FARMINGTON CITY PLANNING COMMISSION

Thursday, September 11, 2003

PLANNING COMMISSION STUDY SESSION/ EAST CONFERENCE ROOM

Present: Chairman Kent Forsgren, Bart Hill, Cindy Roybal, Jim Talbot, Jordan White, Sid Young, City Planner David Petersen, and Deputy City Recorder Jeane Chipman. Commission Member Cory Ritz was excused.

Chairman Forsgren began the discussion at 6:30 P.M. The following items were discussed:

- The City had hired an economic development consultant and had received a partial report. In the view of Tom Wootten (consultant) Farmington would likely not be able to successfully support a large business park as had originally been proposed by the economic development steering committee on the west side of I-15. However, there were other options. More information will be forthcoming.

- A moratorium had been placed on new construction in portions of west Farmington just west of I-15 area. That moratorium would shortly expire. The Planning Commission discussed the possibilities of recommending another temporary stay of construction until the full economic development evaluation can be completed.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Kent Forsgren, Bart Hill, Cindy Roybal, Cory Ritz, Jim Talbot, Jordan White, Sid Young, City Planner David Petersen, and Deputy City Recorder Jeane Chipman

Chairman Forsgren called the meeting to order at 7:05 P.M. following the work session.

APPROVAL OF MINUTES

Minutes of the August 28, 2003 Planning Commission Meeting will be forthcoming.

PUBLIC HEARING: ERWIN ZUNDEL REQUEST FOR A RECOMMENDATION FOR MINOR PLAT APPROVAL FOR A SINGLE LOT SUBDIVISION (LOT SPLIT) LOCATED AT 298 WEST GRANDVIEW COURT IN AN OR ZONE (S-0-03) (Agenda Item #2)

Background Information:

The Zundel family purchased their present property and home from Ray Stoddard prior to the approval of the Shepard Heights subdivision. This home previously received access from 1400 North Street via a dirt road. The subject property eventually became one of the lots (Lot 17) of the Shepard Heights subdivision. As part of the review process for this subdivision it was contemplated that the Zundel's may divide their lot in the future. As the Shepard Heights subdivision improvements were being constructed, the Zundels paid for the installation of a second set of culinary water, sewer, and secondary water laterals to avoid excavation of Grandview Court in the future if and when they applied for an additional lot. Now the Zundels are ready to divide their property.

END OF PACKET MATERIAL.

Mr. Petersen briefly reviewed the background information.

Public Hearing

Chairman Forsgren opened the meeting to a public hearing and invited the applicant to address the Commission.

Karen Zundel (298 West Grandview Court) stated she and her husband had written a letter to the City Manager, Max Forbush, wherein they requested a waiver for the application fee because they thought the lot split had been accomplished before the Shepard Heights Subdivision was recorded. She also asked that the impact fee charge be delayed until a building permit application was submitted. The impact fee was significant and the Zundels felt they could not afford it at this time.

Public Hearing Closed

With no further comments, **Chairman Forsgren** closed the public hearing. The Commission members discussed the issues, including the following points:

- Survey work had been accomplished on the lot, however, the Zundels may choose to move the middle boundary as much as 10 feet.

- City ordinances do allow for the applicant to ask for relief regarding the application fee. The Staff recommended an application fee of $275. All the public improvement for the new lot are in place, hence little review is required.

- The Zundels are dividing the lot in order to satisfy bank requirements for refinancing.

- The impact fees for Farmington at this time are sizable. Impact fees for the Zundels could be as much as $5000. The impact fee may need to be paid in full at this time.

- Mr. Petersen is in the process of checking with the City Attorney to see if impact fees can be delayed and how they could be kept track of so that they will be collected at the time of building permit application. A request could go before the City Council for the delay.

Motion

Jordan White moved that the Planning Commission recommend the City Council approve the request for minor plat approval (Shepard Heights Amended No. 2) subject to all applicable Farmington City ordinances and development standards and subject to review and approval of an ordinance to vacate all of Lot 17 of the Shepard Heights subdivision and the recording of said ordinance prior to the recordation of the Shepard Heights Amended No. 2 subdivision plat.

Sid Young seconded the motion.

In discussion of the motion, the Planning Commission talked about the possibility of changing the middle boundary line and if that would be reason to increase the application fee from the recommended amount. The minimum lot size of the zone wherein the Zundel's lot is located is 10,000 square feet. The lots that would be created by the lot split would meet the minimum requirement.

Regarding the application fee and the impact fees, the Planning Commission decided not to offer a recommendation. The City Council would consider both issues.

A vote was taken indicating the motion passed by unanimous approval.

Findings

1. The motion made sense with what had already been done in the subdivision.

2. The motion was consistent with the General Plan.

PUBLIC HEARING: CHESTNUT INVESTMENTS REQUEST FOR A RECOMMENDATION TO REZONE 22.18 ACRES LOCATED AT APPROXIMATELY 276 SOUTH 1100 WEST FROM A TO AE (Z-6-03) (Agenda Item #3)

Background Information:

It is not necessary for the Planning Commission to review a schematic plan in order to provide a recommendation regarding a rezone application. However, it is extremely helpful to do so, and applicants are encouraged to submit such a plan as part of the rezone process. In this case the applicant submitted a schematic plan but the drawing does not meet City standards. The applicant's proposed conventional subdivision may work for yield plan purposes, but in order to receive th 36 lots as illustrated, the applicant must set aside 25% to 30% of the unconstrained

land (as defined by ordinance) within the project area as conservation land.

A similar rezone request for this subject property with an accompanying schematic conservation subdivision plan was reviewed by the Planning Commission on June 26, 2003. The Planning Commission tabled this request to allow time for the developer to work through plat amendment issues (see the attached June 26, 2003, staff report and July 2, 2003 letter). The previous developer was also encouraged by the Planning Commission to work with local citizens to create an acceptable plan.

END OF PACKET MATERIAL.

Mr. Petersen said the applicant had submitted a plan that called for ½ acre lots not realizing that the AE zone has a minimum one-acre lot requirement. The A zone has a 2 acre lot minimum lot size requirement. In order to gain the ½ acre lot sizes the applicant must set aside 25 to 30 percent of the total unconstrained land as open space. The schematic plan submitted is not allowed by ordinance at this time.

Public Hearing

Chairman Forsgren opened the meeting to a public hearing and invited the applicant to address the Commission.

Mark Shields (Layton resident, developer) asked the Planning Commission for a recommendation to rezone the property in question to allow the ½ acre lots. He said the plat that had been submitted may be revised. He had canvassed five neighbors and found four of them to be in favor of the proposed subdivision. The ½ acre plan would not work unless the developer could obtain a waiver of City ordinances. If there was not waiver granted, the developer would have to redesign the plan.

[Mr. Ritz arrived at 7:30 P.M.]

Cheryl Farnsworth (resident across the street from the proposed development) stated she had moved to the west Farmington area specifically for the large lot sizes. She currently lives in a 2-acre lot size area and wanted it to remain as such. She and her family had made a significant investment in their property with the idea that it would remain in a large lot neighborhood. Ms. Farnsworth stated she felt strong about not allowing the ½ acre zone change.

Maureen Benson (resident in the Farmington Downs Subdivision) stated she had moved there because of the bigger acreage lots. She wanted to have the vicinity remain in 2-acre lots. Ms. Benson said she did not want anything smaller in west Farmington.

Diane Williams (344 South 1100 West) thanked the Planning Commission for the notices regarding the public hearing. She had done research regarding the issues and thought that the City's first obligation was to existing residents. The residents of west Farmington were fighting to keep the area as rural as possible. There had already been 900 new homes approved for west

Farmington. Even though not all 900 homes had been built, there was already a very negative impact on the area. The increased traffic was a major problem. Irrigation water had been cut in order to provide for the new homes. Ms. Williams felt there was no one taking time to evaluate what had already happened before approving even more homes. Drainage was also a serious problem that would be influenced negatively by more development. Ms. Williams asked that the Planning Commission preserve the rural flavor of west Farmington where citizens could bike and walk in a quiet area to get away from the high density populations of other areas. She asked that the City move slowly and carefully.

George Chipman (433 South 10 West) said he was a member of the Farmington Trails Committee but was also speaking as a private citizen. The City had ordinances in place for a reason and there should not be a waiver of the open space requirements, especially for the sole purpose of allowing financial gain by one developer. There was a reason west Farmington residents wanted to retain the rural atmosphere of the neighborhood. He felt the Planning Commission should help keep the rural feel of the City and support the 25 to 30 percent open space requirement in order to maintain the beauty of Farmington.

Glen Schimmelpfennig (387 South 1100 West) had lived in a high density area. He intentionally bought in a large lot area for the quiet. He wanted the Planning Commission to hold to the 2 acre requirement. He also asked that the wetlands be protected.

Don Hart 367 South 1100 West) stated his strong believe that the development should not be approved.

Ken Williams (344 South 1100 West) asked about the zone designation of the property in question.

Mr. Petersen explained the conservation ordinance under which any development in the area would have to be approved.

Mr. Williams stated he enjoyed the neighborhood as it currently exists. He did not want the subdivision to go forward.

Public Hearing Closed

With no further comments, **Chairman Forsgren** closed the public hearing. Mr. Forsgren said there were three issues before the Planning Commission: 1) the request for a rezone, 2) the waiver of the conservation ordinances in order to develop, and 3) the concern of the citizens as had been expressed. The Commission members discussed the issues.

Mr. Ritz stated there was value in the comments as expressed by the citizens. He felt the request ran counter to the General Plan for the area and that there would be a negative precedence set if the request was approved. He also felt that existing problems with the Farmington Downs Subdivision should be rectified before moving forward with an additional development.

Mr. Young questioned why the irrigation water pressure had been cut to existing citizens.

Mr. Ritz said the cut back had been made by a pressure reducing valve installed by the Weber Water Conservancy District in order to provide irrigation water for the Farmington Ranches and Farmington Green and other developments recently approved for the west Farmington area.

Mr. White stated it was obvious that the west Farmington residents in attendance were in opposition to the development.

Mr. Hill felt the precedence that may be set by recommending the current application would not be consistent with the General Plan.

Mr. Talbot stated it was obvious by this application and previous applications that the property owner wanted to sell the property and that it was also obvious that neither the property owner nor the developer had been sensitive to the wishes of the current residents. City officials listen to the input of its residents. Comments carry weight with those who make the decisions. He suggested the developer probably needed to go to the property owner and advise him of neighborhood feelings. He also stated the Planning Commission would be able to be respond to applications accompanied by an acceptable schematic plan. He felt there should be not change in the zone at this time.

Motion

Cory Ritz moved that the Planning Commission deny the rezone request because a schematic plan for the property consistent with the Farmington City standards was not presented to the City for consideration and issues regarding the Farmington Downs Subdivision had not been resolved.

Jim Talbot seconded the motion.

In discussion of the motion, **Mr. Petersen** stated the developer was still at liberty to go before the City Council with the application. He suggested the motion be amended to indicate a recommendation to the City Council that they deny the application.

Both **Mr. Ritz and Mr. Talbot** concurred with the amendment suggestion. The motion read that the Planning Commission recommend to the City Council that they deny the rezone request because a schematic plan for the property consistent with the Farmington City standards was not presented to the City for consideration and issues regarding the Farmington Downs Subdivision had not been resolved. A vote was taken indicating a unanimous vote in the affirmative.

Mr. Forsgren suggested the developer revisit issues discussed in the prior application for the property in question.

Findings

1. The Planning Commission felt it was important for developers to understand the developments being submitted for this property were unacceptable to the City for multiple reasons.

2. The Planning Commission felt it would be inappropriate to consider a waiver of conservation subdivision ordinance.

PUBLIC HEARING: FARMINGTON CITY REQUEST FOR A RECOMMENDATION REGARDING A PROPOSAL TO AMEND THE FARMINGTON CITY GENERAL PLAN BY RE-DESIGNATING THE AREA SOUTH OF SHEPARD LANE, WEST OF 8-15, NORTH OF SHEPARD CREEK, AND EAST OF THE D.R.G.W.R.R. FROM "RURAL RESIDENTIAL DENSITY" TO "OFFICE/BUSINESS PARK" (GP-3-03) (Agenda Item #4)

Background Information:

In response to financial, economic, and other concerns, including the reconstruction of the Burke Lane Interchange and U.S. 89, the City Council established an economic steering committee in October of 2002 to formulate recommendations regarding these and other major issues. As part of this process a tentative land use map was prepared in late January of 2003. Two large public meetings were held with effected property owners to discuss the plan. After receiving their input it was the intent of the City Council to hire a consultant to do, among other things, a market analysis to provide greater insight regarding the proposed land use plan. The consultant was hired in early July, and a preliminary report was provided to the City Council on September 3, 2003. A final report will be complete by the end of September. Meanwhile, the City council also previously approved a moratorium in the above described area to prevent residential development applications from being considered prior to the General Plan amendment change. It appears that the full General Plan amendment process will still take approximately 3 more months, but the moratorium expires this month. Therefore it is proposed that the Planning Commission consider a small amendment to the General Plan land use map which may be changed again in the coming months.

END OF PACKET MATERIAL.

Mr. Petersen stated that based on the previous discussion during the pre-meeting study session, it may not be wise at this time to move forward with the request. He suggested that the Planning Commission wait until the City had received the final report from the economic development consultant.

Public Hearing

Chairman Forsgren opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **the Chairman** closed the public hearing.

Motion

Sid Young moved that the Planning Commission recommend to the City Council that they deny at this time the request to amend the General Plan by re-designating the area south of Shepard Lane, west of I-15, north of Shepard Creek, and east of the D.R.G.W.R.R. from "Rural Residential Density" to "Office/Business Park." **Bart Hill** seconded the motion, which was approved unanimously.

Findings

1. The application appeared to be premature in consideration of the fact that the economic development study had not reached final conclusion.

2. Due to the growth patterns being experienced by the Farmington community, several Commission members were uncomfortable with the size of the proposed business park in the west part of the City.

3. The west side of I-15 did not seem to lend itself to the huge business park proposition.

4. The Planning Commission felt they would like to revisit land use issues.

PUBLIC HEARING: HHI REQUEST FOR CONDITIONAL USE AND SITE PLAN APPROVAL TO ESTABLISH A SMALL AUTO DEALERSHIP LOCATED AT 49 NORTH MAIN IN A BR ZONE (C-12-13) (Agenda Item #5)

Background Information

After meeting with a sub-committee comprised of two City Council members, two Planning Commission members, the City Planner, and the applicant, the City Council approved the attached ordinance on August 6, 2003 (see enclosed memo dated June 26, 2003). The suggested motion for approval is consistent with this ordinance. Notwithstanding this, should the Planning Commission consider a condition related to hours of operation?

END OF PACKET MATERIAL.

Mr. Petersen reviewed the agenda item. He said item 3(i) had been inserted in the ordinance wherein only properties of ½ acre or more could conduct auto sales. The ordinance was extremely limiting and it was presumed that no other property owners in the downtown area

would be able to conduct a small auto dealership. The applicant, HHI Corporation, affirmed their intentions to maintain the appearance of their lot as it now exists. There would be a dealership number added to the company sign. Mr. Petersen also stated only commercial cars related to the HHI business would be sold.

Public Hearing

Chairman Forsgren opened the meeting to a public hearing. Mr. Forsgren noted the applicant was not present. However, the public hearing would be opened and when the applicant arrived he would be invited to address the Commission.

George Chipman (433 South 10 West) objected to having any auto dealership of any size allowed in the downtown area of Farmington. He felt the downtown area of Farmington was historic in nature and its preservation was paramount. The City officials should not even hint that

a precedence for auto sales could go forward. He was strongly against approval of the application.

Public Hearing Closed

With no further comments, **Chairman Forsgren** closed the public hearing. The Commission members discussed the issues, including the following points:

- The City Council had recently approved a very restrictive ordinance allowing the establishment of small auto deaderships in Farmington's downtown area. Restrictions included lot size and number of vehicles for display. Also, vehicles sold had to be related and sold on site in association with the business. Signage restrictions also existed.

- The City Council had discussed precedence in great detail.

- The non-residential endeavors that would qualify for a small auto dealership in the downtown area included HHI, the Davis School District, and the Davis County Court House.

- The HHI owners (Hokansons) had contacted neighbors and explained the restricts under which they would operate. The Hokansons reported there were no neighbor objections.

- The downtown area residents have invested a great deal of time, effort, and finances in preserving the historic and quiet nature of the neighborhood. The City had also invited in the downtown preservation measures. For example, the Brass Comb building had been remodeled and restored. The ordinance allowing auto deaderships was not compatible with the investments.

- The sub-committee organized to discuss issues had shown a willingness to be a good neighbor to the HHI Corporation. Their first recommendation was to create a temporary use for HHI. However, the City Attorney had recommended against this concept.

- Several Commission members were concerned about the possibility of other entities finding loop holes in the ordinance and establishing a full-fledged auto deadership in the down town.

- For-sale cars had been noticed on other sites in the downtown neighborhood. The cars created a visually unfavorable condition for downtown.

- It was the opinion of the Commission members that approval of the application would set a precedence.

The applicant, **Craig Hokansen** addressed the Planning Commission. He stated that his business had been working for several months to acquire the needed approval in order to conduct a legal, minimal dealership. The ordinance that had been approved was had several restrictions and would not allow almost anyone else to establish a dealership. He also stated that HHI would never appear like a dealership. Mr. Hokansen stated that the approval was needed because of out-of-state and time limitation problems. There would not be very many cars that would go through the HHI property.

The Planning Commission continued to discuss the issue.

- The studies that have been conducted indicating appropriate businesses for the downtown area did not include auto dealerships. Approving the current application would open the door for such a business.

- There was some question whether or not the ordinance as written could be effectively enforced.

- Commission members felt the auto dealership business would not be beneficial to the downtown area.

- Larry Haugen's business was an exception because it was in a different zone and had been grandfathered in.

- The ordinance is currently in the books and has to be recognized. It is within the applicants legal rights to apply for the conditional use permit.

- Mr. Petersen stated the Planning Commission had four choices: 1) approve the application, 2) approve the application with conditions, 3) continue consideration to a subsequent meeting, or 4) deny the application. If the application is denied, the applicant has the right to appeal to the City Council in writing within 15 days

of the motion.

- Mr. Talbot stated the car sales business did not bother him personally. However, the Planning Commission had a responsibility to the General Plan and the citizen residents. He also questioned if the ordinance had been a zone change to accommodate one company.

- Mr. Young felt that the Planning Commission also had a responsibility to the property owner in respecting his owner rights. However, it was also the responsibility of the Planning Commission to anticipate what could happen if an unfavorable precedence were to be set.

- The issue was to protect the downtown area. The Commission felt the ordinance would be impossible to police.

- The neighborhood had been notified of the public hearing, but no one had attended the meeting.

- Mr. Ritz said he felt ambivalent regarding the issue because he did not want to set a precedent yet the City Council had approved the ordinance. The City Council was an elected body, where the Planning Commission was an appointed body. He felt this particular decision should remain with the City Council.

Motion

Cory Ritz moved that the Planning Commission deny the request for conditional use approval to establish a small auto dealership located at 49 North Main and have the City Council consider the request. **Cindy Roybal** seconded the motion.

The Planning Commission discussed the motion. If the request is to be approved it will run with the property because it is an accessory to the business. If the business discontinued, so would the conditional use permit.

The vote on the motion was unanimous in the affirmative.

Findings

1. The requested use does not comply with the downtown master plan which is an element of the Farmington City General Plan.

Mr. Petersen explained to the applicant that he had 15 days in which to submit a written appeal to the City Council.

Mr. Talbot also commented to the applicant that the Planning Commission was looking

at the long-term precedent being set. They had no issue with HHI as a business.

DAVID PLUMMER REQUEST FOR SITE PLAN APPROVAL FOR A "MARE MOTEL" AS PART OF THE BUFFALO RANCH HORSE OPERATION LOCATED AT APPROXIMATELY 2200 WEST GLOVERS LANE (SP-2-03) (Agenda Item #6)

Background Information

The Buffalo Ranch horse operation received conditional use approval from the Planning Commission last April and more recently site plan approval on August 14, 2003. One plan for the project showed a number of "Loafing Sheds" scattered throughout the site. Now the applicant proposes to construct one large 14,000 square foot shed (or "mare motel") instead of the loafing sheds. However the plan approved by the Planning Commission showed a "mare motel" in the northern part of the site, and it appears by the building elevations that both mare motels are identical. Is the appliant proposing two mare motels or just one?

The proposed mare motel is located in the designated FEMA flood plain of the Great Salt Lake. Section 11-31-107 of Chapter 31 of the Zoning Ordinance contains specific standards regarding construction of structures in the flood plain (see enclosure). Chapter 31 further defines structures as follows:

> Structure means a walled and roofed building or a manufactured home that is principally above ground. For the purpose of administering the provisions of this Chapter, roofed but unwalled buildings and construction that is supported by an open framework, such as signs, bridges, or certain types of amusement rides, are not considered "structures."

The mare motel is walled on the ends and partially walled on the sides. Does this constitute a "walled" building. More information is needed to determine the "structure" status regarding the partial walls along the side.

What are the colors and material proposed for the "mare motel?"

END OF PACKET MATERIAL.

Chairman Forsgren declared a possible conflict of interest and abstained from discussion.

Mr. Petersen discussed possible problems with flood plain issues. He questioned the applicant regarding the structure of the mare motel and found that there was a 6-inch opening around the base of the building which made the structure comply with City laws subject to the provisions of Section 11-31-107(3) of the Zoning Ordinance.

Motion

Jordan White moved that the Planning Commission approve the site plan for a "mare motel" as part of the Buffalo Ranch horse operation located at approximately 2200 West Glovers Lane subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The Mare Motel is subject to the conditions of previous conditional use and site plan approvals and is also subject to the Conservation Easement and Amendment No. 2 to the Farmington Ranches Development Agreement.

2. Exhibit "B" to the Conservation Easement and Exhibit "2" to Amendment No. 2 shall be amended to show no loafing sheds scattered throughout the property but one mare motel in the south end and one in the north end. (The mare motel in the south is intended to replace the loafing sheds.)

3. If FEMA determines that the mare motel is a structure as defined by their ordinances, then the applicant must elevate the lowest floor to an elevation at or above the base flood elevation or in the alternative flood proof the building as prescribed by ordinance.

4. If recommended by the City Attorney, the applicant shall enter into an indemnification agreement with the City, acceptable to the City Attorney, releasing the City from all liability related to flooding with regards to the mare motel.

Sid Young seconded the motion, which passed by unanimous vote. Chairman Forsgren abstained from voting.

Findings

The motion was consistent with the master plan for the area and was in compliance with City standards and ordinances.

PUBLIC HEARING: HARV JEPPSON REQUEST FRO A RECOMMENDATION TO THE CITY COUNCIL TO AMEND THE ZONING ORDINANCE TO ALLOW "BED AND BREAKFAST/INN" AS A CONDITIONAL USE IN RESIDENTIAL ZONES (ZT-3-03) (Agenda Item #7)

Mr. Petersen presented findings of Staff regarding bed and breakfast inns in similar communities. Most bed and breakfast facilities are in one main building and do not have several separate buildings for the lodgers. Ordinances usually deal with the facility as a conditional use. It is likely that Farmington City will have other requests for such businesses.

Public Hearing

Chairman Forsgren opened the meeting to a public hearing and invited the applicant to address the Commission.

Harv Jeppson said he thought the Planning Commission should consider three issues: 1) is the bed and breakfast concept good for Farmington; 2) if so, where should the facility be placed; and 3) his location would be ideal for the venture. It was not his intent to have 6 vacant buildings. He wanted to have a high quality product that would be successful for himself and for the City. There would be plenty of parking area. Egress onto Main Street would be safe. He had not considered having a restaurant in the main building, but the idea could be considered. Mr. Jeppson said that he had contemplated this project for about 7 years. He would be willing to work with the City to meet any requirements.

Public Hearing Closed

With no further comments, **Chairman Forsgren** closed the public hearing. The Commission members discussed the issues, including the following points:

- The Planning Commission appreciated the flexible attitude of Mr. Jeppson.
- Commission members wanted to have more information about the feasibility of such a venture in the City, especially when it was planned that there would be multiple buildings involved.
- Members of the Commission were also anxious to know how the neighbors felt about the proposal.
- Neighbors were not notified of the meeting because it was a zone text change.
- The concept of the bed and breakfast facility was acceptable to the Planning Commission, However, they were unsure about the location and the multiple building concept.

Mr. Petersen stated that it was the opinion of the City Attorney that the Planning Commission should review the application on the merits of a bed and breakfast business being a successful and beneficial use in Farmington in general. The specific use of Mr. Jeppson's property was not the issue at this point. If the bed and breakfast use is approved, then Mr. Jeppson can return to the Planning Commission for consideration of his specific plan. The City Attorney also counseled that the Planning Commission should be careful not to misinform the applicant that consideration of the text change in any way binds the Commission to his specific application. Mr. Petersen stated that if the agenda item is approved, Staff will return to the next Planning Commission meeting with a draft ordinance regarding bed and breakfast inns as a conditional use in the City Farmington.

Motion

Bart Hill moved that the Planning Commission continue discussion of the agenda item until the next Planning Commission meeting at which time Staff will return with a draft ordinance allowing bed and breakfast inns as a conditional use. **Jim Talbot** seconded the motion, which passed by unanimous vote.

PUBLIC HEARING: STEVE FLANDERS (S&S TRAIN PARK AND MUSEUM) REQUEST FOR A RECOMMENDATION TO THE CITY COUNCIL TO AMEND THE SIGN ORDINANCE BY ALLOWING DIRECTIONAL SIGNS FOR COMMERCIAL RECREATION USES ON PUBLIC STREETS (ZT-7-03) (Agenda Item #8)

Background Information

S&S Train Park and Museum is located at 575 North 1525 West. They opened to the public in October 2002. It is open on a daily basis with trains running only a few days during the week.

S&S has been displaying removable signs at certain locations in the City on those days that the trains are actually running. The signs are also taken down each day. Those locations are:

- Corner of State Street and 200 West
- Corner of Clark Lane and 1100 West
- Corner of Clark Lane and 1525 West

S&S is requesting approval to place permanent "brown" signs meeting AASHTO (American Association of State Highway Officials) standards at the above locations within the City , plus another sign at Lagoon Drive near 100 North Street.

Staff has been in contact with Darrin Dursch of UDOT as to whether or not the State would allow signs for S&S to be on State roads. Presently UDOT has allowed "brown" directional signs for Lagoon and Cherry Hill. Nevertheless, based on criteria in the Manual on Uniform Traffic Control Devices the State would not be able to approve similar signs for S&S on State roads. Lagoon receives such signs due to the sheer number of patrons visiting annually. Meanwhile, S&S is not a significant traffic generator as Lagoon. Another concern is that S&S is a private entity. In comparison, Cherry Hill is privately owned but offers overnight camping with facilities; thus, they have camping recreation signs on State highways.

END OF PACKET MATERIAL.

Mr. Petersen reviewed the proposed amendment. Section 15-2-100 (regarding exempt signs) would have an addition which would read:

(16) signs for commercial recreation uses as approved in writing by the Farmington City

Council after receiving a recommendation from the Planning Commission.

Mr. Petersen stated there were some possible negative effects of the amendment. There may be a precedent set for other commercial endeavors that may not have the same benefits for the City. Also, would it be preferable to have "brown" signs in residential areas?

Public Hearing

Chairman Forsgren opened the meeting to a public hearing and invited the applicant to address the Commission.

Steve Flanders (owner and operator of the S&S Trail Park and Museum) felt there was a definite benefit to Farmington in having his operation conducted in the City. He has 10 ½ acres of open space devoted to the enterprise which will remain so as long as the park and museum are functioning. The facility is out of the way and hard to find. It would be very helpful especially for people from out of town if there were directional signage to his facility.

Chadwick Greenhalgh (resident on State Street) stated that he was very much in favor of the S&S Train Park and Museum. He would like to see it succeed and further benefit the City of Farmington. However, he had problems with the placement of the signs. He said that he and his neighbors have so many signs in their yards that has become an on-going problem. Signs posted on the corner of 200 West and State not approved by the City are numerous. Mr. Greenhalgh said that he had invested a great deal of work and finances in the beautification of his yard. The signs were a detraction from the effort. He worried about setting a precedence. Mr. Greenhalgh felt that with proper marketing techniques, the Train Museum would not necessarily need the signs as requested. He also requested that the City enforce current sign ordinances.

Public Hearing Closed

With no further comments, **Chairman Forsgren** closed the public hearing. The Commission members discussed the issues, including the following points:

- Certain signs are permitted in some park strip areas by the City.
- If the sign ordinance was amended it may have considerable impact on the homes along State and Main.
- Different locations were discussed for the signs.
- Mr. Flanders said that marketing was not the problem. He had had good coverage in several media in recent weeks.
- If the amendment was approved, every sign would have to come before the Planning Commission for consideration on a case by case basis.

- If the greater good of the community called for directional signage, it should probably be approved.

- The Planning Commission discussed having Staff research whether or not the Train Park and Museum could qualify for signage on a state right of way. Mr. Petersen was asked to look into the matter.

Motion

Sid Young moved that the Planning Commission table consideration of the agenda item until staff could report their findings. **Bart Hill** seconded the motion, which passed by unanimous vote.

CITY COUNCIL REPORT AND MISCELLANEOUS (Agenda Item #10)

Mr. Petersen raised the issue of having the conservation ordinances revisited in light of current proposals for development in the general area of 1100 West.

Carmen Samuelson had written a letter complaining about a home operated business at 957 West Lands End Road. Also, Kirk and Freia Jenkins submitted their opposition to The Springs project and the connecting road, Evans Way.

Report of City Council Meeting held September 3, 2003

- The City Council delayed consideration of the request to amend the General Plan on the north side of Burke Lane east of U.S. 89 (Cowboy Partners luxury apartment project).

- The Council approved the schematic plan for Farmington Ranches East Subdivision.

- The City Council was in the fourth reading of the Tuscany Cove Development Agreement.

- They approved the Hunters' Creek Improvement Agreement.

- The Council voted not to consider the minor plat approval for "Oakridge Park Estates, III Subdivision (extra lot from Heritage Park). The City Manager determined that the sale of the lot was not needed at this time.

- The Council accepted for study the petition to annex approximately one acre located north of Oakridge Farms Subdivision and west of 1500 West Street.

ADJOURNMENT

Bart Hill moved to adjourn at 10:30 P.M.

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Kent Forsgren, Chairman
Farmington City Planning Commission