviewing entities, the planning department shall include the final plat on the planning commission agenda and prepare a report on the plat's compliance with the general plan, city ordinances, rules and regulations. The plat and the report of the city planning department shall then be presented to the planning commission. (Ord. 2006-28, 4-19-2006)~~

#### **12-6-140: PLANNING COMMISSION ACTION; FINAL PLAT:**

~~—A.— Scope: The planning commission shall not be bound by the recommendations of the city departments or the city manager, and may set its own conditions and requirements consistent with this title.~~

~~—B. Examination Of Plat: Upon receipt of the final plat, the planning commission shall examine the plat to determine whether the plat conforms with the preliminary plat and with all changes requested and all requirements imposed as conditions of acceptance. If the planning commission determines that the plat is in conformity with the preliminary plat, the requirements of this title, other applicable ordinances and any reasonable conditions as recommended by the city departments, city manager or on its own initiative, and that it is satisfied with such plat of the subdivision, it shall approve the plat. (Ord. 2015-06, 2-17-2015)~~

**~~12-6-150: DISAPPROVAL BY THE PLANNING COMMISSION:~~**

~~If the planning commission determines that the final plat is not in conformity with this title or other applicable ordinances, or any reasonable conditions imposed, it shall disapprove the plat specifying the reasons for such disapproval. Within one year after the planning commission has disapproved any plat, the subdivider may file with the planning department a plat altered to meet the requirements of the planning commission. No plat shall have any force or effect until the same has been approved by the planning commission. (Ord. 2015-06, 2-17-2015)~~

**12-6-160: SECURITY BOND; SUBDIVIDER:**

Prior to the installation of or any work on any required public improvements, the subdivider shall enter into a security bond agreement acceptable to the city to insure completion of all public improvements required to be installed in the subdivision. The bond agreement shall be in a form and contain such provisions as approved by the city attorney. The bond agreement shall include, but not be limited to, the following:

A. Incorporation: Incorporation by reference of the final plat and all accompanying data required herein which is used to compute the cost of the improvements by the city engineer;

B. Completion Of Improvements: Completion of the improvements within a period of time not to exceed two (2) years from the date the bond agreement is executed;

C. Satisfactory Completion: The improvements shall be completed to the satisfaction of the city and according to city standards, as established by the city engineer and as specified in chapter 8 of this title;

D. Amount: The bond amount shall be equal to one hundred twenty percent (120%) of the city engineer's estimated cost of the public improvements to be installed;

E. Exclusive Control By City: The city shall have exclusive control over the bond proceeds and they may be released only upon written approval of the city manager;

F. Reduction: The bond proceeds may be reduced upon request of the subdivider as the improvements are installed. The amount of the reduction shall be determined by the city. Such requests may be made only once every thirty (30) days and no reductions shall be authorized until such time as the city has inspected the improvements and found them to be in compliance with city standards. All reductions shall be by the written authorization of the city manager;

G. Deficiency In Bond Proceeds: If the bond proceeds are inadequate to pay the cost of the completion of the improvements according to city standards for whatever reason, including previous reductions, the subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision or development until the improvements are completed or, with city council approval, a new bond, satisfactory to the city, has been executed and delivered to the city to ensure completion of the remaining improvements;

H. Deductions For Failure: If, upon written demand by the city after expiration of the time period, bond proceeds are not transferred to the city within thirty (30) days, the city's costs of



obtaining the proceeds, including attorney fees and court costs, shall be deducted from the bond proceeds;

I. Reimbursement To City: Upon receipt of the bond proceeds, after the expiration of the time period, the costs of completion shall include reimbursement to the city for the costs of administration incurred by the city in obtaining the completion of the improvements;

J. Nonliability: The subdivider shall agree to hold the city harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the city certifies the improvements as complete;

K. Type Of Bond Agreement: The bond agreement shall be one of the following types as dictated by the city:

1. A cash bond agreement accompanied by a cashier's check or a money market certificate made payable only to the city;

2. An escrow bond agreement and an escrow account with a financial institution federally insured; or

3. A letter of credit bond agreement accompanied by an irrevocable letter of credit with a financial institution federally insured;

L. Right Of Rejection: The city reserves the right to reject any bond. The bonds required by this section are for the sole benefit of the city. The bonds are not for the benefit of any individual citizen or identifiable class of citizens, including the owners or purchasers of lots within the subdivision or project;

M. Extension: The time period for the completion of the required public improvements may be extended in the following manner upon approval of the city council:

1. The subdivider may submit a new bond for approval;

2. The existing bond may be extended upon payment, by the subdivider, of the actual administrative costs incurred in reevaluating the sufficiency of the bond amount.

**12-6-170: DELAY AGREEMENT:**

In lieu of the bond requirements outlined above, at the City Council's sole option, the subdivider may be permitted to execute an agreement, in a form acceptable to the city attorney, delaying the installation of any or all of the public improvements required pursuant to this title, such an agreement may require the payment of a fee in lieu of installation of the improvements.

**12-6-180: RECORDING OF PLAT:**

After city engineer approval, completion of the required public improvements or filing of the bond agreement described herein, and signing of the plat by the planning commission chair and the mayor, the plat shall be presented by the city to the Davis County recorder for recordation.

**12-6-190: EXPIRATION OF FINAL APPROVAL:**

If the plat is not recorded within six (6) months from the date of city engineer approval, such approval shall be null and void. This time period may be extended for additional six (6) month periods by the city manager. The subdivider must petition for an extension, prior to the expiration of the original six (6) months, or an extension previously granted. An extension may be granted only if it is determined that it will not be detrimental to the city. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, parks fees, flood control fees, as well as the amounts the city uses to estimate bonds to ensure

completion of improvements, have increased, the city manager may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting the extension.

## CHAPTER 86 PUBLIC IMPROVEMENTS

SECTION:

[12-8-010: Design Standards](#)

[12-8-020: Required Improvements](#)

[12-8-030: Curb, Gutter, Sidewalk And Asphalt Paving](#)

[12-8-040: Storm Drainage](#)

[12-8-050: Underground Utilities And Sanitary Sewer](#)

[12-8-060: Fencing Or Piping Of Hazards](#)

[12-8-070: Monuments](#)

[12-8-080: Completion](#)

[12-8-090: Payback Or Pioneering Agreements For Improvements](#)

[12-8-100: Administrative Review For Public Street Standards Not Listed](#)

### **12-8-010: DESIGN STANDARDS:**

A. Preparation: Standards for design, construction, specifications and inspection of street improvements, water distribution systems, storm drainage and flood control facilities shall be prepared by the city engineer. Standards for fire hydrants shall be prepared by the fire department. Standards for sewage disposal facilities shall be prepared by the Central Davis County sewer improvement district. Standards for pressure irrigation systems shall be prepared by the Farmington City area pressure irrigation district. All such standards for design and construction of public improvements and amendments thereto, which are under the control of the city, shall be approved and adopted by the city council before becoming effective. All subdividers shall comply with the approved standards required herein.

B. Streets, Blocks, Etc.: The design of the subdivision in relation to streets, blocks, lots, open spaces, and other design factors shall be in harmony with design standards recommended by the planning commission and other city staff and approved by the city council. (Ord. 1996-24, 6-19-1996)

### **12-8-020: REQUIRED IMPROVEMENTS:**

A. Scope Of Requirements: The subdivider shall improve, or agree to improve, all streets, pedestrianways or easements in the subdivision and on streets which abut, or serve as access to, the subdivision. Permanent improvement work shall not commence until improvement plans and profiles have been approved by the city and, if applicable, a bond agreement has been executed between the subdivider and the city as specified in chapter 6 of this title. As part of the street improvements, the subdivider shall deposit with the city sufficient sums to provide a slurry seal for the street as required by the city and additional sums to cover the cost of street signs and regulatory signs which the city determines are required for the subdivision. The city will



utilize funds deposited for street signs to obtain the signs and install the same within the subdivision.

B. Installation; Inspection: Improvements shall be installed to permanent line and grade to the satisfaction of the city and in accordance with the standard specifications adopted by the city council. Cost of inspection shall be paid by the subdivider as outlined in the consolidated fee schedule.

C. Nonresponsibility Of City: Notwithstanding the fact that the land on which the improvements will be located is dedicated at the time of the recording of a plat, the city shall not be responsible for the improvements, their construction or maintenance, until the warranty period specified in the bond agreement has expired, the improvements have been inspected, and the city certifies that they meet city standards. (Ord. 1996-24, 6-19-1996)

**12-8-030: CURB, GUTTER, SIDEWALK AND ASPHALT PAVING:**

High back curbs, gutters, sidewalks and asphalt paving shall be provided in front of all commercial and residential lots. High back curb, gutter and paving shall be required on all industrial property. At the discretion of the planning commission, sidewalks may also be required for industrial property. At the discretion of the city council, after receiving a recommendation from the planning commission, curb, gutter and sidewalk improvements may be omitted in major residential subdivisions where each lot has a frontage of at least one hundred fifty feet (150') and an average minimum lot size of one acre if adequate provisions have been made for stormwater runoff and pedestrian traffic. (Ord. 1996-24, 6-19-1996)

**12-8-040: STORM DRAINAGE:**

A. Site Grading: Site grading shall be performed taking into consideration the drainage patterns of adjacent improved and unimproved property and treating upstream areas, where appropriate, as though fully improved.

B. Requirements: In every subdivision, provision shall be made for the satisfactory drainage of stormwater by means of underground storm sewer pipes and/or surface drainage ditches. No stormwater lines may be connected or constructed so as to flow into sanitary sewers. Major natural drainage courses shall not be appreciably altered from their natural condition except for stabilization and erosion control. Subdividers shall be responsible for the drainage of after development stormwater in conformity with the city master storm drainage plan or as determined by the city engineer.

C. Installation Of Drains: Stormwater drains shall be installed as shown on the subdivision development plans. (Ord. 1996-24, 6-19-1996)

**12-8-050: UNDERGROUND UTILITIES AND SANITARY SEWER:**

A. Utilities, Sewers, Drains: All underground utilities, sanitary sewers and storm drains installed in streets or alleys should be constructed prior to the surfacing of such streets or alleys. Connections for all underground utilities, water lines, pressure irrigation lines, and sanitary sewers for each lot should be laid to a point which will eliminate the necessity for disturbing the street or alley improvements, when service connections thereto are made.

B. Wires, Cables: All telephone, electric power, cable television or other wires or cables shall be placed underground. Equipment appurtenant to the underground facilities, such as surface mounted transformers, pedestal mounted terminal boxes and meter cabinets and concealed ducts may be above ground. The subdivider shall make all necessary arrangements with the utilities involved for the installation of the underground facilities.

C. Water Mains, Hydrants: Water mains and fire hydrants connecting to the water system owned by the city shall be installed as approved by the city. Mains and individual lot services shall be of sufficient size to furnish an adequate water supply for each lot or parcel in the subdivision and to provide adequate fire protection as determined by the fire chief and as required under any applicable law, rule or regulation. Water system plans shall be reviewed and approved by the Utah state health department prior to recordation of a subdivision. (Ord. 1996-24, 6-19-1996)

**12-8-060: FENCING OR PIPING OF HAZARDS:**

A. Requirements: The subdivider shall install a six foot (6') nonclimbable chainlink fence along all canals, waterways, nonaccess streets, open reservoirs or bodies of water, railroad rights of way, property in agricultural use or zoned for agricultural use and other such features of potentially hazardous nature which are on, cross or are contiguous to, the property being subdivided, except on those features which the planning commission shall determine would not be a hazard to life, or where the fence itself would create a hazard to the safety of the public. Fences required by this section shall comply with construction standards established by the city.

B. Irrigation Ditches: All irrigation ditches shall be piped, unless this requirement is waived by the city council. (Ord. 1996-24, 6-19-1996)

**12-8-070: MONUMENTS:**

Permanent monuments shall be furnished, accurately established, and set by the subdivider at such points as are necessary to definitely establish all lines of the plat except those defining rear property corners of individual lots which will be semipermanent. (Ord. 1996-24, 6-19-1996)

**12-8-080: COMPLETION:**

A complete improvement plan "as built" shall be filed with the city upon completion of said improvements. The "as built" plans shall be drawn on reproducible copies of the original tracings and certified as to accuracy and completeness by the subdivider's licensed engineer. (Ord. 1996-24, 6-19-1996)

**12-8-090: PAYBACK OR PIONEERING AGREEMENTS FOR IMPROVEMENTS:**

A. Definitions. As used in this section:

BENEFITTED PROPERTY:	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.
PAYBACK AGREEMENT:	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.
PIONEERING AGREEMENT:	An agreement between the developer and Farmington City governing the requirement for each benefitted property owner to pay for a portion of improvements that directly benefitted their property.

B. 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.

D. 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.

E. 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.

F. The notices shall include a copy of the approved pioneering agreement.

G. The pioneering agreement shall expire fifteen (15) 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.

H. 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.

I. 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.

J. 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 subsection (B)(3).

K. 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. 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. (Ord. 2000-21, 5-17-2000; amd. Ord. 2023-15, 3-14-2023)

**12-8-100: ADMINISTRATIVE REVIEW FOR PUBLIC STREET STANDARDS NOT LISTED:**

A. Consideration: The city engineer may review and approve street standards not listed in the Farmington City development standards but shall consider only modifications and alternatives to standard street intersections, sidewalk locations, typical cul-de-sac and standard roadway sections, but not the elimination of sidewalks altogether. The city council, after receiving a recommendation from the planning commission, may waive the requirement to install sidewalks. The city engineer and/or the planning commission shall not consider changes to remaining standards, including, but not limited to, submittals, quality control, site preparation, grading, excavating, backfilling and compaction, base course, asphalt/concrete, curbs, gutters, drive aprons and walks, slurry sealing, restoration of existing improvements, storm drainage systems, boundary markers and survey monuments, geotextiles and concrete reinforcement. Notwithstanding the foregoing, amendments to the Farmington City development standards may be approved from time to time by resolution of the city council.

B. Application: An application requesting a street standard not listed shall be filed with the city planner. The application shall include a detailed description of the proposed standard and other such information as may be required.

C. Investigation: The city planner, city engineer, city public works director and any other city official, as required, shall conduct such investigations as are deemed necessary to compare the proposed standard with sound customary engineering and planning practices. Thereafter, a recommendation shall be provided to the city engineer or the planning commission.

D. Final Determination: The final determination by the city engineer or the city council and all information pertaining to it shall be assigned a file number classifying it as an administrative determination and shall become a permanent public record in the office of the community development department. (Ord. 2009-11, 2-17-2009; amd. Ord. 2019-34, 11-12-2019)



## **CHAPTER 97** **LOT CONSOLIDATION, ~~AND~~ BOUNDARY ADJUSTMENT, AND PLAT AMENDMENTS**

SECTION:

[12-9-010: Purpose](#)

[12-9-020: When Permitted](#)

[12-9-030: Property Boundary Unaffected](#)

[12-9-040: Applications](#)

[12-9-050: Review](#)

[12-9-060: Lot Consolidation Restrictions](#)

[12-9-070: Boundary Adjustment Restrictions](#)

[12-9-080: Statement Of Approval](#)

[12-9-090: Plat Amendments](#)

**12-9-010: PURPOSE:**

This chapter is intended to allow the consolidation of lots or adjustments of boundaries on lots within the city through an administrative process approved by the zoning administrator. (Ord. 2023-3, 1-3-2023)

**12-9-020: WHEN PERMITTED:**

A. Lot Consolidation: Two (2) abutting lots located within the same platted subdivision may be consolidated into a single lot if they share a common boundary and a common owner.

B. Boundary Adjustment: Two (2) abutting lots or parcels within the city may have their boundary adjusted if they share a common boundary and consent of both property owners is established by the applicant. (Ord. 2023-3, 1-3-2023)

**12-9-030: PROPERTY BOUNDARY UNAFFECTED:**

A. Unless otherwise provided by Utah or Davis County law, lot consolidation and boundary adjustments under this chapter that are made to platted lots shall not have the effect of adjusting any property boundary in the records of the county.

B. The application shall provide a notice to an applicant that property boundaries for platted lots are not affected by lot consolidation or boundary adjustments, which may impact the owner's ability to construct improvements on the adjusted lots. (Ord. 2023-3, 1-3-2023)

**12-9-040: APPLICATIONS:**

A. An applicant wishing to either combine two (2) lots, or to adjust a boundary between two lots or parcels, shall submit an application to the city planner on a form approved by the city. The application shall provide proof of ownership of both lots. At the time the application is submitted, the applicant shall pay the required application fee, as set forth in the city's consolidated fee schedule.

B. For boundary adjustments, the application must be accompanied by a survey and legal descriptions of the parcels with adjusted boundaries. The applicant shall also present proof of

ownership for properties, with an executed and notarized consent to the boundary adjustment for each property. (Ord. 2023-3, 1-3-2023)

**12-9-050: REVIEW:**

The city planner shall review the application for completeness, which review shall not exceed thirty (30) days. The applicant shall be notified as soon as practicable if the application is not accompanied by the required documentation. At the conclusion of the review period, the zoning administrator shall render a decision on the application. (Ord. 2023-3, 1-3-2023)

**12-9-060: LOT CONSOLIDATION RESTRICTIONS:**

A lot consolidation under this chapter shall not:

- A. Combine two (2) lots that do not share a common boundary line;
- B. Combine two (2) lots that are platted on different subdivision plats;
- C. Extinguish or modify any easements of record; or
- D. Create any new lots. (Ord. 2023-3, 1-3-2023)

**12-9-070: BOUNDARY ADJUSTMENT RESTRICTIONS:**

A boundary adjustment under this chapter shall not:

- A. Completely eliminate a lot;
- B. Result in a lot that does not conform to zoning or lot regulations of the city;
- C. Extinguish or modify any easements of record; or
- D. Create any new lots. (Ord. 2023-3, 1-3-2023)

**12-9-080: STATEMENT OF APPROVAL:**

A. Upon approval of the application, the applicant shall submit to the city such proposed deeds or records that will accomplish the lot combination or boundary adjustment.

B. The city planner shall review such submissions to assure they conform to the representations made in the application, and submit it to the zoning administrator for approval.

C. Upon approval, the zoning administrator shall sign a statement to be attached to the deeds reflecting the city's approval of the lot combination or boundary adjustment. (Ord. 2023-3, 1-3-2023)

**12-9-090: PLAT AMENDMENTS**

Process: Applications for an amendment to a Subdivision Plat shall be considered as outlined by Utah State Code Sections 10-9a-608 and 10-9a-609.

Land Use Authority: The City Council shall act as the Land Use Authority when considering an application for a Subdivision Plat Amendment.





# Farmington City Planning Commission Staff Report November 2, 2023

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## Item 4: Ordinance Text Amendment – Appeal Authority and Removal of Board of Adjustment

Public Hearing: Yes  
Application No.:  
Applicant: Farmington City

Request: *City staff requests that the Planning Commission recommend to the City Council to approve the proposed changes. Discussion of the changes is below.*

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### Background Information

City Staff is working on establishing a more sophisticated and structured administrative hearing process. As part of the process, multiple administrative appeals will now be referred to the Administrative Hearing Officer (AHO). An AHO is not a City employee, and thus has the benefit of being aloof from politics and public clamor. As administrative appeals require both (1) the presentation and resolution of factual disputes, and (2) a legally-mandated course of action in light of those facts, the AHO is well suited to take on those matters. This application transfers administrative appeals that touch upon land development to the AHO.

The Board of Adjustment has not been formed or asked to function in over two years, in light of the passage of section 11-5-045, which permitted the use of the AHO to hear variances and nonconforming use determination matters. This proposal removes references to the Board throughout the City code.

This ordinance also amends the variance section (11-5-080) to remove duplicative language to what already exists in state code, and which would be applicable to variance petitions anyway. It retains any unique aspects of our variance code, such as the section elaborating on hardship and special circumstances.

Once this application receives a recommendation from the Planning Commission, it will be presented to the Council alongside the chapter

establishing the administrative procedures, along with various other code amendments that transfer administrative appeal authority to the AHO. Those procedures include a section that lists the matters over which the AHO has authority. For those who are interested in reviewing the draft procedure chapter, along with a table tracking all administrative appeals being transferred to it, that matter was presented for work session discussion during the [October 17 council meeting](#).

### Suggested Motion

Move the Planning Commission to recommend approval of the enclosed ordinance to the City Council.

### Findings:

1. The use of an administrative hearing officer is both legally sound and bound to be more efficient and transparent than a board of adjustment in cases of variances and determinations of nonconforming use.
2. The utilization of an administrative hearing officer in cases of administrative appeals in the land use context will be similarly preferable due to the administrative hearing officer's independence from the city's organizational and political influences.
3. The use of an administrative hearing officer will increase efficiency and help insulate the city from legal challenges on the basis of bias or unfair treatment.

### Supplemental Information

1. Draft Changes to the following sections:

- |            |             |             |
|------------|-------------|-------------|
| • 5-11-090 | • 11-6-030  | • 11-31-080 |
| • 11-4-070 | • 11-9-030  | • 11-35-070 |
| • 11-4-090 | • 11-18-070 | • 11-36-060 |
| • 11-5-010 | • 11-18-080 | • 11-39-090 |
| • 11-5-040 | • 11-19-070 | • 11-42-140 |
| • 11-5-050 | • 11-25-080 | • 12-1-070  |
| • 11-5-070 | • 11-28-120 | • 15-7-040  |
| • 11-5-080 | • 11-28-230 | • 15-1-050  |
| • 11-6-020 | • 11-31-070 | • 15-7-020  |

2. Repeal of the following sections:

- 11-5-020
- 11-5-030
- 11-5-045
- 11-5-060



## **AMENDMENTS TO CODES RELATED TO DEVELOPMENT**

### **5-11-090: IMPACT FEE CHALLENGES AND APPEALS:**

Any challenge to the fees imposed by the City shall comply with the provisions of Utah Code Annotated sections 11-36a-701, et seq., as amended. Administrative appeals of the impact fees imposed by the City shall follow the procedures of this section and chapter 3-7 of this code.

A. Within thirty (30) days after paying an impact fee, any person or entity who has paid the fee and wishes to challenge the fee shall file a written appeal with the City by delivering a copy of such appeal to the City Recorder ~~and the Community Development Director~~, setting forth, in detail, all grounds for the appeal and all facts relied upon by the appealing party with respect to the fees appealed.

B. Upon receipt of the appeal, the City shall schedule a hearing on the appeal before the ~~City Council~~ administrative hearing officer at which time the appeal will be heard. The administrative hearing officer ~~City Council~~ shall ~~thereafter~~ render its decision on the appeal within thirty (30) days of the filing of the appeal. ~~An applicant may request that the City appoint a hearing officer to hear an appeal of an impact fee. The City shall appoint a hearing officer qualified to hear an appeal of an impact fee and the applicant shall bear the cost associated with the appointment and work of the hearing officer.~~

### **11-4-070: COMPLETION OF REQUIRED IMPROVEMENTS:**

E. Existing Buildings: The building official may require a bond on any alteration or remodel of any existing building if, within his discretion, such alteration or remodel could potentially cause damage to existing public improvements. Any ruling of the building inspector regarding the amount of required bond or the release date of the bond on remodels or alterations may be appealed to the city manager and use authority, by filing a written notice of appeal with the city recorder within ten (10) business days of the ruling. Appeals shall proceed as provided in chapter 3-7 of this code. The purpose of a bond on any alteration or remodel, if required, shall be for the sole purpose of warranting the maintenance of public improvements, and not for the purpose of assuring construction completion for which the permit was taken out. Said bond shall be released immediately after the risk of damaging public improvements has passed.

#### 11-4-090: RIGHT OF APPEAL:

Any person with standing who is aggrieved by any decision of the zoning administrator or the planning commission in the administration of this title may appeal such decision in accordance with the provisions of this section:

~~—A. From Zoning Administrator: An appeal of an action or decision of the zoning administrator made in the administration of this title may be made as outlined in section 11-5-060 of this title.~~

~~BA. From Planning Commission: Land Use Appeal Authority:~~ An appeal of an action or decision of the zoning administrator or planning commission made in the administration of this title shall be made to the city council administrative hearing officer. Such appeals must be taken within ~~fifteen-ten~~ (15/10) business days of the action or decision by filing a written notice with the city ~~manager~~recorder, specifying the grounds for appeal. Only those grounds specified in the appeal shall be considered by the city council administrative hearing officer.

~~CB. Stay Of Proceedings:~~ An appeal stays all proceedings in furtherance of the action appealed from unless the planning commission certifies to the city council administrative hearing officer that, by reason of fact stated in the certificate, a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by restraining order which may be granted by the appropriate appeal body or by the district court on application and notice and on due cause shown.

~~DC. The appeal shall be conducted in accordance with chapter 3-7 of this code.~~  
~~Public Hearing By City Council: The city council shall schedule a public hearing to hear the appeal. Notice of the hearing shall be given at least fifteen (15) days prior to the hearing. Notice of the hearing shall be made as required by law. The city council may modify the order, requirement, decision or determination appealed from and may make such determination as ought to be made and to that end shall have all the powers of the planning commission. A concurring vote of a simple majority of the total membership of the council shall be necessary to act on the appeal.~~

~~—E. Further Relief: Any person aggrieved by or affected by any decision of the city council may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of such decision.~~



## **CHAPTER 5: ~~BOARD OF ADJUSTMENT~~LAND USE APPEAL AUTHORITY**

### **11-5-010: ~~CREATION~~APPOINTMENT:**

~~A board of adjustment is hereby created~~The administration hearing officer appointed pursuant to section 3-7-030 of this code is the land use appeal authority, pursuant as required by ~~to~~ Utah Code Annotated section 10-9a-701 et seq., as amended. Appeals shall proceed as provided in chapter 3-7 of this code.

### **11-5-020: ~~BOARD MEMBERS: (Reserved)~~**

~~—A.— Appointment: The board of adjustment shall consist of five (5) members and two (2) alternate members, each to be appointed by the mayor, with the advice and consent of the city council. Each member shall serve for a term of five (5) years, with the terms beginning on January 1 and so arranged that the term of not more than one member will expire each year. Terms of each of the members shall expire December 31 in the last year of the term. Alternate members shall serve a term of one year, beginning on the day of appointment. Any member or alternate member may be removed for cause by the city council, upon written charges and after public hearing, if such public hearing is requested.~~

~~—B.— Vacancies: Vacancies on the board occurring for reasons of death, resignation, removal or disqualification shall be promptly filled by the city council for the unexpired term of such member.~~

~~—C.— Planning Commission Member: One member, but not more than one, of the planning commission shall be a member of the board of adjustment. The planning commission member appointed to the board shall serve for one calendar year and may be reappointed for additional terms.~~

### **11-5-030: ~~ORGANIZATION AND MEETINGS: (Reserved)~~**

~~—A.— Chairperson: At the beginning of each year, the board of adjustment shall elect one of its members to act as chairperson for the year. At meetings where the chairperson is absent, the board shall elect a temporary or acting chairperson for that particular meeting.~~

~~—B.— Meetings: Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his/her absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public.~~

~~—C.— Records: The board shall keep minutes of its proceedings showing the members present and the vote of each member upon each question. The board shall also keep records of its examinations and other official actions. Records of the board shall be filed in the city office and be available for public review.~~

~~—D. Decisions: All decisions of the board shall be based upon the finding of fact and every finding shall be supported in the record of the meetings of the board. The concurring vote of three (3) members of the board shall be necessary to decide in favor of the applicant on any matter before the board.~~

~~—E. Rules Of Procedure: The board of adjustment may adopt rules of procedure not inconsistent with this title and/or state law.~~

#### **11-5-040: POWERS AND DUTIES OF BOARD APPEAL AUTHORITY:**

The ~~board of adjustment~~appeal authority shall have the power and duty to hear and decide, through processes identified in chapter 3-7 of this code:

A. Appeals: The board appeal authority shall hear and decide appeals from any order, requirement, determination or decision of the zoning administrator. Such appeals may be made by any person with standing who is aggrieved, or by any officer, department, board or bureau of the city which is affected by such order, requirement, decision or determination. ~~The appeal shall be made in accordance with section 11-5-060 of this chapter and the rules adopted by the board.~~

B. Nonconforming Uses: Nonconforming use determinations, other than those decided by the zoning administrator as provided in this title, and applications for the expansion of a nonconforming use shall be determined by the board. ~~These determinations shall be made as provided in section 11-5-070 of this chapter, state law and the rules adopted by the board.~~

C. Variances: The board appeal authority shall have the power to hear and decide all applications for variance from this title, except for allowing a use in a zone which is not specifically listed as a permitted or conditional use, ~~such decisions shall be made in accordance with section 11-5-080 of this chapter, state law and the rules adopted by the board.~~

#### **11-5-045: HEARING OFFICER: (Reserved)**

~~The city manager, at his or her sole discretion, and with the advice of the community development director, may appoint a hearing officer to act in the place of the board of adjustment. Once appointed, the hearing officer shall have all the powers and duties of the board of adjustment set forth in this chapter and elsewhere in this title and the Farmington City code.~~

#### **11-5-050: ZONING ADMINISTRATOR'S DETERMINATIONS:**

The zoning administrator may decide certain matters as designated by the board code, consistent with guidelines established by this chapter, and state law ~~and rules adopted by the board~~. Pursuant to that authority, the zoning administrator may decide all cases which are routine in nature, uncontested and do not impact the



character of the neighborhood; or are primarily brought about as a result of recent changes in this title which create a large number of nonconforming structures or uses. The specific types of decisions the zoning administrator is authorized to make shall include:

- A. Setback Variances: Variances to setback requirements in which the proposed reduction is not more than twenty five percent (25%) of the normal required setback;
- B. Parking Variances: Variances to parking requirements where a reduction in the number of parking spaces is not more than ten percent (10%) of the normal requirement;
- C. Nonconforming Use Determination: Determination of a nonconforming use which can be verified by substantial evidence. "Substantial evidence", for the purpose of this section, shall mean official documents, such as written correspondence from a public body or agency, receipts, permits, tax notices or other property information which may establish the truth of the matter asserted by the applicant;
- D. Additions, Alterations: Consider additions or alterations to existing buildings or structures which are nonconforming as to yard regulations, provided the addition follows the existing wall lines and does not increase the extent of the nonconformity;
- E. Change In Status: Consider a change in status of a nonconforming use to a less intense use than that which exists;
- F. Final Review And Approval: Final review and approval of plans where the board appeal authority has required that a final plan be submitted, which includes all requirements imposed by the board appeal authority as conditions of granting an approval.

A person aggrieved by a zoning administrator's decision under this section may file an appeal to the Appeal Authority by filing a written appeal with the city recorder within ten (10) business days from the date of the zoning administrator's decision.

#### **11-5-060: APPEALS:(Reserved)**

~~Appeal may be made to the board of adjustment by the city or any person aggrieved by a final decision, determination or requirement of the zoning administrator made under the provisions of this title. All appeals shall be made as follows:~~

~~—A. Filing: The appeal shall be made within fifteen (15) days of the action or decision being appealed from by filing a written notice of appeal, along with a designated fee, with the zoning administrator and board of adjustment;~~

~~—B. Notice Of Appeal: The notice of appeal shall specify, in detail, the action and grounds upon which the applicant or other interested parties deem themselves aggrieved. A notice which fails to specify grounds for appeal may be summarily dismissed by the board with or without prejudice;~~

~~—C. Records: All papers constituting the record upon which the action being appealed is based shall be transmitted to the board of adjustment;~~

~~—D. Notice; Hearing; Decision: The board of adjustment shall set the appeal for hearing to be held within a reasonable time from the date the appeal is received. Public notice of the appeal hearing shall be given as required by law and according to policies adopted by the board. Written notice of the date set for hearing shall be mailed to the appellant at least seven (7) days prior to the hearing. An applicant may appear in person or may be represented by an attorney or other authorized agent at any meeting of the board. Written authorization shall be required for an agent. After hearing the appeal, the board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from. An affirmative vote of three (3) members of the board shall decide any matter under consideration;~~

~~—E. Stay Of Proceedings: The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the board. Said stay shall exist unless the zoning administrator certifies to the board, after the notice of appeal has been filed, that by reason of facts stated in the notice, the stay would cause imminent peril to life or property. In such a case, proceedings shall not be stayed except by restraining order granted by the district court on application, notice and due cause shown;~~

~~—F. Further Relief: The city, or any person aggrieved by any decision of the board, may bring and maintain a plenary action for relief in any court of competent jurisdiction, provided the petition for such relief is presented to the court within thirty (30) days after the date of the hearing at which the decision of the board was rendered.~~

#### **11-5-070: NONCONFORMING USE OF BUILDINGS, STRUCTURES AND LAND:**

- A. Determinations Of Nonconforming Buildings And Uses: All matters regarding the nonconforming use of buildings and land shall be determined by the ~~board of adjustment~~appeal authority, except as otherwise provided herein. Upon application, ~~and after a public hearing on the matter, and conducting a hearing on the matter,~~ the ~~board~~appeal authority shall determine if the use or building is nonconforming in respect to the provisions of this title. The zoning administrator may determine routine and uncontested requests to verify nonconforming uses as provided in section [11-5-050](#) of this chapter ~~and according to rules adopted by the board.~~



- B. Nonconforming Lots Of Record: The requirements of this title as to minimum lot area or lot width shall not be construed to prevent the development of any lot or parcel of land for a use allowed in the zone in which the lot or parcel is located; provided, that the property has access to a public street and is a legally divided lot, held in separate ownership, at the time such requirements became effective. The zoning administrator shall make a determination as to the nonconformity of such lots based on documentation submitted by the lot owner. Reduction in required yards for such lots shall require variances, which shall be requested and processed as outlined in this chapter.
- C. Nonconforming Use Of Open Land: A nonconforming use of land lawfully existing on the effective date of this title may be continued, provided such nonconforming use shall not be expanded or extended into any other open land, except as provided herein. The ~~board~~appeal authority, after holding a public hearing, may allow the expansion of a nonconforming use of land, provided such change is in harmony with the surrounding neighborhood and meets the intent of the master plan and this title. Reasonable conditions may be attached to the approval in order to ensure neighborhood compatibility. If said nonconforming use is discontinued for a continuous period of one year or more, the use shall be considered to be abandoned and any future use of such land shall conform to the provisions of the zone in which it is located.
- D. Alteration Of Nonconforming Buildings And Structures: Buildings and structures which are determined to be nonconforming in respect to setbacks or height may be continued. Additions or structural alterations may be made to the extent that they are required by law. In addition, the ~~board~~appeal authority, after ~~holding~~conducting a ~~public~~public-hearing on the matter, may allow an enlargement or structural alteration, provided such change is in harmony with the surrounding neighborhood and meets the intent of the master plan and this title. Reasonable conditions may be attached to the approval in order to ensure neighborhood compatibility. If a nonconforming building or structure is removed or destroyed, every future use of the land on which the building or structure was located shall conform to the provisions of this title.
- E. Nonconforming Use Of Structures And Buildings: The nonconforming use of any structure or building lawfully existing on the effective date of this title or amendment may be continued as provided in this chapter. A nonconforming use may be extended to include the entire floor area of the existing structure or building in which it was conducted at the time the use became nonconforming. If said nonconforming use is discontinued for a continuous period of one year or more, the use shall be considered abandoned and any

future use of such structures and buildings shall conform to the provisions of the zone in which they are located.

- F. Change In Status Of Nonconforming Use: A nonconforming use may be succeeded, upon approval by the zoning administrator, by a less intense and more restrictive nonconforming use of a more desirable nature. Such change must be effected within one year from the first day on which the previous use is discontinued. After a change to a less intensive use occurs, the use shall not change back to a more intensive use.
- G. Reconstruction Of Nonconforming Building Or Structure Partially Destroyed:
  - 1. A nonconforming building or structure, other than a dwelling of two (2) dwelling units or less, damaged or destroyed to the extent of not more than fifty percent (50%) of its reasonable replacement value at the time of its destruction by fire, explosion, other casualty, act of God or action of a public enemy, may be restored. Occupancy or use of such building or structure which existed at the time of such partial destruction may be continued subject to the provisions of this chapter.
  - 2. A nonconforming dwelling of two (2) dwelling units or less which has been damaged or destroyed by fire, explosion, other casualty, act of God or action of a public enemy, may be restored or reconstructed to the same nonconforming building or structure as existed before such damage or destruction, provided there is no increase in any nonconformity. The city must issue a building permit for such restoration or reconstruction within one year of the damage or destruction, and construction shall be carried on without interruption.
- H. Amortization Of Nonconforming Uses: The ~~board appeal authority~~ may provide for the timely modification or removal of a nonconforming use of land for open storage or signs deemed to be incompatible with the surrounding neighborhood. A reasonable period may be granted in which the nonconforming use shall be modified or removed to comply with the master plan and this title.

#### **11-5-080: VARIANCES:**

- A. Authorized: The ~~board of adjustment appeal authority~~ may authorize upon appeal, variance from the provisions of this title where it can be shown that due to special circumstances the literal enforcement of this title would result in undue hardship to the property owner. ~~Special circumstances that warrant a variance shall apply to a specific parcel of property and include such things as exceptional narrowness, shallowness or shape of the property; exceptional topographic conditions; or other extraordinary and exceptional situations or~~



~~conditions. Hardship, as used herein, shall be distinguished from a mere inconvenience to the property owner or a desire to reduce financial costs. In granting a variance, the board appeal authority may affix any conditions it feels are necessary to carry out the intent of this title.~~

- B. Variance Criteria: Unless otherwise provided in this title, the ~~board appeal authority~~ may grant a variance from the requirements of any provision of this title to the extent that such a grant shall be consistent with the ~~provisions limitations and requirements of of this section section 10-9a-702 of the Utah Code, as amended.~~
- C. ~~Hardship, as used herein, shall be distinguished from a mere inconvenience to the property owner or a desire to reduce financial costs. Personal, family or financial difficulties, loss of prospective profits or neighboring violations of the zoning code are not hardships justifying a variance.~~
- D. ~~Special circumstances that warrant a variance shall apply to a specific parcel of property and include such things as exceptional narrowness, shallowness or shape of the property; exceptional topographic conditions; or other extraordinary and exceptional situations or conditions.~~
- E. ~~Each case shall be considered only on its individual merits; a previous variance or examples of noncompliance by other properties shall not be deemed to set a precedent or require the granting of a variance in the case before the appeal authority.~~

- ~~1. The appeal authority may grant a variance only if:~~
  - ~~a. Literal enforcement of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of this title;~~
  - ~~b. There are special circumstances attached to the property that do not generally apply to other properties in the same zone;~~
  - ~~c. Granting a variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;~~
  - ~~d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and~~
  - ~~e. The spirit of this title is observed and substantial justice done.~~
- ~~2. Variances must also meet the following criteria:~~

~~— a. In determining whether or not enforcement of this title would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship unless the alleged hardship:~~

~~— (1) Is located on or associated with the property for which the variance is sought; and~~

~~— (2) The circumstance is peculiar to the property and not from conditions that are general to the neighborhood.~~

~~— b. In determining whether or not enforcement of this title would cause unreasonable hardship, the appeal authority may not find an unreasonable hardship if the hardship is self-imposed or economic. In this context, personal, family or financial difficulties, loss of prospective profits or neighboring violations are not hardships justifying a variance.~~

~~— c. In determining whether or not there are special circumstances attached to the property, the appeal authority may find that special circumstances exist only if the special circumstances:~~

~~— (1) Relate to the hardship complained of; and~~

~~— (2) Deprive the property of privileges granted to other properties in the same zone.~~

~~— C. Additional: Additional variance standards and criteria:~~

~~— 1. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.~~

~~— 2. Variances run with the land.~~

~~— 3. The variance will not authorize a use other than those uses specifically allowed as permitted or conditional uses in the zone in which the subject property is located.~~

~~— 4. In granting a variance, the appeal authority may impose additional requirements on the applicant that will:~~

~~— a. Mitigate any harmful effects of the variance; or~~

~~— b. Serve the purpose of the standard or requirement that is waived or modified.~~

## **11-6-020: PROCEDURE FOR PROPOSED AMENDMENTS:**



- A. Interested Parties: Proposed amendments to this title or zoning map may be initiated by the city council, planning commission, ~~board of adjustment zoning administrator~~ or any other interested party.
- B. Application: Proposed amendments submitted by interested parties as provided herein, other than the city council, planning commission or ~~board of adjustment zoning administrator~~, shall be submitted to the city planner for consideration by the planning commission in the form of an application containing, at a minimum, the following information:
  - 1. The name and address of applicant and the name and address of every person or company that the applicant represents;
  - 2. The requested amendment and the reasons therefor;
  - 3. If the proposed amendment requires a change in the zoning map, the application shall include an accurate property map showing all areas which would be affected by the proposed amendment, all abutting properties and the present and proposed zoning classifications; and an accurate legal description of the area to be rezoned and approximate common address; and
  - 4. If the proposed amendment would require a change in the text of the ordinance, the application shall include the chapter and section, and a draft of the proposed wording that is desired.

#### **11-6-030: FEES AND COSTS:**

Proposed amendments submitted by interested parties other than the city council, planning commission or ~~board of adjustment zoning administrator~~, shall be accompanied by the appropriate fee as set forth in the city fee schedule adopted by the city by resolution.

#### **11-9-030: ZONING BOUNDARY INTERPRETATION:**

Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

- A. Where the indicated boundaries on the zoning map are approximately street, railroad or public or private rights of way, or alley lines, the centerline of said rights of way shall be construed to be the zone boundaries.

- B. Where the indicated boundaries are approximately lot lines, said lot lines shall be construed to be the zone boundaries unless otherwise indicated.
- C. Where the indicated boundaries are approximately canals, watercourses or other clearly defined natural features, the centerlines of such features shall be construed to be the zone boundaries unless otherwise indicated.
- D. In the absence of any street, land survey, lot, canal, watercourse or other natural feature, the zone boundary shall be determined by the use of scale or measurement shown on the map.
- E. Where uncertainty continues to exist, the board of adjustment zoning administrator shall interpret the map, subject to appeal to the administrative hearing officer as provided in chapter 3-7 of this code.

#### **11-18-070: Development Plan Review: [Mixed Use Districts]**

e. Any person or entity aggrieved by the decision of the city planner/zoning administrator and/or the planning commission in the administration of this development plan review process may appeal such decision to the city council and use appeal authority. Such appeals must be taken within ~~fifteen ten~~ (15/10) business days of the action or decision by filing a written notice with the city recorder, specifying the grounds for appeal. Only those grounds specified in the appeal shall be considered by the city council appeal authority. The appeal shall proceed as provided in chapter 3-7 of this code.

An appeal stays all proceedings in furtherance of the action appealed from unless the city planner/zoning administrator certifies to the city council appeal authority that, by reason of fact stated in the certificate, a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by restraining order which may be granted by the appropriate appeal body appeal authority or by the district court on application and notice and on due cause shown.

~~The city council shall schedule a public hearing to hear the appeal. Notice of the hearing shall be given at least ten (10) days prior to the hearing. Notice of the hearing shall be made as required by law. The city council may modify the order, requirement, decision or determination appealed from and may make such determination as ought to be made and to that end shall have all the powers of the city planner/zoning administrator. A concurring vote of a simple majority of the total membership of the council shall be necessary to act on the appeal.~~

#### **11-18-080: Project Master Plan: [PMP]**



N. Appeals Of Decision: The final decision of the planning commission to approve, approve with conditions or deny a PMP may be appealed to the ~~city council~~land use appeal authority as set forth in this title.

#### **11-19-070: Design Standards: [CMU]**

E. Architectural Review: Prior to the issuance of a building permit for any conditional or permitted use, the planning director must review the proposed plans for compliance with the design standards of this chapter. Appeals of staff actions on architectural compliance shall be heard by the ~~planning commission~~land use appeal authority.

#### **11-25-080: OTHER REGULATIONS: [C-R Zone]**

I. Appeal: Decisions of the planning commission may be appealed by any person to the ~~Farmington City council~~land use appeal authority by filing an appeal with the city recorder within ~~fifteen ten (1510)~~ business days after the date of the meeting at which the planning commission renders its decision. ~~The zoning administrator may, Similarly, within said fifteen ten (1510) business days of the planning commission's decision, appeal the decision to the land use appeal authority by filing an appeal with the city recorder, with a copy to the applicant, the city council may, by its own initiative, give notice of its intent to review any action by the planning commission as if on appeal.~~

J. Stay Of Proceedings: Filing of an appeal ~~or council's notice of intent to review~~ stays the issuance of permits. ~~Appeals shall be conducted in accordance with chapter 3-7 of this code. The council's review shall be conducted as a public hearing within thirty (30) days of appeal. Parties and the planning commission shall be given at least ten (10) days' written notice of the hearing date. After the hearing, the city council may uphold, modify or reverse the decision of the planning commission and impose any conditions they deem necessary. The decision of the city council shall be final. A site plan approval affirmed by the city council shall be effective immediately.~~

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

(D) 5. Appeal: An appeal of any determination of the city planner may be made to the ~~planning commission~~land use appeal authority. Such request shall be filed within ten (10) ~~working business~~ days after a final determination by the city planner. The request shall state the specific reasons why the determination should be reversed or modified.

## 11-28-230: DEMOLITIONS:

### (I) Appeal:

1. An appeal of an action or decision of the Zoning Administrator made in the administration of this section shall be made to the ~~City Council~~land use appeal authority.

a. Such appeals must be taken within ~~fifteen-ten (15/10)~~ days of the action or decision by filing a written notice with the ~~City Manager~~city recorder, specifying the grounds for appeal. Only those grounds specified in the appeal shall be considered by the ~~City Council~~appeal authority.

b. An appeal stays all proceedings in furtherance of the action appealed from unless the Zoning Administrator certifies to the ~~City Council~~appeal authority that, by reason of fact stated in the certificate, a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by restraining order which may be granted by the ~~appropriate~~appeal body authority or by the District Court on application and notice and on due cause shown.

~~c. The City Council shall schedule a public hearing to hear the appeal. Notice of the hearing shall be given at least fifteen (15) days prior to the hearing. Notice of the hearing shall be made as required by law. The City Council may modify the order, requirement, decision or determination appealed from and may make such determination as ought to be made and to that end shall have all the powers of the Zoning Administrator. A concurring vote of a simple majority of the total membership of the Council shall be necessary to act on the appeal. Appeals shall proceed as provided in chapter 3-7 of this code.~~

~~d. Any person aggrieved by or affected by any decision of the City Council may have and maintain a plenary action for relief therefrom in any court of competent jurisdiction; provided, petition for such relief is presented to the court within thirty (30) days after the rendering of such decision.~~

2. Any appeal of an action or decision of the building official made in administration of this section shall be appealed as set forth in title 10, chapter 8 of this Code, and as set forth in the International Building Code, including, but not limited to, the International Residential Code.

## 11-31-070: APPEAL PROCEDURE: [Flood Damage Prevention]



- A. Filing Appeal: Any person adversely affected by a final decision of the zoning administrator made in the administration or interpretation of this chapter may, within the time provided herein, appeal that decision to the ~~city council~~ and use appeal authority by alleging that there is error in any such final order requirement, decision or determination made by the zoning administrator in the administration or interpretation of this chapter. Appeals filed hereunder shall be in writing and shall be filed with the city recorder within ~~thirty ten (3010)~~ business days of the decision which is appealed. ~~Appeals shall proceed as provided in chapter 3-7 of this code. The appeal shall include any required city appeal forms and shall set forth, at a minimum: the name, address and telephone number of the appellant; the decision being appealed; the grounds for appeal; and a description of the alleged error in the decision or determination of the zoning administrator. Only decisions of the zoning administrator applying this chapter may be appealed to the city council as provided herein.~~ Appeals may not be used to waive or modify the terms or requirements of this chapter.
- B. Hearing: ~~After the appeal application is deemed complete, the city recorder shall schedule the matter to be heard by the city council. Prior to the appeal hearing, the city recorder shall transmit all papers constituting the record of the decision or action being appealed to the city council and the appellant. The city council shall review the record of the decision or action of the zoning administrator and provide the appellant an opportunity to be heard regarding the appeal. In reviewing the appeal, the city council~~ appeal authority shall consider and review all relevant technical evaluations and the specific factors set forth in subsection [11-31-060\(B\)](#) of this chapter. ~~The city council shall decide the matter in accordance with the standard of review set forth in subsection C of this section.~~
- C. ~~Decision: The city council may affirm or reverse the decision of the zoning administrator, in whole or in part, or may remand the administrative decision to the zoning administrator. The city council is also authorized to impose additional conditions as part of its determination of the appeal as necessary to conform with the purposes and intent of this chapter. The city council shall review the administrative decision of the zoning administrator for correctness in determining whether there is substantial evidence in the record to support the order, decision or determination. The appellant shall have the burden of proving that an error has been made. The city council shall issue a written decision.~~
- D. ~~Record: A record of all appeals shall be maintained by the city in accordance with the Utah Government Records Access and Management Act, as amended.~~

## 11-31-080: VARIANCE PROCEDURE: [Flood Damage Prevention]

- A. ~~Board Of Adjustment:~~ The ~~Farmington City Board of Adjustment~~ land use appeal authority is hereby designated to hear and decide whether to grant a variance upon request by an applicant.
- ~~B. Hearing; Decision:~~ The applicant shall have the right to a hearing before the ~~Board of Adjustment~~ appeal authority on the question of whether or not the request for the variance fulfills the variance requirements of this chapter. ~~Within thirty (30) days following conclusion of said hearing, the board of adjustment shall render a decision denying the variance, granting the variance, or granting the variance with conditions.~~
- ~~C. Further Appeal:~~ Those aggrieved by the decision of the Board of Adjustment may appeal such decision to the second district court, Davis County, Utah, as provided by law.
- ~~D.B. Record:~~ The city shall maintain a record of all variance actions, including justification for their issuance. The zoning administrator shall report any variances to the federal emergency management agency upon request.
- ~~E.C. Considerations:~~ In reviewing applications for a variance, the ~~Board of Adjustment~~ appeal authority shall consider all technical evaluations, those specific factors established in subsection [11-31-060B](#) of this chapter, the intent and purpose of this chapter, and the following conditions:
1. Due to the dangers caused by flooding to human life and property and the costs and hardship caused thereby, only under limited circumstances may variances be granted in Farmington City. Variances shall only be issued upon:
    - a. A showing of good and sufficient cause;
    - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
    - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to human life and public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
  2. In limited instances, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (½) acre or



less in size contiguous to and surrounded by lots with existing structures constructed below the base flood elevation, providing the factors of subsection [11-31-060B](#) of this chapter have been fully considered. As the lot size increases beyond the one-half ( $\frac{1}{2}$ ) acre, the technical justification required for issuing the variance increases.

3. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the national register of historic places, without regard to the procedures set forth in the remainder of this chapter.
4. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
5. Variances shall only be issued when a determination has been made that the variance is the minimum necessary, considering the flood hazard, to afford relief.
6. Variances issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use may only be granted provided the structure or other development is protected by methods that minimize flood damage during the base flood and create no additional threats to public safety.
7. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood level will result in increased risk to life and property and an increase in premium rates for flood insurance, which may be substantial and will be commensurate with the risk of construction below the base flood level. Insurance rates may amount up to as high as twenty five dollars (\$25.00) for one hundred dollars (\$100.00) of insurance coverage. This notice shall be maintained with a record of all variance actions as required in subsection D of this section.
8. All variances shall include a condition that the applicant sign an assumption of risk and waiver of liability agreement, in a form acceptable to the city, absolving Farmington City of any and all liability in the event flood damage occurs to that portion of a structure for which the variance is granted. This agreement shall be recorded in the

office of the Davis County recorder, shall run with the land, and shall be binding upon all future owners thereof.

9. The ~~board of adjustment~~appeal authority may attach such conditions to the granting of variances as it deems necessary and which fulfill the criteria of the variance provisions of this chapter.

### **11-35-070: APPEAL: [Home Occupation]**

Any person or entity denied a home occupation business license shall have the right to appeal such denial to the ~~City Council~~land use appeal authority if a written request for an appeal is made to the City within thirty (30) days of the denial.

### **11-36-060: NOTICES, HEARING AND ORDERS: [Trailer and Campground Areas]**

- A. Notice Of Violation: Whenever the health authority determines that there are reasonable grounds to believe that there has been a violation of any provision of this chapter, or regulations issued hereunder, the health authority shall give notice of such alleged violation to the person to whom the permit or license was issued, as hereinafter provided. Such notice shall:
  1. Be in writing;
  2. Include a statement of the reasons for its issues;
  3. Allow a reasonable time for the performance of any act it requires;
  4. Be served upon the owner or his agent as the case may require; provided, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been sent by registered mail to his last known address, or when he has been served with such notice by any other method authorized or required by the laws of this state;
  5. Contain an outline of remedial action, which, if taken, will effect compliance with the provisions of this chapter and regulations issued hereunder.
- ~~B. —~~ Hearing Appeal: Any person affected by any notice which has been issued in connection with the enforcement of any provision of this chapter, or regulation issued hereunder, may appeal that notice by filing a written appeal with the city recorder within ten (10) business days from that notice. Appeals shall proceed in accordance with chapter 3-7 of this code.~~request and shall~~



~~be granted a hearing on the matter before the Farmington City council; provided, that such person shall file in the office of the health authority a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the day the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and of the suspension, except in the case of an order issued under subsection E\_C of this section. Upon receipt of such petition, the health authority shall set a time and place for such hearing, and shall give the petition written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard, and to show why such notice should be modified or withdrawn. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided, that upon application of the petitioner, the health authority may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when in his judgment the petition has submitted good and sufficient reasons for such postponement.~~

~~C.B. Findings By City Council:~~ After such hearing, the ~~Farmington City council~~ appeal authority shall make findings as to compliance with the provisions of this chapter and regulations issued hereunder and shall issue an order in writing sustaining, modifying or withdrawing the notice which shall be served as provided in this section. Upon failure to comply with any order sustaining or modifying a notice, the permit or license of the travel trailer parking area affected by the order shall be revoked.

~~D. Record: The proceedings at such a hearing, including the findings and decision of the health authority, and together with a copy of every notice and order related thereto, shall be entered as a matter of public record in the office of the Farmington City council, but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by the decision of the Farmington City council may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.~~

E.C. Emergency Action: Whenever the health authority finds that an emergency exists which requires immediate action to protect the public health, the health authority may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as the health authority may deem necessary to meet the emergency, including the suspension of the permit or license. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately, but upon filing an appeal petition to the Farmington City council shall be

afforded a hearing as soon as possible. The provision of this section shall be applicable to such hearing and the order issued thereafter.

### **11-39-090: APPEALS: [Historic Buildings & Sites]**

A. From Zoning Administrator: Any person adversely affected by any final decision of the zoning administrator in the administration of this chapter may appeal such decision ~~as set forth in section 11-5-060 of this title~~ to the land use appeal authority.

B. From Historic Preservation Commission: Any person adversely affected by any final decision of the historic preservation commission in the administration of this chapter may appeal such decision to the city council in accordance with the provisions of this section.

1. Appeals shall be taken within ~~fifteen-ten (1510)~~ business days of a written decision by filing a written notice with the city ~~manager~~recorder, specifying the grounds for appeal. Only grounds specified in the appeal shall be considered by the council.

2. An appeal stays all proceedings in furtherance of the action appealed from unless the historic preservation commission certifies to the city council that, by reason of fact stated in the certificate, a stay would cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by restraining order which may be granted by the appropriate appeal body or by the district court on application and notice and on due cause shown.

3. The city council shall ~~schedule a public hearing to hear the appeal~~consider the appeal during a public meeting. Notice of the ~~hearing~~public meeting shall be given to the person appealing the decision at least ~~fifteen-ten (1510)~~ calendar days prior to the ~~hearing~~meeting. ~~Notice of the hearing shall be made as required by law.~~ The city council may modify the order, requirement, decision or determination appealed from and may make such determination as ought to be made and to that end shall have all powers of the historic preservation commission. A concurring vote of a simple majority of the total membership of the council shall be necessary to act on the appeal.

C. From City Council: Any person adversely affected by any final decision of the city council designating a historic resource to the register, or regarding an appeal from a decision of the historic preservation commission in the administration of this chapter, may have and maintain a plenary action for relief therefrom in a court of competent jurisdiction; provided a petition for such relief is presented to the court within thirty (30) calendar days after the rendering of such decision.



## 11-42-140: APPEALS:

A. Permitted; Procedure: Appeal may be made to the ~~shade tree~~ commission land use appeal authority by the city or any person aggrieved by a final decision, determination, or requirement of the urban forester made under the provisions of this chapter. An appeal is filed by providing a written appeal to the city recorder within ten (10) business days of the decision appealed. Appeals shall proceed in accordance with chapter 3-7 of this code. ~~All appeals shall be made as follows:~~

- ~~1. Filing; Fee: The appeal shall be made within fifteen (15) days of the action or decision being appealed from by filing a written notice of appeal, along with a designated fee, with the urban forester and the shade tree commission;~~
- ~~2. Statement Of Grounds For Appeal: The notice of appeal shall specify, in detail, the action and grounds upon which the applicant or other interested parties deem themselves aggrieved. A notice which fails to specify grounds for appeal may be summarily dismissed by the commission with or without prejudice;~~
- ~~3. Records Transmitted: All papers constituting the record upon which the action being appealed is based shall be transmitted to the shade tree commission;~~
- ~~4. Hearing; Notice; Decision: The shade tree commission shall set the appeal for hearing to be held within a reasonable time from the date the appeal is received. Public notice of the appeal hearing shall be given as required by law and according to policies adopted by the commission. Written notice of the date set for hearing shall be mailed to the appellant at least seven (7) days prior to the hearing. An applicant may appear in person or may be represented by an attorney or other authorized agent at any meeting of the commission. Written authorization shall be required for an agent. After hearing the appeal, the commission may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from. An affirmative vote of four (4) members of the commission shall decide any matter under consideration;~~
- ~~5. Stay Of Proceedings: The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the commission. Said stay shall exist unless the urban forester certifies to the commission, after the notice of appeal has been filed, that by~~

~~reason of facts stated in the notice, the stay would cause imminent peril to life or property. In such a case, proceedings shall not be stayed except by restraining order granted by the district court on application, notice and due cause shown;~~

- I. ~~Further Appeal To City Council: Any person adversely affected by any final decision of the shade tree commission in the administration of this chapter may appeal such decision to the city council in accordance with the provisions set forth in section 11-4-090 of this title.~~

#### **12-1-070: APPEAL OF PLANNING COMMISSION DECISIONS:**

A. ~~City Council:~~ Appeal may be made to the land use appeal authority~~city council~~ from any decision, determination or requirement of the planning commission under this title by filing with the city recorder a notice thereof in writing within ~~fifteen~~ten (15~~10~~) business days after such decision, determination or requirement is made. Such notice shall set forth in detail the action and grounds upon which the subdivider, or other interested person, deems himself or herself aggrieved. In the event of an appeal, application deadlines set forth in this title shall be extended to incorporate the time necessary to hear and consider such appeals. Appeals shall proceed as provided in chapter 3-7 of this code.

B. Appeals are not available from recommendations made by the planning commission. The City Council considers recommendations and acts as land use authority on those occasions.~~Hearing: The city recorder shall set the appeal for hearing before the city council to be held within a reasonable time from the date of receipt of the appeal. Such hearing may, for good cause, be continued by order of the city council. The appellant shall be notified of the appeal hearing date at least seven (7) days prior to the hearing. After hearing the appeal, the city council may affirm, modify or overrule the decision, determination or requirement appealed and enter any such order or orders as are in harmony with the spirit and purpose of this title. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the city council.~~

#### **15-7-040: APPEALS:**

Appeals to the ~~board of adjustment~~ land use appeal authority, as provided for in the zoning ordinance, may be made by any person aggrieved by an officer, department or board of the city in making application for a sign permit.



### **15-1-050: VARIANCES:**

The ~~board of adjustment~~administrative hearing officer may authorize a variance from this title in accordance with the provisions of section [11-5-080](#) of this code.

### **15-7-020: VIOLATIONS:**

- A. Order Of Violation: If it is determined that a violation of this title exists, the zoning administrator shall issue a written order to the alleged violator. The order shall specify those sections of the city ordinances of which the individual may be in violation and shall state that the individual has ~~fifteen~~ ten (1510) business days from the date of the order in which to correct the alleged violation or to appeal to the ~~board of adjustment~~administrative hearing officer.

**FARMINGTON CITY  
PLANNING COMMISSION**

October 05, 2023

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**WORK SESSION**

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

City Planner/GIS Specialist **Shannon Hansell** presented subdivision training as well as the New Subdivision Ordinance included in the packet. The updates are required by State Law, to be implemented by February of 2024. The State Legislature has recently increased attention to affordable housing. They believe increasing the supply of housing will decrease the cost of housing. Senate Bill 174 is supposedly trying to expedite city processes to support affordable housing. The bill calls for subdivisions that already meet the underlying zone to not be reviewed by the City Council as there are no legislative decisions being made. Building Departments have been seeing increased oversight by the State for several years and now have 14 business days to review building permits before the permit is automatically issued. The State is now going more into the planning and development side of the process. The theory behind this bill is that cities, including Farmington, have a tradition of withholding zones until a project is well into its process. The new change would rely on the zoning and parameters already spelled out in the zoning ordinance, and there is not a lot of discretion left. This would shorten the development process. Projects taking longer increases costs for the consumer down the line. If the zone isn't functional for the developer, they can apply for a rezone or special subdivision process.

Community Development Director **David Petersen** reviewed the current subdivision process.

**Hansell** said the changes being required by the State mean Farmington can no longer require a concept or schematic approval or review, unless the applicant wants it. It may happen at the Staff level. The applicant must come with all the preliminary plat information when they first make application. There is an option to do a Staff or Planning Commission approval, followed by a final plat review by Staff. This process applies to single-family, two-family, or townhome subdivisions. Staff is proposing that it also include conventional commercial and conventional multi-family subdivisions, but not apartments. Apartments come in under the Project Master Plan (PMP) or Development Agreement (DA), which the Planning Commission will continue to be significantly involved with.

Commissioner **Samuel Barlow** asked how often zones are updated. **Petersen** said before 1999, Farmington said people could do 10,000 square foot lots on a 10-acre parcel to get 28 lots. There was then a thirst for open space and trails. After 1999, the Large Residential (LR) zone was no longer 10,000 square feet, but 20,000 square foot lots instead. Now that same piece of ground could only have 16 lots. The developers were offered the original 28 lots if they put 10% of the property in open space. The western zones required more, like 25-30% open space. The rooftop count remained the same, but open space was now included. This allowed a huge amount of discretion. Now, most of Farmington's land is already developed. Now the City has dove-tailed that concept into moderate-income housing with Transfer of Development Rights (TDRs), fee in lieu, and other benefits. Using the conventional process, developers will almost always be in the blue, even on a lot split. Therefore, conventional subdivisions are few and far between in Farmington. Farmington is different compared to other cities. Staff is now consumed with in-fill development. **Petersen** predicted that only 5-10% of applications would go through the conventional process, or about one to two per year.

**Barlow** said the proposed changes would satisfy Big Brother State Legislature, but in reality, it won't be much of a change for Farmington. **Hansell** said the Commission could still ask to see conventional commercial and conventional multi-family if they would like. **Petersen** said a zone change is a legislative act, and the City Council wouldn't have to hold a public hearing. The Planning Commission would be hearing schematics for a zone change. Infill parcels are time-consuming, and often involve Planned Unit Developments (PUDs) and historic preservation.

**Hansell** said the proposed law is that when they apply, applicants will only get four reviews with Staff before automatic final denial if they haven't been able to address all comments. Their applications will have to be very detailed, and go through the Development Review Committee (DRC) before they even apply. The fee does not apply for a schematic review, which does not count as one of the four reviews. The fee begins once an application is complete. DRC meetings may need to be held every month or every two weeks to review schematics submitted. Commissioners want to make sure applications have the necessary quality. **Petersen** said the Utah League of Cities and Towns (ULCT) recap documents don't say what happens after four reviews, but he will look into it.

**Hansell** said that for conservation subdivisions, PMPs, DAs, and PUDs, legal counsel has advised to remove the public hearing from the City Council stage for the schematic plan process. The final plat would not come to the Commission. All conditions need to be



done at the schematic stage, which goes hand-in-hand with legislative decisions. If a condition is not in an ordinance or DA, it cannot be enforced. DAs and applications now have to be more complete at earlier stages. It is reasonable to assume that if the State is going to expedite an affordable housing goal, they are going to look at conservation subdivisions, PMPs, DAs and PUDs next.

Commissioner **Frank Adams** suggested that the DA is not final approved until any and all conditions are met according to the Council or Commission. He also said when the public hearing for preliminary is held during a Commission meeting, the public needs to be informed that it will be the one and only public hearing for that development. **Petersen** said it is optional to have a public hearing at the preliminary plat stage with the Commission, but conditions not in the ordinance cannot be added. A public hearing would be held at schematic with the Staff. The authors of the bill negotiated with the ULCT to include an optional public hearing. Reading the ULCT letter in the packet is helpful to understand the changes. Discussion among the Commission is encouraged to give Staff feedback. There will probably be a few public hearings held on this as it gets through the Commission and Council by February. **Hansell** said it could be Staff or Commission looking at single-family, two-family, townhomes, conventional commercial, and conventional multifamily, or a combination of any of those.

**REGULAR SESSION**

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

**MOTION**

**Tyler Turner** made a motion to elect **Larry Steinhorst** as Chair for this meeting.

**Samuel Barlow** seconded the motion, which was unanimously approved.

Commissioner Samuel Barlow	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Tyler Turner	X Aye _____Nay

Chair Pro-Tem **Larry Steinhorst** opened the meeting at 7:03 PM.

**ZONE TEXT AMENDMENTS – public hearing**

**Item #1 Additional text and amendment to Chapter 11-30: FOOTHILL DEVELOPMENT STANDARDS, and 11-2 DEFINITIONS of the Farmington City ZONING REGULATIONS. The proposed amendments are to consider and clarify what can be built in areas with steep slopes. (ZT-14-23)**

Community Development Director **David Petersen** presented this agenda item, which was continued from the September 7, 2023 meeting. On August, 17, the Planning Commission continued this agenda item, including the public hearing, to September 7, 2023. Moreover, the notice for the public hearing was re-posted to include amendments to Chapter 2 of the Zoning Ordinance (as well as Chapter 30). At the September 7 meeting, the Commission considered allowing time for each Commissioner to submit review comments.

Recent applications of the City’s decades-old foothill development standards revealed that Chapter 30 of the Zoning Ordinance can be a better document. City Staff welcomes improvements to this part of the City code. Major changes (see “marked up” copy enclosed in Staff Report) for Planning Commission consideration include, among other things:

- Review and approval procedures, which are no longer at the end of the Chapter, are more consistent with the City’s subdivision, Planned Unit Development (PUD), and site plan review processes; moreover, the review and approval body related to foothill standards is also now consistent with other City processes.
- Required reports and plan provisions are now part of the review and approval procedures instead of imbedded here and there with development standards.
- Development standards are not encumbered by items that are not development standards.
- There is a new section related to “Architectural Design” (similar to what is found in other municipalities) for Planning Commission and City Council consideration.

The latest draft in this report includes comments from Planning Staff, the City Engineer, and the City Attorney. The following are comments received to date with a Staff response in *red* italics after each item. Where applicable, these comments are included in “purple” the latest marked-up draft (see Staff Report).

- Why 30% slope? Should it be more or less?

*The 30% slope standards have been used by most all northern Utah cities since the late 1970s. For now, it is the dominate standard accepted by counties, municipalities, property owners, and the development community in the state. Petersen is not familiar with any community that doesn't use 30% slope.*

- Should building height be dealt with differently or more specifically in the foothills?

*After a laborious process, the City amended its height standards in 2000, which process considered numerous examples in foothill areas as well as “flat” areas. The height standards will be further explained and illustrated. Petersen said in the late 90s and early 2000s, a home was built on Ridgepoint subdivision that was very imposing for the homes below. Another was built in South Farmington in Mountain View Estates that was imposing as well. These two caused a stir that made some changes necessary.*

- What more might be done about lighting?

*Farmington's limited lighting requirements affect mainly non-residential uses. However, Planning Staff are working on a “night sky” ordinance which will provide lighting standards city-wide for all areas of the community and land use types-- including the foothill areas as well. A draft may be presented to the Commission as early as November.*

- Should we be trying to protect views? Is there a better way to frame that goal?

*This may be a good topic to discuss with the entire Commission at the meeting.*

- In the background information there is a bullet point that is confusing. It reads, "Development standards are not encumbered by items that are development standards". Clarification would be helpful.

*This is a typo, it should read: “Development standards are not encumbered by items that are not development standards.”*

- Under 11-2-20: Definitions, page 1, modify it to read, "ACCESSORY BUILDING: A building, structure or use . . ." Including the words "structure" and "use" make the definition ambiguous. I would also remove "clearly" since it holds the City to a higher standard when we might prefer a more general standard.

*Done*

- At page 2, the heading for 11-30-70 has been stricken. There are four subdivisions, A, B, C, and D. Have they been stricken or moved somewhere else?

*The four sub-paragraphs refer one to other parts of the code when an applicant is dealing with 1) subdivisions, 2) PUDs, 3) Conditional Uses, or 4) Permitted Uses. These sections were primarily deleted to eliminate redundancy because Chapter 30 consists of foothill development standards applicable to areas identified on the Zoning map and the standards of the underlying zones within these areas, which include A, B, C, and D, still apply. Furthermore, the draft also makes sure that the new 11-30-050 titled “Review And Approval Procedures, and Required Reports and Plans” is consistent with the City's existing subdivision and site plan standards, or any amendments that may occur thereto.*

- Page 2, Subpart B, 1. What prompted this amendment? Ie. What problem is it solving?

*This language was included in Centerville's foothill ordinance. It is hoped that this intent will address over-grading of sites before an actual subdivision or site plan is submitted, during the subdivision and site plan process, and after.*

- Page 2, Subpart B, 6 requires, "Implement early temporary or permanent planting, or both, wherever appropriate." Vegetation? Perhaps we could clarify this.

*Done*

- Page 2, subpart B 9. There is additional language regarding views to and from the foothills. Again, what problem are we trying to solve?



*This may be a good item to discuss at the meeting where examples can be shown to the Commission. Petersen said there are examples off 200 East, which Staff tried to resolve in the past with the height ordinance. The views of the mountains differ whether viewed from East or West Farmington, so it is difficult to define "view."*

- Page 4, under "Usable Land" contains the term "accessory building." Since this is a defined term elsewhere, I wonder whether or not it should be capitalized here. If not, it creates an ambiguity as to what is really intended here. *This looks like it may already be done.* Also under this section it may be helpful to know what is intended beyond "anomalies" more than what is included in the text. *Done. Staff has made it more clear what an "anomaly" is.*

- Page 5, under 11-30-040 the word "City" is used to replace the "Planning Commission and City Council." Not sure what is intended here. Is it meant to include both bodies or is it meant to mean City Staff? *The approval body (Staff, Planning Commission, City Council, other land use authority as designated by the Council, etc.) is dictated by the underlying zone, other titles in the code (i.e. the subdivision ordinance), and state code. And the requirements of these documents change from time to time. Presently, the Foothill Ordinance is currently inconsistent with other areas of the code in a few places regarding the approval body. Hopefully, the word "City" will ensure continued consistency, even as requirements elsewhere change.*

- Page 6, Impervious material. One would assume this is concrete or something similar through which water will not pass. *Correct. This would not include gravel and dirt.*

- Pages 6 & 7. Under item 7, Usable Land again substitutes "City" for "Planning Commission and City Council." *See explanation above*

- Page 9, item 2, vegetation to be planted. Should we also include a plan as to how it will be maintained, ie. rainwater or drip system etc.?  
*Done. Maintenance is addressed in Chapter 7.*

- Page 9, Solar orientation review. This seems to mean that the structure will be situated to take advantage of sunlight for solar power or some other passive advantage. What does the City do if we don't like it?  
*We provided this as a recommendation, because characteristics of the site and other standards of the underlying zone, such as building placement requirements, may make solar orientation impractical. Staff is okay if it is removed, or move it to its own section.*

- Page 10, 3,f uses the term "deposition." Does this mean as it relates to the potential deposits of soil etc. caused by water flow.  
*Yes, we modified the language in the draft to state this.*

- Page 12, part F. Do we need to include the Planning Commission as well as City Council, or is that assumed?  
*Yes, it is assumed. It is already dictated in other areas of the ordinance.*

**Steinhorst** sent some questions and commentary today before the meeting. He asked about fences being limited to 20% slope; retaining walls within 30 feet of each other being considered one wall; Planning Commission is mentioned on page 19 and shouldn't be; and architectural designs for fencing. **Petersen** said the State will say you can't dictate color and style in a conventional subdivision, but Farmington can address nonconventional subdivisions by ordinance. Commissioners questioned fencing needed to keep livestock. If this item is tabled tonight, it would allow those Commissioners not attending tonight to add their comments as well.

The proposed reorganization of the Chapter is summarized in the table below:

Chapter 30 Reorganization Summary		
Section	Existing	Proposed
11-30-010	Purpose	Purpose
11-30-020	Definitions	Definitions
11-30-030	Scope and Application	Scope and Application
11-30-040	Density, Lot Size, Width And Characteristics	Density, Lot Size, <del>Set Back, Width</del> And Characteristics
11-30-050	Required Plans And Development Standards	Review And Approval Procedure, And Required Reports and Plans

11-30-060	Bonding Requirements	Development Standards
11-30-070	Review And Approval Procedure	Architectural Design
11-30-080	N/A	Bonding Requirements

Larry Steinhorst opened and closed the public hearing at 7:41 pm due to no comments received.

**MOTION**

Tyler Turner made a motion to that the Planning Commission table with all the corrections made by the Commissioners in this meeting.

Commissioner Samuel Barlow	X Aye _____ Nay
Commissioner Frank Adams	X Aye _____ Nay
Commissioner Larry Steinhorst	X Aye _____ Nay
Commissioner Tyler Turner	X Aye _____ Nay

Samuel Barlow seconded the motion, which was unanimously approved.

**Item #2 Additional text and amendment to Title 12: SUBDIVISION REGULATIONS. The proposed amendments are in response to requirements from the State of Utah to remove the requirement for concept/schematic reviews on conventional subdivisions and to establish an appeal process as outlined by the State. The amendments further clarify submittal requirements and the review process. (ZT-12-23)**

City Planner/GIS Specialist Shannon Hansell said the Commission considered this agenda item during the earlier work session. In the past two years, the State Legislature has been trying to expedite City processes for the support of creating more affordable housing, with the theory that if a developer is spending less time getting a project approved, they are saving money and passing those savings on to the consumer. By creating more housing, the supply increases, lowering home prices. During the 2023 Utah State Legislative Session, a new law was passed in the form of SB174 which required cities throughout the state to comply with certain provisions related to how subdivisions are reviewed and approved. The bill’s requirements are directed at residential subdivisions. However, to provide consistency in processes followed in Farmington City, the proposed text changes (included with the Staff Report) impact all subdivisions.

Farmington’s current process includes a schematic step with both the Planning Commission and City Council having public hearings. Both the preliminary and final plat is reviewed by both Staff and Planning Commission. The State-required process would be pared down for conventional subdivisions including single-family, two-family, and townhomes. Staff would do most of the review, and a schematic step is optional. Most of the subdivisions being seen in Farmington required Planned Unit Developments (PUDs), conservation subdivisions, Project Master Plans (PMPs), zone changes, and Development Agreements (DAs) that include legislative decisions. The State is not requiring any changes for these, but Staff is recommending changes. Now the current process is a schematic plan with a Planning Commission public hearing and approval by the City Council, followed by reviews from the Commission and Staff at both the preliminary and final stages.

Included in the Staff Report is a summary sheet of what SB174 requires from the Utah League of Cities and Towns (UTLC).

In brief, there are two types of subdivisions that are generally considered in Farmington City.

1. **Conventional Subdivision:** A subdivision which meets the zoning requirements without any deviation from development standards or any variation from what is identified by the zoning as conventional lots. This type of subdivision approval and review is entirely administrative. An administrative decision is simply verifying whether or not it meets the code and does not have legislative discretion.
2. **Planned Unit Development (PUD) / Conservation Subdivision / Alternate Lot Size Subdivision / Project Master Plan (PMP):** These subdivisions all include elements of legislative discretion meaning that the City does not have to approve the requests or project as proposed and the regulations for development of the subdivision are most often memorialized in a Development Agreement (DA) with the City or on occasion through conditions imposed as part of a motion by the City Council.

It is the recommendation of City Staff that all conventional subdivisions, whether residential or commercial, follow the same process and that all other subdivisions requiring legislative discretion follow a different but similar process. In the public review side, the key



distinction between the two processes is that the schematic step is required for consideration of a development looking for legislative discretion and will involve the City Council. The difference between the processes is that the Preliminary Plat is the final step in public meetings and City Staff is over final approval.

Forms to help demonstrate the process an applicant can anticipate with the current and proposed process change are included in the Staff Report. The actual form is not an item under the purview of the Council or Commission for approval, but may be helpful in understanding how the ordinances are applied. Staff is working to move away from a paper form and is trying to implement a digital submittal and review process. The latest ordinance draft in this report includes comments from Planning Staff, the City Engineer, and the City Attorney. Application forms in any format will then be altered to fulfill what is required by the ordinance.

To ensure these updates meet the implementation timeframe required by the State, Staff is encouraging that the Planning Commission table the item after an introduction at this initial hearing and be prepared to vote on a formal recommendation during the second meeting in October. This will give time for recommendations and input from both the Commission and Council in an effort to adopt final changes by the end of the year.

**Larry Steinhorst** opened and closed the public hearing at 7:58 pm due to no comments received.

**Hansell** said the City has until February 1, 2024, to comply with the new requirements. All the mixed use zones around Station Park do not allow residential for the most part. Therefore, they would require legislative discretion, so they would still be coming to the Commission and Council. Conventional commercial subdivisions would be by the Smith’s/Zion’s Bank/Burt Brothers/Extra Space Storage and in Light Manufacturing and Business (LM&B) zones, and Staff is recommending those would go to the new process.

Commissioners expressed wanting to allow residents to be heard during public hearings on development matters. **Adams** sent a list of comments to Assistant Community Development Director **Lyle Gibson**, who may be able to share them with the other Commissioners. He noted the statute is requiring an Administrative Land Use Authority. The process has to be streamlined, but the right gatekeeping needs to be instituted for public comments to be received and the appropriate amount of review and conditions to be applied.

**MOTION**

**Tyler Turner** made a motion to that the Planning Commission **table** consideration of the proposed zone text changes to allow time to incorporate comments and request changes from the Planning Commission.

**Samuel Barlow** seconded the motion, which was unanimously approved.

Commissioner Samuel Barlow	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Tyler Turner	X Aye _____Nay

**Item #3 Additional text and amendment to Chapter 39: Historic Buildings primarily within Chapter 11-39-050: Farmington City Historic Landmarks Register. The proposed amendments are to make clear what kind of modifications requiring a building permit for historic resources listed on the Landmark Register need a “certificate of historic appropriateness,” and an alternate consideration process for such certificates.**

**Petersen** presented this agenda item. The Farmington City Landmarks Register consists of at least 11 historic resources and the Clark Lane Historic District. On September 19, 2023, the City Council held a public hearing to consider whether or not to include the Main Street Historic District on the Landmarks Register as well, but tabled action for further deliberation.

Whether or not the Council decides to place the Main Street Historic District on the Register, it is recommended that the City clarify that a certificate of historic appropriateness is only required for the issuance of building permits related to “exterior” repairs, alterations, additions, relocation or demolitions to historic resources. [Note: Ordinary maintenance and repair of any exterior architectural or environmental feature in or on a historic resource to correct deterioration, decay, or to sustain the existing form, and that does not involve a material change in design, material or outer appearance thereof, does not require a certificate of historic appropriateness.]

**Larry Steinhorst** opened and closed the public hearing at 7:58 pm due to no comments received.

**Petersen** said the ordinance requires that a document be recorded with the County to give notice that the building would be subject to additional requirements. Property on the Landmark Register would show on a Title Report.

**MOTION**

**Tyler Turner** made a motion that the Planning Commission **recommend** that the City Council adopt the changes (attached to the Staff Report) to Section 11-39-050 of the Zoning Ordinance.

**Findings for Approval 1-2:**

1. The changes to the zoning text clarify that only certain kinds of building permits for exterior work require a certificate of historic appropriateness.
2. The amendment provides a more expeditious path where needed to the owner to obtain a certificate of historic appropriateness.

**Supplemental Information 1:**

1. Draft Changes to Section 11-39-050 of the Zoning Ordinance

**Samuel Barlow** seconded the motion, which was unanimously approved.

Commissioner Samuel Barlow	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Tyler Turner	X Aye _____Nay

**OTHER BUSINESS**

**Item #4 Miscellaneous, correspondence, etc.**

- a. Minutes Approval September 7, 2023, and September 21, 2023
  - i. There was a correction to the minutes mentioning Key Bank, with one nay vote. **Tyler Turner** motioned to approve the minutes from both meetings. **Samuel Barlow** seconded the motion, which was unanimously approved.

Commissioner Samuel Barlow	X Aye _____Nay
Commissioner Frank Adams	X Aye _____Nay
Commissioner Larry Steinhorst	X Aye _____Nay
Commissioner Tyler Turner	X Aye _____Nay

- b. City Council Report October 3, 2023
  - i. **Petersen** said there were not Commission-related items on the agenda. There was a presentation by Horrocks Engineering for the Interstate 15 widening. The Environmental Impact Statement (EIS) is in its last 45-day public comment period. The presentation and documents can be forwarded to Commission members. The Utah Department of Transportation (UDOT) has dropped the Glovers Lane interchange option. It will only be an overpass like it is now. The widening project stretches from Farmington to 6<sup>th</sup> North in Salt Lake City. Some neighborhoods in the north part of Salt Lake City are not pleased with the proposed changes to their area.

**ADJOURNMENT**



**Tyler Turner** made a motion to adjourn at 8:23 pm.

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Larry Steinhorst, Chair Pro-Tem