

CHAPTER 25

COMMERCIAL RECREATION (C-R)

- 11-25-101 Description and General Limitations.**
- 11-25-102 Permitted Uses.**
- 11-25-103 Conditional Uses.**
- 11-25-104 Single-Family and Two-Family Dwellings.**
- 11-25-105 District Regulations.**
- 11-25-106 Off-Street Parking and Loading.**
- 11-25-107 Signs.**
- 11-25-108 Other Regulations.**
- 11-25-109 Performance Standards and Requirements.**

11-25-101 Description and General Limitations.

This zone covers any area developed as a privately owned commercial amusement park or fairground open generally to the public. Such parks and fairgrounds require a large area of property and are somewhat autonomous in that they provide a variety of amusement, athletic and recreational facilities, food preparation and consumption facilities for patrons and employees, exhibition and display areas and buildings, living quarters for some employees, construction, maintenance and warehouse facilities, fire protection, and health and sanitation facilities. To that end, the Permitted Uses and Conditional Uses enumerated below are collective in the sense that no one of such uses of structures is permitted alone as an amusement park or fairground, but an amusement park or fairground is not necessarily required to have all of the uses or structures enumerated. Uses are not limited to those enumerated below; however, they shall be reviewed and approved by the Planning Commission to determine compliance with the approved site master plan. Any amendments occurring thereafter to an approved master plan shall be reviewed by the Planning Commission and approved by the City Council.

11-25-102 Permitted Uses.

Land and structures in this zone may be used in the manner in which privately owned commercial amusement parks, recreational grounds or resorts and fairgrounds, open to the public and operated for a profit, are operated in general, specifically including, but not limited to:

- (1) Mechanical amusements;
- (2) Rides and games of all types;
- (3) Swimming facilities;
- (4) Waterslides;
- (5) Boating and other athletic or amusement devices in or about water;
- (6) Miniature golf;
- (7) Athletic games or devices;
- (8) Enclosed shooting galleries;

- (9) Restaurants (traditional sit-down and fast food);
- (10) Reception center and dance hall facilities;
- (11) Grandstand (including arena, track and field areas for sporting events, non-mechanized racing);
- (12) Display areas and exhibition buildings;
- (13) Outdoor recreation including such things as family reunion center picnic grounds and picnic terraces;
- (14) Rodeo facilities;
- (15) Animals, animal pens display, and exhibition areas;
- (16) Public exhibitions and events;
- (17) Open air stages;
- (18) Theaters;
- (19) Storage, warehouse, maintenance, and construction facilities;
- (20) Electrical power generation facilities;
- (21) Greenhouses;
- (22) Single-family dwelling;
- (23) Two-family dwelling;
- (24) Athletic or tennis club;
- (25) Personal services.

11-25-103 Conditional Uses.

Uses enumerated hereunder are conditional uses. The location of these uses shall be subject to review and approval by the Planning Commission as provided in Chapter 8 and the requirement of this Chapter:

- (1) Hotel or motel;
- (2) Convenience Store (including grocery, drugs, and gasoline service) solely for use in connection with the operation of the amusement park and/or related facilities;
- (3) Three-family dwellings;
- (4) Four-family dwellings;
- (5) Planned dwelling group;

- (6) Any other use determined to be similar to the uses listed in Section 25-102 and deemed necessary for or incidental to the operation of such amusement park or fairground and structures for temporary use may be permitted as a conditional use.

11-25-104 Single-Family and Two-Family Dwellings.

All single-family and two-family dwellings shall follow the minimum lot standards as set forth in Section 11-13-104.

11-25-105 District Regulations.

(1) **Building Setback.** Ten (10) feet shall be provided from the property line of all abutting zones except the C-H zone; and for structures exceeding thirty (30) feet in height, twenty-five (25) feet shall be provided from the property line of all abutting zones, except the C-H zone.

(2) **Building Height.** No building or structure shall exceed eighty-five (85) feet in height and no ride or device, or attraction shall exceed one hundred fifty (150) feet in height without written permission granted from the Planning Commission.

(3) **Location of Accessory Structures.** No animal shelter, hay barn, silo, equipment shed, storage building and similar accessory buildings to the agricultural use of land may be located closer than ten (10) feet to any abutting zone, except the C-H zone.

(4) **Amusement Ride Setback.** All amusement rides and amusement devices installed after the effective date of this ordinance, except as shall be given specific approval by the Planning Commission, shall be set back one hundred (100) feet from any abutting zone, except the C-H zone.

11-25-106 Off-Street Parking and Loading.

Adequate off-street parking, loading, and access shall be provided to facilitate anticipated patrons and employees, but not less than one (1) parking space shall be provided for every ten (10) anticipated daily patrons. A minimum of one (1) handicapped parking space for every two hundred (200) parking spaces will be provided.

11-25-107 Signs.

All signs within twenty-five (25) feet of the property perimeter or that are intended to be viewed by the general public from outside the property line will be governed by Title 15.

11-25-108 Other Regulations.

(1) The purpose and intent of the site plan review is to determine compliance with this Section and to assure that the general appearance, interrelationships and functioning of buildings, structures, and the improvements upon the land shall be compatible and contribute to: the stability of land values, the encouragement and protection of investments, the enhancement of the urban environment and streetscape, and preservation and promotion of the City's unique characteristics and values, and the welfare of the community, while mitigating negative impacts upon adjacent neighborhoods. It is not the purpose of this Section that design should be so rigidly controlled so as to stifle creativity or individual expression, or that substantial additional investment should be unnecessarily incurred in the development of a site; rather it is the intent of this Section that any controls exercised be those reasonably necessary to achieve the objectives as

stated above, while keeping in mind the history, character, and existing uses within a particular neighborhood.

(2) Approval Required. Site Plan Review shall be required for all new developments, changes to the site of a significant nature, major additions to existing structures, or any development which may significantly and adversely affect the health, safety, and welfare of City residents.

(3) Waiver. The Planning Commission may waive the requirements of this section upon finding that a proposed building, structure, or other development will not significantly and adversely affect the character and quality of the neighborhood and the health, safety, and welfare of the public. To be valid, such a waiver must be in writing, signed and dated by the Planning Commission Chairman, and must manifest an intent to waive the requirements of this section or chapter with regard to a specified use, development, or building.

(4) Application. Application for the site plan review shall be made by the property owner or an authorized agent certified in writing by the property owner, by submitting to the City Planner five (5) copies of the site plan showing size of area to be developed, dimensions, and north arrow drawn to a standard scale and including any or all of the applicable specifications outlined below. The City Planner shall review the site plan to verify that the minimum requirements are satisfied:

- (a) A title block showing the name, address, and phone number of the applicant and the designer, the name (if applicable) of the proposed project, and the date of preparation.
- (b) The location and width of existing and proposed abutting streets, property and lot lines, easements and holding strips.
- (c) The location of existing and all proposed structures on the property or adjacent to the property to be developed and their distance from existing structures or the property perimeter.
- (d) The location of existing fencing and significant existing vegetation and their distance from existing structures or the property perimeter.
- (e) The location of off-street parking, driveways, loading facilities and paved areas.
- (f) The location of existing and proposed curb, gutter, sidewalks, curb cuts, and outdoor lighting. If property abuts a state highway, approval of the Utah State Department of Transportation Right-of-Way Engineer must be obtained for location of curb, gutter, sidewalk and number of curb entrances.
- (g) The existing and proposed grades in contour intervals of two (2) feet or less.
- (h) The location and design of the surface and storm water drainage system, including on-site detention.
- (i) The location and size of existing or all proposed utilities that will provide service to the project (including the location of the nearest fire hydrant)

- (j) The location of refuse container(s).
- (k) Architectural drawings, sketches, or perspectives of exterior elevations, structures, signs and an indication of the materials and colors to be used. Include height of structures and indicate screening of roof-based mechanical equipment, parking dumpsters, etc.
- (l) A landscape planting plan including the percent of site to be landscaped, typical plant legend, plant material location, location and type of proposed ornamental landscaping elements, and description and location of appropriate irrigation system.

(5) Off-Site Improvements and Public Streets. The developer of a site requiring site plan approval shall provide highback curb, gutter, and sidewalk along the entire property line which abuts any public street. These off-site improvements shall comply with the Minimum Improvement Requirements of the Subdivision Standards for Farmington City Corporation. Where the improvement requirements would cause unnecessary hardship if strictly adhered to, or where because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such requirements, the Planning Commission may authorize an adjustment.

(6) Site Plan Review Fee. The application for site plan review shall be accompanied by the appropriate fee, as specified from time to time by the City Council by resolution. The application shall be placed on the Planning Commission agenda following the receipt of the fee.

(7) Engineering Review. The storm water drainage, street design, and utility features or plans of the site plan shall be reviewed and approved by the City Engineer prior to review by the Planning Commission.

(8) Review Procedure. Review procedures shall follow the standards as set forth in Title 11-7-107.

(9) Appeal. Decisions of the Planning Commission may be appealed by any person to the Farmington City Council by filing an appeal with the City Recorder within fifteen (15) days after the date of the meeting at which the Planning Commission renders its decision. Similarly, within said fifteen (15) days, 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.

(10) Stay of Proceedings. Filing of an appeal or Council's Notice of Intent to Review stays the issuance of permits. 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) Amendment or Modifications. Modifications to an approved Site Plan Approval or Master Plan may be granted when it can be determined that such changes or modifications are necessary or desirable to accommodate special circumstances related to the location, siting, or implementation of the approved development. The request for amendment shall be made in writing and documented on the site plan or Master Plan of the development. Where, after favorable review by the City Engineer, Building Inspector, and Planning Staff, the Staff finds

such modifications are so insignificant and minor as not to measurably change the approved Site Plan Approval or the intent of conditions that may have been imposed, the City Planner shall review and approve the modifications. Modifications so approved by the City Planner shall be reported at the next Planning Commission meeting. Amendments to requests denied by the City Planner as having significant changes or where there is not unanimous staff approval, may be heard before the Planning Commission. A revised Site Plan Approval shall be filed by the City Planner and replace the previously approved permit.

(12) Building Permit. A building permit shall not be issued for any structure or development requiring site plan review until the Planning Commission has issued a Site Plan Approval and the property owner has entered into an acceptable, written development agreement with the City agreeing to construct and install all improvements of every nature relating to the site in accordance with the approved Site Plan and any conditions pertaining thereto.

(13) Compliance with the Site Plan. The Building Inspector and City Planner shall insure that development is undertaken and completed in compliance with the approved Site Plan and any conditions pertaining thereto. Any off-site or other public improvements shall be installed in accordance with the requirements as set forth in Title 11-7-102 of the Farmington City Zoning Ordinance.

11-25-109 Performance Standards and Requirements.

(1) Fire, Hazardous Materials and Explosives. Activities involving use and the storage of, flammable, hazardous, and explosive materials shall have reasonable safety devices to protect against the hazard of fire or explosion. Burning of waste in open fires is prohibited at any point on the property without special permission obtained from local and state fire marshals.

(2) Landscaping. All open areas in the zone which may be observed from outside the property perimeter, except driveways, parking areas, walkways, and storage areas shall be reasonably maintained with suitable landscaping of plants, shrubs, trees, grass, and similar landscape materials.

(3) Storage of Garbage. No garbage or other refuse which may be observed from outside the property perimeter shall be stored in an open area. All such materials shall be screened from public view by landscaping or opaque fencing or wall; or may be stored completely within an enclosed building.

(4) Gasoline Pump Islands. Gasoline pump islands, where permitted, shall be set back twelve (12) feet from any abutting properties.

(5) Animals. The keeping of animals in this zone shall be pursuant to Chapter 29 of this ordinance.

(6) Outdoor Storage. Outside storage which is prominently visible from outside the perimeter shall be completely screened by landscaping or opaque fencing from view from any public street or abutting properties.