CLEARFIELD CITY PLANNING COMMISSION AGENDA

Notice is hereby given that the Clearfield City Planning Commission will hold a special meeting at 7:00 P.M., Wednesday, October 15, 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

PUBLIC HEARINGS:

3. CUP 1409-0008: A request by Kang Woo Lee on behalf of Northern Utah Counseling for a Conditional Use Permit for a Behavioral Treatment Facility, in the C-2 zoning district, located at 49 East 200 South (TIN: 12-003-0173).

4. SP 1409-0008: A request by Kang Woo Lee on behalf of Northern Utah Counseling for Site Plan Approval for a change of use, in the C-2 zoning district, located at 49 East 200 South (TIN: 12-003-0173).

5. FSP 1410-0001: A request by Cameron Winquist to Amend the Larsen Commercial Subdivision Plat Lot 2, located at 325 W. 1700 S. (TIN: 12-243-0011, 12-243-0008).

6. GPA 1410-0002: A request by Con Wilcox for a General Plan Amendment to amend future land uses on property located at approximately 919 W. 1600 S. (TIN: 12-391-0008, 12-391-0009) from Commercial to Manufacturing.

7. RZN 1410-0002: A request by Con Wilcox for a rezone on property located at approximately 919 W. 1600 S. (TIN: 12-391-0008, 12-391-0009) from Commercial (C-2) to Manufacturing (M-1).
COMMUNICATION ITEMS:

8. Staff Communications
9. Planning Commissioners’ Minute

**ADJOURN AS THE PLANNING COMMISSION AND RECONVENE AS THE APPEAL AUTHORITY**

1. Consider approval of the minutes from the Appeal Authority’s Hearing held on October 1, 2014.
2. Consider approval of the Findings, Conclusions and Determination by the Appeal Authority regarding ZD 1409-0007.

**PLANNING COMMISSION ADJOURN**

Dated this 10th day of October, 2014
/s/Scott A. Hess, Development Services Manager
TO: Planning Commission

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

MEETING DATE: October 15, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on CUP 1409-0008: A request by Kang Woo Lee on behalf of Northern Utah Counseling for a Conditional Use Permit for a Behavioral Treatment Facility, in the C-2 zoning district, located at 49 East 200 South (TIN: 12-003-0173).

RECOMMENDATION

Move to approve as conditioned, CUP 1406-0001, a Conditional Use Permit for a behavior, treatment facility located at 49 East 200 South (TIN: 12-003-0173), based on the findings and discussion in the Staff Report.

PROJECT SUMMARY

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<thead>
<tr>
<th>Project Information</th>
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<tbody>
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<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
### Surrounding Properties and Uses:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Property/Use</th>
<th>Current Zoning District</th>
<th>Comprehensive Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
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<td>North</td>
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</tr>
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<td>Car Wash</td>
<td>C-2</td>
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</tr>
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<td>South</td>
<td>Storage Units</td>
<td>C-2</td>
<td>Mixed Use</td>
</tr>
<tr>
<td>West</td>
<td>Depot Street, Rail Road Tracks</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
ANALYSIS

General Plan and Zoning
The property is currently zoned C-2 (Commercial) and General Planned Mixed Use. The property is surrounded by developed Commercial uses, and is lined on the west side by the Union Pacific and UTA rail lines. No short term or long term changes are proposed within the General Plan for this area of Clearfield. Clearfield City Code was amended in 2009 and effective in early 2010 to require Behavior, Alcohol, and Drug Treatment Facilities to receive Conditional Use Permit approval in the C-2 Commercial zone.

Conditional Use Permit Review
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.

The request for a Conditional Use Permit (CUP) for a Behavior Treatment facility is consistent with the City's Land Use Ordinance as this use is permitted with an approved CUP in the C-2 zoning district. The use is primarily operated during normal daytime business hours and does not generate objectionable noise, odors, dust or fumes that would make it incompatible with the adjacent uses. The applicant indicates that the facility will be staffed during the day, but there will not be any 24 hour services provided on site, and there will not be any overnight stays at the facility for employees or clients. The facility will serve children aged 5-12 who have behavioral problems, and who have been referred by the school system or insurance to receive behavioral treatment from licensed professionals. The facility as proposed meets the requirements of the City Code. Specific detrimental impacts from these types of uses typically revolve around issues associated with services provided on a round the clock basis for those being treated, and assuring that type of use is compatible with surrounding uses.

24 Hour Impacts
This facility is specifically operated as a day facility. As indicated in written material from the applicant, “Day treatment centers have the structure of the therapeutic environment but are able to be with their families every evening.” Northern Utah Counseling is not designed to be a shelter for clients. The business will not be staffed 24 hours, and will not provide any overnight stays for clients. Staff would recommend making this a condition.

Public Comment
No public comment has been received.

GENERAL STANDARDS

Conditional Use Permit Review
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><strong>DETERMINATION:</strong> A Conditional Use Permit shall be approved if conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards set forth [in the Land Use Code]. If the reasonably anticipated detrimental impacts or effects of the proposed conditional use cannot be substantially mitigated or eliminated by the proposal or the imposition of conditions to achieve compliance with the standards set forth [in the Land Use Code], the Conditional Use Permit may be denied.</td>
<td></td>
</tr>
<tr>
<td><strong>1)</strong> <strong>Equivalent to Permitted Use:</strong> 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>The requested behavior treatment facility is proposed to be in an existing commercial facility within a well-established commercial area of the City. The use is compatible with adjacent commercial properties, once the impacts are properly mitigated.</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><strong>2)</strong> <strong>Impact Burden:</strong> Any cost of mitigating or eliminating detrimental impacts or effects in excess of those which could be reasonably expected to arise from a permitted use shall become a charge against the development so as not to constitute a burden on the municipality, surrounding neighbors, or adjacent land uses.</td>
<td>Impacts in this case could come from the need for 24 hour services being generated. The proposed use will be open during normal day time hours, and will not be staffed 24 hours, and will not provide any overnight stays for clients or staff. The requirement to limit late night services should mitigate the detrimental effects of this type of business.</td>
</tr>
<tr>
<td>The proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values. It is a behavior treatment facility for children aged 5-12, located in the C-2 zoning district. Conditions of approval are proposed to mitigate impact</td>
<td></td>
</tr>
</tbody>
</table>
or injure property values.  to the surrounding properties.

CONDITIONS OF APPROVAL

1) This Conditional Use Permit is for a Behavioral Treatment Facility located at 49 East 200 South.
   a. The facility shall only operate during normal daytime business hours (7:00 AM to 8:00 PM).
   b. The facility shall not provide 24 hour treatment or services to clients.
   c. The facility shall not provide overnight stays, or be staffed overnight.

2) 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

None provided with this item.
TO: Planning Commission

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

MEETING DATE: October 15, 2014

SUBJECT: Discussion and Possible Action on SP 1409-0008: A request by Kang Woo Lee on behalf of Northern Utah Counseling for Site Plan Approval for a change of use, in the C-2 zoning district, located at 49 East 200 South (TIN: 12-003-0173).

RECOMMENDATIONS

Recommend Approval as Conditioned SP 1409-0008: A request by Kang Woo Lee on behalf of Northern Utah Counseling for Site Plan Approval for a change of use, in the C-2 zoning district, located at 49 East 200 South based on findings and discussion in the staff report.

PROJECT SUMMARY

<table>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Northern Utah Counseling</td>
</tr>
<tr>
<td>Site Location</td>
<td>49 East 200 South</td>
</tr>
<tr>
<td>Tax ID Number</td>
<td>12-003-0173</td>
</tr>
<tr>
<td>Applicant</td>
<td>Kang Woo Lee</td>
</tr>
<tr>
<td>Property Owner</td>
<td>Same – Under Contract</td>
</tr>
<tr>
<td>Proposed Actions</td>
<td>Behavior treatment facility Site Plan Approval</td>
</tr>
<tr>
<td>Current Zoning</td>
<td>C-2</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
<td>Mixed Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
<td>1.9 acres</td>
</tr>
<tr>
<td>Development Standards:</td>
<td>Proposed</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Lot Size</td>
<td>1.9 acres</td>
</tr>
<tr>
<td>Lot Width</td>
<td>&gt;500 feet</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>75 feet</td>
</tr>
<tr>
<td>Side</td>
<td>&gt;100 feet</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Rear</td>
<td>&gt;20 feet</td>
</tr>
<tr>
<td>Landscaping</td>
<td>&gt;10%</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>88 spaces (21 required)</td>
</tr>
</tbody>
</table>

Vicinity Map

![Vicinity Map Image]
ANALYSIS
The request for the Planning Commission’s consideration is for site plan approval for a change of use within an existing commercial structure with some minor exterior changes. The property is surrounded by developed commercial uses, and is lined on the west side by the Union Pacific and UTA rail road lines. There are no proposed changes to site access, parking, impervious surfaces, or landscaping. There are additional windows proposed for the exterior of the building, as well as interior remodeling to better meet the needs of the proposed counseling use.

Comprehensive Plan and Zoning
This project is subject to Site Plan approval due to the request for change of use, and exterior modifications to an existing commercial building in the C-2 Commercial Zone. The property is currently zoned C-2 Commercial, and is Master Planned for Mixed Use. The proposed building use is a behavioral treatment facility for children, which requires a conditional use permit within 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 is an existing 10,000 square foot structure that was constructed and formerly used as a restaurant. The exterior of the building as it is constructed generally meets the requirements of the C-2 zone and Chapter 18 Design Guidelines. The addition of windows on the north, east, and south elevations will not substantially change the structure, and meet the intent of the code.

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

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<td>South</td>
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<td>C-2</td>
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<tr>
<td>West</td>
<td>Depot Street, Rail Road Tracks</td>
<td>N/A</td>
</tr>
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</table>
SITE CIRCULATION and PARKING
The site currently has two drive accesses that serve the existing commercial building. Both accesses come off of 200 South street. Due to the former use as a restaurant, the site is significantly over-parked. There is not a site-circulation or parking issue for the proposed use at this site. City Code 11-14-3 requires that personal services provide 2 spaces per 1,000 square feet. This requires 21 spaces to be provided. The site plan currently shows 88 spaces. The parking spaces must be 9x20 feet per city code. Any damaged or missing concrete or asphalt must be replaced.
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 40% of the total site. Minimum landscaping standards of 11-13-23 will also have to be demonstrated. The “green space” indicated on the Site Plan includes the currently unmaintained open area to the east of the parking lot. This area does not meet the intent of the “landscaping” portion of City Code. Staff would recommend the applicant take necessary measures to clean up this portion of the site, and bring the weeds into compliance with City Code. An irrigated landscape including grass or xeriscape is recommended for this area in order to improve the site and abate the current weeded field.
This item is included as a condition of approval.

GARBAGE DUMPSTER
There is a garbage dumpster within an enclosed structure shown on the site plan. This meets the intent of the C-2 zoning code.
This item is included as a condition of approval.

FENCING PLAN
No additional fencing has been proposed.

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

ENGINEERING REVIEW
Due to the limited changes on the site, with no increase in impervious surface or changes to grading, and surface drainage, there has not been a formal engineering review of this site.

OTHER AGENCY REVIEW
Fire Review
North Davis Fire District has the plans for review, but no letter was received at the time of writing this staff report. Staff would recommend that the conditions in the Fire District’s letter be met for occupancy and any exterior changes necessary.
This item is included as a condition of approval.

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><strong>1)</strong> Traffic: The effect of the site development plan on traffic conditions on abutting streets.</td>
<td>This site has adequate access from 200 South. Staff does not foresee any traffic impacts from this site. t.</td>
</tr>
<tr>
<td><strong>2)</strong> Vehicle; Pedestrian: The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.</td>
<td>There are two existing driveways to the site. There is a public sidewalk along 200 South. Deteriorated or damaged sidewalk and concrete will need to be replaced or installed.</td>
</tr>
<tr>
<td><strong>3)</strong> Off-Street Parking: Compliance of off-street parking facilities with Chapter 14 of this Title.</td>
<td>It is estimated that approximately 88 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>
<tr>
<td><strong>4)</strong> Loading and Unloading Facilities: The location, arrangement and dimensions of truck loading and unloading facilities.</td>
<td>The new building on the site is not subject to an off-street loading space requirement.</td>
</tr>
<tr>
<td><strong>5)</strong> Surfacing and Lighting; Parking: The surfacing and lighting of off-street parking.</td>
<td>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>
</tr>
<tr>
<td><strong>6)</strong> Screen Planting: The location, height and materials, of walls, fences, hedges and screen planting.</td>
<td>This site is not subject to screen plantings.</td>
</tr>
<tr>
<td><strong>7)</strong> Landscaping: The layout and appropriateness of landscaping.</td>
<td>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. Staff would recommend that the eastern portion of the property be landscaped and brought up to City Code 11-13-23 with irrigation and improvements to keep weeds down, and improve the site.</td>
</tr>
</tbody>
</table>
8) **Drainage:** The effect of the site development plan on City storm water drainage systems.

There are no changes to the impervious surfaces or drainage for this site.

9) **Utility:** The effect of the site development plan on City utility systems.

The site 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)

No building location changes have been applied for with this site plan.

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 generally conforms, and the addition of windows meets the intent of both the C-2 and Chapter 18 Codes.

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.

**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 1409-0008; however, they will also include and address the following:

   a. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   b. 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.
   c. 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.
   d. Missing or damaged concrete and asphalt must be repaired or replaced.
   e. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.
f. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in 11-13-23. The property along the east side must be maintained free of weeds in accordance with Code Enforcement requirements.

g. 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 remain in the screened area indicated on the site plan.

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

4) 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
TO: Planning Commission
FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785
MEETING DATE: October 15, 2014

RECOMMENDATIONS

Move to Recommend to City Council Approval as Conditioned FSP 1410-0001: A request by Cameron Winquist to Amend the Larsen Commercial Subdivision Plat Lot 2, located at 325 W. 1700 S. based on findings and discussion in the staff report.

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<td>Master Plan Land Use</td>
</tr>
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<td>Gross Site Area</td>
</tr>
</tbody>
</table>
HISTORY

September 12, 1995  City Council approves Larsen Commercial Subdivision

Spring 1996  Building permit issued, construction of building on 325 West 1700 South commences.

September 1, 1998  Deed of Trust recorded with Davis County creating illegal subdivision.
ANALYSIS

Background
This amended plat is for the purposes of correcting an illegal lot split on Lot 2 of the Larsen Commercial Subdivision. The project was approved in 1995, and was legally issued building permit for the structure located at 325 West 1700 South. The property, and subsequently the building, was then subdivided in 1998 through recordation of a Deed of Trust. The applicant requested a CUP and a building permit for a new structure on the remainder portion of Lot 2. That request was conditioned upon the correction of the illegal lot split.

Master Plan and Zoning
The parcels are Master Planned and zoned Commercial. The proposed amended plat is consistent with both the Master Plan and zoning.

Subdivision Plat Approval
In order to separate land interests, the Deed of Trust was the mechanism used to split the lot in 1998. To correct this issue, the plat amendment will re-draw the lot lines, easements, and cross access agreements in order to properly subdivide land, and allow the City to provide a building permit to the newly entitled structure on the remainder portion of property. The parcels as proposed meet the minimums required by the C-2 zoning code. Potential impacts on the City’s infrastructure and services, setbacks, and other development standards were reviewed and considered through the site plan process on the newly entitled structure. Those details will continue to be reviewed and confirmed through the permitting process.

The plat as it is drawn is substantially complete. Staff has reviewed the plat and is working with the applicant’s engineer to include all necessary easements, and call-outs required. More specifically, staff recommends the inclusion of Public Utility Easements to surround the lots, the 20’ access easement should continue to 1700 South, there should be a note on the plat regarding the separation of the structure.

Public Comment
No public commend has been received to date.

CONDITIONS OF APPROVAL

1) The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited necessary easements and other call-outs as required.

2) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any certificates of occupancy.

3) Pursuant to the Land Use Ordinance 11-13-23(C) and (D) Prior to obtaining any certificates of occupancy, the applicant either completes landscaping improvements or
is subject to establishing an escrow account, as reviewed and approved by the City Engineer and City Attorney.

4) 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. Larsen Commercial Subdivision, Lot 2, First Amendment
TO:       The Clearfield City Planning Commission

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

MEETING DATE:   October 15, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on GPA 1410-0002: A request by Con Wilcox for a General Plan Amendment to amend future land uses on property located at approximately 919 W. 1600 S. (TIN: 12-391-0008, 12-391-0009) from Commercial to Manufacturing.

RECOMMENDATION

1. Consider information presented by Staff and Applicant
2. Make recommendation for Approval as proposed, Approval with amendments, or Denial to the Clearfield City Council.

ANALYSIS

Background

The proposal includes a request for approximately 1.31 acres to be reclassified in the General Plan Future Land Use Map from Commercial to Manufacturing with the intent to construct a new structure for warehouse and distribution style use. The property is currently two individual parcels. Depending on the site plan for the potential M-1 zoned use, the property owner may choose to combine the two properties into one. An application for rezone from Commercial (C-2) to Manufacturing (M-1) has been made to the Planning Commission.
General Plan Map Amendment Information:

Current General Plan Map: Parcels in question have been outlined in blue.

General Plan Map Amendment Requested: Parcels in question have been highlighted blue to indicate the change to Manufacturing designation.
Accurate property map showing all areas to be included in the amendment and all properties immediately adjacent to the proposed amendment area. Parcels in question have been highlighted blue to indicate future Manufacturing use.

**General Plan and Zoning**

A request to change the land use classification in the General Plan from Commercial to Manufacturing is generally consistent with the goals and policies of the City’s General Plan, outside of number 14 indicated below. Clearfield City’s General Plan “Land Use Guidelines” number 2 and 10 state:

2. The relationship of planned land uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.
10. Commercial and Manufacturing uses should be highly accessible, clustered near the center of their service areas, and developed in harmony with the uses and character of surrounding districts.
12. The few remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.
14. Manufacturing and industrial activities should be limited to those areas already zoned for such uses.

The request for additional Manufacturing land is specifically addressed in the General Plan, however the word “should” indicates that there may be some flexibility. Careful consideration of surrounding uses and relationship between uses is discussed in more detail in the Land Use Guidelines of the General Plan. While Land Use Guideline number 12 instructs the City to
consider the highest and best use for vacant properties, Land Use Guideline 14 directs the City to not allow further rezones to Manufacturing.

This specific request is to change the current General Plan designation and zoning in order to utilize the property at what the applicant asserts is its highest and best use. The property has been marketed as Commercial for many years without serious interest from tenants. The location does not have primary frontage along a commercial corridor, and it may be a reasonable assumption that this property could continue to sit vacant if zoned and master planned commercial. Amending the land use to Manufacturing has its own drawbacks, but one upside is that the property becomes marketable to a different classification of users and buyers.

The property owner and potential buyer would like to invest in Clearfield within an already established commercial area of the City, but with a use that best fits into the M-1 manufacturing zone. The applicant desires utilizing this property to its best and highest use.

Zoning Consistency
The property owner has made a request to change the zoning of this property from C-2 (Commercial) to M-1 (Manufacturing). Staff comments and findings can be found in item #7 of the October 15, 2014 Planning Commission Packet.

Public Comment
No public comment has been received to date.

FINDINGS

General Plan Map Amendment
Clearfield Land Use Ordinance Section 11-6-4 establishes the procedure the Planning Commission shall use to review a Petition for Change to General Plan or General Plan Maps. The procedure and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Designation of the specific text or map amendment desired.</td>
<td>Staff has provided the current map along with the desired changes within the report outlined above.</td>
</tr>
<tr>
<td>2) Reason and Justification for such change.</td>
<td>The property is currently master planned commercial as well as zoned commercial. The property has sat vacant for many years while being marketed for Commercial Use. The property is currently under contract with a warehouse/distribution use, and that land use best fits in the Manufacturing M-1 zoning district. The history of this property sitting vacant and on the market would suggest that Commercial is not the highest and best use of the property, and that a change of zoning and land use classification in the General Plan is warranted. Careful consideration should be taken for how this potential use fits in with the surrounding development.</td>
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<td></td>
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<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>3)</td>
<td>A draft of the proposed text or map amendment.</td>
</tr>
<tr>
<td>4)</td>
<td>An accurate property map showing all areas to be included in the amendment and all properties immediately adjacent to the proposed amendment area.</td>
</tr>
</tbody>
</table>

**ATTACHMENTS**

1. 2010 Future Land Use Map of the General Plan
TO: Planning Commission

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

MEETING DATE: October 15, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on RZN 1410-0002: A request by Con Wilcox for a rezone on property located at approximately 919 W. 1600 S. (TIN: 12-391-0008, 12-391-0009) from Commercial (C-2) to Manufacturing (M-1)

RECOMMENDATION

1. Consider information presented by Staff and Applicant
2. Make recommendation for Approval as proposed, Approval with amendments, or Denial to the Clearfield City Council.

PROJECT SUMMARY

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

**Background**

The proposal includes a request for approximately 1.31 acres to be rezoned from C-2 (Commercial) to M-1 (Manufacturing) with the intent to construct a new structure for warehouse and distribution style use. The property is currently two individual parcels. Depending on the site plan for the potential M-1 zoned use, the property owner may choose to combine the two properties into one. An application for General Plan Amendment has been made to the Planning Commission.

<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>Empty available</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td></td>
<td>Commercial Lots – Wilcox Farms Subdivision</td>
<td></td>
</tr>
<tr>
<td>East</td>
<td>Anderson Tire Company</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td>South</td>
<td>West Antelope Commercial Plaza</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td>West</td>
<td>Reese Holdings</td>
<td>C-2 (Commercial)</td>
</tr>
<tr>
<td></td>
<td>Commercial Plaza</td>
<td></td>
</tr>
</tbody>
</table>
Zoning Map Amendment Information:
*Current Clearfield City Zoning Map:* Parcels in question have been outlined in blue. The purple color is C-2 (Commercial) zoning, and the green is A-1 (Agricultural).

*Clearfield City Zoning Map Amendment Requested:* Parcels in question have been highlighted blue to indicate the change from C-2 (Commercial) to M-1 (Manufacturing).
Master Plan and Zoning
The property owner has made a request to change the Clearfield City General Plan in order to be consistent with this rezone request. Staff comments and findings can be found in item #6 of the October 15, 2014 Planning Commission Packet, and has been provided as a complete package for Planning Commission review.

Rezoning this area to Manufacturing may come with some un-intended consequences. Staff is not overly concerned with the applicant’s proposed use; however, from a long range planning standpoint, creating an island of M-1 surrounded by C-2 may cause additional hardships down the line. If the property is zoned M-1, then it is entitled to receive consideration for any permitted and conditional use within the M-1 zone. Another potential consideration is that the applicant’s long range vision for the property has been to have some form of residential component north of the commercial area. Manufacturing and residential uses are two of the least compatible types of uses, and a rezone may be detrimental to any future rezone or entitlement of the rear portions of property to residential.

In general, spot zoning is not a favorable practice, and can create hardships for property owners within varying zones when conflicts arise. So long as the uses within the C-2 and abutting M-1 zones remain relatively compatible, this rezone may not be objectionable. However, it is the potential for the unknown which causes staff concern for this rezone in the future. In order to limit immediate negative consequences, Staff would recommend that this rezone, if recommended by the Planning Commission, be conditioned on generally conforming to the proposed Site Plan and use proposed with this rezone request. Please understand however, that any such condition will not likely be prospectively enforceable in the future for other applicants/uses. A copy of the Site Plan has been provided for the Planning Commission’s consideration.

Zoning Map Amendment
The basic zoning and development standards can be met for this request. The lot standards in the M-1 zone require the following: minimum 7,000 square feet, 50’ minimum frontage, and 60’ minimum lot width.

Public Comment
No public comment has been received to date.

FINDINGS

Zoning Map Amendment
Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Map Amendments. 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) The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>Goal 1 of the Land Use Element states “Maintain consistency between the City’s Land Use Ordinance and the General Plan”. A General Plan Amendment</td>
</tr>
</tbody>
</table>
from Commercial to Manufacturing for these parcels has been requested by the applicant and considered by the Planning Commission. Rezoning property in accordance with amendments to the General Plan meets the purposes and intent of Clearfield City’s General Plan Land Use Element.

2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title. The applicant’s inability to sell this parcel for Commercial use for many years, and a current offer from a warehouse/distribution use have prompted the request for a rezone.

ATTACHMENTS

1. Site Plan for proposed warehouse/distribution use within these parcels.
NOTES FOR CONTRACTOR:
1. ALL IRRIGATION HEADS TO HAVE WATER SAVING, LOW ANGLE NOZZLES
2. CONTROLLER TO PROVIDE SEPARATE ZONES, WATER BUDGETING, MULTIPLE START TIMES AND MEET ALL MANUFACTURER REQUIREMENTS FOR OUTDOOR INSTALLATION.
3. ALL IRRIGATION LINES TO HAVE WINTERIZATION BLOW-OUTS
4. ALL SPRINKLERS TO HAVE MATCH PRECIPITATION RATES
5. USE DRY IRRIGATION FOR ALL TREES AND SHRUBS
6. ALL IRRIGATION LINES TO HAVE WINTERIZATION BLOW-OUTS

LANDSCAPE CONTRACTOR TO ENSURE THE FOLLOWING PIPE SIZES ARE NOT EXCEEDED:
- 3/4" 12 GPM
- 1" 20 GPM
- 1 1/2" 26 GPM

ALL CONDUITS UNDER CONCRETE MUST BE A MINIMUM 4". SEE DETAILS FOR TRENCHING DEPTHS.

WATER CONSERVATION PLAN:
1. PLANNING AND DESIGN—PLANTINGS ARE GROUPED TOGETHER
2. LOW WATER USING PLANTS—PLANTS SELECTED FOR DROUGHT TOLERANCE
3. SOIL AMENDMENTS—CONTRACTOR TO ADD 5% NUTRI-MULCH IN PLANTER BEDS
4. EFFICIENT IRRIGATION—CONTRACTOR TO CREATE HYDROZONES AND ISOLATE WATER USAGE
5. MAINTENANCE—LAWN AREAS ARE EASY TO MAINTAIN AND PLANTINGS ARE GROUPED.

PROJECT SUMMARY
- GROSS LAND AREA: 3,084 SF
- TOTAL LANDSCAPED AREA: 3,236 SF
- TOTAL PROPOSED LANDSCAPED AREA: 3,236 SF

LANDSCAPE ITEMS
- TREES
  - SKYLINE HONEYLOCUST
  - FALSE SPIERA
  - JUNIPER/SEA GREEN
  - JUNIPER/BLUE STAR
  - FALSE SPREA
  - SKYLINE HONEYLOCUST
- SHRUBS
  - EVERGREEN TREES
- TURF-TYPE TALL FESCUE
EXTERIOR ELEVATIONS

SAMUEL J. BRADY
ARCHITECTS

919 WEST 1600 SOUTH
CLEARFIELD, UTAH

SQUARE FOOTAGE: 8,042 S.F.
TYPE OF CONSTRUCTION: TYPE II-B

1. CLEAR 1 INSULATED 36 U-FACTOR TEMPERED GLASS 46 SMIAC
2. CLEAR 1 INSULATED 36 U-FACTOR TEMPERED GLASS 46 SMIAC
3. CLEAR 1 INSULATED 36 U-FACTOR TEMPERED GLASS (DOORS TYPE) 46 845C

SCALE 1/8" = 1'-0"

A3.1