

A work session and the regular meeting of the Farr West Planning Commission were held on Thursday, April 22, 2021 at 6:00 p.m. at the City Hall and over WebEx. Commission members present were Ted Black, Greg Baptist, Steve Hurd, Lyle Earl, Genneva Blanchard, Lou Best, Brandon Whitesides and Darren Roylance. City Council members present were Boyd Ferrin (in-person) and Ken Phippen (via Webex). Staff present was Andrea Zweifel. Visitors present (via WebEx): Bryant Jensen, Lisa Jensen, Sandy Voss, Keith Colvin, Susan Williams, Vanessa Farris and Mike Christensen.

6:00 pm – Work Session to discuss the general plan

The Planning Commission held a work session to discuss the general plan.

Regular Meeting

#1 – Call to Order – Chairman Ted Black

Chairman Ted Black called the meeting to order.

#2- Opening Ceremony

a. Pledge of Allegiance

Genneva Blanchard led in the Pledge of Allegiance.

b. Prayer

Lou Best offered a prayer.

#3 – Business Items

a. Report from City Council

Ken Phippen reported the City Council approved a business license for Upcycled Barntique, LLC. They tabled approval of a modified site plan for the Knight Building. The Council approved a sign for Summit Stone Supply. A bid was awarded for the 2021 crack seal project. Ken concluded his report by stating the council also approved the minutes, reported on assignments and adjourned.

b. Open public hearing to consider the request of an agribusiness for Bryant and Lisa Jensen, specifically for a reception center, farmers market, off-site products and special events

GENNEVA BLANCHARD MOTIONED TO ENTER INTO A PUBLIC HEARING TO CONSIDER THE REQUEST OF AN AGRIBUSINESS FOR BRYANT AND LISA JENSEN LOCATED AT 3141 NORTH HIGLEY ROAD,

SPECIFICALLY FOR A RECEPTION CENTER, FARMERS MARKET, OFF-SITE PRODUCTS AND SPECIAL EVENTS. STEVE HURD SECONDED THE MOTION, ALL VOTING AYE.

Bryant and Lisa Jensen were present requesting an agribusiness at their home. He stated they would like to start with the small out building they have selling produce and potentially have vendors sell their produce. He stated eventually they would like to host farmer's markets and wedding receptions.

Boyd Ferrin asked about parking, especially for larger events. He stated this is a narrow, rural road that is not appropriate for parking. Bryant stated their plan would be to have all the parking on site. He stated these events would be infrequent and he would like all parties to park on site but stated he can't completely control parking.

Lou Best stated that according to the agribusiness code, all agribusiness shall have adequate off street parking with no on street parking allowed. Boyd asked where the line is between commercial versus agricultural businesses. Keith Colvin stated he is worried about the safety of the ditch and would like to know what the Jensen's plan is for that. Bryant stated there hasn't been any planning specifically addressing the ditch, but he would look at improving the landscaping and is willing to take on the liability. Lisa Jensen stated they understand the liability of the ditch and could address landscaping with an official site plan. Mr. Colvin stated he believes the ditch should be underground. Susan Williams stated she live directly to the north and wanted to know what happens if someone trespasses on her property and gets hurt. She asked who would be responsible in that situation. Ted Black stated he would have to ask the City Attorney about that. Ms. Williams stated she insists a 6 foot privacy fence be installed and would like a guarantee in writing that this will never be an issue. Ms. Williams asked what a reception center has to do with farming. Mr. Jensen stated it is the aesthetic of the farm for the wedding that people are interested in. Ms. Williams stated she has concerns with "anticipated" restrooms and the smell. Ted Black stated the restrooms would have to be tied into the sewer. Greg Baptist quoted the ordinance where that requirement is found. Ms. Williams stated she is also concerned about traffic and if there will be a business plan. Ted Black stated yes, there would be a business plan if it is approved. At this time, Chairman Black stated the question and answer format needs to stop and asked participants to state whether they are in favor or against this proposal and why. Sandy Voss stated she is opposed to this proposal due to the noise and traffic as well as the resale value of her home. Ted Black stated these concerns have been noted and will be addressed. Boyd Ferrin stated it is his understanding that produce can be sold without city approval. Ted Black stated yes, but a farmer's market or event where other vendors are invited, they would need additional approval. Mike Christensen had a concern about irrigation and parking. Ted Black stated that would have to be addressed by the City Engineer.

Vanessa Farris's comment in the Webex chat was read by Chairman Black. He also read an email from Brian and Melanie Rogers regarding the reception center and how it would make the neighborhood a commercial area with parking and traffic. They stated produce would be seasonal, but a reception center would not be the same. Greg Baptist read an email from Valerie McTee who expressed concerns about parking stalls, overflow traffic, parking on Higley Rd and 3100 N, events and limits on events and times as well as noise and music. Keith Colvin stated all these concerns have been expressed before.

- c. Close public hearing and proceed with the regular meeting

GREG BAPTIST MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. LOU BEST SECONDED THE MOTION, ALL VOTING AYE.

- d. Recommendation to the City Council approval of an agribusiness for Bryant and Lisa Jensen specifically for a reception center, farmers market, off-site products and special events

Ted Black stated the ordinance states the Planning Commission needs to determine if this is a small farm or large farm and wanted to make sure the Planning Commission is in agreement that they are considering a small farm due to the Jensen's having slightly more than 5 acres, but not all agriculturally productive. Genneva Blanchard stated she didn't think that was the intention. Lou Best stated there is a difference in what is allowed based on whether it is a small or large farm, so it needs to be determined. Ted asked the Planning Commission what is considered "agriculturally productive". Genneva stated she feels it should be the whole lot or it will just cause confusion in the future. Greg Baptist stated 5.30.040(G) lays it out. Ted Black read the section. Steve Hurd read 5.30.050 which addresses it as the "lot size". The Planning Commission then determined it is a large farm due to being slightly over 5 acres. Lou Best stated they need to go back and look at the intent and purpose of the agribusiness in the first place which makes it very clear that it should be associated or attached with agriculture in some way. He stated he finds it a considerable stretch to associate a reception with agribusiness. Lou read part of the ordinance which states it should support a sustainable agricultural environment, develop an agribusiness, farm-to-table, farmer to market, etc. and stated he doesn't see a reception center as filling that requirement. Ted Black stated there is a difference between a wedding reception in an active barn with the ambiance of the country feel. Ted stated the Planning Commission needs to determine if they are allowing a reception center or a reception in a barn. Steve Hurd would consider a wedding or other gathering as agritourism

which is defined in the ordinance as attracting people to an agricultural setting. Lou Best stated he still feels that's a stretch because if he was seeking to learn about agriculture it wouldn't be from a wedding reception in a barn. Lou stated his other concern is there are a lot of other things associated with a reception that create a larger problem than the other proposed agricultural uses. He stated it opens up a lot of reason for complaint that the other intended purposes wouldn't generate. Brandon Whitesides stated a reception center is listed in the table as a conditional use for both a large farm and a small farm. Ted stated they then need to determine the intent of listing that in the ordinance. Lou stated that, as someone who helped draft the ordinance, that wasn't the intent. Genneva stated she thought the intent when the ordinance was written is that a reception center would be secondary to the agricultural use. Steve Hurd stated he wouldn't recommend they move forward with as many questions that need answers and other concerns at this time. Genneva stated she would like to see a site plan or a game plan. Greg stated the Jensen's are going to have to let us know the number of people they would allow at each event which will dictate how many parking stalls they would need. Greg suggested the possibility of limiting outside hours of operation to alleviate noise concerns. Ted Black suggested the Planning Commission table the item, send the Jensen's a list of questions, and ask them to come back with answers to address these items. Ted Black told the public he will be in the office available for phone calls tomorrow morning. Greg Baptist wanted to point out section F and make sure the Jensen's know that if they are intending on having people in their barn, they will need to be able to connect to the City sewer system.

GREG BAPTIST MOTIONED TO TABLE RECOMMEND TO THE CITY COUNCIL APPROVAL OF AN AGRIBUSINESS FOR BRYANT AND LISA JENSEN UNTIL MORE INFORMATION CAN BE GATHERED FROM THE JENSENS, SPECIFICALLY PARKING, CURB GUTTER AND SIDEWALK, ENGINEERED PLANS, OPEN DITCH CONCERNS, TRESPASSING INJURIES, TRAFFIC, NOISE, SIZE OF FARMERS MARKET AND NUMBER OF VENDORS, NUMBER OF EVENTS PER MONTH AND NUMBER OF PEOPLE ALLOWED AT EVENTS, SEWER AND WATER CONNECTIONS AND FACILITIES, TIME OF EVENTS, BUSINESS PLAN INCLUDING CUSTOMERS PER DAY. LYLE EARL SECONDED THE MOTION, ALL VOTING AYE.

- e. Set a public hearing to consider the request of a conditional use permit for a 2,700 square foot accessory building for Michael & Amanda Hodson located at 1842 North 2300 West

Michael Hodson was present requesting a conditional use permit for an accessory building.

LYLE EARL MOTIONED TO SET A PUBLIC HEARING FOR MAY 13, 2021 TO CONSIDER THE REQUEST OF A CONDITIONAL USE PERMIT OF A 2,700 SQUARE FOOT ACCESSORY BUILDING FOR MICHAEL & AMANDA HODSON LOCATED AT 1842 NORTH 2300 WEST. GREG BAPTIST SECONDED THE MOTION, ALL VOTING AYE.

#4 – Consent Items

- a. Approval of minutes dated April 8, 2021

GREG BAPTIST MOTIONED TO APPROVE THE MINUTES DATED APRIL 8, 2021. GENNEVA BLANCHARD SECONDED THE MOTION, ALL VOTING AYE. MOTION CARRIES.

#5 – Chairman/Commission Follow-up

- a. Report on Assignments

Steve Hurd reported on the progress of fiber installation. He also stated he is about 90% done drafting the broadband plan as an addendum to the General Plan.

Lyle Earl reported on the park meeting he attended. He stated they are working on the triangle park and will be installing a playground there. Lyle reported the Fishing Club starts on Saturday and they have 30 kids signed up. He stated they had to purchase additional supplies and tables and chairs to accommodate this large of a group.

Greg Baptist stated he would like to have a meeting with the transportation group regarding bridge locations.

Ted Black reminded the Planning Commission of the joint Work Session with the City Council on May 6th about the Mixed Density Ordinance.

#6 – Public Comments

**Resident(s) attending this meeting were allotted 2 minutes to express a concern or ask a question about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.*

There were no public comments at this time.

#7 – Adjournment

**AT 7:54 P.M., STEVE HURD MOTIONED TO ADJOURN. GREG BAPTIST
SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSED.**

Andrea Zweifel, Clerk

Ted Black, Chairman

Date Approved: _____