

FARMINGTON CITY – CITY COUNCIL MINUTES
held via Zoom and at City Hall, 160 S. Main, Farmington, Utah
September 1, 2026

WORK SESSION WITH PLANNING COMMISSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Amy
Shumway,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Kristen Sherlock,
City Recorder DeAnn Carlile,
Recording Secretary Deanne Chaston,
Community Development Director Lyle
Gibson,
Assistant City Manager/City Engineer Chad
Boshell,*

*Public Works Director Larry Famuliner,
City Lobbyist Eric Isom,
Planning Commission Chair Tyler Turner,
Planning Commission Vice Chair Joey
Hansen,
Commissioner Frank Adams,
Commissioner Randy Hopkins,
Commissioner George (Tony) Kalakis,
Commissioner Spencer Klein,
Alternate Commissioner Kevin Sanders, and
Alternate Commissioner Brian Shepherd.*

Mayor **Brett Anderson** called the work session to order at 6:07 p.m. Councilmember **Scott Isaacson**, Planning Commissioner **Scott Behunin**, and City Attorney **Paul Roberts** were excused.

LAND USE TRAINING

Stephen F. Noel, an attorney with Smith Knowles for 30 years, presented land use training in a work session in combination with the Planning Commissioners. **Noel** discussed selective enforcement of zoning laws, administrative vs. legislative, council vs. commission, and trends in law and recent land use cases. He said the best way to avoid a fight is not to get into one in the first place. Since litigation can get costly, money is a good reason to avoid a fight. Since it is a Herculean task to please everyone, planning and effort need to go into planning cities, establishing policies, and following those policies.

He said he has often found that people in general just want to be listened to and heard. When they are not, they get frustrated and complain, which in turn leads to lawsuits. People don't want to be placated or "managed," and it is pretty apparent when someone is not being listened to. The public can sense when a public hearing is just something the City wants to "get over with" instead of a way to gather information and perspective. Leaders should listen to what is being said rather than who is saying it.

He often sees cities ask if they can do something, rather than if they should do something. He said it is best to first ask if they should do something, and to err on the side of having a public hearing, even if it delays things. Although developers often spend a lot of time, money, and effort working with cities, the public often doesn't know that and only has 14 days to get up to speed in order to address important issues Staff has known about for sometimes years. This is not backhanded, but rather just reality. However, to the public it can be frustrating and daunting.

They look to elected officials as gatekeepers and for help mitigating disputes, and those leaders should be sensitive to that.

While no two property owners or pieces of property are the same, there should be effort to apply and enforce laws uniformly. The standard is established by identifying a “true comparator,” or someone that is similarly situated in every material respect, and proof that any differentiated enforcement was irrational and abusive. Identifying a justifiable difference through “findings” dictated during a vote and on the public record is advisable. Objectively determine a rational basis for decision in order to support legislative decisions.

Since a city has more latitude for zoning and long-term planning issues, it is extremely rare for a plaintiff to be successful when suing a City for a zone change. Those decisions are presumed valid, and the standard is high to get those overturned. However, even successful lawsuits are costly in terms of money, reputation, political capital, and distraction.

It is not always simple to distinguish between administrative vs. legislative, and the different hats often cross paths. Legislative is adopting law while administrative is enforcing law. For example, a city council often acts in a legislative capacity when adopting policies and ordinances. Adopting or amending a general plan, zoning ordinance, rezone, or zoning map amendment are all done in a legislative capacity. Planning commissions recommend policies, but they don’t make the decision. The burdens and standards for each are different, but decisions are sound if they are reasonably debatable.

Conditional use permits, site plans, variances, and special exceptions all are administrative in nature. The standard of review to have a decision challenged is the substantial evidence test, which can be documented as facts supporting a decision in the public record. The Court presumes a decision valid unless it is arbitrary, capricious, or illegal. Audio recordings have always been a two-edged sword, as they don’t favor people who talk a lot. When applying an ordinance administratively, if a land use is not addressed, it must be interpreted in favor of the land use application. Ambiguity is construed against the City.

The planning commission has a role, and they are often the group that takes the arrows first. Although city councils are not bound to follow a commission’s recommendations, they would be wise to listen to them. Councils can reject or modify commission recommendations. However, they can get into trouble with modifications. Utah recently passed a new law this year (10-20-502) that a council can act on proposed regulations without waiting for the commission’s recommendation. Upon an applicant’s request, a council can decide that the commission had adequate time to make recommendations and failed to. This could pit councils against commissions, when they should be complementary even when in disagreement. Vetting of the issues is an important part of the process.

In past cases, plaintiffs have claimed that information is not supplied to planning commissioners in enough time for them to be adequately prepared to make a decision on complicated issues. There is pressure from developers not to postpone at the same time that commissioners are trying to get through 300 pages of complicated material within only one day. When exactions, impact fees, and standards are attached to decisions, commissioners have to be careful. While a commission needs to look out for the interests of the city, they must not push things too far. Fees and conditions leveraged need to match proportionately the development’s impacts.

REGULAR SESSION

Present:

*Mayor Brett Anderson,
City Manager Brigham Mellor,
Mayor Pro Tempore/Councilmember Amy
Shumway,
Councilmember Roger Child,
Councilmember Melissa Layton,
Councilmember Kristen Sherlock,*

*City Recorder DeAnn Carlile,
Recording Secretary Deanne Chaston,
Community Development Director Lyle
Gibson,
Assistant City Manager/City Engineer Chad
Boshell, and
Public Works Director Larry Famuliner.*

CALL TO ORDER:

Mayor **Brett Anderson** called the meeting to order at 7:10 p.m. Councilmember **Scott Isaacson** and City Attorney **Paul Roberts** were excused. Councilmember **Kristen Sherlock** offered the invocation, and the Pledge of Allegiance was led by Councilmember **Roger Child**.

BUSINESS:

Culinary Water Restrictions and Proposed Fee Schedule Change

Public Works Director **Larry Famuliner** presented this agenda item. Two weeks away from the secondary water being shut off for the year, Staff wanted to bring these proposed fees before the Council, particularly a rate increase per 1,000 gallons if more than 20,000 gallons were used within one month. Instead of \$4.40 per 1,000 gallons, the increase would be \$12 instead. This could be caused by those using culinary water to irrigate, extreme water waste, and system leaks. The change also clarifies the cross connection code, which would protect the culinary water system from contamination.

Councilmember **Amy Shumway** asked if residents really are using 20,000 gallons in a month. **Famuliner** said it is possible if someone has a leak for months at a time.

City Manager **Brigham Mellor** said when it costs \$10,000 to fix a water main, it may be cheaper in some situations to pay a water bill, even if it is higher than usual. 20,000 gallons is four months' worth of water for an average home.

Motion:

Councilmember **Melissa Layton** moved that the City Council adopt the ordinance amending sections of the Farmington City Code concerning the use of culinary water during water shortages and cross-connections.

Sherlock seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway
Councilmember Roger Child
Councilmember Scott Isaacson
Councilmember Melissa Layton
Councilmember Kristen Sherlock

X Aye	_____	Nay	_____	Excused
X Aye	_____	Nay	_____	Excused
_____	Aye	_____	Nay	X Excused
X Aye	_____	Nay	_____	Excused
X Aye	_____	Nay	_____	Excused

Rezone from the Agriculture (AA) zone to the Large Residential (LR) zone and consideration of Schematic Subdivision and Preliminary Planned Unit Development (PUD) Master Plan for the Avocet Subdivision

Community Development Director **Lyle Gibson** presented this agenda item. Developer Cole West is contracted with the landowners and is asking for a rezone from the Agriculture “holding zone” to LR, which is found adjacent to this property and throughout east Farmington. The yield plan for this property is five half-acre lots, but the developer wants 15 lots at 44 W. 1600 South and 1575 S. Frontage Road.

To get added density, the developer is proposing Transfer of Development Rights (TDRs) rather than open space. The idea is to “purchase” land that will go toward a park, and Farmington has 54 lots in a 100-lot bank. They are currently considering another 16 lots. This is not just money that goes into the General Fund; it is earmarked for open space, trail systems, and parks.

When a public hearing was held, not many turned out. Some wanted a park to remain as open space, others noted potential water issues on the site. Staff has received no comments since the Planning Commission hearing. There is a spring on site, and wetland mitigation with the Army Corps of Engineers is currently in process. A regional water detention area is north of this proposed development.

Applicant **Ethen Weaver** with Cole West said this is a 15-unit, single-family development on 2.86 acres with a private lane to be maintained by a Homeowner’s Association (HOA). Each home would have a two-stall garage. The large lot off 1600 South will not be affiliated with the HOA. The north side would have a sidewalk while the south would not.

This would be 5.2 units per acre of “attainable” (rather than “affordable”) housing for the “missing middle.” This is for “move-up” buyers who don’t want to maintain a large lot. The smallest lot size is 5,562 square feet, while the largest would be 8,068 square feet, averaging 6,423 square feet. Home widths would be between 40 and 50 feet wide. Proposed setbacks would be 20 feet in the front, 7 feet on the side, with backyard depths of between 26 to 36 feet.

Weaver said fill dirt would be brought in to raise the property out of a flood plain to be flat with its neighbors, and the homes would not have basements. They are not proposing sump pumps. The private road would be too narrow for on-street parking, so guests would have to park in driveways. The HOA would also handle garbage and snow removal.

Mellor mentioned a pedestrian trail connection between this development and Symphony homes to the east. **Gibson** noted that area plans identified the old Bamberger Railroad as a potential trail area.

Child said he is sympathetic to the neighbors in the larger lots of Symphony Homes to the east. He does believe that this proposal is a good use of property next to a detention basin and freeway, as it provides a buffer. The transition from 1500 South to Symphony is quite stark, but it didn’t stop people from buying in the subdivision. This by comparison is a smoother transition. He supports connectivity so children do not have to go out on the frontage roads. **Layton** agreed.

Mellor said TDRs have to be used at the regional park or for park capital improvements, which frees up General Fund money for other uses such as the Old Mill. Small pocket parks found in

developments such as The Ranches have become a burden to HOAs, so putting land toward a regional park may be a better idea.

Shumway said that upon first consideration, she thought the 15-lot plan was crazy compared to the five-lot yield plan. However, she acknowledged that there is a “missing middle” in Farmington, and this proposal fits the area. She is concerned about the lack of sidewalks as well as an HOA maintaining a road and garbage for 15 lots.

Sherlock is concerned with potential water issues. **Child** noted that the detention basin is natural open space. While engineering of the spring is not being addressed at this time, he doesn’t want the issue to be ignored. **Layton** is concerned with potential parking issues, as established families tend to bring in more cars.

Gibson said this is the last time the Council will see this proposal, as the next step is to go before the Planning Commission. The number of lots cannot increase after this point. If not consistent with what the Council approves today, the proposal would come back to the Council in the future. Patio homes without basements is a smart idea in this area, and he acknowledged the desire for a connection between the two private communities.

Motion:

Child moved that the City Council approve the requested rezone to the LR district, PUD Overlay, Schematic Subdivision Plan, and Development Agreement as included with the Staff Report.

Finding 1:

1. The requested zoning and PUD overlay creates development which is consistent with the City’s adopted General Plan and which is appropriate at the subject property in relation to its surroundings.

Layton seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X	Aye	_____	Nay	_____	Excused
Councilmember Roger Child	X	Aye	_____	Nay	_____	Excused
Councilmember Scott Isaacson	_____	Aye	_____	Nay	_____	X Excused
Councilmember Melissa Layton	X	Aye	_____	Nay	_____	Excused
Councilmember Kristen Sherlock	X	Aye	_____	Nay	_____	Excused

Councilmembers made sure to put on record that they desire Symphony to add an easement.

Amendment to the ordinance vacating a certain portion of the Glovers Lane Right-of-Way (STR-4-24)

Gibson presented this agenda item. Construction of the West Davis Corridor caused a realignment in a section of Glovers Lane, which resulted in a remnant of property desired by adjacent residents. The City’s use has been for utility functions only. Vacating this property would give adjacent residents a portion of the property while leaving easements in place for the City and utility entities. This item and the associated deeds were brought before the City Council in April of 2026. Since, Davis County determined an amended subdivision plat was the

preferable method of completing the vacation of this Right-of-Way (ROW). Language of the street vacation ordinance needs modified in order to account for how the property is being given and to comply with County ordinance.

Motion:

Child moved that the City Council approve the proposed ordinance vacating a certain portion of the north side of the Glovers Lane Right-of-Way located between 925 West Street and the West Davis Corridor subject to the following condition:

1. The vacation shall include a remnant portion of Right-of-Way created after the realignment of Glovers Lane on the north side as illustrated on the vicinity map enclosed in the Staff Report.

Findings 1-3:

1. A vacation does not interrupt the access or service of the general public or property owner.
2. The vacation of the Right-of-Way as identified makes for better use of the property and will reduce the maintenance burden of the City.
3. The City's Development Review Committee (DRC) has reviewed and is alright if the City vacates the proposed portion of the Glovers Lane Right-of-Way provided easements are put in place to account for utility infrastructure.

Sherlock seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X Aye	___ Nay	___ Excused
Councilmember Roger Child	X Aye	___ Nay	___ Excused
Councilmember Scott Isaacson	___ Aye	___ Nay	X Excused
Councilmember Melissa Layton	X Aye	___ Nay	___ Excused
Councilmember Kristen Sherlock	X Aye	___ Nay	___ Excused

Consideration for acceptance of South Davis Greenway Final Report

Gibson presented the feasibility study for the South Davis Greenway through Farmington, Bountiful, Centerville, and North Salt Lake, with the cooperation of the Utah Department of Transportation (UDOT) and the Wasatch Front Regional Council (WFRC). The 10.8-mile greenway would stretch from Farmington to North Salt Lake. Much of Farmington's 2 miles would be covered with the planned widening of Interstate 15 (I-15).

Accepting this final report is not binding the City to a budget, but getting documentation on the record so that Farmington can apply for grants that will assist future funding to the tune of \$42 million. It is a way to officially identify potential future expansion. Farmington's portion would cost \$1.314 million.

Madison Simboli, transportation planner with Kimley-Horn and Associates, said the study took 11 months. The 12-foot wide greenway is a path for biking, walking, and rolling that fills a critical gap for active transportation. Similar paths in Provo and Salt Lake City are popular for people to recreate on. She hopes the greenway extends to Fruit Heights in the future. Accepting this report could position the project for future funding.

Motion:

Shumway moved that the City Council accept the South Davis Greenway Final Report.

Layton seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X	Aye	_____	Nay	_____	Excused
Councilmember Roger Child	X	Aye	_____	Nay	_____	Excused
Councilmember Scott Isaacson	_____	Aye	_____	Nay	_____	X Excused
Councilmember Melissa Layton	X	Aye	_____	Nay	_____	Excused
Councilmember Kristen Sherlock	X	Aye	_____	Nay	_____	Excused

Zone Text Amendment – Section 11-14-050 and 11-14-060: Business Park (BP) Zoning District setback and height allowances

Gibson presented this agenda item. There are currently just a couple of areas within the City which are governed by the BP zoning district. Most are currently developed including the property around the jail and Utah Justice Complex as well as commercial properties along 200 West just off of I-15. For some time now, one property within the BP district has been listed for sale. As Staff has worked with potential builders for this site, interested users have run into conflict with the requirements of the zone.

The current height allowance accounts for a three-story building. However, the proposed amendments keep the three-story height limit in effect but would allow for the Planning Commission to grant potentially as much as nine extra feet of height to account for architecture. The proposed text amendment caters better to a taller building by not pushing it further back from the street and allowing the Planning Commission to consider a special exception for additional height.

While it is important to consider how this amendment will impact new construction, it is important to consider that any redevelopment or changes to existing developed sites would also be subject to the proposed changes. Staff is in support of this amendment as expectations of ceiling height in modern office buildings has increased.

Sherlock said she trusts the Commission to consider maintaining the sense of flow on a case-by-case basis.

Motion:

Shumway moved that the City Council approve the zone text amendment as included with the Staff Report.

Finding 1:

1. The amendments allow for more flexibility in site planning within the BP district and give the City by way of the Planning Commission the ability to consider whether additional height is appropriate or not.

Child seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X	Aye	_____	Nay	_____	Excused
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Councilmember Roger Child
Councilmember Scott Isaacson
Councilmember Melissa Layton
Councilmember Kristen Sherlock

X Aye	___ Nay	___ Excused
___ Aye	___ Nay	X Excused
X Aye	___ Nay	___ Excused
X Aye	___ Nay	___ Excused

Multiple Amendments to Title 11, Planning and Zoning, to remove reference to the Site Plan Architecture Review Committee (SPARC), modify requirements for posting a bond in relation to a demolition, and update provisions related to the Planning Commission based on state law requirements

Gibson presented this agenda item. Apart from addressing recent mandates with State requirements, the items in this ordinance are driven by issues identified by Staff. The Planning Commission formed an ad-hoc committee to discuss and improve on the code originally drafted by City Staff and after holding a public hearing, the Commission has unanimously recommended the amendment.

Mellor said in his five years with the City, he has not ever seen the SPARC meet. Farmington has a difficult demolition ordinance, and Staff recommended these changes.

Motion:

Shumway moved that the City Council approve the zone text amendment as included with the Staff Report, with the corrections of all references to SPARC being removed.

Findings 1-2:

1. The amendments create compliance, improved clarity, and more fair regulation.
2. The amendments bring the code into alignment with actual practice as it relates to the SPARC.

Layton seconded the motion. All Councilmembers voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway
Councilmember Roger Child
Councilmember Scott Isaacson
Councilmember Melissa Layton
Councilmember Kristen Sherlock

X Aye	___ Nay	___ Excused
X Aye	___ Nay	___ Excused
___ Aye	___ Nay	X Excused
X Aye	___ Nay	___ Excused
X Aye	___ Nay	___ Excused

SUMMARY ACTION:

Minute Motion Approving Summary Action List

The Council considered the Summary Action List including:

- Item 1: Consideration of Interlocal Agreement with Davis County Storm Water Coalition
- Item 2: Interlocal Agreement with Davis County for provision of Fire/EMS services to abutting unincorporated county areas. **Child** requested more education about this in a future work session.
- Item 3: Approval of the City Council minutes for July 21, 2026; August 4, 2026; and August 18, 2026.

- Item 4: Monthly Financial Report for July 2026

Motion:

Sherlock moved to approve the Summary Action list Items 1-4 as noted in the Staff Report.

Layton seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X	Aye	_____	Nay	_____	Excused
Councilmember Roger Child	X	Aye	_____	Nay	_____	Excused
Councilmember Scott Isaacson	_____	Aye	_____	Nay	_____	X Excused
Councilmember Melissa Layton	X	Aye	_____	Nay	_____	Excused
Councilmember Kristen Sherlock	X	Aye	_____	Nay	_____	Excused

GOVERNING BODY REPORTS:

City Manager Report

Mellor said he has been working with the Farmington High School principal and **Mike Call**, a Career and Technical Education teacher there, to design a 28-foot tall bronze phoenix statue for the center of the roundabout. The next step is to build a 3-foot version. He said UDOT's \$550,000 may be able to help pay for it. About \$100,000 of it already paid for planting trees in backyards. The money could also be used for bathroom and roundabout improvements, as well as landscaping. Things need to get started before this upcoming spring, because an extension is not possible. The school won't be able to pay for the statue because it has other fundraising priorities such as turf fields.

Layton said she doesn't want residents to be surprised by these plans because they expected trail head improvements.

Mellor said Davis County Commissioner **John Crofts** plans on voting for the fifth fifth sales tax increase, which could help Farmington pay for roads and trails in the future. He mentioned that Robinson Waste, Farmington's waste hauler for the last 60 years, recently sold out to Republic, who plans to keep the same staff. Contrary to public opinion, Farmington doesn't employ the haulers but just has a contract with the hauler.

Farmington needs to put out a bid for design of the All Wheels park, which could be complicated because of the conflicting needs of different aged children. Staff is not in a rush because of other more pressing priorities.

Mellor provided an update on electric car charging ports in the City including at City Hall, the gym, and Public Works. The grant application process got started last winter and is now with the State and Rocky Mountain Power. The new tree installation at the park has been lit in only white, and a representative will be flying in to try to restore programming that provides the different colors. **Mellor** said he met with recently elected State Senator **Stephanie Hollist** to express Farmington's willingness to work with her in the future.

Child mentioned that Farmington doesn't have an ordinance against roosters. **Mellor** said Staff can work on a proposed ordinance that can set limitations on certain types of animals on a certain number of acres.

Mayor Anderson and City Council Reports

Mayor Anderson said Lagoon has offered the City any artifacts left in its barn. **Layton** mentioned that the Historic Preservation Commission may be interested, and they may be able to be displayed at the Old Mill.

Anderson mentioned that Bountiful Mayor **Kate Bradshaw**, Davis County Commissioner **Lorene Kamalu**, and the Wasatch Front Regional Council are not in support of a new on and off ramp. However, he said that Farmington needs it, and both the Utah State Legislature and the Utah Department of Transportation are in favor of it.

ADJOURNMENT

Motion:

Child made a motion to adjourn the meeting at 9:13 p.m.

Layton seconded the motion. All Council members voted in favor, as there was no opposing vote.

Mayor Pro Tempore/Councilmember Amy Shumway	X	Aye	_____	Nay	_____	Excused
Councilmember Roger Child	X	Aye	_____	Nay	_____	Excused
Councilmember Scott Isaacson	_____	Aye	_____	Nay	_____	X Excused
Councilmember Melissa Layton	X	Aye	_____	Nay	_____	Excused
Councilmember Kristen Sherlock	X	Aye	_____	Nay	_____	Excused



DeAnn Carlile, Recorder