Meetings of the City Council of Clearfield 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 meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Executive Conference Room  
55 South State Street  
Third Floor  
Clearfield, Utah

6:30 P.M. WORK SESSION  
Update by the Davis County Commission  
(Any items not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

City Council Chambers  
55 South State Street  
Third Floor  
Clearfield, Utah

7:00 P.M. POLICY SESSION  
CALL TO ORDER: Mayor Pro Tem Vern Phipps  
OPENING CEREMONY: Councilmember Roper  
APPROVAL OF MINUTES: January 21, 2020 – Work Session  
January 28, 2020 – Work Session  
February 4, 2020 – Work Session

PUBLIC HEARINGS:

1. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO TITLE 11, CHAPTER 11B - MOTOR VEHICLE SALES

BACKGROUND: Motor Vehicle Sales is a conditional use in the C-2 (Commercial) Zone. On August 27, 2019, the City Council approved a temporary land use moratorium to allow time to perform a review of existing standards and determine if the establishment of new development standards and requirements for motor vehicle dealerships were necessary. Staff proposed amendments to Title 11, Chapter 11B which were reviewed by the Planning Commission on February 5, 2020. The Planning Commission recommended approval with three changes to the proposed language. The City Council also discussed this item in work session on February 18, 2020, and made some additional recommendations. The drafted ordinance includes all recommended changes from the Planning Commission and the City Council identified during meeting discussions.

RECOMMENDATION: Receive public comment.
2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON ZONING TEXT AMENDMENTS TO TITLE 11, CHAPTERS 8 AND 9 FOR LOT COVERAGE REGULATIONS OF ACCESSORY BUILDINGS IN A-1, A-2 (AGRICULTURAL), AND R-1 (RESIDENTIAL) ZONING DISTRICTS

BACKGROUND: In June 2016 there was a request for the City to evaluate setbacks for accessory buildings within the R-1 (Residential) Zone. The City Council approved an amendment to City Code in April of 2017 to remove accessory building standards from A-1, A-2 (Agricultural) and R-1 (Residential) Zones and create an accessory building and structures section in Title 11, Chapter 13 – Supplementary Regulations. Staff discovered conflicting accessory building standards specific to lot coverage and is proposing amendments to Title 11, Chapter 8 and 9 to remove conflicts and consolidate all accessory building standards into one chapter of City Code.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

3. OPEN COMMENT PERIOD

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comment will be limited to three minutes per person. Participants are to state their names for the record. Comments, which cannot be made within these limits, should be submitted in writing to the City Recorder at nancy.dean@clearfieldcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

Comments pertaining to an agenda item that includes a public hearing or public input should be given as that item is being discussed during the meeting.

4. CONSIDER APPROVAL OF ORDINANCE 2020-06 AMENDING TITLE 11, CHAPTER 11, ARTICLE B, BY ENACTING REGULATIONS FOR MOTOR VEHICLE SALES

RECOMMENDATION: Approve Ordinance 2020-06 amending Title 11, Chapter 11, Article B, by enacting regulations for Motor Vehicle Sales and authorize the Mayor’s signature to any necessary documents.

5. CONSIDER APPROVAL OF ORDINANCE 2020-07 AMENDING TITLE 11, CHAPTERS 8A, 8B, 9A, 9B, AND 9C REGARDING REQUIREMENTS FOR LOT COVERAGE

RECOMMENDATION: Approve Ordinance 2020-07 Title 11, Chapters 8A, 8B, 9A, 9B, and 9C regarding requirements for Lot Coverage and authorize the Mayor’s signature to any necessary documents.
6. CONSIDER APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE FREEPORT COLD STORAGE SUBDIVISION LOCATED AT APPROXIMATELY 440 SOUTH MAIN STREET

BACKGROUND: The applicant is requesting to consolidate three parcels approximately 11.33 acres located at approximately 440 South Main Street into one lot. The Planning Commission reviewed this item at its meeting on February 5, 2020, and is recommending approval based on three conditions.

RECOMMENDATION: Approve the Final Subdivision Plat for the Freeport Cold Storage Subdivision located at approximately 440 South Main Street and authorize the Mayor’s signature to any necessary documents.

COMMUNICATION ITEMS:
Mayor’s Report
City Councils’ Reports
City Manager’s Report
Staffs’ Reports

Dated this 20th day of February, 2020.

/s/Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the ‘Americans with Disabilities Act’ provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.
CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
January 21, 2020

City Building
55 South State Street
Clearfield City, Utah

PRESIDING: Mark Shepherd Mayor

PRESENT: Kent Bush Councilmember
Nike Peterson Councilmember
Vern Phipps Councilmember
Tim Roper Councilmember
Karece Thompson Councilmember

STAFF PRESENT: JJ Allen City Manager
Summer Palmer Assistant City Manager
Stuart Williams City Attorney
Kelly Bennett Police Chief
Adam Favero Public Works Director
Eric Howes Community Services Director
Spencer Brimley Community Development Director
Rich Knapp Finance Manager
Trevor Cahoon Communications Manager
Nancy Dean City Recorder
Wendy Page Deputy Recorder

VISITORS: Ruth Jones, Lamont Hampton, Ashley Belford

Mayor Shepherd called the meeting to order at 6:17 p.m.

DISCUSSION ON APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION

Eric Howes, Community Services Director, pointed out there was a vacancy on the Parks and Recreation Commission (PRC) and proposed Andrea Bush be moved to a regular member of the Commission from the alternate position where she had been serving for the past year. Mr. Howes also stated they would like to recommend Alyssa Belford, Youth Commissioner and liaison to the PRC, be moved into the alternate position.

Councilmember Phipps stated that both appointees were great assets to the PRC.

Nancy Dean, City Recorder, stated there were others with terms that would expire soon that were looking to be reappointed. Mr. Howes informed the Council that all those with terms expiring mentioned a desire to continue to serve on the PRC.
DISCUSSION ON MOTOR VEHICLE SALES – TEMPORARY LAND USE REGULATION

Spencer Brimley, Community Development Director, pointed out back in August 2019 the Council enacted a temporary land use regulation on motor vehicle sales in order for the City to do further evaluation to ensure high quality development within the City. He stated the current land use regulation would expire the end of February.

Mr. Brimley reviewed the locations of the current auto dealerships in the City with the majority of them being within the Form Based Code (FBC) corridor.

Councilmember Bush asked if motorcycle sales would be included in the motor vehicle sales regulations. Mr. Brimley affirmed that because motorcycles were motor vehicles they would be included.

Mr. Brimley explained the biggest issue within the City with motor vehicle sales was when the businesses moved locations there insufficient standards established to regulate the use.

Councilmember Bush wondered if other sales such as RV’s and boats should be included within the new standards and regulations. Mr. Brimley said the City could do a better job at defining those issues but the current regulations only applied to motor vehicle sales.

There was a discussion about the possible alternatives styles of sales used by the motor vehicle sales businesses, such as online sales with appointments to test drive the vehicle resulting in lower on-site inventory of cars. The zoning designations needed for those types of sales was also discussed.

Councilmember Peterson stated she would like to see motor vehicles sales not included on the Conditional Use Permit (CUP) list. Mr. Brimley stated that was a high priority and a long-term solution that needed more time.

JJ Allen, City Manager, wondered if a new owner of a motor vehicle sales establishment would be subject to the regulations in the proposed ordinance. Mr. Brimley explained that if the use was previously established through a CUP it would not be subject to the proposed ordinance because the CUP was specific to the property not the ownership. He stated a regulation could be added to the ordinance stating if the new owner were to make substantial changes to the business it would need to comply with the new ordinance standards.

DISCUSSION ON THE 2020 COUNCIL PRIORITIES

JJ Allen, City Manager, stated the staff report provided an introduction to the Council regarding the 2020 core value focus of productivity. He stated that the value of productivity was about doing what matters over doing more. He stated he would like the discussion to continue regarding what the Council felt mattered most to help direct staff members focus on the directions they should pursue for the upcoming budget year.
Councilmember Peterson felt that some of the long-term goals from previous years should still be included, even with the knowledge that most of them would never be given a check mark indicating their completion because they were ongoing goals. She also felt like a more in-depth look at the tier 3 goals would be helpful in eliminating some of those items and really getting it down to what mattered most for the current year. She felt that a lot of the tier 3 goals from previous years were overlooked or just hand picked. She expressed a desire to see a better mixture of the long-term and short-term goals for the year that residents would be able to see being completed.

Councilmember Roper added that he would also like to build on the previous goals but also reevaluate and clarify some of those goals better. He would also like to see more of the smaller, more visible goals get accomplished in an effort to allow residents to see that things were getting accomplished within the City. He also would like to continue the process of looking through current ordinances and revising them to fit better into the City and for the benefit of residents.

There was a discussion about items that could make it easier for residents to make home improvements and whether or not a permit would need to be pulled for certain improvements.

Councilmember Phipps explained the concept of value streams that would allow value to be added to the City for things that might not be measureable otherwise. He also stated he did not want to see the larger long-term goals be set aside, but rather look into how the smaller goals could help to accomplish the larger goals. He wondered if some of the items on the current list should still be included if they were a routine or baseline activity already. Councilmember Phipps stated he would like to see the Veterans Monument and the redesign of the Steed Pond landscaping and architecture completed.

Trevor Cahoon, Communications Manager, offered a suggestion that the Council could come up with the bigger priorities such as creating a vibrant Downtown Clearfield and the department heads could take that priority and fill in the actionable priorities to fulfill the overall larger priority.

Councilmember Bush agreed with most of the thoughts already discussed. He felt that the ongoing efforts should be lumped into a different category. He felt an accomplished items tier would be nice to create as well.

Councilmember Thompson said he felt certain things should be tied together such as fiscal sustainability and long term planning. He would like to see economic development be put into improve the image and livability aspect of the City to invite more businesses into the City. Councilmember Thompson stated he would also like to see more tangible priorities and to better know where the City was with completing the priority.

There was a discussion about transportation and creating a more pedestrian friendly downtown corridor.

Councilmember Peterson reviewed her priority list, which included: the changing nature of Clearfield, utilizing the Youth Commission more, looking at recreation and the arts more in
depth and how to maximize them, and finding smaller more measurable items to complete to enhance the look and feel of the City for the residents.

Councilmember Bush stated his priorities would have public safety added to the existing ongoing priorities. He then provided a few examples of where and how public safety could be added or enhanced within the City. He would also like to prioritize the PARAT tax projects.

Mayor Shepherd shared his priorities list, which included:

- Enhancing UDOT meetings to get help within the City where it was needed the most.
- Downtown redevelopment.
- Beautification of the gateways.
- Include communication with the Council to keep it up to date on what was going on and keep it included in events.
- Enhancing the relationship with HAFB and the surrounding communities.
- Getting the community involved in planning the 100-year birthday.
- Clean-up along I-15 to keep the City clean.

Councilmember Roper would like to emphasize the arts program and give them more attention.

Mr. Allen asked if there were any things that the City was currently doing that the Council felt should not be done anymore. Councilmember Peterson felt that relooking at the tier 3 items during the retreat would be a great start at finding items that might not be needed anymore.

Councilmember Peterson moved to adjourn at 7:47 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**The minutes for the CDRA are in a separate location**
PRESIDING:          Mark Shepherd          Mayor

PRESENT:            Vern Phipps          Councilmember
                   Tim Roper            Councilmember
                   Karece Thompson    Councilmember

EXCUSED:            Kent Bush            Councilmember
                   Nike Peterson        Councilmember

STAFF PRESENT:      JJ Allen             City Manager
                   Summer Palmer        Assistant City Manager
                   Stuart Williams      City Attorney
                   Kelly Bennett        Police Chief
                   Adam Favero          Public Works Director
                   Eric Howes           Community Services Director
                   Curtis Dickson       Community Service Deputy Dir.
                   Spencer Brimley      Community Development Director
                   Brad McIlrath         Senior Planner
                   Rich Knapp           Finance Manager
                   Trevor Cahoon        Communications Manager
                   Nancy Dean           City Recorder

VISITORS: Ruth Jones

Mayor Shepherd called the meeting to order at 6:03 p.m.

Councilmember Thompson moved to close the meeting for the purpose of discussing the purchase, exchange or lease of real property Utah Code Ann. § 52-4-204 and § 52-4-205(1)(e), seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Phipps, Roper and Thompson. Voting NO – None. Councilmembers Bush and Peterson were not present for the vote.

The minutes for the closed session are kept in a separate location.

The Council adjourned the closed session at 6:29 p.m. and immediately reconvened in work session at 6:32 p.m.
DISCUSSION ON THE AWARD OF PROPOSAL FOR THE CITYWIDE FIBER NETWORK PARTNERSHIP

Summer Palmer, Assistant City Manager, explained there had been three responses to the Request for Proposal (RFP) for the Citywide Fiber Network, but that one of those vendors did not meet the requirements of the RFP. She stated another response was from Mission Broadband and explained that its proposal was for the City to bond and put the infrastructure in and then Mission Broadband would run the system. The final response was from UTOPIA who proposed that it would bond and put in the infrastructure.

There was a discussion about the thoughts of the proposal made by Mission Broadband.

She stated the financial parameters of the UTOPIA proposal was included in the staff report. The cost for construction would be approximately $12.7 million, which would put the monthly debt service at $72,000. The City would need 2,394 subscribers to cover the debt, which was equivalent to a 35 percent take rate. She explained that the potential for businesses to use the fiber network could bring down the take rate to about 27 percent. She stated that other cities participating with UTOPIA had all met their take rate. She stated it was a risk for the City and highlighted that the bond would be a 25-year bond with a 2-year upfront-capitalized interest requirement.

Mayor Shepherd stated he felt the UTOPIA option would be the best most cost effective option for the residents.

JJ Allen, City Manager, stated the long-term risk would be the unknown of what technologies would be available in the next fifteen years.

Ms. Palmer stated it take 18 to 24 months, in five different phases, to complete the project, if approved.

The consensus was that a City Wide Fiber Network should be pursued in hopes that the City would be able reduce its take rate with all the new development coming in the next few months.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE HAMBLIN ESTATES SUBDIVISION LOCATED AT APPROXIMATELY 741 WEST 300 NORTH

Brad McIlrath, Senior Planner, explained the rezone had been approved early in the month for the Hamblin Estates property. He stated the amount of lots had dropped to 30 from 33 to comply with the North Davis Fire District standards. He highlighted a few other changes made to the subdivision plat, which included things like: an increase in width on a few lots, included a retention basin, and a connection to 75 North. He explained that Parcel A on the plat had an easement with Jordan Valley Water District and it was possible the developer would like to dedicate Parcel A to the City for a trailhead. Mr. McIlrath stated it had been brought up by the Planning Commission and City Engineer to have the developer develop the property before dedicating it to the City. Mayor Shepherd stated the consensus was to have the developer do the improvements prior to the parcel being dedicated to the City.
DISCUSSION ON AMENDMENTS TO THE FORM BASED CODE

Brad McIlrath, Senior Planner, provided diagrams of proposed designs for the downtown improvements within the Form Based Code (FBC).

Mr. McIlrath stated the following aspects of the FBC would be discussed:
- Appendix items
- Balcony Standards
- Open Space Calculations
- Zones
- Additional Text and Format Comments / Questions
- Direction for Staff

Mr. McIlrath led a discussion about banners on streetlights, trash receptacles, benches, bike racks and planters.

**Councilmember Thompson moved to adjourn the work session and reconvene in policy session at 6:58 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Phipps, Roper, and Thompson. Voting NO – None. Councilmembers Bush and Peterson were not present for the vote.**

The work session reconvened at 7:54 p.m.

The consensus was not to dictate bike racks as well as planters on private property.

Mr. McIlrath reviewed the new measurement requirements for balconies. Mayor Shepherd shared his concern that the new requirements might push developers to develop smaller apartments.

Mr. McIlrath explained how the open space calculations and fee-in-lieu calculations would be calculated. He stated a development that was five acres or larger would be required to provide ten percent of the site for civic open space, the developer would develop the open space and then dedicate it to the City. A development that was less than five acres or mixed use would just have the impact fee applied. Non-residential developments less than five acres would have a fee-in-lieu calculated based on ten percent of the total property size. Councilmember Thompson shared concern that the fee-in-lieu might turn developers away from developing within the City. Mr. Allen stated it was important to keep the long-term vision in mind when reviewing the content of the FBC and the fee-in-lieu requirement.

Mr. McIlrath reviewed and asked for a confirmation on the rezone areas being incorporated into the amendments of the FBC. The consensus of the Council was that they wanted the legal non-conforming regulations for improvements to a single-family structure increased.

Mr. McIlrath reviewed the time frame for future actions on the FBC amendments.
Councilmember Thompson moved to adjourn at 8:43 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Phipps, Roper, and Thompson. Voting NO – None. Councilmembers Bush and Peterson were not present for the vote.
CLEARFIELD CITY COUNCIL MEETING MINUTES
5:00 P.M. WORK SESSION
February 4, 2020

Animal Care Davis County
1422 East 600 North
Fruit Heights, Utah 84037

PRESIDING: Vern R. Phipps Mayor Pro Tem

EXCUSED: Mark R. Shepherd Mayor

PRESENT: Kent Bush Councilmember
Nike Peterson Councilmember
Tim Roper Councilmember
Karece Thompson Councilmember

STAFF PRESENT: JJ Allen City Manager
Nancy Dean City Recorder

VISITORS: Randy Elliott, Davis County Commissioner; Rhett Nicks, Director of Animal Care Davis County; James Pumphrey, Deputy Director of Animal Care Davis County; Cathy Nash, Office Manager of Animal Care Davis County, members of other governing bodies across Davis County

CITY COUNCIL TOUR OF ANIMAL CARE DAVIS COUNTY

The City Council toured the Animal Care Davis County facility. There was a presentation by the staff of the Animal Care Davis County facility on the types of services being provided. The purpose of the tour was for the Council to see the outdated facility and recognize the need for major improvements to better served the municipalities of the entire County.

The meeting adjourned at 6:15 p.m.
TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Community Development Director
MEETING DATE: Tuesday, February 25, 2020
SUBJECT: Motor Vehicle Sales establishment amendments, Title 11-11B

RECOMMENDED ACTION

Staff is proposing the Council accept the recommendation of the Planning Commission and approve the proposed amendments to Title 11-11B as it relates to the regulations for motor vehicle sales in the C-2 (Commercial) Zone throughout the City.

PLANNING COMMISSION RECOMMENDATION

The proposed ordinance was presented to the Planning Commission at their meeting on February 5, 2020. After careful consideration of the matter, the Planning Commission recommended, to the City Council, approval of the proposed ordinance with the following changes:

1. Acreage for the use is required to be no less than one (1) acre in size
2. Require a permanent foundation for the office building for the operation of the building.
3. Remove Conditional Use Permit requirement and make this use a permitted use, with the correct and applicable standards.

DESCRIPTION / BACKGROUND

Motor Vehicle Sales establishment currently exists as a conditional use in the C-2 (Commercial) Zone. The C-2 zone is primarily located along State/Main Street (SR-126) in and around the Downtown Clearfield Form-Based Code area, as well as along Antelope Drive. Currently, Main/State Street includes numerous motor vehicle sales establishments on both sides of the corridor. The majority of the existing motor vehicles establishments exist on older properties that have transitioned from non-motor vehicle sales uses into new (used) motor vehicle sales establishments. The concern as it relates to this use has been, how to review and properly regulate it to bring value to the City and allow for the success of motor vehicle sales businesses in the City. Currently the City has 11 operating motor vehicles sales business. In the last year we have seen 4 dealerships that have ceased operation or left the City.

ORDINANCE DISCUSSION

Staff has provided a brief description below of the changes, as included in the C-2 (Commercial) Zone.

1. New section shown as 11-11B-13 “Motor Vehicle Sales” was added to the code
2. Motor vehicle sales was relocated from 11-11B-3 (Conditional Use) to 11-11B-2 (Permitted Use) of 11-11B of the Clearfield City Code
3. Added:
a. Requirement for parcel of land to be no less than one (1) acre in size for the intended motor vehicle sales use.
b. Any office, as required, should be on a permanent foundation and shall include all necessary components for the intended vehicle sales use.
c. Increase design requirements were added for this use.
d. Increase landscape requirements were added for this use.
e. Parking, inventory storage and delivery.
f. Lighting standards were provided for the purpose of the established use.

Staff has included the recommendations from the Planning Commission as well as those from the Council during the meeting on February 5, 2020 meeting. Staff also received from the Council during a work session on February 18, 2020. The proposed ordinance includes all proposed changes from the Planning Commission and the Council have been included in the proposed ordinance before for the Council’s consideration during this meeting.

Additionally, one item staff wanted to make sure we addressed is the concern that was expressed about the language related to a penalty section which was proposed with 11-11B-13. Staff reviewed the code and determined that it is unnecessary for an additional penalty section to be included, because there is an existing penalty section for all of title 11. The newly proposed section was removed, and staff has proposed language to update the current penalty section in title 11 to allow for administrative or civil enforcement action, not just criminal enforcement. Staff believes this proposal is consistent with the code enforcement language that states any violation of the code may be enforced administratively, civilly, or criminally, which is also consistent with the previous direction we received from council regarding code violation enforcement.

CORRESPONDING POLICY PRIORITY (IES):
Improving Clearfield’s Image, Livability, and Economy

Staff believes the adoption of an ordinance to address this issue is consistent with the City’s overall goal of “Improving Clearfield’s Image, Livability and Economy,” as well as “Providing Quality Municipal Services,” specifically tier 2, Zoning Ordinance Updates.

FISCAL IMPACT

Negative Fiscal Impact: Negative fiscal impacts to the City, could be anticipated by enacting any additional requirements or regulations for auto dealerships.

Positive Fiscal Impact: It is anticipated that adoption of this ordinance would allow for increased aesthetics along the State Street corridor, as well as areas of Antelope Drive to increase the overall marketability of said areas and ultimately bring more commercial uses into the C-2 Zone or another zone if that is what is decided.

ALTERNATIVES
The Council can choose, at the public hearing, to approve, deny or table the matter as they see fit. The Council can also proposed changes to the ordinance to insure it meets City Council objectives for regulating this use.

**SCHEDULE / TIME CONSTRAINTS**

Pursuant to Utah State Code Ann. §10-9a-504, the City “shall establish a period of limited effect for the ordinance not to exceed six months.” This period will expire by the 25th of February 2020. Staff anticipates this discussion and action needing the full six months requested and allowed.

**LIST OF ATTACHMENTS**

11-11B_Motor Vehicle Sales Ordinance
CLEARFIELD CITY ORDINANCE 2020-06

AN ORDINANCE AMENDING TITLE 11 OF THE CLEARFIELD CITY CODE

PREAMBLE: This Ordinance amends Title 11, Chapter 11, Article B, by enacting regulations for motor vehicle sales.

BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

Title 11, Chapter 2, Paragraph 5, Penalty is hereby amended to read as follows:

11-2-5: PENALTY:

The City has sole discretion in deciding whether to pursue administrative, civil or criminal remedies for any violation of the provisions of this title. Any person violating or causing the violation of any of the provisions of this title, or failing or refusing to do some act required under this title, shall be guilty of a class C misdemeanor. In addition to any administrative, civil, or criminal penalties, any person found in violation of this title may be subject to payment of costs associated with enforcement of this title, including, but not limited to, attorney fees.

Title 11, Chapter 11, Article B, Section 3, Conditional Uses is hereby amended by repealing “Motor Vehicle Sales” as a Conditional Use.

Title 11, Chapter 11, Article B, Section 2, Permitted Uses is hereby amended by adding “Motor Vehicle Sales” as a Permitted Use.

Title 11, Chapter 11, Article B is hereby amended by enacting Section 13, Motor Vehicle Sales to read as follows:

11-11B-13: MOTOR VEHICLE SALE:

Motor vehicle sales is a permitted use in the C-2 commercial zones as designated in this title and is not allowed in any other zone within the City. Applications for motor vehicle sales shall be submitted and reviewed as a permitted use in accordance with Title 11- 11B-2 of this Code.

A. Purposes: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are to:
1. Minimize Impact: Accommodate such motor vehicle sales with minimal impact in C-2 commercial zones in terms of compatible infill, scale, design and appearance of buildings.

2. Terms And Conditions: Set forth standardized terms and conditions for motor vehicle sales establishments and procedures for review and approval of the same.

B. Standards: The following standards and conditions shall apply to motor vehicle sales establishments:

1. Approval: No motor vehicle sales establishment shall be developed, erected, constructed, reconstructed, installed, altered, licensed, or relocated without review and approval by the Clearfield City Community Development Department.

2. Minimum size: The development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishment shall be operated and maintained on a parcel that is not less than one (1) acre in size and must be completely contained within a single parcel of land and shall only be used for the purpose of motor vehicle sales.

3. Permanent Structures. All buildings constructed for the purpose of motor vehicle sales, storage, repair, or other motor vehicle sales related purposes shall be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile.

4. On-Site Office. A permanent on-site office is required.

5. Architectural Detail: The following architectural requirements shall apply to motor vehicle sales establishments, and is intended to create motor vehicle sales buildings with finished and detailed elevations for all exposures with human scale and interest through the use of varied forms, materials, details, and colors.
   a. Street Frontage Façade: No rectangular area greater than 30% of any story of a street facing façade, as measured from floor to floor, may be windowless. No horizontal segment of any story of a street facing façade may be windowless in an area greater than fifteen (15) feet in width.
   b. Rooflines may be flat or pitched: Roofing shall not be of vivid primary colors (i.e., red, blue or yellow). Rooftop equipment shall be screened by roof components, parapets, cornices or other architectural features. Galvanized hoods and vents shall be painted to match the roof color.

6. Fencing:
   a. A six (6’) foot fence must be installed on all property lines adjacent to residential zones or uses.
   b. Fencing shall be stamped masonry, wrought iron or a mixture of both.
   c. Vinyl and chain-link fencing is expressly prohibited.
7. Landscaping Requirement:
   
a. Landscaped area shall be provided in the high traffic and areas visible from the public right-of-way adjacent to any motor vehicle sales establishment, as well as covering large and long exterior walls.

b. A landscaped buffer of no less than five (5) feet shall be provided between the street which faces a right-of-way and the property line, as depicted on the plats of record at the Davis County Recorder’s office. The five (5) feet shall be created and installed at the business owner’s expense. The five (5) feet required parking/display areas shall count towards the 10% landscape requirement. The buffer must consist of native materials and shall not be placed on top of any existing non-permeable surface.

8. Signage: See chapter 15 of this title

9. Parking, inventory storage, and delivery:
   
a. No motor vehicle may be displayed outside within five (5) feet of the primary street right of way.

b. Off street parking must be provided for customers and employees (not to be used for inventory) at a ratio of one (1) stall per two hundred fifty (250) square feet of indoor office/sales area and one (1) stall for every ten (10) inventory vehicles (all fractions are rounded up to the next whole stall), with a minimum of four (4) stalls provided.

c. Parking for customers, employees, and inventory must be on non-permeable surfaces, such as pavement, asphalt, pavers, or combination thereof and striped and marked with signage and cannot block entrance/exit.

d. ADA parking stalls shall be provided in compliance with or better than the standards detailed in the Utah State Accessibility Code and ADA standards, including quantity, size, location, and accessibility.

e. Loading/delivery of inventory shall occur on the property, not on public streets; vehicles are not permitted to back directly onto, or from, public streets.

f. Inventory storage, customer parking, and employee parking cannot be double parked.

10. Lighting: For all motor vehicle sales uses, lighting plans shall be required which illustrate the type and location of lighting proposed for structures, walkways and parking lots. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light into neighboring properties. With the exception of security lights, lighting for the motor vehicle sales lot shall not occur past ten o’clock (10:00) P.M.

11. Maintenance: The property must be maintained and kept clean. This includes sweeping and maintaining the asphalt, keeping the property and establishment free of debris, trash and weeds, etc.
C. RULES AND REGULATIONS:

   a. Compliance with Zoning Regulations: Each motor vehicle sales license shall comply with the applicable zoning requirements set forth in title 11 of this code, or the license is subject to denial.

Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Date: This Ordinance shall become effective immediately upon its posting in three public places within Clearfield City.

DATED this 25th day of February, 2020, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

___________________________________
Mark R. Shepherd, Mayor

ATTEST

_________________________________
Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:
TO: Mayor Shepherd and City Council Members
FROM: Brad McIlrath, Senior Planner
MEETING DATE: Tuesday, February 25, 2020
SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 2020-010021, a request by Clearfield City Staff for Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory buildings in all A-1, A-2 and R-1 zoning districts.

CITY COUNCIL ACTION

1. **Move to approve ZTA 2020-010021 as requested**, a zoning text amendment to amend Title 11 – Land Use, for the regulations of accessory buildings in all A-1, A-2, and R-1 zoning districts as proposed.

2. **Move to deny ZTA 2020-010021 as requested**, a zoning text amendment to amend Title 11 – Land Use, for the regulations of accessory buildings in all A-1, A-2, and R-1 zoning districts as proposed.

3. **Move to table ZTA 2020-010021**, to request additional information for consideration.

PLANNING COMMISSION RECOMMENDATION

On February 5, 2020, the Clearfield City Planning Commission forwarded a recommendation of approval of the City Council for the amendments as proposed.

STAFF RECOMMENDATION

Staff recommends that the Clearfield City Council approve **ZTA 2020-010021** as proposed.

DESCRIPTION / BACKGROUND

In June 2016 staff received a request from the public to evaluate setbacks for accessory buildings within R-1 (residential) zoning districts. After corresponding with multiple residents, including the requesting resident, and conducting a careful review of our existing regulations and the related accessory building standards of surrounding municipalities. Following this research, the City Council approved an amendment to City code (in April 2017) to remove accessory building standards from A-1, A-2 and R-1 zones and create an accessory building and structures section under chapter 13: Supplementary Regulations. The purpose of the amendment was to allow
residents to better utilize their properties based on the size of their lot or parcel and not by the zoning classification.

More recently it came to the attention of planning staff that some of the accessory building standards were not removed from the A-1, A-2, and R-1 zones and those standards are in conflict with the standards found in chapter 13 of the City code. The purpose of these proposed amendments are to clean up those code chapters and remove the conflicting provisions in favor of the standards outlined in Chapter 11-13-38 of the supplementary regulations.

**ANALYSIS**

The proposed amendments to chapters 11-8A & B, as well as 11-9A-H, accessory building standards in the A-1, A-2 (agricultural), and R-1 (residential) zoning districts are meant to remove standards that are in conflict with chapter 13 standards of City code. This is to allow residents to make better use of their property related to the erection and use of accessory buildings within the A-1, A-2 (agricultural), and R-1 (residential) zoning districts. It was the intent of the original zoning text amendment (in April 2017) to relocate all accessory building standards from A-1, A-2, and R-1 zoning districts to chapter 13. Chapter 13 regulates the maximum size an accessory building can be by the size of the lot and maximum allowed lot coverage for the size of the lot. As an oversight some accessory building standards were left in the R-1 zoning districts that base the maximum size an accessory building can be off of the size of the home (principle structure) as seen below for the R-1-8 Zone.

**CURRENT REGULATIONS:**

**Chapter 13 Accessory Building Standards Table**

<table>
<thead>
<tr>
<th>Minimum Lot Size</th>
<th>43,560 sq. ft. and up</th>
<th>43,559 - 15,000 sq. ft.</th>
<th>14,999 - 9,000 sq. ft.</th>
<th>8,999 sq. ft. or less</th>
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<tr>
<td>Accessory building and structure setbacks:</td>
<td></td>
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<tr>
<td>Minimum front yard</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>25</td>
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<tr>
<td>Minimum side yard (corner) on arterial</td>
<td>20</td>
<td>20</td>
<td>20</td>
<td>20</td>
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<tr>
<td>Minimum side yard (interior)</td>
<td>2</td>
<td>2</td>
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<tr>
<td>Minimum rear yard</td>
<td>2</td>
<td>2</td>
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<td>2</td>
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<tr>
<td>Distance between accessory and principal buildings and structures (same lot)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
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<tr>
<td>Distance between accessory and principal buildings and structures (adjacent lot)</td>
<td>12</td>
<td>12</td>
<td>12</td>
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<tr>
<td>Height:</td>
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<tr>
<td>Maximum height of principal building</td>
<td>35 ft.</td>
<td>35 ft.</td>
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<tr>
<td>Maximum height of accessory building or structure at 2 ft.</td>
<td>25 ft.</td>
<td>25 ft.</td>
<td>20 ft.</td>
<td>18 ft.</td>
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<td>Lot coverage:</td>
<td></td>
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<tr>
<td>Total parcel coverage calculation</td>
<td>20%</td>
<td>30%</td>
<td>40%</td>
<td>40%</td>
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<tr>
<td>Detached garage (minimum 2 car garage):</td>
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<tr>
<td>Minimum square footage</td>
<td>400</td>
<td>400</td>
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</table>
Chapter 8 (R-1-8) Lot Coverage Standards

CORRESPONDING POLICY PRIORITY (IES)

*Improving Clearfield’s Image, Livability and Economy*

The proposed ordinance changes align with this priority by placing all accessory building standards in one chapter of City Code. By doing so, City staff, officials, and residents will be able to clearly identify applicable standards for accessory buildings throughout the municipality.

PUBLIC COMMENT

Public notice was placed in the newspaper on January 22, 2020, on the State of Utah public notice website, and on the City’s website. No public comment has been received to date.

FISCAL IMPACT

None

ALTERNATIVES

None

SCHEDULE / TIME CONSTRAINTS

If the City Council chooses to table the item to direct staff to perform research for further information on this item, the item will need to be tabled to a date specific so as to comply with public hearing notice requirements.

LIST OF ATTACHMENTS

Ordinance 2020-07
CLEARFIELD CITY ORDINANCE 2020-07
AN ORDINANCE AMENDING TITLE 11 OF THE CLEARFIELD CITY CODE

PREAMBLE: This Ordinance amends Title 11, Chapters, 8A, 8B, 9A, 9B, and 9C by amending regulations associated with Lot Coverage.

BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

Title 11, Chapter 8, Article A, Paragraph 8, Lot Coverage is hereby amended to read as follows:
See Chapter 13 of this title.

Title 11, Chapter 8, Article B, Paragraph 8, Lot Coverage is hereby amended to read as follows:
See Chapter 13 of this title.

Title 11, Chapter 9, Article A, Paragraph 8, Lot Coverage is hereby amended to read as follows:
See Chapter 13 of this title.

Title 11, Chapter 9, Article B, Paragraph 8, Lot Coverage is hereby amended to read as follows:
See Chapter 13 of this title.

Title 11, Chapter 9, Article C, Paragraph 8, Lot Coverage is hereby amended to read as follows:
See Chapter 13 of this title.

Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Date: This Ordinance shall become effective immediately upon its posting in three public places within Clearfield City.
DATED this 25th day of February, 2020, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

___________________________________
Mark R. Shepherd, Mayor

ATTEST

_________________________________
Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:
TO: Mayor Shepherd and City Council Members
FROM: Brad McIlrath, Senior Planner
MEETING DATE: Tuesday, February 25, 2020
SUBJECT: Discussion and Possible Action on FSP 2020-010017, a final subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot. Location: 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). Aggregate Parcel Area: 11.33 Acres. Zone: M-1 (Manufacturing). Planner: Brad McIlrath (Administrative Matter).

RECOMMENDED ACTION

On February 5, 2020 the Planning Commission forwarded a recommendation of approval to the City Council for FSP 2020-010017 as conditioned, a final subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot for the properties located at 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). This recommendation is based on the subdivision discussion and findings in the Staff Report.

DESCRIPTION / BACKGROUND

<table>
<thead>
<tr>
<th>Project Information</th>
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<tbody>
<tr>
<td>Project Name</td>
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<tr>
<td>Site Location</td>
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<tr>
<td>Tax ID Number</td>
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<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
</tr>
<tr>
<td>Current Zoning</td>
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<tr>
<td>Site Area</td>
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</tbody>
</table>

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<tr>
<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>General Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Manufacturing</td>
<td>M-1 (Manufacturing)</td>
</tr>
<tr>
<td>East</td>
<td>Parc</td>
<td>P-F (Public Facilities)</td>
</tr>
<tr>
<td>South</td>
<td>Vacant / Residential</td>
<td>M-1 (Manufacturing)</td>
</tr>
<tr>
<td>West</td>
<td>Highway 193 &amp; City Retention</td>
<td>R-3 (Residential)</td>
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</table>
BACKGROUND & OVERVIEW

The owners of the subject properties are seeking to sell the properties. As a purchasing requirement of the buyer, the three parcels need to be consolidated into one property. In accordance with the Clearfield City Subdivision ordinance, any subdivision of land or consolidation of parcels requires approval by the Planning Commission and City Council with a subdivision plat. As part of this subdivision plat road dedication of Main Street for a width of thirty three feet (33’) will be addressed as well. The plat includes the required ten foot (10’) public utility easements (PUE) around the perimeter, a railroad easement on the north side for the rail spur, a twenty foot (20’) wide sewer easement along the west end of the property, and the identification of the floodplain line for the separate flood plain zones.
FINAL SUBDIVISION PLAT REVIEW
The City Engineer and Public Works staff were provided with the proposed plat for review of technical items. The City Engineer/Deputy Public Works Director has received the plat for compliance and will provide comments to the applicant upon completion of his review.

If recommended for approval by the Planning Commission, the final subdivision plat will be reviewed by the City Council on Tuesday, February 25, 2020.

Public Comment
A public notice sign was placed on the property as well as the notice placed on the public notice map. No public comments have been received to date regarding this project.

CORRESPONDING POLICY PRIORITY (IES)
The proposed subdivision will improve Clearfield’s Image, Livability, and Economy by combining development parcels into one lot that will be more effective to manage and develop in the future. Easements and street dedication are provided which will improve enforcement and long term maintenance of the public right-of-way.

FISCAL IMPACT
None

ALTERNATIVES
None

CONDITIONS OF APPROVAL
1) As needed, the plat shall be revised to meet requirements of the Clearfield City Engineer/Deputy Public Works Director prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of this property shall comply with the development standards outlined for the M-1 Zone and other applicable City Code sections.
LIST OF ATTACHMENTS

1. Subdivision Plat
FREEPORT COLD STORAGE SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 2
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
CLEARMFIELD, DAVIS COUNTY, UTAH
DECEMBER 2018

GEOGRAPHIC SCALE
10.0' P.U.E.

PROPERTY LINE
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PROPERTY LINE
PROPERTY LINE
PROPERTY LINE
PROPERTY LINE

LEGAL DESCRIPTION

S 89°46'52" E     200.00'

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MOTOR VEHICLE SALES REGULATIONS
Zoning Text Amendment, ZTA 2020-010020
Current Inventory

- Baird Motors
- Best Buy Auto Inc.
- Beutler Auto Sales, Inc.
- Chariot Auto Sales
- CM Automotive
- Dave's Discount Auto Sales
- Dubs Auto
- Safe Buy Auto
- Watori Auto
- Westbridge Auto
- Westgate Auto Sales
Proposed Regulations - MVS

- Use will remain in the C-2 Zone
- Standards would apply to any new application
  - Discussion on Standards out line in proposed code
- Design standards
  - Buffering for inventory up again the ROW
- Limitations of acreage to no less than one acre
- Fencing required (not chain link or vinyl)
- Regulations for parking layout
- Lighting for the site
On February 5, 2020, the Clearfield City Planning Commission forwarded a recommendation of approval of the City Council for the amendments as proposed.
1. Move to recommend approval of ZTA 2020-010020 a zoning text amendment to amend Land Use Ordinance Section 11-11B-3 as proposed.

2. Move to recommend denial of ZTA 2020-010020 a zoning text amendment to amend Land Use Ordinance Section 11-11B-3 as proposed.

3. Move to table ZTA 2020-010020 to request additional information for consideration.
ACCESSORY BUILDING STANDARDS
Zoning Text Amendment, ZTA 2020-010021
Background Information

- Original zoning text amendment request occurred June 2016 to allow residents to better use their property.
- April 2017 zoning text amendment approved and moved accessory building standards to chapter 13 (supplementary regulations).
- December 2019 staff found conflicting accessory building standards.
On February 5, 2020, the Clearfield City Planning Commission forwarded a recommendation of approval of the City Council for the amendments as proposed.
1. Move to recommend approval of ZTA 2020-010021 for Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory building in all A-1, A-2 and R-1 zoning districts

2. Move to recommend denial of ZTA 2020-010021 for Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory building in all A-1, A-2 and R-1 zoning districts

3. Move to table ZTA 2020-010021 and request additional time to consider the request.
Background Information

- M-1 Zone (Manufacturing)
- Three (3) parcel consolidation plat.
- Main Street road dedication.
- Railroad easement
- Ten foot (10’) Public Utility Easement (PUE) around perimeter of lot.
- Twenty foot (20’) sewer easement along west property line.
- Floodplain delineation.
On February 5, 2020 the Planning Commission moved to approved as conditioned, PSP 2020-010017, a preliminary subdivision plat by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot for the parcels located at 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). These recommendation is based on the discussion and findings in the Staff Report and is subject to the following conditions of approval:

1) As needed, the plat shall be revised to meet requirements of the Clearfield City Engineer/Deputy Public Works Director prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of this property shall comply with the development standards outlined for the M-1 Zone and other applicable City Code sections.
Staff recommends that the Planning Commission forward a recommendation of approval of FSP 2020-010017 as conditioned, to the City Council for the final subdivision plat request Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot for the parcels located at 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). These recommendations are based on the discussion and findings in the Staff Report and are subject to the following conditions of approval:

1) As needed, the plat shall be revised to meet requirements of the Clearfield City Engineer/Deputy Public Works Director prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of this property shall comply with the development standards outlined for the M-1 Zone and other applicable City Code sections.
In 1929, Davis County Commissioners announced plans to enlarge the county courthouse. Interestingly, the expansion was built around the 1890s red brick courthouse, so there is a courthouse within a courthouse. An initial renaissance design with a turret entrance was replaced by a more traditional plan featuring a classical Grecian portico supported by six Ionic columns. The project was completed three years later in 1932.

A 1957–58 addition doubled the courthouse and another large addition to the southern side was completed in 1979.

A 1997 renovation removed the ceiling installed in the front entry hall during the 1929–32 construction, revealing the original ornate ceiling, now lighted with antique electrical fixtures.

The courthouse is again undergoing renovation. The current scope of the new project is to remove the 1958 and 1979 additions while renovating the original historical 1932 section. This includes bringing the building up to current accessibility and seismic standards, while keeping historical interior finishes and exterior memorial elements intact.

The schedule for the project will begin in the spring/summer of this year, starting with asbestos abatement and demolition services. Renovation efforts will continue into 2021 with planned completion in 2022.

Davis County is excited to bring this historical building back into use. Various county legal departments will be located in the new courthouse, and there will be an event space for county functions on the second floor. The facility will be aesthetically pleasing as well as functional, with increased surrounding landscape, outdoor gathering spaces, and war memorials for visiting and viewing. The renovated county courthouse promises to serve the community for generations to come.