CLEARFIELD CITY PLANNING COMMISSION AGENDA
(Acting in Quasi-Judicial Capacity as the Appeal Authority
For a Decision by the Zoning Administrator)
October 1, 2014
6:00 p.m.

Scheduled Item:
1. Appeal Hearing on ZD 1409-0007: A zoning determination on the primary use of a proposed building requested by David Murdock, on behalf of Leckington Trucking Company, located at 919 W. 1600 S. (TIN:12-391-0008).

CLEARFIELD CITY PLANNING COMMISSION AGENDA

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at 7:00 P.M., Wednesday, October 1, 2014, on the 3rd floor in the City Council Chambers of the Clearfield City Municipal Building, 55 S. State, Clearfield, Utah.

7:00 PM CALL TO ORDER-- PLEDGE OF ALLEGIANCE

1. ROLL CALL

2. APPROVAL OF MINUTES
   A. September 10, 2014

SCHEDULED ITEMS:

3. Discussion and Possible Action on SP 1409-0001: A request by R. Kent Scoville, on behalf of HS Dental, for Site Plan Approval for a new commercial building located at 484 N. Main Street (TIN: 14-094-0032).

PUBLIC HEARINGS:

5. Public Hearing, Discussion and Possible Action on ZTA 1409-0005: Zoning Text Amendment to Title 11 Chapter 13 Supplementary Regulations, to create standards and location requirements for mobile food vendors. This zoning text amendment would be effective across all Commercial Zones in Clearfield City.

6. Public Hearing, Discussion and Possible Action on ZTA 1409-0006: Zoning Text Amendment to Title 11 Chapter 13 Supplementary Regulations, to establish standards for home daycares and preschools as permitted uses within residential zones. This zoning text amendment would be effective across all Residential Zones in Clearfield City.

**DISCUSSION ITEMS**

7. Discussion on potential Zoning Text Amendment regarding requirements for commercial and residential development within the D-R Zone.

**COMMUNICATION ITEMS:**

8. Staff Communications – Administrative Site Plan Review

9. Planning Commissioners’ Minute

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 29th day of September, 2014

/s/Scott A. Hess, Development Services Manager

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 accommodations for City sponsored public meetings, service programs, or events, should call Christine Horrocks at 525-2780, giving her 48 hours notice.
September 22, 2014

Dave Murdock
Northpoint Construction
506 S. Main Street
Bountiful, UT 84010

RE: ZONING DETERMINATION (ZD 1409-0007) Leckington Trucking Co. - 919 W. 1600 S. Clearfield UT

Dear Mr. Murdock,

This letter is in response to a Site Plan application (SP 1409-0002) submitted on September 12, 2014 to Clearfield City’s Community Development Department on behalf of Leckington Trucking Company for a warehouse/distribution use located at 919 W. 1600 S. (TIN: 12-391-0008, 12-391-0009) in Clearfield, a property currently zoned (C-2) Commercial.

Clearfield City Code Sections 11-11B-2 and 11-11B-3 regulate permitted and conditional uses within the (C-2) Commercial zoning district. The Site Plan application you submitted shows a small retail and office component within the requested use. After a thorough review and consultation with City Staff, as the City’s Planning and Zoning Administrator, I have determined that the proper classification for the primary use of the proposed building is “warehouse” and that the office and retail components are incidental to the primary use. Title 11 Chapter 3 of the City’s Land Use Ordinance, defines “warehouse” as the following: WAREHOUSE: A building or structure, or portion thereof, in which goods, raw materials or commodities are stored or sold wholesale.

Due to the fact that warehouse uses are not listed as either a permitted or conditional use within the (C-2) Commercial zoning district, the Community Development Department cannot process your Site Plan application. Enclosed you will find a refund of the $500.00 application fee for Site Plan review.

Please do not hesitate to contact me at (801) 525-2785 or scott.hess@clearfieldcity.org if you have any further questions.

Sincerely,

Scott A. Hess
Development Services Manager

Pursuant to the Land Use Ordinance Section 11-1-12, aggrieved applicants may appeal the decision of the land use authority to the appeal authority within ten (10) calendar days from the date of this letter. Appeals shall be filed by submitting a written statement to the City Recorder detailing the grounds upon which the aggrieved applicant is appealing the land use authority’s decision and also by paying the applicable fee at this time.

Cc: ZD 1409-0007 Case File
Chris Horrocks, Building Permit Tech, Planning Commission Secretary (via email)
Northpoint Construction and Development, LLC
1196 East 1850 South
Bountiful Utah
801-558-5002
Murdock0170@msn.com

RE: Appeal – Zoning Determination (ZD 1409-0007) – 919 West 1600 South, Clearfield Utah

To: Nancy Dean
Clearfield City Recorder,

On September 12, 2014 Northpoint Construction submitted a site plan application on behalf of Leckington Companies (Leckington) to build a facility in which they could conduct their business. The building was to include office, retail space, showroom (display of promotion material) and wholesale distribution space.

The property is located within a C-2 Commercial zone which was established to provide areas of general commercial and business activities within the City (See Clearfield City Code 11-11B-1). Careful consideration was given prior to submission of the application to assure that the Leckington uses were compatible within the C-2 zone.

Permitted uses in a C-2 zone include the following, all of which are within the description of the proposed use by Leckington. 1) Business Services, 2) Offices 3) Retail and 4) delivery and sorting. Each of the 4 business activities are listed as permitted uses in the C-2 zone. Each make up the primary function in which Leckington wishes to operate. (See Clearfield City Code 11-11B-2 Permitted Uses)

Many of the surrounding businesses located in the C-2 zone have similar uses. For example, directly to the east of the subject property is a Goodyear Tire Store. It uses the building to conduct its general business activities by utilizing office, retail, show room and warehouse space. Around the corner and a little to the east on Antelope Drive is an Auto Zone store. Located in this business is a small amount of Office space, a limited amount of cashier space (retail) and a large amount of warehouse for the storage of their products. The one thing they all have in common including Leckington is the each property is utilized to conduct their general commercial and business activity (See Clearfield City Code 11-11B-1) which includes the same thing: 1) office 2) retail, 3) product display and 4) area for warehousing or distribution.

In the letter received by Clearfield City dated September 22, 2014 it states that “due to the fact that warehouse uses are not listed as either a permitted or conditional use with in the C-2 zone the Community Development Department cannot process our site plan application.” Just prior to this stipulation it was stated that the staff and the City’s Planning and Zoning administrator had arbitrarily determined that the proposed use was to be warehouse, that the primary use of the proposed project is “warehouse” and that the office and retail components are incidental to the primary use. As result, they made the decision to cancel our application saying stating that we did not qualify to operate in a C-2 zone.

We would argue that the staff and Planning and Zoning administrator are not in possession of the facts. The facts are as follows:

1) The primary purpose for which Leckington has interest in occupying space at this location is to establish a visible corporate office facility in which they can conduct their commercial and business activities. The visible presence they desire cannot be achieved in a Warehouse Zone. The fact is, office is a permitted use in a C-2 Zone. (Clearfield City Code 11-11B-2). As far as we could determine the zoning ordinance does not
WALL TYPES

METAL PANEL SYSTEM
3-5/8" 25 GAUGE METAL STUDS (2) 24" O.C. W/ 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE. 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE.

METAL PANEL SYSTEM
3-5/8" 25 GAUGE METAL STUDS (2) 24" O.C. W/ 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE.

NEW 6" 20 GAUGE METAL STUDS (2) 24" O.C. W/ 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE.

NEW 6" 20 GAUGE METAL STUDS (2) 24" O.C. W/ 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE.

NEW 6" 20 GAUGE METAL STUDS (2) 24" O.C. W/ 5/8" TYPE 'X' GYPSUM BOARD (TYPE 'X') EACH SIDE.

GENERAL CONTRACTOR SHALL CHALK-LINE ALL NEW WALLS FOR ARCHITECT'S APPROVAL PRIOR TO ANY NEW CONSTRUCTION TO INSURE THAT SPACE IS ACCURATE AND MEETS TENANT REQUIREMENTS.

SCALE: 1/8" = 1'-0"

INTERNATIONAL BUSINESS PARK

919 WEST 1600 SOUTH
CLEARFIELD, UTAH

A1.1

FLOOR PLAN

9/19/04

SAMUEL J. BRADY
ARCHITECTS

200 S. South Temple
Suite 100
Salt Lake City, Utah 84111
(801) 536-7172
Fax (801) 536-7173

LECKINGTON
BUILDING

COUNTER FOR PUBLIC ACCESS TO HAVE A 36" HT. MAX. X 36" AREA MIN. FOR ACCESSIBILITY.

COUNTER FOR PUBLIC ACCESS TO HAVE A 36" HT. MAX. X 36" AREA MIN. FOR ACCESSIBILITY.
require a certain ratio of office use to other uses within the project. This usage is certainly not incidental to their desired use.

2) In the past Retail has been limited because the company has been operating in a warehouse complex. The desire to increase the Retail operations of the company has been a primary part of the business plan since the beginning. Retail has increased over time but to achieve the desire growth better visibility and access is required and essential. Part of the reason for selecting the subject site is to enable the business to expand its retail component. This will not happen if the company is forced to relocate in a warehouse environment. Again, Retail is a permitted use in a C-2 zone and again, we could find no part in the Clearfield City Ordinance that stipulated any ratio requirement to other uses within the project.

3) Associated with the growth of retail is the needed space for promotional tools with the capacity to display promotional material and product. This is a use that clearing is a permitted use in a C-2 zone.

4) The company does not occupy space for the purpose of warehousing. The open space is used for receiving and sorting product that is organized and delivered the same day to customers. The Clearfield staff and City's Planning and Zoning Administrator stated in their Zoning determination response that the primary use of the facility would be warehouse. The fact is the company does not warehouse, store or inventory product in a traditional sense. Each day the trucks bring in product that is immediately sorted in lumpers, put back on trucks and delivered out to wholesale customers the same day. At the end of the day the sorting area is left empty and readied for the next day's shipment. The only product that would be stored anywhere is in the coolers/ freezers for retail distribution. The space is used for sorting and is ancillary to the primary purpose of the company.

The Clearfield Staff and Zoning Administrator have made the claim that substantially all the proposed project is "Warehouse". We feel it is a misunderstanding on their part to make this assumption.

We argue that the intended use of the project is clearly allowed within the C-2 zone. That 1) we are in compliance with the C-2 zone requirement, in fact, we should be allowed to submit our application by virtue of Clearfield City Code Sections 11-11B-1 and 11-11B-2. That our use is a permitted use and not subject to a conditional use (Clearfield City Code Section 11-11B-3) or to the section dealing with Warehouse (Title 11 Chapter 3 of the City's Land Use Ordinance.)

We respectfully ask that our request be granted and that we be allowed to make site plan application.

Best Regards,

David J Murdock
Northpoint Construction
TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: October 1, 2014

SUBJECT: Discussion and Possible Action on SP 1409-0001: A request by R. Kent Scoville, on behalf of Hillside Dental, for Site Plan Approval for a new commercial building located at 484 N. Main Street (TIN: 14-094-0032).

RECOMMENDATIONS

Recommend Approval as Conditioned SP 1409-0001: A request by R. Kent Scoville, on behalf of Hillside Dental, for Site Plan Approval for a new commercial building located at 484 N. Main Street based on findings and discussion in the staff report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
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<tbody>
<tr>
<td>Project Name</td>
</tr>
<tr>
<td>Site Location</td>
</tr>
<tr>
<td>Tax ID Number</td>
</tr>
<tr>
<td>Applicant and Property Owner</td>
</tr>
<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
</tr>
<tr>
<td>Current Zoning</td>
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<tr>
<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
### Development Standards:

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>0.46 acres</td>
<td>No minimum</td>
</tr>
<tr>
<td>Lot Width</td>
<td>&gt;65 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>20 feet</td>
<td>5 feet</td>
</tr>
<tr>
<td>Side</td>
<td>12</td>
<td>0 feet – Unless adjacent to</td>
</tr>
<tr>
<td>Rear</td>
<td>92</td>
<td>residential</td>
</tr>
<tr>
<td>Landscaping</td>
<td>32%</td>
<td>10%</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>15 spaces (7 required)</td>
<td>2 spaces per 1,000 sqft floor area</td>
</tr>
</tbody>
</table>

![Vicinity Map](image)

*SITE*
ANALYSIS
The request for the Planning Commission’s consideration is a new commercial structure on Main Street in Clearfield. The new structure would require the removal of an existing single-family home facing Main Street located at 484 N. Main Street. The property to the south is an existing multi-story commercial building with limited front set back facing Main Street. The properties to the rear are single-family homes on Vine Street. The site has some vertical elevation and slopes up from Main Street. The Site Plan reflects this in the use of a rock retaining wall in the landscape fronting Main Street.

<table>
<thead>
<tr>
<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>Comprehensive Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Single-Family Residential</td>
<td>C-2 (Commercial Zone)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial</td>
</tr>
<tr>
<td>East</td>
<td>Single-Family Residential</td>
<td>R-1-8 (Single-Family Residential Zone)</td>
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<tr>
<td></td>
<td></td>
<td>Residential</td>
</tr>
<tr>
<td>South</td>
<td>Rachel Plaza Commercial</td>
<td>C-2 (Commercial Zone)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial</td>
</tr>
<tr>
<td>West</td>
<td>Single-Family Residential</td>
<td>C-2 (Commercial) and R-1-8 (Residential)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Commercial</td>
</tr>
</tbody>
</table>
Comprehensive Plan and Zoning
This project is subject to Site Plan approval due to the request for new construction in the C-2 Commercial Zone. The property is currently zoned C-2 Commercial, and is Master Planned for the same use. The proposed building and use are consistent with current zoning. There are no additional General Plan changes or requirements the project must meet.

Site Plan Review

DESIGN STANDARDS
Chapter 18 Design Standards of the Land Use Ordinance regulates new construction, and construction that requires a building permit. The chapter focuses on the use of quality materials for new and renovated structures. Staff would recommend that the applicant review Chapter 18, and make sure that selected exterior materials meet the intent of the City Code. Conformance with Chapter 18 will be confirmed with Building Permits.

The building as proposed is a brick and stucco structure that generally conforms to Chapter 18 Design Guidelines. A consideration within the design guidelines is that buildings with street frontage have their primary entrance located on the street side of the building. The Hillside Dental Building does not have an access to the building facing Main Street. The proposed use of the facility is a dental office as a single tenant. Staff feels that the entrance as it is proposed is acceptable due to the fact that a dental office does not attract a high number of walk-up customers, and the site constraints of the elevation gained from Main Street to the footing of the building. It is Staff’s opinion that this structure meets the intent of the Chapter 18 guidelines as proposed.

Conformance with Chapter 18 Design Guidelines is included as a condition of approval.

SITE CIRCULATION and PARKING
The site currently has two drive accesses that serve the existing single-family home. The proposal is to remove the drive access to the north, and widen the access to the south to approximately 26.5 feet. This change will require further UDOT approval. Clearfield City Code specifies that a two-way access driveway be 30 feet in width. Due to the access being provided on a UDOT road, Staff would defer to the State regarding width and improvements of the access.

City Code 11-14-3 requires that offices, medical and dental clinics provide 1 space per 1,000 feet of floor area. The building is proposed to be 3,615 square feet which would require 7 spaces. The site plan currently provides 14 spaces with one ADA space. The parking spaces as drawn are 18 feet in length, and must be 9x20 feet per city code. The back-up area on the north of the parking lot needs to be extended to allow vehicles to turn around when parked in the northernmost stalls. The plan as proposed has an adequate number of spaces Staff recommends including a pedestrian sidewalk along the north side of the access driveway connecting to Main Street.
This item is included as a condition of approval.

LANDSCAPING
Minimum landscaping that needs to be provided is 10% or 2,005 square feet. The landscaping plan may include storm water detention areas. The proposed site plan shows increased landscaping being provided at approximately 32% of the total site. Minimum landscaping standards of 11-13-23 will also have to be demonstrated. The site plan storm detention facility must meet the requirements specified in the Engineer’s letter.
This item is included as a condition of approval.

**GARBAGE DUMPSTER**
There is a garbage dumpster shown on the southeast corner of the site plan drawing. Staff would encourage that the location of the dumpster not be visible from the Main Street right-of-way. At a minimum per City Code any on-site dumpster must be screened from view within an approved enclosure.
This item is included as a condition of approval.

**FENCING PLAN**
There is an existing fence on the east side of the property that is indicated to remain. No additional fencing has been proposed.

**SIGN PACKAGE**
Signage is not included as part of this Site Plan approval.

**ENGINEERING REVIEW**
Engineering has reviewed the Site Plan drawings, and the letter has been provided in the Staff Report. The majority of the engineering review revolves around storm water, and staff would recommend that the conditions in the engineer's letter be met.
This item is included as a condition of approval.

**OTHER AGENCY REVIEW**
**Fire Review**
North Davis Fire District reviewed the preliminary plans and has submitted a letter regarding fire hydrant placement and flow rates. Staff would recommend that the conditions in the Fire District's letter be met.
This item is included as a condition of approval.

**UDOT**
The site may require additional permits or approvals from Utah Department of Transportation (UDOT) as they are enlarging an already existing drive approach. Staff has not received any correspondence from UDOT regarding the site.

**Public Comment**
No public comment has been received to date.
## REVIEW CONSIDERATIONS

### Site Plan Review

Clearfield Land Use Ordinance Section 11-5-3 establishes the review considerations the Planning Commission shall make to approve Site Plans. The findings and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th>Review Consideration</th>
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</thead>
<tbody>
<tr>
<td><strong>Traffic:</strong> The effect of the site development plan on traffic conditions on abutting streets.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> This site has adequate access from Main Street. Staff does not foresee any traffic impacts from this site. Access on a State-owned road is controlled by UDOT and may be subject to additional approvals. No backing onto Main Street.</td>
</tr>
</tbody>
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<tr>
<td><strong>Vehicle; Pedestrian:</strong> The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> The driveway to the site is existing and proposed to be widened. There is a public sidewalk along Main Street. Deteriorated or damaged sidewalk and concrete will need to be replaced or installed. A pedestrian walkway along the north side of the access road connecting to Main Street should be installed for pedestrian access.</td>
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<tbody>
<tr>
<td><strong>Off-Street Parking:</strong> Compliance of off-street parking facilities with Chapter 14 of this Title.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> It is estimated that approximately 15 parking stalls will be provided. Parking must meet minimums for the zone. The size of the stalls will need to meet code standards of 9 feet wide by 20 feet long and provide an adequate number of ADA compliant spaces. The northern back-up area of the parking lot should be made deeper to allow vehicles to turn around.</td>
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<tbody>
<tr>
<td><strong>Loading and Unloading Facilities:</strong> The location, arrangement and dimensions of truck loading and unloading facilities.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> The new building on the site is not subject to an off-street loading space requirement.</td>
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<tr>
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<tbody>
<tr>
<td><strong>Surfacing and Lighting; Parking:</strong> The surfacing and lighting of off-street parking.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> The proposal shows existing street lights to remain along the southern property boundary. Any additional lighting shown on the construction documents, including new lighting for both the parking lot and exterior on the building, must meet city code.</td>
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<thead>
<tr>
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<tbody>
<tr>
<td><strong>Screen Planting:</strong> The location, height and materials, of walls, fences, hedges and screen planting.</td>
</tr>
<tr>
<td><strong>Staff Analysis:</strong> This site is not subject to screen plantings.</td>
</tr>
<tr>
<td>7)</td>
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<td>8)</td>
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<td>9)</td>
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<td>11)</td>
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<td>12)</td>
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1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1409-0001; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   c. The final building plans shall meet the minimum standards for building materials as established in C-2 Zone. The final building plans should be in substantial conformance with Chapter 18 Design Guidelines.
   d. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9x20. The back-up area on the north side of the parking lot must be deeper to accommodate vehicles turning around.
   e. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site. A sidewalk should be provided along the north side of the driveway access connecting to Main Street.
   f. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   g. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in 11-13-23.
   h. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) The garbage dumpster must be screened.

3) Site Plan approval is subject to North Davis Fire District review and approval.

4) Site access on a State-owned right-of-way is subject to Utah Department of Transportation review and approval.

5) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

ATTACHMENTS
1. Site Plan Set
2. Engineer’s Review Letter dated September 23, 2014
23rd September 2014

City of Clearfield
55 South State Street
Clearfield City, Utah  84015

Attn:  Scott A. Hess, Development Services Manager
Proj:  Hillside Dental – 484 North Main Street
Subj:  Site Plan Improvement Drawing Review

Dear Scott,

Attached is my review of the above referenced project.

General Note:

1. An electronic copy of the Site Plan drawings and details must be submitted to the Public Work Department via our office for record keeping upon design completion and prior to approval of the Site Plan drawings from our office.

Site Plan – Improvement Drawings

1. Notes need to be placed on the Site Plan improvement drawings indicating all deteriorated, damaged or missing surface improvements along “Main Street” and surrounding the perimeter of the development and on-site be replaced or installed; i.e., curb and gutter, sidewalk, landscaping park strip improvements, asphalt patching, landscaping replacement, site lighting, dumpster screening, concrete improvement, etc.

2. The site storm water detention calculations will need to be modified to consider a 100- year storm event.

   • Following the sizing calculations of the storm water orifice, the orifice may be increased to the nearest ½” in diameter.
   • The inlet catch basin box on the southwesterly corner is shown as the collection junction box, but due to the grate height it will function as the overflow spillway and take volume from the detention basin. The design and routing plan for storm water
discharge needs to be redesigned (the southwesterly box is 0.60’ – lower than the orifice control box).

- The southwesterly inlet box should be designed with a hooded inlet grate.
- The orifice grate will spill 0.40’ below the top of the pond. This also needs to be redesigned.
- The detention basin should have an overflow spillway which needs to be armored for erosion protection.
- The inlet/outlet flare-end section needs a concrete apron to control weeds and grass growth around the grate.
- The orifice control structure needs to be designed for ease in cleaning. As presently designed there is no way to clean the orifice except to probe underwater.

In summary the storm water detention basin and collection system will need to have the standard operating and control facilities, i.e., inlet/outlet control structure, interior overflow control, outlet control orifice (ease in access), overflow spillway, and all basin maintenance/landscaping improvements. The design of the storm water on-site collection piping system, finish contours lines, site grades, 12” freeboard berm, and all general on-site facilities will need to be submitted for additional review along with the drainage drawings and detail plans for their construction.

3. The site plan drawing shows a very small back-up area for vehicles to exit (northeasterly corner of the site). This backup area needs to be increased to approximately 10 feet in depth.

4. The location and details of all site lighting and business signs need to be shown on the drawings.

5. All other items required by other departments need to be included with the final approved Site Plan drawings.

We would be happy to meet with the Developer and/or his Engineer to review the above items should they have any questions.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

[Signature]

N. Scott Nelson, PE.
City Engineer

Cc. Scott Hodge, Public Works Director
    Dan Schuler, Public Works Inspector and Storm Water Manager
    Michael McDonald, Building Official
TO:       Scott Hess Community Development
FROM:    John Taylor / Fire Marshal
RE:       Hillside Dental

DATE:  September 18, 2014
I have reviewed the site plan submitted for Hillside Dental

for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns.

1. The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.

2. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4 ½” connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.

3. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.

4. All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.

5. If grades exceed 8%, approval from the City Engineer and the Fire District is required.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.
TO: The Clearfield City Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: August 6, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on CUP 1409-0003: A request by Cameron Winquist on behalf of Pawn Depot for a Conditional Use Permit for a Pawn Shop within a newly proposed building, in the C-2 zoning district, located at 325 W. 1700 S. (TIN: 12-243-0011).

RECOMMENDATIONS

Recommend Approval as Conditioned CUP 1409-0003: A request by Cameron Winquist on behalf of Pawn Depot for a Conditional Use Permit for a Pawn Shop within a newly proposed building, in the C-2 zoning district, located at 325 W. 1700 S. based on findings and discussion in the staff report.

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<tr>
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<tr>
<td>Proposed Actions</td>
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<tr>
<td>Current Zoning</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
Surrounding Properties and Uses: | Current Zoning District | Comprehensive Plan Land Use Classification
--- | --- | ---
North | Freeport West | M-1 (Manufacturing) | Commercial
East | Existing Commercial 325 W. 1700 S. | C-2 (Commercial) | Commercial
South | Single-Family Residential | R-1-8 (Residential) | Residential
West | Storage Facility | C-2 (Commercial) | Commercial
ANALYSIS
The purpose of the CUP is to allow a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

PAWN AND SECONDHAND BUSINESSES
“Pawn and Secondhand Businesses,” are defined by the Clearfield City Code as follows: “Shall have the meaning set forth in Utah Code Annotated title 13, chapter 32a. This definition does not include businesses which acquire secondhand goods or merchandise exclusively by donation, or deal solely with consignment or solely in the purchasing, bartering, exchanging or selling of used motor vehicles or trailers.” Utah State further defines the use as, “any business operated by a pawnbroker or secondhand merchandise dealer, or the owner or operator of the business.” Clearfield City Code lists this business as a conditional use within the C-2 Commercial Zone.

Pawn shops operate as a retail location and as a creditor to those who wish to obtain collateral-backed loans. A discussion with Clearfield City Police Chief indicated that the Police Department has good working relationships with the two existing pawn shops in Clearfield City, and in his opinion they do not cause a disproportionate burden on the police force. Pawn Shops are also very heavily regulated by the State. Patrons who pawn items are required to provide a copy of a driver’s license, fingerprint, and current address. State Code 13-32a-104 requires registration and limitations on pawned items. Potential impacts that the Planning Commission may attempt to mitigate for this type of business are in regards to the general operation of the business. This includes outside display and storage of merchandise, and signage.

OUTDOOR STORAGE
Pawn Depot does not require any outdoor storage for its business.

OUTDOOR DISPLAY OF GOODS
Pawn Shops may at times place goods outside of their store to attract customers to the retail sale portion of their business. This is not unlike many commercial businesses within Clearfield City including grocery stores, home improvement stores, tire stores, etc. Staff would recommend that outdoor display be limited in order to mitigate the potential for the business to become unsightly. Clearfield City Code does not have any specific requirements regarding the limitation of outdoor display of goods. Staff would recommend that a limitation of 100 square feet be placed on this use in order to mitigate detrimental effects.

The Commission may or may not agree with the finding, and may choose to alter the condition of approval.

SIGNAGE
Signage is approved administratively. The applicant has indicated their desire to place wall signs on the north and east elevation, and will comply with the size and location standards specified in the code. Outdoor signage is further limited through Clearfield City Code and Code Enforcement efforts to mitigate detrimental effects.

DESIGN STANDARDS
This item is considered with the Site Plan review.

LANDSCAPING
This item is considered with the Site Plan review.
PUBLIC COMMENT

The Community Development Office has received significant public comment including hand
written correspondence, email correspondence, and notification of signatures of an on-line
petition. I have personally responded to all interested parties who have written me regarding this
issue. The general nature of the comments have been related to people’s negative feelings
about the pawn industry and what impacts it may have on their personal property and for the
City as a whole. For a copy of any correspondence, please contact the Community
Development Office.

GENERAL STANDARDS

Clearfield Land Use Ordinance Section 11-4-3 establishes the general standards and
determination the Planning Commission shall make to approve Conditional Use Permits. The
findings and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th>General Standard</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equivalent to Permitted Use: Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:</td>
<td></td>
</tr>
<tr>
<td>1)</td>
<td></td>
</tr>
<tr>
<td>a. The health, safety, and welfare of the City and its present and future inhabitants and businesses;</td>
<td></td>
</tr>
<tr>
<td>b. The prosperity of the City and its present and future inhabitants and businesses;</td>
<td></td>
</tr>
<tr>
<td>c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;</td>
<td></td>
</tr>
<tr>
<td>d. The tax base;</td>
<td></td>
</tr>
<tr>
<td>e. Economy in governmental expenditures;</td>
<td></td>
</tr>
<tr>
<td>f. The State's agricultural and other industries;</td>
<td></td>
</tr>
<tr>
<td>g. The urban and nonurban development;</td>
<td></td>
</tr>
<tr>
<td>h. Access to sunlight for solar energy devices; or</td>
<td></td>
</tr>
<tr>
<td>i. Property values.</td>
<td></td>
</tr>
<tr>
<td>As conditioned, the pawn shop use is anticipated to be equivalent to other permitted uses in the C-2 zoning district. This would be a business of a retail nature located along a wide arterial street within a commercial zone. There are no perceived health, safety and welfare impacts. New construction and investment along our commercial corridors positively impacts Clearfield city’s prosperity. There is no discernable disproportionate number of calls to existing pawn shops in Clearfield City indicating that the peace and good order of the city will be maintained. Tax base is positively impacted through investment of new businesses. This business will have no impact on agriculture or other urban and nonurban development. There are no concerns about access to solar energy from this structure. There is no direct evidence that this project will negatively impact property values, and in most cases new investment along commercial corridors helps bolster the local economy and keep property values high.</td>
<td></td>
</tr>
</tbody>
</table>
PROPOSED CONDITIONS OF APPROVAL

1) This Conditional Use Permit pertains solely to Pawn Depot, and is for a pawn and secondhand business to be located within a new structure at 325 W. 1700 S.

2) No outdoor storage is permitted. This includes, but is not limited to, such items as materials, automobiles, pawned items, automotive parts, or the like.

3) Outdoor display of goods is limited to 100 square feet, and all outdoor displays must be put away within the enclosed structure at the end of business day, each day.

4) The site shall be maintained in a neat and orderly manner.

5) A plat amendment correcting the lot split on 325 W. 1700 S. (as indicated in the Site Plan report) must be filed prior to receiving a business license.

6) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

7) For this Conditional Use Permit to be in full force and effect, the Conditions of Approval shall be acknowledged and accepted in writing by both the tenant/business owner and the property owner, as joint applicants.

ATTACHMENTS

1. Report of Police calls per type of general business
The following statistics were obtained from the Spillman Records Management System. The statistics compare the number of calls for service between January 1, 2013 and December 31, 2013. The number of crime reports reflects incidents that involved a criminal investigation. All other calls represent incidents involving civil problems, business alarms, or other miscellaneous calls for service.

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Calls for Service</th>
<th>Number of Crime Reports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Star Pawn Inc.</td>
<td>27</td>
<td>7 (25%)</td>
</tr>
<tr>
<td><strong>(8 alarm calls)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Instant Cash &amp; Loan</td>
<td>7</td>
<td>3 (42%)</td>
</tr>
<tr>
<td>Thrift Store</td>
<td>11</td>
<td>1 (9%)</td>
</tr>
<tr>
<td><strong>(Stores such as Dollar General or Family Dollar)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience Store</td>
<td>34</td>
<td>17 (50%)</td>
</tr>
<tr>
<td><strong>(Stores such as Maverik or 7-11)</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: October 1, 2014

SUBJECT: Discussion and Possible Action on SP 1409-0003: A request by Cameron Winquist on behalf of Pawn Depot for Site Plan Approval for a newly proposed building in the C-2 zoning district, located at 325 W. 1700 S. (TIN: 12-243-0011).

RECOMMENDATIONS

Recommend Approval as Conditioned SP 1409-0003: A request by Cameron Winquist on behalf of Pawn Depot for Site Plan Approval for a newly proposed building in the C-2 zoning district, located at 325 W. 1700 S. based on findings and discussion in the staff report.

PROJECT SUMMARY

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<td>Development Standards</td>
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<td>-----------------------</td>
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<tr>
<td>Lot Size</td>
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<td>Lot Width</td>
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<tr>
<td>Setbacks</td>
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<tr>
<td>Front</td>
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<tr>
<td>Side</td>
</tr>
<tr>
<td>Rear</td>
</tr>
<tr>
<td>Landscaping</td>
</tr>
<tr>
<td>Parking Spaces</td>
</tr>
</tbody>
</table>

Vicinity Map
ANALYSIS
The request for the Planning Commission’s consideration is a new commercial structure on 1700 South in Clearfield. The property to the west and east are currently developed with a multi-tenant commercial building to the east, and storage units to the west. To the south is a neighborhood with single-family homes. There are no direct access points or travel routes from this commercial site to the residential neighborhood.

Comprehensive Plan and Zoning
This project is subject to Site Plan approval due to the request for new construction in the C-2 Commercial Zone. The property is currently zoned C-2 Commercial, and is Master Planned for the same use. The proposed building use is a pawn shop which requires a conditional use permit within current zoning. There are no additional General Plan changes or requirements the project must meet.

The total site was illegally subdivided in 1998 to provide a unique parcel to the Tender Years Day Care. The subdivision was not originally approved by Clearfield City. While the Site Plan being considered today does not change any lot lines, staff feels that an application for new entitlements on this property provides a justification for correcting the lot split. This will require a plat amendment and a separate application with the cooperation of all property owners affected by the lot split.

Correction of the plat is included as a condition of approval

Site Plan Review

DESIGN STANDARDS
Chapter 18 Design Standards of the Land Use Ordinance regulates new construction, and construction that requires a building permit. The chapter focuses on the use of quality materials for new and renovated structures. Staff would recommend that the applicant review Chapter 18, and make sure that selected exterior materials meet the intent of the City Code. Conformance with Chapter 18 will be confirmed with Building Permits.

The building as proposed is a 15,000 square foot steel structure with a stucco front portion facing 1700 South. Commercial C-2 Zone requires that the front elevation have at least two materials such as brick, stucco, rock, etc. C-2 zone further identifies permitted materials for

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<th>Comprehensive Plan Land Use Classification</th>
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<td>Residential</td>
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<td>C-2 (Commercial)</td>
<td>Commercial</td>
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</table>
structures. Steel buildings without some sort of façade cladding are not a permitted building material. Staff would recommend that the building be clad with brick, stone, stucco, or some other material consistent with the C-2 Zone and Chapter 18 Design Guidelines. A consideration within the design guidelines is that buildings with street frontage have their primary entrance located on the street side of the building. Antelope Drive is a wide arterial transportation route that is not very well suited to pedestrian traffic. The proposed building does not have an access to the building facing 1700 S. Staff feels that the entrance as it is proposed is acceptable due to the fact that a 1700 South is not a friendly pedestrian environment and the majority of customers will access the site by automobile. It is Staff’s opinion that this structure will meet the intent of the Chapter 18 guidelines with exterior material modifications and with building access as proposed.

**Conformance with C-2 requirements and Chapter 18 Design Guidelines is included as a condition of approval.**

**SITE CIRCULATION and PARKING**

The site currently has two drive accesses that serve the existing commercial building. The primary access will be off of 1700 South with a secondary access from 300 West street. The existing commercial structure has vehicular access surrounding the building, to provide joint access to both sites. Clearfield City Code specifies that a two-way access driveway be 30 feet in width. Due to the access being provided on a UDOT road, Staff would defer to the State regarding width and improvements of the access.

City Code 11-14-3 requires that less intensive commercial uses provide 1.5 spaces per 1,000 square feet. The building will provide a retail space for customers, and a rear storage area for collateral based loans and items that are being prepared to sell in the retail pawn shop. Staff estimates that 40% of the building will be used for retail and customers. This requires 9 spaces to be provided. The site plan currently shows 11 spaces. The parking spaces must be 9x20 feet per city code. The plan as proposed has an adequate number of spaces.

**This item is included as a condition of approval.**

**LANDSCAPING**

Minimum landscaping that needs to be provided is 10%. The landscaping plan may include storm water detention areas. The proposed site plan shows increased landscaping being provided at approximately 14% of the total site. Minimum landscaping standards of 11-13-23 will also have to be demonstrated. The site plan storm detention facility must meet the requirements specified in the Engineer’s letter.

**This item is included as a condition of approval.**

**GARBAGE DUMPSTER**

There is not a garbage dumpster shown on the site plan. Staff would encourage that the location of the dumpster not be visible from the 1700 S. right-of-way. At a minimum per City Code any on-site dumpster must be screened from view within an approved enclosure.

**This item is included as a condition of approval.**

**FENCING PLAN**

There is an existing slatted fence on the south and an existing chain link fence east side of the property that is indicated to remain. No additional fencing has been proposed.

**SIGN PACKAGE**

Signage is not included as part of this Site Plan approval.
**ENGINEERING REVIEW**

Engineering has reviewed the Site Plan drawings, and the letter has been provided in the Staff Report. The majority of the engineering review revolves around storm water, and staff would recommend that the conditions in the engineer’s letter be met.

*This item is included as a condition of approval.*

**OTHER AGENCY REVIEW**

*Fire Review*

North Davis Fire District reviewed the preliminary plans and has submitted a letter regarding fire hydrant placement and flow rates. Staff would recommend that the conditions in the Fire District’s letter be met.

*This item is included as a condition of approval.*

*UDOT*

The site may require additional permits or approvals from Utah Department of Transportation (UDOT) as they are enlarging an already existing drive approach. Staff has not received any correspondence from UDOT regarding the site.

**Public Comment**

No public comment has been received to date.

**REVIEW CONSIDERATIONS**

*Site Plan Review*

Clearfield Land Use Ordinance Section 11-5-3 establishes the review considerations the Planning Commission shall make to approve Site Plans. The findings and staff's evaluation are outlined below:

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) <strong>Traffic:</strong> The effect of the site development plan on traffic conditions on abutting streets.</td>
<td>This site has adequate access from 1700 South as well as 300 West Street. Staff does not foresee any traffic impacts from this site. Access on a State-owned road is controlled by UDOT and may be subject to additional approvals. No backing onto 1700 S. Street.</td>
</tr>
<tr>
<td>2) <strong>Vehicle; Pedestrian:</strong> The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.</td>
<td>The driveway to the site is existing. There is a public sidewalk along 1700 South. Deteriorated or damaged sidewalk and concrete will need to be replaced or installed.</td>
</tr>
<tr>
<td>3) <strong>Off-Street Parking:</strong> Compliance of off-street parking facilities with Chapter 14 of this Title.</td>
<td>It is estimated that approximately 11 parking stalls will be provided. Parking must meet minimums for the zone. The size of the stalls will need to meet code standards of 9 feet wide by 20 feet long and provide an adequate number of ADA compliant spaces.</td>
</tr>
</tbody>
</table>
**4) Loading and Unloading Facilities:** The location, arrangement and dimensions of truck loading and unloading facilities. The new building on the site is not subject to an off-street loading space requirement. There are bay doors provided for the rear portion of the building. There is adequate vehicular access to the southern portions of the structure.

**5) Surfacing and Lighting; Parking:** The surfacing and lighting of off-street parking. The proposal shows existing street lights to remain. Any additional lighting shown on the construction documents, including new lighting for both the parking lot and exterior on the building, must meet city code.

**6) Screen Planting:** The location, height and materials of walls, fences, hedges and screen planting. This site is not subject to screen plantings.

**7) Landscaping:** The layout and appropriateness of landscaping. A minimum of 10 percent landscaping is a requirement in the C-2 zoning district. The construction drawings will need to demonstrate this standard is met and the provisions of 11-13-23 for the minimum number of trees and shrubs. The appropriate number of trees and shrubs will be indicated at the time of the construction documents (the building permit submittal). Landscaping areas may be used jointly as storm detention facilities, but must be improved with landscaping and a viable irrigation system.

**8) Drainage:** The effect of the site development plan on City storm water drainage systems. The applicant has designed a storm water detention area on the south side of the property. The engineer’s letter addresses improvements that must be made to bring the detention up to current City standards to properly mitigate the impact on the storm drain system.

**9) Utility:** The effect of the site development plan on City utility systems. The site plan currently shows utilities, and is not expected to have a negative impact on the City’s utility systems.

**10) Building Locations:** Consideration of building locations on the site, elevations and relation to surrounding areas (Ord. 84-06B, 9-11-1984) The site layout is a single new building located on the north and west portions of the parcel, with driveway access along the north east side. Parking is proposed along the east side. The proposed building location is compliant with the requirements of the C-2 zone.

**11) Exterior Design:** Consideration of exterior design in relation to adjoining structures and area character to assure compatibility with other structures in the neighborhood, existing or intended. (Ord. 84-08, 10-23-1984) The project is subject to the Chapter 18 Design Standards. The exterior of the building may not be steel. The front elevation of the building facing 1700 South should have at least two materials such as stucco, rock, brick, etc. Should the Commission determine further improvements are required; these should be included as Conditions of Approval.
12) **Signs:** Compliance of signs with Chapter 15 of this Title and particular consideration to the location of signs upon the site, their effect upon parking, ingress and egress, the effects upon neighboring properties and the general harmony of signs with the character of the neighborhood, existing or intended.

A sign package review will be under separate review and approval.

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**CONDITIONS OF APPROVAL**

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1409-0003; however, they will also include and address the following:

   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   
   b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   
   c. The final building plans shall meet the minimum standards for building materials as established in C-2 Zone. The final building plans should be in substantial conformance with Chapter 18 Design Guidelines.
   
   d. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9x20.
   
   e. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.
   
   f. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
   
   g. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in 11-13-23.
   
   h. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) The exterior of the building must meet minimums of the C-2 Commercial zone and Chapter 18 Design Guidelines. This includes but is not limited to changing the exterior material from steel to those listed as permitted in the C-2 zone. The façade articulation on the east facing wall must meet Chapter 18 Design Guidelines and be provided to break up long blank walls.

3) The plat must be amended to reflect the correction of the illegal lot split between the existing commercial building and Tender Years Day Care. Application for plat amendment must be filed with the Clearfield City Community Development Department. Correction of the plat must be completed before issuance of a business license.
4) The garbage dumpster must be screened.

5) Site Plan approval is subject to North Davis Fire District review and approval.

6) Site access on a State-owned right-of-way is subject to Utah Department of Transportation review and approval.

7) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

ATTACHMENTS

1. Site Plan Set
2. Engineer's Review Letter dated September 25, 2014
25th September 2014

City of Clearfield
55 South State Street
Clearfield City, Utah  84015

Attn: Scott A. Hess, Development Services Manager
Proj:  Cameron Winquist – 325 West Antelope Drive
Subj: Site Plan Improvement Drawing Review

Dear Scott,

Attached is my review of the above referenced project.

General Note:

1. An electronic copy of the Site Plan drawings and details must be submitted to the Public Work Department via our office for record keeping upon design completion and prior to approval of the Site Plan drawings from our office.

Site Plan – Improvement Drawings

1. Notes need to be placed on the Site Plan improvement drawings indicating all deteriorated, damaged or missing surface improvements along “Antelope Drive” and surrounding the perimeter of the development and on-site be replaced or installed; i.e., curb and gutter, sidewalk, landscaping park strip improvements, asphalt patching, landscaping replacement, site lighting, dumpster screening, concrete improvement, etc.

2. A Geotechnical Report for the site should be completed and submitted with recommendations.

3. The site storm water detention calculations need to be submitted for review. The site storm water drainage facilities and detention basin will need to be sized for a 100 - year storm event.
   - The storm water run-off in the waterway would function better if upsized to a 5’ wide waterway.
• There should be several inlet collection boxes in the waterway to capture and minimize the run-off flows.
• At the end of the waterway an inlet catch basin should be installed to capture all storm water and then the storm water piped to the orifice control structure. This will eliminate side slope erosion in the detention basin and will better handle small nuisance flows from the site into the detention basin. This suggested method will allow the detention basin to dry out and not be soggy/boggy in the bottom of the basin which would hamper maintenance.
• The roof drainage should be piped to the detention basin.
• The detention basin should have an overflow spillway which needs to be armored for erosion protection.
• The orifice control structure needs to be designed for ease in cleaning. As presently designed there is no way to clean the orifice except to probe underwater.
• The detention basin needs to have a 12” tall perimeter freeboard berm.
• The inlet/out structure needs additional details and dimensions.
• The detention basin needs a slope on the floor for drainage.
• If the site is not under one-ownership then approval to connect to the existing (12” or 18” references confusing) pipe should be required.

In summary the storm water detention basin and collection system will need to have the standard operating and control facilities, i.e., inlet/outlet control structure, interior over-flow control, outlet control orifice (ease in access, cleaning and unplugging), overflow spillway, and all basin maintenance/landscaping improvements. The design of the storm water on-site collection piping system, finish contours lines, site grades, 12” freeboard berm, and all general on-site facilities will need to be submitted for additional review along with the drainage drawings and detail plans for their construction.

4. The site plan drawing needs to document the percentages of landscaping and hard surfacing.
5. A detail of the curb wall is needed for the contractor to construct.
6. Is the City culinary waterline within an easement? It should be since it is on private property.
7. Location of the electrical service, the natural gas service and communication lines should be shown on the site plans.
8. If the site is not under one-ownership a vehicle cross-access agreement needs to be in place to allow all users access to all entrance/exit driveways and movement across the site.
9. A drainage swale is shown along the westerly side of the property. This swale should be piped. Sizing and piping will also require permission from the drainage swale users.
10. How will the plants in the xeroscape areas be irrigated?
11. The location and details of all site lighting and business signs need to be shown on the drawings.
12. Several notes on the drawings have question marks which should be corrected.

13. All other items required by other departments need to be included with the final approved Site Plan drawings.

We would be happy to meet with the Developer and/or his Engineer to review the above items should they have any questions.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, PE.
City Engineer

Cc. Scott Hodge, Public Works Director
    Dan Schuler, Public Works Inspector and Storm Water Manager
    Michael McDonald, Building Official
TO: Scott Hess Community Development

FROM: John Taylor / Fire Marshal

RE: Winquist Building

DATE: September 18, 2014

I have reviewed the site plan submitted for The Winquist Building for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns. The existing fire hydrant may need to be raised to accommodate access after the final grading is complete. Verification at time of construction will be required. Also the following standard concerns for any new development.

1. The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.

2. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4 ½” connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.

3. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.

4. All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.

5. If grades exceed 8%, approval from the City Engineer and the Fire District is required.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.
TO: Planning Commission  
FROM: Stacy Millgate  
Business Licenses, CDBG Coordinator  
smillgate@clearfieldcity.org (801)525-2781  
MEETING DATE: October 1, 2014  
SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 1409-0005  
Zoning Text Amendment to Title 11 Chapter 13 Supplementary Regulations, to create standards and location requirements for mobile food vendors. This zoning text amendment would be effective across all Commercial Zones in Clearfield City.

RECOMMENDATION

1. Hold Public Hearing as noticed and close or continue public hearing to a date specific meeting.
2. Consider information provided by staff.
3. Move to recommend approval of ZTA 1409-0005 to the City Council, an amendment to Title 11, Chapter 13 to create standards and location requirements for mobile food vendors, based on the findings and discussion in the Staff Report.

ANALYSIS

Staff has reviewed and compared the current city code with other jurisdictions that regulate these types of businesses. The intent of the code is to limit the negative impacts associated with these types of businesses. Staff believes the changes made to the code in 2009, has substantially reduced the problems that were occurring at that time. However, additional code language is being requested, which will help clarify and alleviate any future problems that may arise.

Proposed Changes

Staff is proposing a change to the Supplementary Regulations section of the City Code to add additional restrictions to the Temporary, Seasonal Merchant and Mobile Food Vendors.

On June 10, 2014 the city council passed an ordinance to amend the license period for a temporary or seasonal merchant from 60 days to 180 days. As part of this process, staff was directed to investigate a zoning text amendment that would allow for temporary food vendors, while limiting the negative impacts associated with these types of businesses. During the August 6, 2014 and September 10, 2014 meeting, staff presented documents comparing Clearfield City’s zoning ordinance for Temporary, Seasonal Merchant or Mobile Food Vendor License with six other jurisdictions. Planning Commission recommended language be drafted and presented during a future Planning Commission meeting to address location restrictions as well as create standards for mobile food vendors.
Proposed Ordinance Changes/Additions

Staff would propose the following additions and amendments to Title 11, Chapter 13 Supplementary Regulations as indicated below:

Title 11, Chapter 13
TEMPORARY OR SEASONAL MERCHANTS AND MOBILE FOOD VENDORS (AMENDED LANGUAGE)

11-13-26: FIREWORKS STAND, TEMPORARY OR SEASONAL MERCHANT, AND MOBILE FOOD VENDOR REGULATIONS:

Fireworks stands, temporary or seasonal merchants, and mobile food vendors shall be subject to the following regulations:

A. Location Specified; Location Restrictions:
   1. Each license shall specify the location where the business is approved to operate. No operation shall occur at locations other than the approved site.
   2. Licenses issued under this section shall be limited to the following street corridors:
      a. Main Street, State Street, 1700 South, 700 South, and 300 North, if outside of Freeport Center & Freeport West. All fireworks stands, temporary or seasonal merchants, and mobile food vendors shall not occupy more than twenty (20%) of the parking stalls on the lot where the business has been approved.
      b. No location restrictions imposed by City if locating inside Freeport Center or Freeport West.

A.B. Maintenance: The area around a fireworks stand, temporary or seasonal merchant, or mobile food vendor shall be kept clean and orderly. A trash receptacle shall be provided for patrons. The licensee shall clean up all trash, litter, spills, etc., within a minimum twenty foot (20') radius of the business.

C. Appearance: All fireworks stand, temporary or seasonal merchant, and mobile food vendor structures and display areas shall have a professional appearance. All equipment associated with the use shall be maintained in a new or near-new condition. All retail items shall be displayed orderly, and all debris associated with the use shall be contained within the confines of the use and be cleaned at the end of each business day. A business license will not be issued or may be revoked if structures or equipment are tattered, torn, frayed, significantly faded, have chipped or peeling paint or otherwise do not have a professional appearance.

B.D. Impervious Surface: Each fireworks stand, temporary or seasonal merchant, and mobile food vendor shall be located on an impervious, all weather surface with no portion of the business located in a landscaped or nonimproved area.

C.E. Setbacks: Each fireworks stand, temporary or seasonal merchant, and mobile food vendor shall be located a minimum of ten feet (10') behind the inside edge of a public sidewalk, or fifteen feet (15') from the edge of the street right of way if no sidewalk exists; five feet (5') from combustible walls, roof eave lines, awnings, etc.; ten feet (10') from any building openings (i.e., doors, windows, vents, etc.); and five feet (5') from a fire hydrant, driveway, handicapped parking space or loading area.
D.F. Traffic Safety: No fireworks stand, temporary or seasonal merchant, or mobile food vendor shall impede auto and/or pedestrian traffic or create auto/pedestrian conflicts. Private sidewalk clear widths shall not be reduced below five feet (5’), and no fireworks stand, temporary or seasonal merchant, or mobile food vendor shall interfere with the internal parking lot circulation.

E.G. Parking: The site shall have adequate parking to accommodate the primary use(s) on site as well as any area used by the fireworks stand, temporary or seasonal merchant, or mobile food vendor. No part of the fireworks stand, temporary or seasonal merchant, or mobile food vendor shall occupy required parking stalls for the primary use(s) of the site. A minimum of two (2) on site parking stalls are required for each fireworks stand, temporary or seasonal merchant, or mobile food vendor.

F.H. Business Conduct: A fireworks stand, temporary or seasonal merchant, or mobile food vendor shall not solicit or conduct business with persons in motor vehicles or use any flashing lights, noise, sound or other motion producing devices to attract attention to its operation.

G.I. Minimum Separation Required:

1. No mobile food vendor shall be located within two hundred feet (200’) of the primary public entrance of an existing restaurant use.

2. No temporary or seasonal merchant shall be located within two hundred feet (200’) of the primary public entrance of an existing retail store which sells similar products as its primary business.

H.J. Signs: Each fireworks stand, temporary or seasonal merchant, or mobile food vendor shall be limited to one on premises sign, which shall not exceed eight (8) square feet in size. Signs shall not be internally illuminated or make use of flashing or intermittent lighting or animation devices. Pennants, streamers, lawn banners and other temporary signs shall be prohibited.

I.K. Fire Extinguisher Required: A portable fire extinguisher, type 2A-10 BC minimum, must be mounted within easy reach of each fireworks stand, temporary or seasonal merchant, or mobile food vendor.

J.L. City Sponsored Event Or Activity: This section shall not apply to fireworks stands, temporary or seasonal merchants, or mobile food vendors participating in a city sponsored event or activity. (Ord. 2009-40, 11-24-2009)

Public Comment
No public comment has been received to date.

FINDINGS

Zoning Ordinance Text Amendment
Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff’s evaluation are outlined below:
<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
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<td>1) The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The proposed text amendment is consistent with the goals and policies of the Land Use Element of the City’s General Plan. It will create restrictions that will limit what type of temporary businesses can locate in the City, the appearance of the stand, as well as where they can operate.</td>
</tr>
<tr>
<td>2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>Staff requests these changes to help tighten up the requirements and restrictions for these types of businesses.</td>
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TO: Planning Commission

FROM: Stacy Millgate
Business Licenses, CDBG Coordinator
smillgate@clearfieldcity.org (801)525-2781

MEETING DATE: October 1, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 1409-0006
Zoning Text Amendment to Title 11 Chapter 13 Supplementary Regulations, to establish standards for home daycares and preschools as permitted uses within residential zones. This zoning text amendment would be effective across all Residential Zones in Clearfield City.

RECOMMENDATION

1. Hold Public Hearing as noticed and close or continue public hearing to a date specific meeting.
2. Consider information provided by staff.
3. Move to recommend approval of ZTA 1409-0006 to the City Council, an amendment to Title 11, Chapter 8, Chapter 9, and Chapter 13 to establish standards for home daycares and preschools as permitted uses within residential zones based on the findings and discussion in the Staff Report.

ANALYSIS
Clearfield City Code 11-8 Agricultural Zones and 11-9 Residential Zones lists home daycares and preschools as being required to obtain a Conditional Use Permit prior to receiving their initial business license. City Code §11-4-4, Conditions and Requirements, lays out twenty-eight specific criteria to be considered for a Conditional Use Permit. Following the criteria in the code helps lead to predictable reviews and recommendations.

Currently, the review body for all Conditional Use Permits is the Planning Commission. While the requirement to bring all Conditional Use Permits to the Planning Commission has helped drive quality standards, it can become a time burden on the Planning Commission to review very minor items that are required based on the current procedures. Also, from the applicant’s perspective waiting for the Planning Commission to review what seems to be a very minor or insignificant project can be frustrating. During a discussion, held by the Planning Commission, on August 6, 2014 and September 10, 2014, language was to be created and brought before the commissioner’s for their review and recommendations.

Proposed Changes
Staff is proposing a change to the Agriculture and Residential sections of the City Code, which would change the classification of home daycares and preschools from a conditional use to a permitted use within Title 11, Chapter 8 and Chapter 9 Residential Zones. As part of this change, language would be adopted and codified in Title 11, Chapter 13 Supplementary
Regulations, to require additional documents be submitted for obtaining approval for this particular type of business.

**Proposed Ordinance Changes/Additions**

Staff would propose the following additions and amendments to Title 11, Chapter 8 & Chapter 9 Residential Zones and Chapter 13 Supplementary Regulations

**Title 11, Chapter 8 and Chapter 9**

**RESIDENTIAL ZONES (AMENDED LANGUAGE)**

The amendments include reclassifying “Daycares, residential” and “Preschools, residential” from a Conditional Use to a Permitted Use within the A-1, A-2, R-1-9, R-1-8, R-1-6, R-2, R-3 and R-1-Open zones. (Currently these types of businesses are not allowed in the R-M zone and amendments to this zone are not being requested at this time.)

**Title 11, Chapter 13**

**SUPPLEMENTARY REGULATIONS (NEW LANGUAGE TO BE ADDED)**

11-13-32: RESIDENTIAL DAYCARES AND PRESCHOOLS:

A. **Drop-off/Pick-up Plans**: Applicant shall submit a drop-off and pick-up schedule, subject to the approval by the City Zoning Administrator, with staggered times proposed in order to mitigate traffic impacts. If applicant is requesting approval for a home preschool, that holds more than one class per day, the ending time of the first class to the beginning time of the second class shall be scheduled at least one hour apart, to prevent overlapping times of pick-up and drop-off of students.

B. **Traffic Flow**: Applicant shall submit a copy of the traffic flow plan, subject to approval by the City Zoning Administrator.

C. **Outdoor Environment**: There shall be an outdoor play area for children that is safely accessible to children. Enclosed and installed to the satisfaction of State of Utah Licensing Division.

D. If the Zoning Administrator determines that an application needs further interpretation, he may request planning commission review of the approval.

**Public Comment**

No public comment has been received to date.

**FINDINGS**

**Zoning Ordinance Text Amendment**

Clearfield Land Use Ordinance Section §11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

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<td>1)</td>
<td>The proposed text amendment is consistent with the goals and policies of the Land Use Element of the City’s General Plan. It will assist in streamlining the review and approval process for these types of businesses, while maintain necessary standards.</td>
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