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FILLMORE CITY  
PLANNING COMMISSION MEETING  
April 26, 2016

Minutes of the meeting of the Fillmore City Planning Commission held April 26, 2016 in the Fillmore City Council Chambers, 75 West Center. Notice of the time and place of the meeting was posted on the Utah State Public Meetings Website, at the City Office, Fillmore Library, City Recorder's office, faxed to The Chronicle-Progress, KMTI radio station and emailed to each member of the Commission on April 21, 2016. Those present for the meeting were:

Vice-Chairman:	Ryan Hansen	Members:	Charles Carling
Council:	Mayor Gene Larsen <i>absent</i>		Chad Kunz
Staff:	Dena Iverson		Jesse Ralphs <i>absent</i>
			Lars Rasmussen <i>absent</i>
			Marty Lunt
			Tracy Whatcott

Alternate:

Also present: Chris Shumway, Alan Roper, Dallas Griffith.

Vice-Chairman Hansen opened the meeting at 7:00 p.m. and welcomed everyone. Introduce and welcome Marty Lunt, planning commissioner.

**Approval of Minutes**

Minutes of the previous meeting held March 29, 2016 were reviewed and accepted.

**City Council Report – Mayor Gene Larsen**

**Chris Shumway Simple Lot Line Adjustment 900 W Airway Drive**

Fillmore City owns 20 acres of property on Airway Drive. Chris Shumway is in the process of purchasing the west portion of the property and wants to adjust the lot line to combine with his current property located on the corner of 900 West and Airway Drive. A simple lot line adjustment is contingent upon purchase of the city property, 5 acres of parcel F FIP-3, Section 25 S, 89, 43' 41" W and N I 32' 00" E.

MOTION by Commissioner Kunz and SECOND by Commissioner Carling to accept Chris Shumway Simple Lot Line Adjustment for property to be divided into 2 separate parcels, 5 acres west parcel to Mr. Shumway and the east parcel to remain with Fillmore City and recommend that it be approved by the Fillmore City Council: MOTION passed with a unanimous roll call vote.

45 **Jon Moody Simple Lot Line Adjustment**

46 Mr. Moody requests a lot line adjustment for residence located at 190 West 200  
47 North. The primary residence will remain and the back portion behind the home will  
48 create two buildable lots. All three proposed lots have access to a public street and  
49 meet requirements for a buildable lot.

50  
51 This does not qualify for a Simple Lot Line Adjustment. Applicants, as the owners  
52 of record of adjacent parcels that are described by either a metes and bounds  
53 description or a recorded plat, may exchange title to portions of the parcels.

54  
55 One parcel of property is being subdivided into 3 parcels, there is not boundary  
56 property that is exchanging. Planning commissioners recommend Mr. Moody to  
57 change application to a Simple Lot Subdivision application which will require Mr.  
58 Moody to meet the Simple Lot Subdivision standards of Chapter 6-11 Subdivision.  
59 When standards are complete, then re-submit application for a Simple Lot  
60 Subdivision.

61  
62

63 **Alan Roper, RNA Investments: Property 2 approximately 300 N 10 W**

64 Mr. Roper continued discussion to move forward with a recommendation for a  
65 conditional use permit to build a 4 unit apartment house on the west side of property.  
66 Mr. Roper is scheduling a meeting with Utah Department of Transportation (UDOT)  
67 to receive permission to access property from Main Street. A couple of things to  
68 review with UDOT are:

- 69
  1. Access from Main Street to property.
  - 70 2. Distance required from corner of Main Street to a driveway.

71

72 Mr. Roper has contacted Flowell Electric and clarified that you can build under a  
73 power line, a 10 foot high clearance between powerline and structure is required, if  
74 not, structure needs to be 10 feet width away for powerline access. Mr. Roper's  
75 design for the 4 unit structure will meet electrical requirements.

76

77 Add a Conditional Use to the next Planning Commission agenda for review with the  
78 following requirements for recommendation to the city council:

79

- 80
  - A. Development standards for the R2 zone (6-7-3.3) pertaining to a 4 family  
81 dwelling and parking standards (6-7-3.6). General Commercial District  
82 zone general review criteria for a Conditional Use Standards of Review (6-  
83 7-5.8)
  - 84 B. Structure and property design for 4 unit apartment house:
    - 85 1. Each unit will have a separate garage in the front for parking,  
86 additional parking will be available on the east and south side of  
87 unit.
    - 88 2. Security lighting will conform to R2 Residential zone standards.
    - 89 3. Privacy fencing will be installed around property.

- 90 4. Building design is compatible with surrounding structures.
- 91 5. Mitigate storm drain run off within the property boundaries.
- 92 6. Meet all Federal, State and local laws.

93

94 **Paul Burgess – My Favorite Place, weekly swap meet at 45 North Main Street,**  
95 **continued discussion.**

96 Per telephone conversation on April 25, 2016 between Planning Commission  
97 Secretary and Paul Burgess, Mr. Burgess does not wish to proceed with a weekly  
98 swap meet. Mr. Burgess’s vendors felt it was too expensive to purchase a \$25.00  
99 business license and pay a booth rental fee.

100

101 Planning Commissioners and city attorney moved forward with discussion for swap  
102 meet as an allowed use and proposed changes to the zoning code for a public hearing  
103 at the next regular scheduled planning meeting.

104

- 105 A. Definition: swap meet, a business where the owner or lessee of real  
106 property lends, or leases portions of the premises to persons for use as an  
107 open market place to barter, exchange or sell goods. The market place  
108 may be located either outdoors or indoors. A flea market shall be  
109 considered a swap meet. Yard sales and garage sales at residences are not  
110 swap meets. The owner or lessee of the real property is responsible for  
111 seeing that all entities or persons, bartering, exchanging or selling goods at  
112 the swap meet all conditions of operation for the swap meet, if any, and  
113 obtain proper licenses to participate in the swap meet.
- 114 B. Definition will include Farmers Market/Swap Meet/Flea Market
- 115 C. Administrative Use
- 116 D. Zones – Highway Commercial and General Commercial
- 117 E. Temporary Use – Swap meets may be permitted as a temporary use only  
118 for a time period not to exceed one year. Swap meets may apply for a  
119 administration use permit in successive years.
- 120 F. Swap meet location restriction:
  - 121 a. The site’s proximity to residences, schools, hospitals and other  
122 noise sensitive uses.
  - 123 b. The site’s proximity to other swap meets to avoid overconcentration  
124 of facilities.
  - 125 c. The site’s proximity to business procession hazardous material.
  - 126 d. The potential adverse impacts on traffic circulation and pedestrian  
127 safety
- 128 G. Facility consideration, a business plan will be provided for space used,  
129 booth size and layout, emergency access, restroom facility, traffic control,  
130 public safety, and garbage disposal. A percentage of space available can  
131 be used for vendor booths.
- 132 H. Criteria, follow all Federal, State and local laws and building codes  
133 Fillmore City has approved.

- 134 I. Requirements of Holder. The administrative use permit holder will be  
135 required to see that all entities or persons, bartering, exchanging or selling  
136 goods at the swap meet comply with all conditions of operation for the  
137 swap meet, obtain needed business licenses and are collecting applicable  
138 taxes related to their operations.  
139 J. Permit holder will meet zone standards for signs.  
140

141 Vendors are concerned of the cost of doing business with the swap meet and Fillmore  
142 City. Does the planning commission have recommendations to mitigate the cost and  
143 make it more appealing to vendors to do business?

- 144 A. The city can create a new charge for swap meet vendors based on a  
145 timeline.  
146 B. Require the permit holder to have a license to umbrella all vendors at that  
147 facility.  
148

149 Suggest these items to city council for possible change to city code, Chapter 8  
150 Licensing.

151

152 **Items of Business**

153

154 **Adjournment**

155 The meeting adjourned at 9:00p.m. MOTION by Commissioner Carling and  
156 SECOND by Commissioner Kunz.

157

158 The next regular meeting is scheduled for May 24, 2016 at 7:00 p.m.