



Farmington City Planning Commission

August 4, 2016



F A R M I N G T O N C I T Y

H. JAMES TALBOT
MAYOR

BRETT ANDERSON
DOUG ANDERSON
JOHN BILTON
BRIGHAM MELLOR
CORY RITZ
CITY COUNCIL

DAVE MILLHEIM
CITY MANAGER

AGENDA **PLANNING COMMISSION MEETING** **August 4, 2016**

Public Meeting at the Farmington City Hall, 160 S. Main Street, Farmington, Utah

Study Session: 6:30 p.m. – Conference Room 3 (2nd Floor)

Regular Session: 7:00 p.m. – City Council Chambers (2nd Floor)

(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to 3 minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed 5 minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the Planning Department prior to noon the day before the meeting.)

1. Minutes
2. City Council Report

CONDITIONAL USE PERMIT

3. Janez Jeraj (Public Hearing) – Applicant is requesting conditional use approval to exceed the 25% floor area restriction for a home occupation as set forth in Section 11-35-103(9) of the Zoning Ordinance; the subject property is located at 1357 North Compton Road in an LR-F (Large Residential - Foothill) Zone. (C-10-16)

SIGN TEXT AMENDMENT

4. Farmington City (Public Hearing) – Applicant is requesting a text amendment of the Sign Ordinance regarding standards for electronic message signs related to public uses, and other miscellaneous changes related to the same.

OTHER

5. Miscellaneous, correspondence, etc.
 - a. Other
6. Motion to Adjourn

Please Note: Planning Commission applications may be tabled by the Commission if: 1. Additional information is needed in order to take action 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.

Posted July 29, 2016

Eric Anderson
Associate City Planner

FARMINGTON CITY
PLANNING COMMISSION MEETING
July 7, 2016

STUDY SESSION

***Present:** Acting Chair Kent Hinckley, Commissioners Heather Barnum, Connie Deianni, Bret Gallacher, and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Chair Rebecca Wayment and Commissioner Alex Leeman were excused.*

Discussion and Motion on Acting Chair

David Petersen said Chair Rebecca Wayment sends her apologies for not being able to attend. He said since the chair and vice-chair are unable to attend, the City Attorney advised the commission to take a vote on who will serve as the acting chair for this meeting. **Dan Rogers** said he felt the most veteran of the commissioners would be appropriate. Of those in attendance at the time, **Kent Hinckley** was the most veteran commission member.

Motion:

Dan Rogers made a motion that Kent Hinckley serve as acting chair of the Planning Commission for the remainder of the July 7, 2016 meeting. **Bret Gallacher** seconded the motion which was unanimously approved.

Discussion Regarding the Next Planning Commission Meeting

David Petersen said the next scheduled Planning Commission meeting only has one non-urgent agenda item. He proposed postponing the item until the following scheduled Planning Commission meeting on August 4, 2016. The commissioners agreed.

Review of the Previous Meeting's Minutes

Kent Hinckley asked if there were any changes that need to be discussed or concerns with the June 23, 2016 Planning Commission's minutes. The commissioners did not have any concerns.

Item #3. Glen Lent / Oakwood Homes – Applicant is requesting final plat approval for the Avenues at the Station Phase III Subdivision

Eric Anderson said this item is the Final Plat for the Avenues at the Station Phase III. He said the applicant received schematic plan approval for the full Master Plan in 2013. **Eric Anderson** said the project is in the RMU (Residential Mixed Use) zone, so Chapter 18 of the Ordinance regarding form based codes applies. He said Chapter 18 also requires a few varying approval items, including the Development Plan Review. He said this project has been thoroughly vetted through preliminary plat.

Eric Anderson said it was originally proposed this project would be completed in 3 phases. The last phase may convey storm water across the D&RG trail to a permanent detention basin that is owned by the City in the Farmington Greens subdivision. **Eric Anderson** said some of the residents in the

Farmington Greens subdivision are opposed to the detention basin. **David Petersen** said the Army Corps of Engineers has not yet approved the delineation of the wetlands. **Eric Anderson** explained if the Army Corps of Engineers does approve the delineation of wetlands, it may provide a permanent solution for a large portion of the region's storm water. Also, UTA has already approved the City's request to convey water under the trail.

Eric Anderson said in the meantime, Phase III includes Parcel M which is open space that will be created for a temporary detention basin. In the event the detention basin in the Farmington Greens subdivision will not be built, the temporary detention basin on Parcel M will become permanent. In the event the regional detention basin is approved, an additional phase, Phase IV, will be included which will relocate the detention basin and the property where the temporary basin was located will once again be buildable for the 9 units proposed during the Project Master Plan.

Eric Anderson said the only remaining issue was regarding the block face found in Phase III. Chapter 18 of the Ordinance regarding form based codes requires a 28' ROW; the applicant has provided a pedestrian access of 30' to help break up the block face and size.

Item #4. Nick Mingo / Ivory Homes – Applicant is requesting preliminary plat approval for the Silver Hollow Conservation Subdivision

Eric Anderson said in the previous meeting when this item was presented to the commission there was a lot of discussion regarding the trail easement and whether or not public access could be granted. He said Alex Leeman raised the concern that a public access easement may not be able to be recorded over an existing easement.

David Petersen explained a brief history on the area. He said when Ivory Homes purchased the property, the sliver of land where the proposed trail is was included in the property. Ivory Homes did not need the sliver of land so they decided to convey the property 50/50 to the two property owners that use it as their driveway; however, Ivory Homes realized the previously proposed plan for the property presented a trail access to 1500 W. on the sliver of land in exchange for their open space requirement. Ivory Homes decided to record the trail easement in favor of the City prior to conveying the property to the property owners. **David Petersen** said staff discussed this with the City Attorney; the City Attorney said this process is ok.

David Petersen said staff wanted to confirm if 2 easements had been recorded on the property so staff pulled the title report for the sliver of land. It did not have an easement recorded. Staff feels there may have been a "gentlemen's agreement" in place that allowed the 2 property owners, Jeff Jeppson and the Rumseys, to use the land as their driveway. **David Petersen** said the recorded easement that was done by Ivory Homes still stands; he also pointed out that easement is owned by the City Council, and City Council appears to not want to vacate the easement.

David Petersen stated for the motion the Planning Commission can decide to count the trail easement toward the open space, or can think of the trail easement as a bonus and still require the applicant meet the 15% open space requirement.

Bret Gallacher asked if Ivory Homes came back with a secondary plan showing 15% open space within the development as requested when the item was previously discussed and tabled. **David Petersen** showed the alternative plan as shown in the staff report and explained the open space provided by the applicant. He explained the history on conservancy lots and how what the applicant is proposing has a similar feel to those kinds of lots. The commissioners and staff discussed additional concerns, including safety, regarding the use of someone's "driveway" as a trail. Despite the concerns,

staff pointed out the trail easement has already been recorded, and it does not appear that City Council will vacate it. **David Petersen** said if the commission is not comfortable with the trail meeting the open space requirement, the commission could propose that the applicant obtain a waiver. Waivers may be negotiated as cash payment for the open space requirement allowing the City to move the open space to another location. Apprehensions were still made by the commissioners that the concern was not with the trail applying to the open space, but that a trail will be located on someone's "driveway."

REGULAR SESSION

***Present:** Acting Chair Kent Hinckley, Commissioners Heather Barnum, Connie Deianni, Bret Gallacher, and Dan Rogers, Community Development Director David Petersen, Associate City Planner Eric Anderson, and Recording Secretary Lara Johnson. Chair Rebecca Wayment and Commissioner Alex Leeman were excused.*

Item #1. Minutes

Bret Gallacher made a motion to approve the Minutes from the June 23, 2016 Planning Commission meeting. **Dan Rogers** seconded the motion which was unanimously approved.

Item #2. City Council Report

David Petersen gave a report from the July 5, 2016 City Council meeting. He said resident Jeff Clark requested a boundary adjustment for approximately 3,300 sq.ft. as a portion of his property laid in the Kaysville City boundaries. The City Council approved the request.

SUBDIVISION APPLICATIONS

Item #3. Glen Lent / Oakwood Homes – Applicant is requesting final plat approval for the Avenues at the Station Phase III Subdivision consisting of 21 lots on 2.58 acres of property located at approximately 1100 West Clark Lane in an RMU (Residential Mixed Use) Zone. (S-34-15)

Eric Anderson said this item is a continuation the Avenues at the Station project. As previously discussed during the Study Session, Parcel M was originally proposed to be 9 units as shown on the Master Plan. Because the applicant and City are unable to convey storm water across the D&RG tracks to a future regional detention basin located in the Farmington Greens subdivision at this time, the applicant will have to create a temporary detention basin on Parcel M. This detention basin may become permanent if the City does not receive a "green light" from the Army Corps of Engineers. If the regional detention basin in the Farmington Greens subdivision is approved, the temporary detention basin will be removed and a Phase IV will be added to allow the applicant to build the originally proposed 9 units. The only other issue was concern with the block face and size. Based on the Chapter 18 in the Ordinance for form based codes, the applicant is to provide a 28' ROW. The applicant addressed the issue with a pedestrian trail/sidewalk with a ROW of 30' which also decreases the size of the block.

Glen Lent, 206 E Winchester St., Murray, said they are working diligently with staff and Chad Boshell, the City Engineer, to obtain approval for the permanent regional detention basin across the D&RG trail. He said he feels this has been a successful project.

Kent Hinckley asked if the storm water will be piped along the road if the permanent detention basin in the Farmington Greens subdivision is built. **Glen Lent** said the storm water pipe was already installed during Phase I; the pipe will take the water under the D&RG trail.

Motion:

Dan Rogers made a motion that the Planning Commission approve the final plat for the proposed Phase III of the Avenues at the Station subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. Subject to all public improvement drawings, grading and drainage plans, being reviewed and approved by members of the DRC;
2. Prior to making application for Phase IV, the applicant must provide a permanent detention basin for the entire project west of the UTA right-of-way (the D&RG trail), and said detention basin must be approved by the US Army Corp of Engineers;
3. The applicant must meet all requirements by UTA to convey storm-water through their right-of-way west to a permanent site on City property.

Connie Deianni seconded the motion which was unanimously approved.

Findings for Approval:

1. The property is identified as mixed-use on the General Plan, and the proposed final plat is consistent with that designation.
2. The DRC has reviewed the plan and the last significant unresolved issues which may impact the overall layout of the plan are set forth as conditions of approval.
3. The proposed final plat is consistent with the regulating and other street, block size, and building form standards in the ordinance.
4. Specific to the final plat only, and the recommended conditions of approval, the plan complies with all Zoning and Subdivision Ordinance requirements, and other appropriate regulations.
5. The PMP was approved concurrently to Preliminary Plat on 11-14-2013, and the final plat is consistent with the PMP.
6. The placement of public improvements in relation to gas lines which traverse the property have been approved by the City Engineer, public works, Central Davis Sewer and shall be acceptable to the respective gas companies, which acceptance has been received by the City in writing.
7. The applicant has entered into a development agreement as part of Phase I regarding the temporary detention basin, and the applicant has provided calculations showing that this temporary detention basin will hold enough storm-water for Phases I, II and III. They have also begun work, in coordination with the City Engineer to obtain Corp approval for the permanent detention basin west of the D&RG trail.
8. Although the phasing plan has changed as a result of the temporary detention basin remaining, the overall layout is consistent with the approved PMP and preliminary plat.

Item #4. Nick Mingo / Ivory Homes – Applicant is requesting preliminary plat approval for the Silver Hollow Conservation Subdivision consisting of 11 lots on 5 acres of property located at approximately 1600 West Jeppson Way (1550 North) in an LR (Large Residential) Zone. (S-7-16)

Eric Anderson said this item was previously tabled on June 9, 2016 with regards to a trail easement being recorded over the public access easement. After pulling the title, it appears a public access easement may have not been recorded on the property. Staff is still waiting to hear back from the City Attorney, but it appears that the trail easement may remain. **Eric Anderson** explained that Ivory

Homes purchased the property which included the sliver of land that serves as a driveway to 2 property owners, the Jeppsons and Rumseys. Ivory Homes recorded a trail easement on the property prior to deeding the property for the sliver of land to the Jeppsons and Rumseys. **Eric Anderson** said the Planning Commission was previously comfortable with the lot layout and lot sizes, but had concerns with the trail easement. Staff is recommending this item for approval.

Chase Freebairn, 978 E. Wood Oak Lane, Salt Lake City, said he feels the commission has a good understanding of the background on this property; he said Ivory Homes feels they unknowingly inherited this problem. He said Ivory Homes has no use for the sliver of land so they planned to deed the property to the Jeppsons and Rumseys; however, it was understood that the City wanted the trail and the trail was previously approved in the past schematic plans. He said he understands the conflict with the trail, including the access, traffic and pedestrian concerns. He said they have been forthright with the property owners in letting them know what was happening. **Chase Freebairn** said the property owners are opposed to the trail, Ivory Homes is indifferent, and the City is in favor of it. He asked for the Commission's guidance on how to move forward with it, and thanked the Commission's efforts to fully understand this problem.

Heather Barnum asked if it is the applicant's intention to build a trail on the trail easement if the trail easement is held up. **Chase Freebairn** said Ivory Homes plans to improve their portion on their property, but there is no agreement to build the trail beyond that point. **David Petersen** said the applicant is correct; he showed where Ivory Homes will be improving on an aerial map of the property.

Heather Barnum said that since the City Council may not want to vacate the trail easement, the Commission needs to consider if the trail easement should count as the 15% open space or if the Commission should require the applicant to seek a waiver for the open space requirement. With regards to the alternative plan showing an alternate 15% of open space in the subdivision that was included in the staff report, **Heather Barnum** said she thought constrained land does not count toward an open space requirement. **David Petersen** confirmed that she is correct, constrained land does not count toward the requirement. **Heather Barnum** said, referencing the alternative plan, it looks that much of the open space being proposed is actual wetlands so it would not count. She said she is in favor of the applicant seeking a waiver so open space can be preserved elsewhere within the City.

Bret Gallacher asked who would dictate the terms of a waiver. **David Petersen** said City Council dictates the terms of a waiver. He said the Planning Commission can recommend the trail easement be maintained, but that it should not count toward the 15% open space requirement and request the applicant seek a waiver. **Heather Barnum** said she feels the applicant should get something for the easement, but she is not comfortable with the entire 15% open space requirement.

David Petersen explained the formula used by the City Manager to base a negotiation price for the waiver. Once a price is agreed upon between the City Manager and the applicant, it will be presented to the City Council for approval.

Bret Gallacher asked if the City Council will determine what percentage the trail will count toward the 15% requirement. **David Petersen** said if the Planning Commission determines the trail is not enough to meet the requirement, the Commission could recommend a partial waiver and the City Council will determine the exact percentage the trail will count toward the requirement. **Kent Hinckley** stated that he does not feel the trail easement should be a large part of the percentage, but that it should be a lesser part of the requirement. **David Petersen** said it can be added to the motion that the Commission feels the trail should be a minority part of the requirement because the City only owns the easement and not the fee of the trail.

Motion:

Heather Barnum made a motion that the Planning Commission approve the preliminary plat submitted with the application for the Silver Hollow Conservation Subdivision as shown, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide the 15% through a public access (trail) easement with the public access easement not exceeding 1/3 of the 15% open space requirement and the applicant shall request a waiver for the remaining percentage requirement as determined by the City Manager and City Council, and that the public access easement shall be shown on the final plat;
2. The applicant shall satisfy the requirements of Central Davis Sewer, including the dedication of easements, design of manholes, and relocation of the sewer trunk-line prior to consideration of Final Plat;
3. The property owner shall extend and dedicate the right-of-way to the northerly boundary of the project/plat in the event the George Clark property is developed;
4. Public improvement drawings, including but not limited to, a grading and drainage plan, shall be reviewed and approved by the Farmington City Works, City Engineer, Storm Water Official, Fire Department, Central Davis Sewer District and Benchland Water.

Dan Rogers seconded the motion which was unanimously approved.

Findings for Approval:

1. The LDR (Low Density Residential) designation of the General Plan allows up to 4 dwelling units/acre. The proposed subdivision is at approximately 3 dwelling units per acre and is consistent with the General Plan threshold.
2. The project is consistent with the Conservation Subdivision standards for an LR zone.
3. The applicant has worked through the issues raised by the DRC with the original Silverleaf Subdivision.
4. An open space requirement is being met through a trail easement that connects the Silverwood Subdivisions and southern Kaysville with 1500 West; currently, those residents have to walk out of the way to the Frontage Road to get to 1500 West, which is an important connection to points north and east.
5. The reason for the waiver is that the proposal for Ivory homes is on constrained land and does not meet the ordinance.
6. The public access easement may not exceed 1/3 of the 15% open space requirement.
7. The reason the public access trail easement may not exceed 1/3 of the 15% requirement is because the city does not own the land under the public access (trail) easement.

ZONE TEXT CHANGE

Item #5. Farmington City (Public Hearing) – Applicant is requesting miscellaneous Text Amendments to Chapters 3, 17, 28, and 35 of the Zoning Ordinance, and Chapter 7 of the Subdivision Ordinance regarding a) Amending Section 11-3-045, requiring a public hearing for special exceptions; b) Adding language to Section 11-17-070(4)(d) specifying that no fee will be required to appear before the Planning Commission for a height increase of an accessory building in the OTR zone, as it is in other residential zones; c) Broadening Sections 11-13-030, 11-15-030, and 11-26-040, to include “temporary uses” as a conditional use in the Multi-Family, Light Manufacturing & Business, and Business Residential zones; d) Removing language from Section 12-7-030(10)(a) of the Subdivision Ordinance

that restricts the allowance of flag lots in a platted subdivision; e) Amending Section 11-35-103(1) adding language clarifying the allowable number of external employees of home occupations.

Eric Anderson said explained each part of Item #5 as listed below:

- a) He said there is currently no requirement to hold a public hearing for special exceptions, as found in Title 11 Chapter 3 Section 045. Staff feels a public hearing may be beneficial as often times abutting neighbors may be impacted by the special exception, but are not currently notified.
- b) Currently, a request for a height increase to a detached accessory building must go through a conditional use permit so it is reviewed by the Planning Commission; however, all residential zones except the OTR zone include wording that no fee is assessed for this kind of application. This proposed amendment will address this oversight.
- c) Currently, the governing ordinance does not make specific allowance for different types of temporary uses based on whether the underlying zone is residential or commercial. The proposed amendment will allow for temporary uses through a conditional use permit in multi-family, business, and light manufacturing and business zones. An example of this would be a fireworks stand. This amendment would allow a temporary fireworks stand in the LM&B zone.
- d) This was brought to staff's attention as a resident in a recorded subdivision would like to subdivide their property; however, doing so is currently prohibited by the Ordinance. Upon further review, it appears that when the Ordinance was cobbled together using other cities' language and ordinances to fit Farmington's needs, the sentence, "flag lots are prohibited if the proposed flat lot will...re-subdivide an existing lot or lots in a recorded subdivision." When stricter regulations for flag lots were adopted, it was never the intent to prohibit even the consideration of a flag lot in a recorded subdivision, but was adopted to create stricter guidelines for new development within the City. The proposed change would allow a resident the opportunity to present the proposal for a recorded property subdivision with a flag lot to the Planning Commission and City Council to consider; however, it is still a discretionary item that can be approved or denied by the Commission and Council.
- e) This item is adding language to clarify the allowable number of external employees of a home occupation. Currently, the Ordinance only allows for one un-related employee at any one time for a home occupation. The proposed change will allow for more flexibility so a home occupation can have one employee in the home at any one time, which means the possibility of part-time employees.

Kent Hinckley opened the public hearing at 7:49 p.m.

Walter Bornemeier, 351 Shephard Ridge Rd., said he is the resident that approached the City regarding the language prohibiting flag lots in recorded subdivisions. He said he is in favor of the proposed amendment for item d which is removing the flat lot restriction.

Kent Hinckley closed the public hearing at 7:51 p.m.

David Petersen said Mr. Bornemeier lives on a large property in Shepard Creek Estates. Staff was surprised to find the sentence prohibiting flag lots and it was overlooked when the stricter regulations were adopted. Staff feels property owners that have large platted lots that cannot be developed in any other way should at least be given the opportunity to apply and see if the Planning Commission and City Council will approve it.

Heather Barnum asked if the Planning Commission and City Council still have the ability to say no to the proposed flag lot if the proposed amendment is approved. **David Petersen** said yes, the

proposed amendment is just allowing residents the ability to ask. He said the City is very sensitive toward flag lots so the Planning Commission and City Council will still review every flag lot request.

With regards to Item a, **Heather Barnum** asked if the City is okay with the additional costs of noticing more public hearings. **David Petersen** said the City has a consolidated fee schedule, which allows the City the ability to charge applicants for the cost of mailings.

Motion:

Bret Gallacher made a motion that the Planning Commission recommend that the City Council approve the proposed amendments to the Zoning and Subdivision Ordinances as set forth in the July 7, 2016 staff report. **Connie Deianni** seconded the motion which was unanimously approved.

Findings:

1. Requiring Special Exceptions to be public hearings gives the Planning Commission a chance to hear from affected neighbors, receive input on considerations that may influence their decision, and negotiate the means to mitigate negative impacts that will benefit the City, applicant, and adjacent property owners.
2. Adding language that prohibits charging a fee will bring the OTR zone into consistency with the other residential zones in the City.
3. Broadening the scope of where Temporary Uses are allowed actually gives the City greater control through Section 11-28-120 of the Zoning Ordinance, and allows for the proper delegation of residential and commercial Temporary Uses to those zones where they are intended to be.
4. Removing the prohibition of flag lots in recorded subdivisions will allow for greater in-fill opportunities and flexibility in the future, especially as it relates to the utilization of oddly shaped lots, such as narrow and deep lots, or lots with severe topography.
5. Broadening the requirement of one unrelated employee total to one unrelated employee at any one time gives Home Occupation proprietors greater flexibility with their businesses.

ADJOURNMENT

Motion:

At 7:55 p.m., **Heather Barnum** made a motion to adjourn the meeting which was unanimously approved.

Kent Hinckley
Acting Chair, Farmington City Planning Commission

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, July 19, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

PUBLIC HEARINGS:

7:05 Davis Creek Residential Subdivision Schematic Plan

7:15 Davis Creek Commercial Subdivision Schematic Plan

7:25 Plat Amendments for Eastridge Estates Phase I Subdivision, Oakridge Farms Subdivision and Somerset Hollow Subdivision

7:35 Miscellaneous Zoning and Subdivision Ordinance Amendments

NEW BUSINESS:

7:45 Kilgore Contracting to Construct the FY2017 Road Maintenance Project

7:55 Development Agreement Amendment Request – Rice Farms PUD

SUMMARY ACTION:

8:05 Minute Motion Approving Summary Action List

1. Red Barn Recovery Improvements Agreement
2. Miller Meadows Phase 6 Improvements Agreement
3. Approval of Minutes from June 21, 2016
4. Approval of Minutes from July 5, 2016

GOVERNING BODY REPORTS:

8:10 City Manager Report

1. Executive Summary for Planning Commission held on June 23, 2016
2. Executive Summary for Planning Commission held on July 7, 2016
3. Fire Monthly Activity Report for June

8:15 City Council Committee Reports

8:25 Mayor Talbot & City Council Reports

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session, if necessary, for reasons permitted by law.

DATED this 14th day of July, 2016.

FARMINGTON CITY CORPORATION

By: Holly Gadd
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.

WORK SESSION: A work session will be held at 6:00 p.m. in Conference Room #3, Second Floor, of the Farmington City Hall, 160 South Main Street. The work session will be to answer any questions the City Council may have on agenda items. The public is welcome to attend.

FARMINGTON CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the City Council of **Farmington City** will hold a regular City Council meeting on **Tuesday, August 2, 2016, at 7:00 p.m.** The meeting will be held at the Farmington City Hall, 160 South Main Street, Farmington, Utah.

Meetings of the City Council of Farmington City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

The agenda for the meeting shall be as follows:

CALL TO ORDER:

7:00 Roll Call (Opening Comments/Invocation) Pledge of Allegiance

PRESENTATIONS:

7:05 Festival Days Follow-up

7:15 Tri-City Home and Garden Show Recognition

PUBLIC HEARINGS:

7:25 600 North Street Vacation

7:35 Oakridge Farms Plat Amendment

NEW BUSINESS:

7:45 Street Cross Section Modification Proposal for Residences at Farmington Hills Road

7:55 Chestnut Farms Phases IV and V Rezone Application

SUMMARY ACTION:

8:05 Minute Motion Approving Summary Action List

1. Silver Hollow Open Space Waiver
2. Davis Creek Subdivision Open Space Waiver
3. Approval of Minutes from July 19, 2016

GOVERNING BODY REPORTS:

8:10 City Manager Report

8:15 Mayor Talbot & City Council Reports

1. Report on Meeting with Brad Wilson

ADJOURN

CLOSED SESSION

Minute motion adjourning to closed session for purposes of litigation.

DATED this 28th day of July, 2016.

FARMINGTON CITY CORPORATION

By:  _____
Holly Gadd, City Recorder

***PLEASE NOTE:** Times listed for each agenda item are estimates only and should not be construed to be binding on the City Council.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting, should notify Holly Gadd, City Recorder, 451-2383 x 205, at least 24 hours prior to the meeting.



Planning Commission Staff Report August 4, 2016

Item 3: Conditional Use Permit Approval to Exceed Floor Area Requirement for a Home Occupation

Public Hearing: Yes
Application No.: C-10-16
Property Address: 1357 North Compton Road
General Plan Designation: LDR (Low Density Residential)
Zoning Designation: LR-F (Large Residential - Foothill)
Area: .29 Acres
Number of Lots: 1
Property Owner: Janez Jeraj
Agent: Janez Jeraj

Request: *Conditional use approval to exceed the floor area requirement for a home occupation.*

Background Information

The applicant is requesting conditional use approval to exceed the 25% floor area maximum requirement for a home occupation. Section 11-35-103(9) of the Zoning Ordinance states the following:

“Not more than twenty-five percent (25%) of the floor area of a dwelling may be devoted to a home occupation, and/or storage of materials, equipment, or stock in trade associated with the occupation, except as provided in Section 11-35-104 below.”

And Section 11-35-104 requires a conditional use permit approval by the Planning Commission for “uses where the applicant proposes to use more than twenty-five (25%) of the dwelling in connection with the business.” The applicant is proposing to do a home occupation that designs and implements electronic systems which will use the basement, and require approximately 53% of the total floor area for the business. In the applicant’s letter of request, he mentions that there will be up to 8 employees, however, Section 11-35-103(1) states that a home occupation can only have one additional, unrelated employee working at any given time. The applicant was informed that he would only be able to employ one additional employee at any given time, and he still wished to move forward with the conditional use application. While the ordinance regulates that number of unrelated employees, staff has included a condition that addresses this issue, and the condition will appear on the conditional use permit. As this will be a low impact home occupation being run out of the applicant’s basement, staff is comfortable with the conditional use permit being granted.

Suggested Motion

Move that the Planning Commission approve the conditional use permit subject to all applicable Farmington City ordinances and development standards, and the following conditions:

1. The hours of operation are limited to 7 a.m. to 7 p.m.;
2. Any signs proposed for the project must comply with the Farmington City Sign Ordinance. The sign plan shall indicate the location, height, and appearance of the signs upon the site and the effects upon parking, ingress/egress, and adjacent properties. Such signs shall be compatible with the character of the neighborhood;
3. The applicant must obtain all other applicable permits for the operation of the conditional use including but not limited to a business license from Farmington City, all health department regulations and all applicable building codes;
4. The applicant will provide any necessary parking necessary for additional employees;
5. The applicant shall comply with Section 11-35-103(1) of the Zoning Ordinance which limits additional, unrelated employees to one at any given time.

Findings for Approval

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

Supplemental Information

1. Vicinity Map
2. Narrative Description of Proposed Use

Applicable Ordinances

1. Title 11, Chapter 8 – Conditional Uses
2. Title 11, Chapter 11 – Single Family Residential Zones
3. Title 11, Chapter 35 – Home Occupations

Conditional use is a request to use more than 25% of the house (53%) of the **existing** house at 1357 N Compton Rd, Farmington for business. This is the basement of a rambler.

The proposed use of the existing home will be for the home office of the business. The company is organized to design and implement electronic systems. The space used as office space with desks and computers. There will be less than 8 people employed. Currently only the founder. Tentative hours will be from 7am till 7 pm.

The space is for office space and to provide gainful employment within the community. The use is clearly incidental and secondary to the residential use of a dwelling unit. There is no alteration to the exterior of the house, and no exterior architectural nor structural modifications will be made to any dwelling unit to accommodate a commercial use in the dwelling. Conduct of business does not adversely affect the residential character of the surrounding neighborhood. The neighbors or passers-by will not, under normal circumstances, be aware of its existence. There are no electrical or mechanical equipment which creates visible or audible or other interference. The home occupation shall not generate substantially greater vehicular traffic than commonly associated with residential activities in the neighborhood in which it is located. Parking is in front of the house but we do not expect increased traffic. The business is office space for people working on the premise and there will be no retail at the location so there should be no increased traffic nor need for extra parking.



**Planning Commission Staff Report
August 4, 2016**

Item 4: Miscellaneous Sign Ordinance Amendments

Public Hearing: Yes
Application No.: ZT-5-16
Property Address: NA
General Plan Designation: NA
Zoning Designation: NA
Area: NA
Number of Lots: NA
Applicant: Farmington City

Request: *Applicant is requesting a recommendation of approval of amendments to the Sign Ordinance to allow public electronic message signs as an exempt sign.*

Background Information

Some members of the governing body desire to provide Farmington owned and operated electronic message signs in certain areas of the community outside the electronic message sign overlay zone advertising public events similar to public electronic message signs in other communities. The types of signs exempt from the requirements of the Sign Ordinance are set forth in Section 15-2-110 thereto. This list includes signs advertising public and quasi-public events, but does not specifically mention electronic message signs for such events. In order to accommodate the above referenced request it is proposed that the City extend an exemption to electronic message signs for public events, but not quasi-public events as follows:

15-2-110 Exempt Signs

(16) Signs, including electronic message signs, advertising public events such as public concerts, school plays, etc.

(167) Signs, not including electronic message signs, advertising public and quasi-public events such as public concerts, school plays, etc.

The definitions for “public” and “quasi-public” are found in Chapter 2 of the Zoning Ordinance (Sections 11-2-020 (79) and (81)):

(79) Public Use. A use or facility owned or operated exclusively by a public entity, having the purpose of serving the public health, safety, or general welfare. These include such uses as library, parks, community buildings, schools, fire station, police station (with jail), etc.

(81) Quasi-Public Use. A use or facility owned or operated exclusively by a private non-profit religious, recreational, charitable, or philanthropic institution. Such use shall have the purpose of serving the general public, and would include such uses as a church, hospital, civic or social club, museum, etc.

To help the Planning Commission in their consideration of the request, attached is the entire Sign Ordinance which may enable the Commission to see the proposed amendments in context with other exemptions set forth in the Title, and to review other standards related to electronic message signs, other sign types, definitions, electronic sign area map, etc.

Suggested Motion:

Move that the Planning Commission recommend that the City Council approve the proposed amendments to the Sign Ordinances as set forth above.

Findings:

Supplementary Information:

1. Title 15, Farmington City Sign Ordinance (which includes the highlighted draft changes)

DRAFT

TITLE 15

SIGN REGULATIONS

Chapter 1	General Provisions
Chapter 2	Administration of Regulations
Chapter 3	General Sign Requirements
Chapter 4	Standards for Specific Signs
Chapter 5	Zoning Standards for Signs
Chapter 6	Nonconforming Signs
Chapter 7	Violations and Enforcement

CHAPTER 1

GENERAL PROVISIONS

15-1-101	Short Title
15-1-102	Purpose and Intent
15-1-103	Scope of Provisions
15-1-104	Definitions
15-1-105	Variances

15-1-101	Short Title
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This Title shall be known as the "Farmington City Sign Ordinance". This Title may also be known as "Title 15, Farmington City Code". It may be cited and pleaded under either designation.

15-1-102 Purpose and Intent

The purpose of this ordinance is to provide minimum standards to safeguard property, public health, safety, and general welfare and to preserve the unique character of Farmington through the establishment of guidelines governing the size, height, design, location, and maintenance of signs. It is not the intent of this ordinance to regulate the message content of signs or to regulate any signs which are not intended to be viewed by the general public from outside the property line. The following goals have been established to help achieve such purpose and intent:

- (1) To encourage signs which help to visually organize the activities of the City, lend order and meaning to business identification, and make it easier for the public and service delivery systems to locate and identify their destinations;

(2) To assure that all signs, in terms of size, scale, height, and location, are compatible with adjacent land uses and with the size of the development which they serve;

(3) To implement principles established in the Farmington City General Plan which recognize that the special character of the City rests largely in the quality of its appearance;

(4) To minimize unnecessary distractions to motorists, protect pedestrians, and provide safe working conditions for those persons who are required to install, maintain, repair, and remove signs; and

(5) To be fair to each property owner by providing that equal and adequate exposure to the public is made available and that no signs are allowed to visually dominate neighboring signs.

15-1-103 Scope of Provisions

In interpreting the provisions of this Title, the requirements contained herein are declared to be the minimum standards necessary to accomplish the purposes set forth. The types of signs allowed by this Title are fully described. Signs not specifically described herein shall be prohibited. Where the provisions of this Title impose greater restrictions than any other statute, regulation, ordinance, or covenant, these provisions shall prevail. Where the provisions of any statute, regulation, ordinance, or covenant impose greater restrictions than the provisions of this Title, the provisions of such statute, regulation, ordinance, or covenant shall prevail.

15-1-104 Definitions

Whenever any words or phrases used in this Title are not defined herein, but are defined in related sections of the Farmington City Code or Uniform Building Code, such definitions are incorporated herein and shall apply as though set forth herein in full, unless the context clearly indicates a contrary intention. Words not defined in any Code shall have their ordinarily accepted meanings within the context in which they appear. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is always mandatory, and the term "may" is permissive. The following terms as used in this Title shall have the meanings respectively ascribed to them.

(1) **Abandoned Sign** means a sign which displays evidence of neglect, no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or a sign for which no legal owner can be found.

(2) **Alteration** means a change or rearrangement in the structural parts of a sign causing an increase in the height, width, or area, or moving the sign from one location to another.

(3) **Animated Sign** means any sign which uses movement of all or part of the sign or a rapid or intermittent change of lighting to attract attention, depict action, or to create a special

effect or scene. This includes sign spinners.

(4) **Architectural Detail** means any projection, relief, cornice, column, change of building material, window, or door opening on any building.

(5) **Architectural, Scenic, or Historic Area** means an area that contains unique visual or historic characteristics or whose natural beauty requires special sign regulations to ensure that all signs displayed within the area are compatible with the area.

(6) **Awning Sign** means a sign attached to a building which consists of a fireproof space-frame structure with sign copy imprinted on a translucent flexible reinforced vinyl covering designed in awning form. Such signs may, or may not, be internally illuminated by fluorescent or other light sources in fixtures approved under the Uniform Electrical Code.

(7) **Barber Pole** means a traditional pole or symbol used to identify the place of business of a barber, containing no advertising. Barber poles are classified as Projecting signs. For the purpose of this ordinance, barber poles are not considered to be animated signs.

(8) **Banner or Pennant** means any cloth, bunting, plastic, paper, or similar material used for temporary commercial or home sale advertising purposes attached to, or appended on or from, any structure, staff, pole, line, framing, or vehicle.

(9) **Billboard** means an off-premise ground sign.

(10) **Building Face** means all window and wall area of a building in one plane, from ground level to the peak of the roof and/or top of parapet wall.

(11) **Changeable Copy Sign** means a sign on which the characters, letters, or illustrations can be changed or rearranged without altering the face or surface of the sign regardless of method of attachment. Any type or classification of sign may contain changeable copy.

(12) **Commercial Complex** means a group of two or more commercial uses, whether on one lot under one ownership or on several adjacent lots under separate ownership, which are dependent on one another to meet minimum standards for parking, vehicular circulation, and/or landscaping or are approved as elements in an overall site plan under a conditional use or subdivision application.

(13) **Copy** means any words, letters, numbers, figures, designs, or other symbolic representations on the display surface of a sign.

(14) **Corporate flag** means a flag with a corporate name or logo flown in front of a corporate office or facility for the purpose of identifying the company located within. Corporate flag does not include flags or banners with a company name or logo used to advertise products or homes for sale.

(15) **Directory Sign** means a common sign identifying two or more persons, businesses, or establishments.

(16) **Display Surface** means the surface available on the sign structure for the mounting of material to advertise or promote a product, event, person, or subject.

(17) **Electronic Message Sign** means a changeable copy sign that uses lights to form a sign message wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes. Time and/or temperature shall not be considered an electronic message sign. For the purposes of this ordinance, electronic message signs are not considered to be animated signs.

(18) **Frontage** means a lineal measurement along the property line of a lot or parcel of property which fronts on a public street. Frontage is used as the basis for determining, in part, the maximum sign area and number of signs allowed for individual activities.

(19) **Ground Sign** means a sign which is three or more feet above the ground and is supported by one or more uprights, poles, posts or braces placed in or upon the ground which are not a part of, or attached to, a building. The definition includes "pylon signs", "freestanding signs", and "pole signs".

(20) **Height (of a Sign)** means the greatest distance measured from the top of the nearest curb or sidewalk to the top of the sign including any protruding architectural features.

(21) **Identification Sign** means a sign which serves to identify only the name and address of the building, institution, person, and/or lawful use which occupies the premises.

(22) **Illegal Sign** means a sign which does not meet the requirements of this ordinance and which has not received legal nonconforming status.

(23) **Illuminated Sign** means a sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes. This definition shall also include reflectorized, glowing or radiating signs.

(24) **Logo** means a symbol, design, or graphic representation, which may include text that identifies a business, activity, or company.

(25) **Maintenance** means the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design, or structure of the sign.

(26) **Model Home Sign** means an off-premise sign designed solely to provide direction or guidance for vehicular traffic to a model home.

(27) **Monument Sign** means an on-premise sign, the entire bottom of which is in full contact with, or closer than three feet to, the ground.

(28) **Name Plate** means a non-illuminated identification sign, attached to the main building on a lot, which gives only the name, address, and/or occupation of the occupant or occupants of a dwelling.

(29) **Neon Sign** means a sign which incorporates into its design neon or gaseous light tubing that is uncovered, or covered by a transparent cover, allowing the tubing to be visible.

(30) **Nonconforming Sign** means a sign which was legally installed under laws or ordinances in effect prior to the effective date of this Title or subsequent revisions, but which is in conflict with the provisions of this Title.

(31) **Off-premise Sign** means a sign which directs attention to a use, product, commodity, event, or service not related to the property on which the sign is located. This definition includes billboards.

(32) **On-premise Sign** means a sign which directs attention to a use, product, commodity, event, or service which exists or is available on the property on which the sign is located.

(33) **Open House** means a home for sale, lease or rent that is open for inspection on a specific day and is occupied by at least one person present to show the house. The open house need not be occupied if the seller has a model home in the same subdivision which is occupied by a person present to show the open house.

(34) **Open House Sign** means an off-premise sign designed solely to provide direction or guidance for vehicular traffic to real estate that is for sale, lease or rent.

(35) **Owner** means a person, corporation, organization or agency having a legal or equitable interest in property and includes successors-in-interest, assigns, or the agent of any of the aforesaid.

(36) **Permanent Sign** means a sign intended to exist for the duration of time that the use or occupant is located on the premises and which is designed to be permanently attached to the ground or to a building. The sign shall be constructed entirely of durable materials.

(37) **Political Sign** means a sign limited to issues, ballot measures, ballot propositions, candidates, or groups of candidates in any district, municipality, community, state, or federal election.

(38) **Portable Sign** means any sign that is not permanently attached to the ground or a building, signs designed to be transported by wheels or other means, "A" or "T"-frame signs unless specifically allowed by this Title, or signs attached to, painted on, or supported by stationary vehicles or trailers, which are visible from a public street and have the express purpose of advertising a business, product, service, or event.

(39) **Premises** means a lot or a building site, combination of lots or building sites, or a

specific portion of a lot or building site, that contains the structures and the open spaces owned in connection with a lot, for the location, maintenance, and operation of the use of the property.

(40) **Project Identification Sign** means a permanent sign identifying an area of distinct character under multiple ownerships such as a residential neighborhood, historic district, shopping center, or industrial park.

(41) **Projecting Sign** means a sign other than a wall sign suspended from, or supported by, a building or structure and projecting outward more than twelve (12) inches.

(42) **Property Sign** means a sign related to the property on which it is located and offering such property for sale or lease, advertising contemplated improvements, announcing the name of the builder, designer, owner, or developer of a project, or warning against trespass. Similar signs not related to the property on which they are located are considered off-premise signs, not temporary signs.

(43) **Roof Sign** means a sign displayed on or above the roof, peak or parapet of a building and attached to the building.

(44) **Service Sign** means an on-premise sign erected for the purpose of facilitating, directing, or controlling the efficient or safe movement of pedestrians or vehicles on or into private property and which conveys information such as "rest rooms", "no parking", "entrance", "exit", or other messages of information, direction, or warning, but does not contain brand, trade or business identification.

(45) **Sign** means and includes every advertising message, announcement, declaration, demonstration, merchandise display, illustration, insignia, surface, or space erected or maintained in view of a public street for identification, advertisement, or promotion of the interests of any person, entity, event, product, or service. This definition shall also include the sign structure, supports, lighting system and any attachments, ornaments, or other features designed to attract the attention of observers.

(46) **Sign Area** means the area of a sign that is used for display purposes, excluding the minimum frame and support structure. In computing sign area, only one side of a double faced sign covering the same subject shall be computed when the two faces are parallel or diverge from a common edge at an angle of 45 degrees or less. When a sign has more than two faces, the area of the third face, and all additional faces, shall be included in determining the area of the sign. For signs that don't have a frame or integral background, sign area shall be computed based on the area of the smallest square, rectangle, or triangle which will completely frame the display.

(47) **Temporary Sign** means any sign, balloon, banner, valance, or advertising display constructed of paper, cloth, canvas fabric, cardboard, wallboard, wood, or other light material, with or without a frame, intended to be displayed out of doors for a short period of time.

(48) **Wall Sign** means a sign attached to and parallel with the exterior wall or windows

of a building, extending not more than 12 inches from such wall, and having messages or copy on the front side only. This definition includes painted, individual letter, and cabinet signs.

15-1-105 Variances

The Board of Adjustment may authorize a variance from this Title 15 in accordance with the provisions of Section 11-5-108 of the Farmington City Code.

*Amended 07/15/08 Ord. 1998-23
Amended 11/05/03 Ord. 2003-51
Amended 08/16/11 Ord 2011-18A 15-1-104(3), 15-1-104(42)
Amended 10/16/12 Ord. 2012-32 15-1-104(17)*

CHAPTER 2

ADMINISTRATION OF REGULATIONS

- 15-2-101 Conformity of Signs**
- 15-2-102 Construction Standards**
- 15-2-103 Maintenance**
- 15-2-104 Sign Permits**
- 15-2-105 Application Requirements**
- 15-2-106 Sign Permit Fees**
- 15-2-107 Approval**
- 15-2-108 Improper Issuance**
- 15-2-109 Permit Not Required**
- 15-2-110 Exempt Signs**
- 15-2-111 Prohibited Signs**

15-2-101 Conformity of Signs

Except as provided in this Title, no sign shall be erected, raised, moved, placed, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the zoning district in which it is located.

15-2-102 Construction Standards

All signs erected in the City shall comply with the current standards of the Uniform Electrical Code, the Uniform Building Code, and all provisions of this Title and the Farmington City Zoning Ordinance.

15-2-103 Maintenance

All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The ground space within a radius of ten feet

(10') from the base of any ground sign shall be kept free and clear of all weeds, rubbish, and flammable material. The Zoning Administrator is empowered to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated as more particularly specified in Chapter 7 of this Title.

15-2-104 Sign Permits

It shall be unlawful for any person, whether acting as owner, occupant, contractor, or otherwise, to erect, construct, reconstruct, enlarge, locate, or alter any sign within the City without first obtaining a Sign Permit from the City. The Zoning Administrator shall be empowered to:

- (1) Issue permits to erect, construct, reconstruct, enlarge, locate, or alter signs which conform to the provisions of this Title; and
- (2) Ascertain, in conjunction with the Building Official, that all sign construction, reconstruction, or modifications of existing signs is done in conformance with the Zoning Ordinance and Building Codes of the City.

15-2-105 Application Requirements

Sign Permit applications shall be made to the Building Official and shall include the following:

- (1) A completed application form; and
- (2) Three sets of plans, drawn approximately to scale, but with accurate dimensions, which include the following information:
 - (a) Sign elevations which indicate sign area, sign height, dimensions, colors, materials, letter height, structural supports, and/or method of illumination;
 - (b) A site plan which indicates the length of street frontage, setbacks from property lines, location of existing and proposed buildings, curb cuts, parking lots, and the location and size of all existing signs; and
 - (c) If wall signs are proposed, building elevation with proposed signs depicted.

15-2-106 Sign Permit Fees

A fee shall accompany all Sign Permit applications. The amount of the Sign Permit fee shall be based upon the fee schedule contained in Table 3A of the Uniform Building Code as adopted by the City. For the purpose of determining the fee, the valuation of the sign shall be the total value of all construction work for which the Sign Permit is issued.

15-2-107 Approval

A permit for the erection, construction, reconstruction, enlargement, alteration, or relocation of a sign shall be issued within a reasonable time after a valid application is submitted, provided that the sign complies with all applicable laws and regulations of the City and meets all of the conditions set forth in this Title.

15-2-108 Improper Issuance

The Zoning Administrator, or his or her designee, shall comply with the provisions of this Title in issuing sign permits. A permit shall be null and void if its issuance is based on false or misleading information provided by an applicant for such permit.

15-2-109 Permit Not Required

The following types of signs shall be exempt from the permit requirements of this Title but shall be in conformance with all other provisions:

- (1) Nameplates;
- (2) Property signs;
- (3) Service signs; and
- (4) Temporary signs.

15-2-110 Exempt Signs

The following types of signs are exempt from the requirements of this Title:

- (1) Direction, warning or information signs or structures required or authorized by law or by Federal, State, County or City authority;
- (2) Signs identifying a public building, giving directions to or identifying offices or departments within a public building, or to other signs placed by a public agency or by its authority within the building it occupies;
- (3) Tombstones;
- (4) Memorial tablets and plaques installed by a recognized governmental historical agency;
- (5) Official and legal notices issued by any court, public body, person or officer in performance of a public duty or in giving any legal notice;
- (6) Official flags of the United States of America, the State of Utah, and other states of the United States, counties, municipalities, official flags of foreign countries, and flags of internationally and nationally recognized organizations;

(7) Religious symbols and identification emblems of religious orders, affixed to religious buildings, which do not exceed four square feet in size;

(8) Signs located further than twenty five feet (25') from a public street or within malls, courts, arcades, porches, patios, parking lots, or other similar areas where such signs are not intended to be viewed or read from public streets immediately adjacent to the property;

(9) Signs located inside buildings which may or may not be visible from outside, except animated signs;

(10) Logos on licensed commercial vehicles provided that such vehicles shall not be used as parked or stationary outdoor display signs;

(11) Signs on vehicles, regulated by the City, that provide public transportation;

(12) Art or art forms which do not contain or imply any advertising message;

(13) Searchlights for temporary advertising purposes;

(14) Corporate flags mounted on approved posts, poles or standards; and

(15) Vending machines, gasoline pumps, telephone booths, newspaper racks, "take-out" or "pick-up" windows, or menus posted for reading in drive-in restaurant parking lots.

(16) Signs, including electronic message signs, advertising public events such as public concerts, school plays, etc.

~~(167) Signs, not including electronic message signs, advertising public and quasi public events such as public concerts, school plays, etc.~~

(178) Signs for a short term event shall be exempt from the provisions of this chapter. Such signs may include notices for garage sales, lost and found notices, etc. Such signs shall not be placed more than 24 hours before the event, shall be removed immediately following the event, and shall be limited to not more than four (4) signs per event, "not for commercial business."

15-2-111 Prohibited Signs

The following signs are expressly prohibited by this Title:

(1) Animated signs;

(2) Off-premise signs except for temporary home occupations, model home signs and open house signs as provided herein;

- (3) Billboards, and other off premise outdoor advertising signs;
- (4) Portable signs, except as provided herein;
- (5) Light bulb strings and any exposed lamp in excess of 40 watts which consist of unshielded light bulbs, festoons, and/or strings of open light bulbs, other than temporary decorative holiday lighting or holiday displays;
- (6) Roof signs;
- (7) Any display of merchandise within ten feet (10') of a public road; and
- (8) Signs within public street rights-of-way.

*Amended 04/19/06 Ord. 2006-28 15-5-040
 Amended 08/16/11 Ord. 2011-18A1- 15-2-110
 Amended 05/07/13 Ord. 2013-09 – 15-2-110(17)*

CHAPTER 3

GENERAL SIGN REQUIREMENTS

- 15-3-101 Signs not to Cause a Traffic Hazard**
- 15-3-102 Signs on Public Property**
- 15-3-103 Maintenance of Clear View at Intersections**
- 15-3-104 Signs on Utility Poles and Street Trees**
- 15-3-105 Signs in Proximity to Utility Lines**
- 15-3-106 Signs on Doors, Windows or Fire Escapes**
- 15-3-107 Transition Zoning**
- 15-3-108 Minimum Clearance of Signs**
- 15-3-109 Anchoring**
- 15-3-110 Wind Loads**
- 15-3-111 Illumination of Signs**
- 15-3-112 Street Addresses**
- 15-3-113 Repair of Building Facade**
- 15-3-114 Signs in Conjunction with a Conditional Use**

- 15-3-101 Signs not to Cause a Traffic Hazard**

No person shall install or maintain or cause to be installed or maintained any sign which will cause a roadway safety distraction such as glare from internal or external illumination. No sign shall simulate or imitate in size, color, lettering, or design any traffic sign or signal, or which makes use of the words "STOP", "YIELD", "DANGER", or any other words, phrases, symbols or characters in such a manner as to interfere with, mislead or confuse traffic.

15-3-102 Signs on Public Property

No signs shall be located on public property except for signs rented, owned, or erected by express permission of the City as provided herein.

15-3-103 Maintenance of Clearview at Intersections

In all zones with a required front yard, no material obstruction to view between a height of two feet (2') and ten feet (10') above the level of the curb or sidewalk shall be permitted on any corner lot within a triangular area formed by the street property lines and a line connecting them between points thirty feet (30') from the intersection of the two street property lines.

15-3-104 Signs on Utility Poles and Street Trees

To insure safe access for maintenance and emergency services by the various companies using utility poles, signs may be affixed to utility poles only after receiving express permission from the utility companies involved. Signs on street trees, traffic regulatory sign poles, and street name poles are prohibited.

15-3-105 Signs in Proximity to Utility Lines

No permit shall be issued for any sign, and no sign shall be constructed or maintained, which has less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the State of Utah, or rules and regulations duly promulgated by agencies thereof.

15-3-106 Signs on Doors, Windows or Fire Escapes

No sign shall be installed, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape, except those signs as required by other codes or ordinances.

15-3-107 Transition Zoning

Where the frontage on one side of a street between two intersecting streets is zoned partly residential and partly office, commercial, or industrial, a minimum front yard setback for any sign shall be equal to the most restrictive front yard setback required on any portion of the block. Signs shall not be located so as to project into a required side yard resulting from an office, commercial, or industrial zone or use abutting a residential zone or use.

15-3-108 Minimum Clearance of Signs

Where pedestrian traffic is anticipated near a sign, minimum clearance of ten feet (10') shall be maintained from the bottom edge of a projecting sign or ground sign to the final grade beneath such sign(s). The minimum clearance for projecting signs or ground signs located near

driveways or parking areas shall be fourteen feet (14').

15-3-109 Anchoring

No sign shall be suspended by non-rigid attachments that will allow the sign to swing in a wind. All ground signs shall have self-supporting structures erected on and permanently attached to concrete foundations.

15-3-110 Wind Loads

All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows:

(1) Solid signs thirty-five feet (35') in height or above, other than wall signs, shall be designed to withstand a wind load of 25 pounds per square foot on any face. Solid signs, less than thirty-five feet (35') in height, shall be designed to withstand a wind load of 20 pounds per square foot on any face.

(2) Signs, other than wall signs, with an open framework shall be designed to withstand a wind load of 36 pounds per square foot of the total face area of the letters and other sign surfaces, or 10 pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater.

15-3-111 Illumination of Signs

All signs may be illuminated, except where specifically limited by this Title or by the Planning Commission as a requirement related to a conditional use approval.

15-3-112 Street Addresses

All business and residential locations shall be identified by a street address number, affixed to the main building, which is clearly visible from the public street.

15-3-113 Repair of Building Facade

A building facade, damaged as a result of the removal, repair, replacement, or installation of any sign, shall be repaired by the property owner within thirty (30) calendar days from the date of such damage.

15-3-114 Signs in Conjunction with a Conditional Use

If signs are proposed in conjunction with a conditional use, a master plan for signs shall be included with the initial application.

CHAPTER 4

STANDARDS FOR SPECIFIC SIGNS

15-4-101	Awning Signs
15-4-102	Directory Signs
15-4-103	Electronic Message Signs
15-4-104	Identification Signs
15-4-105	Monument Signs
15-4-106	Nameplate Sign
15-4-107	Open House and Model Home Signs
15-4-108	Political Signs
15-4-109	Project Identification Signs
15-4-110	Property Signs
15-4-111	Service Signs
15-4-112	Temporary Signs
15-4-113	Wall Signs

15-4-101 Awning Signs

The following standards shall govern the use of awning signs:

- (1) Awning signs shall be classified as projecting signs;
- (2) Such signs shall not extend more than three feet (3') from the face of the building to which they are attached;
- (3) Minimum clearance of ten feet (10') shall be maintained above sidewalks;
- (4) The awning shall comply with the same setback established for all other signs in the zone in which it is located; and
- (5) The copy on an awning sign shall not exceed fifty percent (50%) of the sign's total area.

15-4-102 Directory Signs

The following standards shall govern the use of directory signs:

- (1) Directory signs may be ground, monument, or wall signs;
- (2) One directory sign for each separate frontage on a public street may be allowed for a commercial complex;
- (3) The area of a monument directory sign or wall directory sign shall not exceed four square feet for each business located on the site; and

(4) The area of a directory ground sign shall not exceed the maximum allowed in the zone in which the sign is located.

15-4-103 Electronic Message Signs

The following standards shall govern the use of electronic message signs:

(1) The night-time and day-time illumination of an electronic message sign shall conform with the criteria set forth in this Section:

(a) **Illumination Measurement Criteria.** The illuminance of an electronic message sign shall be measured with an illuminance meter set to measure foot-candles accurate to at least two decimals. Illuminance shall be measured with the electronic message sign off, and again with the electronic message sign displaying a white image for a full-color capable electronic message sign, or a solid message for a single-color electronic message sign. All measurements shall be taken perpendicular to the face of the electronic message sign at the distance determined by the total square footage of the electronic message sign as set forth in the Sign Area Versus Measurement Distance table:

Sign Area Versus Measurement Distance		
Area of Sign sq. ft.		Measurement Distance (ft.)
10		32
50		71
100		100
200		141
* For signs with an area in square feet other than those specifically listed in the table, the measurement distance may be calculated with the following formula: The square root of the product of the sign area and one-hundred.		

(b) The difference between the off and solid-message measurements using the electronic message sign measurement criteria shall not exceed 0.3 foot-candles at night.

(c) Electronic message signs shall come equipped with automatic dimming technology that must automatically adjust the sign's brightness in direct correlation with ambient light conditions not to exceed 15% of full brightness at night and 85% of full brightness at day.

(d) The minimum hold time between messages, for an electronic message sign

shall be no less than 3 seconds. Any such sign with a hold time less than 3 seconds shall be considered an animated sign and shall be prohibited.

(f) Fading, transitioning, or dissolving of images shall occur on an electronic message sign of no less than 1 second, but not to exceed 1.5 seconds, to reduce the abrupt “flashing” effect as the message on the sign changes from one image to another.

(g) All images on electronic message signs shall be full color RGB LED (Light-emitting Diode). [Note: the RGB color model is an additive color model in which red, green, and blue light are added together in various ways to reproduce a broad array of colors. The name of the model comes from the initials of the three additive primary colors, red, green, and blue].

(h) Traveling messages are prohibited.

(i) Electronic message signs must be turned off between the hours of midnight and 6:00 am.

15-4-104 Identification Signs

The following standards shall govern the use of identification signs:

- (1) Identification signs are classified as wall signs;
- (2) One identification sign is permitted for each business at a commercial location;
- (3) Area of an identification sign shall be not more than 16 square feet.

15-4-105 Monument Signs

The following standards shall govern the use of monument signs:

(1) Monument signs shall be designed as an integral part of a landscaped area and/or raised planter. If berms are a part of the landscaped area they shall have a slope no greater than 1 foot of vertical distance to 4 feet of horizontal distance and/or shall be not more than 3 feet in height above the elevation of the top of the nearest curb. Raised planters which contain monument signs shall be not more than three feet (3') in height;

(2) Monument signs shall be not more than six feet (6') in height above final grade;

(3) The area of a monument sign shall not exceed 50 square feet.

15-4-106 Nameplate Sign

The following standards shall govern the use of Nameplate signs:

- (1) Nameplate signs are classified as wall signs; and
- (2) The area of a nameplate sign shall not exceed one square foot.

15-4-107 Open House and Model Home Signs

- (1) Open house and model home signs are classified as portable signs.
- (2) Such signs may advertise homes for sale which are open for inspection on a specific day and may also indicate the hours of the open house or model home and the real estate firm sponsoring it. Signs may be displayed only during those hours which a home will be open.
- (3) Open house and model home signs shall conform to the setback requirements of the zone in which they are located and must have the consent of the owners, lessee, or occupant of the property on which they are located prior to placement.
- (4) Not more than four (4) off-premise open house or model home signs shall be allowed for each house advertised. Not more than ten (10) off-premise open house or model home signs shall be posted by any single seller/agent/developer/builder. Only one open house or model home sign may be placed on any off-premise parcel of land.
- (5) The area of open house and model home signs shall not exceed 6 square feet.

15-4-108 Political Signs

Political signs are classified as temporary signs and are governed by standards set forth in Section 15-4-111 of this Chapter.

15-4-109 Project Identification Signs

Project Identification signs may be monument, wall, or ground signs. Height, size, and number of signs shall be determined according to the standards for the zone in which the sign is located.

15-4-110 Property Signs

- (1) Property signs may include wall signs.
- (2) One on-site sign, not exceeding 64 square feet, may be erected in conjunction with a construction project in a commercial or industrial zone. Such signs shall not exceed twelve feet (12') in height. All signs shall be removed within thirty (30) days after final inspection of the last building in the project. Such signs shall not be illuminated.
- (3) One sign, advertising property for sale, lease, or rent may be placed on a lot. On a corner lot, one sign may be placed on each street frontage. Such signs shall refer only to the lot on which they are located and shall be removed within ten (10) days following the sale, rental, or

leasing of the property. In residential zones the area of such signs shall not exceed six (6) square feet on parcels which are less than one acre or are within a platted subdivision, and sixteen (16) square feet on parcels which are one acre or greater in size and not in a platted subdivision. In addition, one open house or model home sign may be placed on the lot to which it refers during the hours which it is open. In commercial zones, the area of such signs shall not exceed sixteen (16) square feet.

(4) The following signs may also be used to promote the sale of homes in new subdivisions until the last lot is sold:

(a) For subdivisions that contain five (5) or more lots, two (2) major promotional signs on separate entrances to the subdivision, not to exceed 64 square feet, may be used. Individual phases of a subdivision shall not be considered separate subdivisions.

(b) Subdivisions which include five (5) or more lots may attach one wall sign to each model home in the subdivision. This sign shall not exceed 32 square feet.

(c) One monument sign may be used to identify a model home. The area of this sign shall not exceed 16 square feet.

(5) In subdivisions or planned unit developments consisting of more than 100 units, one (1) on-site property sign for any I-15 or Highway 89 frontage on the development may be erected and each sign may have a size up to 128 square feet, a height up to 12 feet, shall be set back 100 feet from the public right-of-way, and may be illuminated with a spotlight to be extinguished at or before 11:00 p.m. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light into neighboring properties. The sign shall be removed within ten (10) days of when the last unit in the project or the last lot in the subdivision is sold by the developer; and

(6) The following may be changed by the City's Conditional Use permit process:

(a) Additional on-site property and directional signage as may be reasonably required to create a sense of community including the final size, character, location, and design of the signage.

(b) Adjustments to the signage requirements.

(7) In large commercial or mixed use projects of 10 acres or more, one (1) sign may be allowed for each three hundred (300) feet of major street frontage of the development area on which the signs are located, not to exceed 3 signs per frontage. The area of such signs shall consist of one (1) square foot for each two (2) feet of street frontage, but shall not exceed two hundred (200) square feet per sign. The height of the sign shall not exceed thirteen (13) feet above finished grade next to the sign. The sign shall not be illuminated or animated. Once installed these signs shall be valid for a period of not more than eighteen (18) calendar months and shall thereafter be removed from the property.

15-4-111 Service Signs

- (1) Service signs are classified as on-site monument signs or ground signs.
- (2) Ground signs, under this heading, shall not exceed five feet (5') in height unless a greater height is necessary, as determined by the Zoning Administrator, to provide adequate traffic control.
- (3) The area of a service sign shall not exceed 16 square feet.
- (4) The number of service signs shall be limited to the minimum number necessary to adequately and safely direct and inform the public.

15-4-112 Temporary Signs

- (1) Duration. A temporary sign may be displayed for a maximum period of eighty (80) days during a calendar year, after which it must be removed or replaced by a new temporary sign that meets the other requirements of this Chapter.
- (2) Durability. All temporary signs shall be securely attached to stakes or posts embedded in the ground or shall be securely attached to a permanent structure. Signs shall be made of durable materials such as will withstand the elements for the period of duration.
- (3) Size and Setback. The size, setback and location of all temporary signs shall conform to the specifications that pertain to the zone in which the temporary sign is located.
- (4) Owner Consent. Any person wishing to display a sign must have the consent of the owner, lessee, or occupant of the property on which the sign will be located, prior to placement.
- (5) Illumination. Temporary signs shall not be illuminated.
- (6) Spacing. No temporary sign shall be within three (3) feet of any other temporary sign.
- (7) Public Right-of-way. No sign shall be posted in the public right-of-way, or on any traffic regulatory sign pole or tree within any public street right-of-way, or on any utility pole.
- (8) Clearview at Intersections. All signs placed near intersections shall comply with the Clearview standards set forth in Section 15-3-103 of this Chapter.

15-4-113 Wall Signs

Wall signs shall not extend above the building face upon which they are affixed.

Amended 09/18/07 Ord. 2007-39 15-4-100(6)

Amended 08/16/11 Ord 2011-18A1 15-4-106(2) 15-4-106(4) 15-4-109(3) 15-4-109(6)(a)

Amended 10/16/12 Ord. 2012-32 15-4-103

CHAPTER 5

**ZONING STANDARDS FOR SIGNS AND
ELECTRONIC MESSAGE SIGN AREA STANDARDS**

- 15-5-101 Agricultural and Residential Zones**
- 15-5-102 Business and Special Use Zones**
- 15-5-103 Business Park Zone**
- 15-5-104 Commercial Zones**
- 15-5-105 Manufacturing Zone**
- 15-5-106 Electronic Message Sign Area**

15-5-101 Agricultural and Residential Zones

Signs in Agricultural Districts A, AE, and AA, and Residential Districts R, LR, S, LS, OTR, R-2, R-4, and R-8 are subject to all standards set forth in this Title and to the following additional standards.

(1) Only the following signs are permitted in Agricultural and Residential Districts:

- (a) Monument Signs;
- (b) Nameplate Signs;
- (c) Open House Signs;
- (d) Political Signs;
- (e) Project Identification Signs;
- (f) Property Signs;
- (g) Temporary Signs advertising garage or yard sales, craft boutiques, or sale of fruits and vegetables during the normal harvest season.

(2) Apartment developments, condominium projects, and residential subdivisions may have one Project Identification Sign indicating only the name of the development. Such signs shall be either wall or monument signs and shall be not more than 32 square feet in size.

(3) One nameplate sign may be used for each dwelling unit. No permanent signs other than nameplates are permitted on individual lots;

(4) One monument or wall sign, not to exceed 32 square feet, may be permitted in conjunction with a public use, quasi-public use, or public utility installation.

(5) One monument or wall sign, not to exceed 16 square feet, may be permitted in an R-4 or R-8 zone for a day-care center or professional office;

(6) One monument sign, not to exceed 16 square feet, may be permitted for a nonconforming profession office in the OTR zone;

(7) Temporary Signs advertising sale of fruits and vegetables during the normal harvest season shall not exceed a total of 32 square feet for all signs on the premises;

(8) Temporary home occupations, such as a garage or yard sales or craft boutiques, may have a maximum of one temporary on-premise sign and two temporary off-premise signs for each event. Each sign shall not exceed six square feet in area. The number of events on an individual residential lot shall not exceed four in any calendar year;

(9) No on-premise sign shall be located closer than 1 foot to any property line.

15-5-102 Business and Special Use Zones

The Business District B-R and Special Use Districts B and S-R are considered to be unique districts in the City and, as such, allow a mix of residential, office, and low intensity commercial uses. Signs in these districts are subject to all standards set forth in this Title and to the following additional standards:

(1) Signs for residential uses and developments in these Districts shall be limited to those types listed in Section 15-5-101.

(2) For office and commercial uses in these Districts, only the following additional signs are permitted:

- (a) Awning signs;
- (b) Changeable copy signs;
- (c) Directory signs;
- (d) Identification signs;
- (e) Monument signs;
- (f) Project identification signs;
- (g) Projecting signs;
- (h) Temporary signs;
- (i) Service signs; and
- (j) Wall signs.

(3) Ground signs, as defined herein, are not permitted.

(4) The minimum setback from front property lines shall be ten feet (10'). If widening of public streets is planned or projected, this setback shall be measured from the future right-of-way line.

(5) Temporary signs shall not exceed sixteen (16) square feet in size.

(6) The maximum area of wall signs shall not exceed ten percent (10%) of the front building face of a main building and five percent (5%) of not more than one additional building face. For the purpose of this Title, canopies over gasoline islands shall be considered accessory structures and may have wall signs incorporated into them which cover not more than twenty percent (20%) of the fascia of the roof portion of such structures.

(7) Each business or commercial complex may have one monument sign for each separate public street frontage. Such signs shall be set back a minimum of twenty-five feet (25') from side property lines.

(8) When site plan review is required for a proposed development, a master plan for signs shall be included with the application.

(9) Exceptions to the provisions of this Section may be made for signs for office and commercial uses within the Business Residential (B-R) Zone. Such exceptions shall be requested and reviewed in accordance with the conditional use permit process set forth in Chapter 8 of the City Zoning Ordinance. This exception is founded upon the provisions of the Downtown Master Plan for Farmington City. As noted in the Downtown Master Plan, the downtown area of the City contains mixed and diverse uses necessitating and requiring flexibility and discretion in implementing and allowing special deviations from standard requirements of the Zoning Ordinance and other regulations in this area.

15-5-103 Business Park Zone

Signs in the Business Park (B-P) District are subject to all standards set forth in this Title and to the following additional standards.

(1) Signs for residential uses and developments in the B-P District shall be limited to those types listed in Section 15-5-101.

(2) For office and commercial uses in the B-P District, the following additional signs are permitted:

(a) All signs listed in Section 15-5-102;

(3) All signs shall be set back ten feet (10') from existing or future public street right-of-way lines. Setback shall be measured from the right-of-way line to the nearest part of the sign extending toward such line.

(4) No projection of any sign shall be allowed into the required side yard where the B-P District abuts any residential zone or residential use.

(5) The maximum area of wall signs on main buildings shall not exceed ten percent (10%) of the front face and five percent (5%) of any other building face. For the purpose of this Title, canopies over gasoline islands shall be considered accessory structures and may have wall signs incorporated into them which cover not more than twenty percent (20%) of the fascia of the roof portion of such structures.

15-5-104 Commercial Zones

For the purpose of this Section, the Commercial Districts C, C-H, and C-R are considered to be Commercial Zones. Signs in these districts are subject to all standards set forth in this Title and to the following additional standards:

(1) The following signs are permitted in Commercial Zones:

- (a) All signs listed in Section 15-5-102;
- (b) Ground signs; and
- (c) Neon signs.

(2) All signs shall be set back ten feet (10') from existing or future public street right-of-way lines. Setback shall be measured from the right-of-way line to the nearest part of the sign extending toward such line.

(3) Temporary signs shall not exceed sixteen (16) square feet in size.

(4) No projection of any sign shall be allowed into the required side yard where a Commercial Zone abuts any Residential Zone or residential use.

(5) The maximum area of wall signs on main buildings shall not exceed ten percent (10%) of the front face and five percent (5%) of any other building face. If no ground signs are proposed, the coverage of the front face of a building may be increased to fifteen percent (15%). For the purpose of this Title, canopies over gasoline islands shall be considered accessory structures and may have wall signs incorporated into them which cover not more than twenty percent (20%) of the fascia of the roof portion of such structures.

(6) The following provisions shall apply to ground signs:

- (a) Lot frontage of at least 100 feet is required before a ground sign will be permitted;

(b) For each commercial lot or commercial complex with between 100 feet and 300 feet of frontage on a public street, one ground sign may be allowed for each separate street frontage. For each additional 300 feet of separate street frontage, one additional ground sign may be permitted;

(c) Ground signs on individual lots, or commercial complexes, shall be separated by at least 100 feet from signs on adjacent lots. Where there are multiple signs on one lot or commercial complex such signs shall be separated by at least 200 feet;

(d) The area of a ground sign shall not exceed one square foot of area for each lineal foot of street frontage, or 200 square feet, whichever is less. This standard may be reviewed by the Planning Commission in conjunction with a Conditional Use Application and may be adjusted either up or down;

(e) The maximum height of ground signs at the minimum setback shall be twenty feet (20') above the elevation of the top of curb nearest to the sign. This height may be increased to a maximum of forty feet (40') if the sign is set back an additional 1.5 feet for each foot of height over twenty feet (20'). These standards may be reviewed by the Planning Commission in conjunction with a Conditional Use Application and may be adjusted either up or down; and

(f) On corner lots, ground signs shall be set back thirty feet (30') from the intersection of property lines.

(7) One Monument sign may be allowed for each business on a lot, or in a commercial complex, provided that a minimum separation of fifty feet (50') is maintained between such signs and they are set back a minimum of twenty-five feet (25') from side property lines.

15-5-105 Light Manufacturing and Business Zone

Signs and sign standards for the Light Manufacturing and Business (LM&B) Zone shall be as specified in Section 15-5-104 above, except neon signs are not permitted in the LM&B Zone.

15-5-106 Electronic Message Sign Area

Electronic message signs shall only be allowed in the Electronic Message Sign Area as illustrated on Exhibit A attached hereto and by this reference made a part hereof. All electronic message signs in the electronic message sign area shall be subject to standards set forth in this Title and to the following additional standards.

(1) Electronic message signs shall be subject to the sign standards specific to the zone designation of the property.

(2) Electronic message signs shall be a permanent on-premise sign and shall be limited only to ground signs and monument signs. Electronic message signs shall not include directory signs, identification signs, project identification signs, property signs, or service signs.

(3) Electronic message signs shall be a conditional use subject to all provisions of Chapter 8 of the Zoning Ordinance.

*Amended 04/19/06 Ord. 2006-28 15-5-040
Amended 12/04/07 Ord. 2007-58 15-5-010(2)
Amended 10/16/12 Ord. 2012-32 15-5-106
Amended 02/17/2015, Ord. 2015-10*

CHAPTER 6

NONCONFORMING SIGNS

- 15-6-101 Purpose and Intent**
- 15-6-102 General Requirements**
- 15-6-103 Signs on Nonconforming Buildings**

15-6-101 Purpose and Intent

It is the intent of this Chapter to recognize that the eventual elimination of existing signs that are not in conformity with the provisions of this Ordinance is as important as the prohibition of new signs that would violate these regulations. It is also the intent of this Chapter that any elimination of nonconforming signs shall be effected so as to avoid any unreasonable invasion of established property rights.

15-6-102 General Requirements

A nonconforming sign shall be properly maintained in accordance with provisions of this Title. A sign shall not be modified in any way except to bring it into conformity with all provisions of this Title. For the purpose of this Title, modification includes:

- (1) A change to another nonconforming sign;
- (2) Any modification resulting in an increase in height or a change to the outside dimensions of the sign cabinet;
- (3) Reestablishment of a nonconforming sign after having been abandoned for ninety (90) days or more;
- (4) Reestablishment of a nonconforming sign after damage or destruction of more than fifty percent (50%) of its replacement value, regardless of the cause. In making a

determination, the City shall require a detailed estimate of the cost to repair and restore the damaged sign to its previous condition as well as an estimate of the cost to totally replace the sign; and

- (5) Moving, replacing at the same location, or relocating a nonconforming sign.

15-6-103 Signs on Nonconforming Buildings

Nonconforming buildings closer than ten feet (10') to a public street right-of-way shall only be allowed to have wall signs or awning signs.

CHAPTER 7

VIOLATIONS AND ENFORCEMENT

15-7-101 Legal Action

15-7-102 Violations

15-7-103 Penalties

15-7-104 Appeals

15-7-101 Legal Action

The Zoning Administrator, or his designee, shall be empowered to institute any appropriate action or proceeding in any case where any sign is erected, constructed, reconstructed, altered, repaired, converted, maintained, or used in violation of this Title or the City Building Regulations or Zoning Ordinance. The purpose of such action shall be to prevent such unlawful uses and restrain, correct, or abate the violations. Legal actions may include:

- (1) Issuing a notice of violation to the person having charge, control, or benefit of any sign found to be unsafe, dangerous, or in any violation of a City Ordinance;
- (2) Issuing of citations and/or swearing out complaints against violators of this Title or causing such citations or complaints to be issued; or
- (3) Impounding illegal signs and assessing an impound fee for their return.

15-7-102 Violations

(1) 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 (15) days from the date of the order in which to correct the alleged violation or to appeal to the Board of Adjustment.

(2) The following provisions shall govern the treatment of abandoned signs:

(a) If, upon inspection, it is found that a sign is abandoned or structurally, materially, electrically, or otherwise defective, in such a way as to endanger the public, the Zoning Administrator shall issue a written order to the owner of the sign, and/or the occupant of the premises, stating the nature of the violation and requiring the repair or removal of the sign within fifteen (15) days of the date of the order.

(b) signs shall be considered abandoned and subject to removal pursuant to the procedures of this Section under any of the following circumstances:

i. Where a sign is not kept in good condition, adequately repaired and maintained at all times; the standard for adequate repairs is that the repairs shall be at least equal to the quality and design of the original work in manufacturing and installing the sign, reasonable wear and tear excepted;

ii. Where a sign pertains to activities or occupants that are no longer using the premises on which it is located, and it has not been removed or the sign copy changed within thirty (30) days after the associated enterprise or occupant has vacated the premises; or

iii. Where the sign concerns a specific event and five (5) days have elapsed since the occurrence of that event.

(3) In cases of emergency, or an identified hazard, the Zoning Administrator may cause the immediate removal of a dangerous or defective sign, which presents a hazard to the public safety, without notice.

(4) Signs located in, or within ten feet (10') of, any public street right-of-way, and determined to be in violation of the provisions of this Title, may be impounded at any time.

15-7-103 Penalties

Any person, firm or corporation, association, partnership, or governmental instrumentality, whether as principal, agent, employee, or otherwise, violating or causing the violation of any of the provisions of this Ordinance, or failing or refusing to do some act required under this Ordinance, shall be guilty of a Class B misdemeanor. A separate offense shall be deemed to have been committed for each day that the violation occurs or continues.

15-7-104 Appeals

Appeals to the Board of Adjustment, 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.

Amended 07/17/98 Ord 1998-23

Amended 11/05/03 Ord. 2003-51

Amended 04/19/06 Ord. 2006-28

Amended 04/21/09 Ord 2009-17

Amended 08/20/09 Ord. 2009-45



Exhibit "A" Electronic Message Sign Area



Date: 10/11/2012

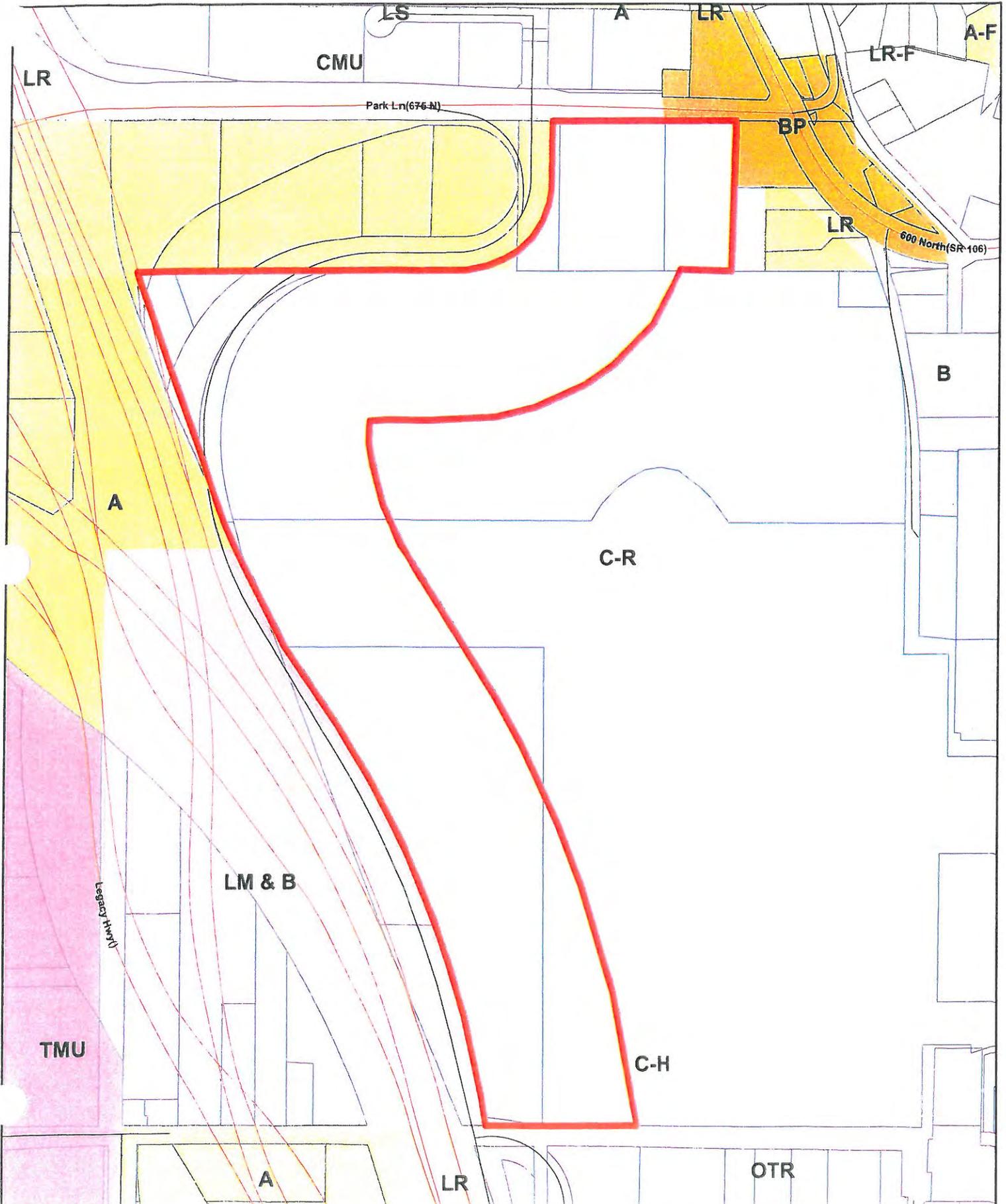
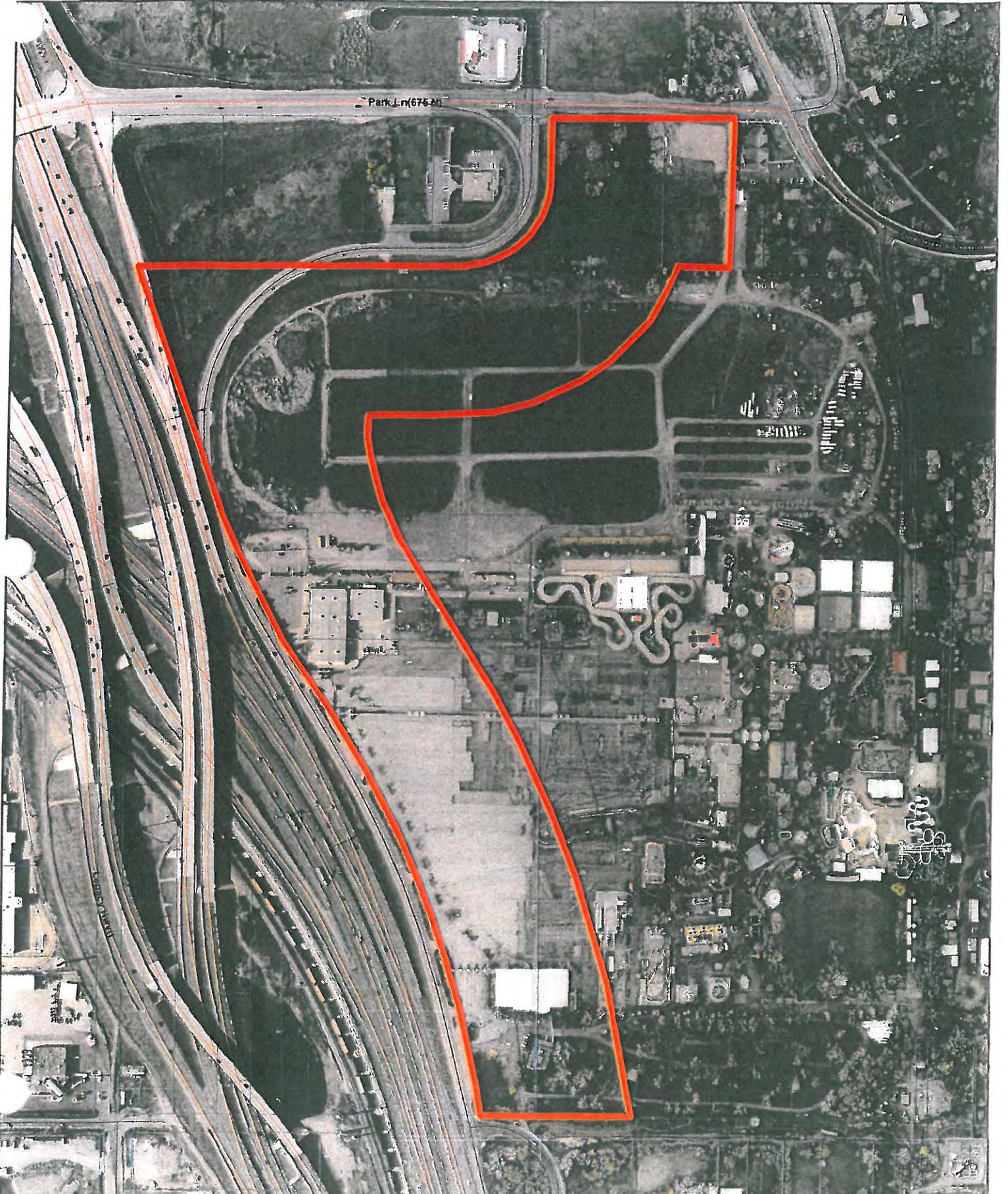




Exhibit "A" Electronic Message Sign Area



Date: 10/11/2012



FARMINGTON, UTAH

ORDINANCE NO. 2013 -07

AN ORDINANCE AMENDING THE ELECTRONIC MESSAGE SIGN AREA AS SET FORTH IN THE FARMINGTON CITY SIGN ORDINANCE TO INCLUDE PROPERTY LOCATED AT 653 NORTH MAIN STREET.

WHEREAS, the Farmington City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed change to the electronic message sign area pursuant to the Farmington City Sign Ordinance and has found it to be consistent with the City's General Plan; and

WHEREAS, a public meeting before the City Council of Farmington City was held after being duly advertised as required by law; and

WHEREAS, the City Council of Farmington City finds that such change to the electronic message sign area should be made;

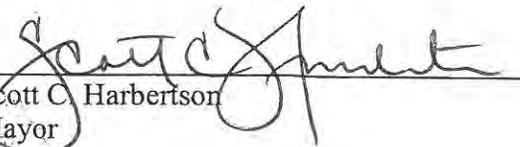
NOW, THEREFORE, BE IT ORDAINED by the City Council of Farmington City, Utah:

Section 1. Electronic Message Sign Area Change. The electronic message sign area as set forth in the Farmington City Sign Ordinance is hereby amended to include property located 653 North Main Street (.99875 acres), said property being more particularly described on Exhibit "A" attached hereto.

Section 2. Effective Date. This ordinance shall take effect immediately upon final passage by the City Council.

DATED this 16th day of April, 2013.

FARMINGTON CITY


Scott C. Harbertson
Mayor

ATTEST:

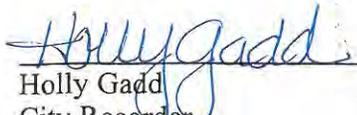

Holly Gadd
City Recorder



Exhibit "A" Electronic Message Sign Area *Amendment*



Date: 10/11/2012

