MEETING NOTICE OF THE CLEARFIELD CITY PLANNING COMMISSION

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at 7:00 P.M., Wednesday, January 7, 2015, 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. December 3, 2014

PUBLIC HEARINGS:

3. FSP 1412-0005: A request by Nick Mingo on behalf of Ivory Homes for a Road Dedication Plat to dedicate property along 700 South and 1000 West as public right-of-way located at 1039 West 700 South (TIN: 12-051-0057).

4. CUP 1412-0002: A request by Mike Helm on behalf of Yesco Outdoor Media for the relocation of a media billboard located at 1412 Legend Hills Drive (TIN: 09-320-0009).

5. CUP 1412-0004: A request by Jacob and Shirley Edwards on behalf of Edward’s Towing for conditional use permit for an outdoor storage tow yard located at 235 E. 700 S. (TIN: 12-668-0002).

6. SP 1412-0004: A request by Jacob and Shirley Edwards on behalf of Edward’s Towing for site plan approval for an outdoor storage tow yard located at 235 E. 700 S. (TIN: 12-668-0002).

7. ZTA 1412-0001: A request by John Hansen on behalf of J W. Hansen & Associates for zoning text amendment to Title 11, Chapter 11, Article C, Commercial Residential Zone to amend timing requirements for commercial and residential construction. This amendment would be effective across all property zoned Commercial Residential in Clearfield City.
DISCUSSION ITEMS
8. Zoning Text Amendments to Commercial C-2 for limited manufacturing uses

COMMUNICATION ITEMS:
9. Staff Communications – Administrative Site Plan Review
10. Planning Commissioners’ Minute

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 2\textsuperscript{nd} day of January, 2015
/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.
PRESIDING: Nike Peterson Chair

PRESENT: Kathryn Murray Commissioner
        Timothy Roper Commissioner
        Robert Browning Commissioner
        Robert Allen Commissioner
        Amy Mabey Commissioner
        Michael Britton Alternate Commissioner
        Brady Jugler Alternate Commissioner
        Steve Parkinson Alternate Commissioner
        Michael LeBaron Council Liaison

ABSENT: Michael Millard Commissioner

STAFF PRESENT: Brian Brower City Attorney
        JJ Allen Assistant City Manager
        Scott Hess Development Services Manager
        Christine Horrocks Building Permits Specialist

VISITORS: Jared Schofield, Jerry Shelton, Rob Holbrook, Don McKinnon, Vaughn Covington, Ruth Kjar, Brent Kjar, Darlene Yoshbaugh, Ricardo Vera, Jaime R

Pledge of Allegiance was led by Chair Peterson

APPROVAL OF AGENDA

Commissioner Mabey moved to approve the agenda as written. Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

APPROVAL OF MINUTES FROM OCTOBER 15, 2014 PLANNING COMMISSION MEETING

Chair Peterson recommended a change on page ten that stated Commissioner Browning’s comment was made in jest. Commissioner Britton moved to approve the minutes of October 15, 2014 with the change as noted. Seconded by Commissioner Allen. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

APPROVAL OF MINUTES FROM NOVEMBER 5, 2014 PLANNING COMMISSION MEETING
MEETING

Chair Peterson stated that Councilmember LeBaron was not present at the November 5, 2015 and asked that the minutes reflect that Councilmember LeBaron was excused. Commissioner Roper moved to approve the minutes of November 5, 2014 with the noted change. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

PUBLIC HEARING ON CUP 1411-0001, A REQUEST FOR A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION PERMIT WITHIN A HOME GARAGE FOR DOG AND CAT GROOMING LOCATED AT 116 EAST 2200 SOUTH

Scott Hess stated the need for the conditional use permit (CUP) was because the garage was being used for the business. He said concerns were from additional noise and animal control on the property. Mr. Hess said staff recommended the business operate with a reasonable time schedule to mitigate noise impacts early in the morning or late in the evening and recommended the hours of 8:00 a.m. to 8:00 p.m. be proposed. He said staff also recommended that the animals be kept in a manner that controlled their ability to run from the property which included the requirement to keep them contained within the garage for the entire visit. Mr. Hess said the use was compatible with adjacent residential properties when the impacts were properly mitigated. He reviewed the proposed conditions of approval.

7:11:04 PM

Chair Peterson disclosed that she was a friend of applicant but had no financial interest in the business and was in no way impacted by the application. She said she was able to make a determination based on facts.

Chair Peterson declared the public hearing open at 7:11 p.m.

PUBLIC COMMENT:
None

Commissioner Mabey moved to close the public hearing at 7:12 p.m. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

Ruth Kjar, applicant, stated she had been grooming dogs for four years. She said she scheduled appointments at 9:00 a.m., 11:00 a.m. and 1:00 p.m. and usually had two dogs at a time. Ms. Kjar said she was mindful of safety and the animals were not allowed to roam. She said the business never operated on Sunday but she worked occasionally on Saturday.

Commissioner Murray asked if 9:00 a.m. to 5:00 p.m. would be acceptable. Ms. Kjar stated that 8:00 a.m. to 5:00 p.m. was a better time because some clients drop their animals off on their way to work. Commissioner Murray asked if the animals stayed in kennels. Ms. Kjar said the animals were sometimes brought in a kennel, but most of the time the animals were on a leash. She said she had a bay of kennels for up to six animals if needed.
Commissioner Allen asked what she did with the hair. Ms. Kjar said the equipment she used vacuumed the hair as it was cut. Commissioner Roper asked about the use of the garage. Ms. Kjar said she had a heater to warm the garage during the winter and during the summer she used an air conditioning system. She stated she agreed with a requirement to have a barrier to keep the animals in the garage or the door down.

Commissioner Mabey asked if the dogs barked a lot. Ms. Kjar said the dogs were the noisiest when the owner was around and the dogs were usually there not more than two hours. Chair Peterson asked if she kept dogs overnight. Ms. Kjar stated she did not want to be a dog sitter and said she would call animal control if the animal was not picked up.

Scott Hess said City Code § 11-9B-11-C states, “Each dwelling unit shall have an attached two (2) car garage, which shall be a minimum of four hundred (400) square feet in size.” and asked if the business limited the ability for overnight parking of vehicles within the garage. Ms. Kjar said absolutely not and stated the equipment used was pulled out for use and then tucked away. An RV pad with additional parking. Customer there for only 10 minutes. 7:21

Nike – Allen idea of
Limit hours to 5 p.m.
No boarding of animals
Will not keep animal over 8 hours – drop in morning, pick up after work. Doesn’t leave animals unattended. Doesn’t leave animals alone. Any animal kept for friends would be in the house

Brian –
Add to condition number 2 - No client animals on premises outside of business hours.
Provisions for permanent barrier in garage to keep –

Murray
With the amendment that no client animal shall be on the premises outside of business hours.

Britton  ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

7:34:20 PM

CUP 1411-0002

Scott – public works inspection prior to business license review for floor drain and insure ithas a properly operating oil separator .each business has 2.5 parking spaces at this site. Scott wasn’t aware of any parking issues.
Reviewed the conditions of approval
#10 no outdoor storage is permitted.
PUBLIC COMMENT:

Rob Holbrook - occupies half of the building. Has concerned with the number of automotive repairs businesses in the building. Has had parking issues with vera and el-chamo.

Nike - asked what parking issues. Using more parking. He rents more than half the building and should there

Steve Parkinson – resident – what are they doing about parking? Hopes they have the same requirement for parking.

Friend of Veras – west side – east side construction causing problems with parking

CLOSETim – Allen – ALL The motion carried on the following vote: Voting AYE:

Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

7:45:38 PM

Add outside – on number 6 –
Stick to
Civil matter between businesses.
Code enforcement can site – conditions are similar for last few years.
Brian suggested the building owner mark the lots for each business.

Ricardo Vera Jamie

Allen asked staff – could include enough stalls for each business.
Scott less intensive 2.5 spaces per – inventory has not been done. Could be done – request from property owner to specify. Automotive use is difficult to determine

Nike how many vehicles per day – two
How often are cars left overnight – park two cars.
It was explained to mr vera that cars could not be parked overnight outside the suite.
During the day the cars can be in a designated stall, not overnight.

Neighbors have cars outside –
Browning – when work on is inside –
Scott – must be behind a screened fence and have allowed outdoor storage.

Browning left 7:56:47 PM

Cars for business that could be parked overnight.
Scott said it
A vehicle for the business – an operable vehicle
Browning returned 8:00:33 PM

Nike explained that rules were different a few years ago. There are more restrictive ordinances in place now.

Allen –
Clearly marked stalls –
Nike suggested the building owner properly mark the parking stalls for each business.
Browning – parking issue between lessee and lessor

Limiting factors – parking
Scott – can communicate with property owner. Needs to be handled.
Do parking stalls need to be properly delineated.
Amy – should be addressed with property.
Limited the number of inoperable vehicles.

Brian – what detrimental impact is there unique to this use to permitted uses.

Nike – reviewed conditions of approval
Allen - #2 – clarify #6
#4 add prior to the issuance of the business license. Add “in proper working order

NDFD storage must meet – their requirements.
#6 - Amy – and/or
Would be allowed to have only two vehicles in the bay overnight.
Parking during the day would be limited to their
Britton – Amy agreed that the business vehicle could be parked outside
Roper left 8:18:05 PM

Brian –
Murray would like damaged, inoperable or customer vehicles
Damaged, nor inoperable nor
Murray – with several businesses
8:20:57 PM Roper returned.
Scott defer to lease –
Pawn shop –
Need to have
Brian – do you think this use creates more detrimental – needs to have X number of stalls.
Rob Holbrook indicated there was a problem with the parking.

Nike – need to call out conditions to mitigate parking problems – because need to add a number
of required parking stalls that would be clearly marked.
Scott – parking stalls per lease agreement.
Allen if lease doesn’t address number of parking stalls
Nike – parking stalls needed to be clearly marked. Can start with this one and with future uses the
problem could be resolved.
Much more intensive than others – recommend the addition to #7 requiring 3 marked parking
spaces for this businesses use –
#8 –
#10 added for no outdoor storage.
Browning
Spaces shall be marked (7)
Add
Murray – ALL  The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

GPA 1411-0003

Scott – push for sfd in remaining parcels.

Potential of parcels being subdivided to meet the smaller property
Do want to open to rezone – one item is discretionaty –
Loosen up the standard – what and how did the pc want to go

PUBLIC HEARING
8:44:23 PM
PUBLIC COMMENT:
Steve Parkinson – what do r-2 and r-3 allow –
Other options are scott explained the different zones – liked option to eliminate the sentences.
Each application would stand on its own.

Allen - Amy -  The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.
8:47:59 PM

No applicant was present –
JJ – want to open for their project created language.
Brian – thought than pick and choose exceptions to the general plan change the general plan. Be consistent with policy. If okay with projects change if not leave as is.

JJ – what would go on a certain parcel, not viable commercial property
Could debate if there was a higher and better use –

Allen – create residential increased viability for
Percentage of land available
Scott – on state street relatively undevelopable –
Commercial for sale for years and not – each parcel on its own merit. Is something better than nothing.
Browning – concerned with developers coming for – doesn’t want to geive idea want to turn Clearfield to an r-2 zone.

Allen – land use percentage – label corridors which would create allowable areas.
Scott – do comprehensive planning – make everything match. If keep the language and
Nike – non in favor with unintended consequences –

Britton – allows for rezone – opens to applications –
Murray – against the one acre-three acre – still
Alternative staff recommendation – removes provision to allow rezone. Is it the
Amy – gp would be review in 2015 –
Scott could it
Amy denial – put it to the 2015 gp process
Murray – redo gp vision 2020
Scott – should run along together – align –
If deleted if would open window until the gp is opened

Tim –
Scott – would not be an automatic – no
Tim denial – not comfortable with one – three acre parcel
Scott – rezone had a high bar to meet.
Browning – favor to strike sentence
Britton o-
Allen –

Nike recommend

Browning – recommend to cc the staff recommendation to delete
Denial of the application recommendation as
Britton –
AYE –

NAY – Allen – Amy
Amy - Could be handled with the gp and
Allen – potential of different solution.

PSP 1411-0004
Jennmar wanted additional parking.
Only change to the preliminary plat, street dedication plat is with UDOT and
Staff recommended insuring that the surveyor in
Reviewed conditions of approval
Preliminary and final are one in the same, just need two separate

PSP 9:23:55 PM
PUBLIC COMMENT –
None

Browning – Allen 9:24:25 PM ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.
PUBLIC COMMENT:

None

Allen – Britton - ALL

The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

Allen – lot 1 would be fully developed. Would inhibit Jerry’s from Lot 2 would be developed at site plan and was separate from this request.

Parking was completed

Allen – drainage pond was offsite – lot 2

Not considering any offsite improvements

Allen – 10’ pue – was

Scott said issues would be resolved prior

List condition of approval #5, the private street be shown as public as per the UDOT street dedication plat.

PSP – Allen – with the addition of coa #5 – Roper – ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

FSP – Allen – with the addition include #5 Amy – ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

1411-0005

Four properties owned by davis behavior health – structures were demoed and plat is for a single lot. The three car garage could be used for future – show on plat map the existing building.

PSP 9:36:55 PM

Public Comment:

None

Amy – Britton - ALL

The motion carried on the following vote: Voting AYE:
Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

FSP 9:37:34 PM

PUBLIC COMMENT:
None

Amy – Britton – ALL -9:38:00 PM The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

Browning with the addition of item 5 to show the existing
Roper – ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

FSP – Browning – with addition
Amy – ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

ZTA 1411-0006

Changes are the simplistic
A CUP is in two places in the code, would have its own line
Add to table 11.2
Brian -

Home occupations not included as a

PUBLIC HEARING 10:01:33 PM

PUBLIC COMMENT:
None

Close – Amy – Britton – ALL 10:02:19 PM

Allen – with the corrections based on discussion among the body. All changes as discussed
Amy – ALL The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Allen, Mabey, and Britton. Voting NO: None.

STAFF
Scott – will not print packet – let know. Amy requested an agenda
There will be changes that would
Britton – nothing
Allen – Merry Christmas
Murray – nothing
Browning – fun to see things discussed completed
Roper – Happy Holidays welcomed Amy
Amy – glad to be
Brian –
LeBaron – park Cornerstone park – Merry Christmas thanks for service
Peterson – welcome to Amy

Courtesy

Brian – option don’t need to approve the agenda. Could move items around

Discussion public hearings for cup – can be more restrictive – cc felt cup needed to be
Want to allow public to have voice even though the item

Administrative – when do we have latitude or not

Neighbors may bring up concern
Tim – tonight the parking issue was mentioned.

Print code on the notice – talk about it in January
Merry Christmas

STAFF REPORTS

PLANNING COMMISSIONERS’ MINUTE

There being no further business to come before the Planning Commission, Commissioner Roper moved to adjourn 10:16:15 PM at P.M. Seconded by Commissioner Mabey
TO: Planning Commission

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

MEETING DATE: January 7, 2015

SUBJECT: Public Hearing, Discussion and Possible Action on FSP 1412-0005: A request by Nick Mingo on behalf of Ivory Homes for a Road Dedication Plat to dedicate property along 700 South and 1000 West as public right-of-way located at 1039 West 700 South (TIN: 12-051-0057).

RECOMMENDATIONS

Move to recommend to the City Council approval as conditioned, of FSP 1412-0005: A request by Nick Mingo on behalf of Ivory Homes for a Road Dedication Plat to dedicate property along 700 South and 1000 West as public right-of-way located at 1039 West 700 South, based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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<td><strong>Site Location</strong></td>
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<td><strong>Tax ID Number</strong></td>
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<tr>
<td><strong>Applicant</strong></td>
</tr>
<tr>
<td><strong>Owner</strong></td>
</tr>
<tr>
<td><strong>Proposed Actions</strong></td>
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<tr>
<td><strong>Current Zoning</strong></td>
</tr>
<tr>
<td><strong>Land Use Classification</strong></td>
</tr>
</tbody>
</table>
ANALYSIS

Background
The request is for a street dedication map for portions of 700 South and 1000 West. The parcel in question was issued a building permit for the construction of a single family home. In the review of the building plans and home site plan, it was discovered that this parcel makes up a significant area of public right-of-way. The area to be dedicated is a long-standing leftover parcel from the original agricultural use of this property prior to subdivision. There are currently limited improvements within the area to be dedicated which include curb and gutter on a small portion of the intersection. Clearfield City Planning and Building Departments recommend that necessary road improvements including sidewalk, curb and gutter be installed per the subdivision code prior to issuance of a Certificate of Occupancy to the single family home being constructed. This plat enables the road to be dedicated to the city for acceptance and maintenance.
General Plan and Zoning
As a street dedication plat this is consistent with the General Plan in that it provides for the property right-of-way widths that have been planned for in the City’s General Plan. There are no zoning impacts or considerations for this request.

Street Dedication Plat Approval
The Public Works Director and City Engineer are currently reviewing the street dedication plat, and will have their recommendations prior to the date of the meeting. Planning has performed a review of the plat, and has determined that the remaining single family lot contains the necessary square footage and meets all setback requirements listed in the R-1-Open Zone.

Public Comment
No public comment has been received to date.

CONDITIONS OF APPROVAL

1) Approval of this street dedication plat is subject to the condition that Ivory Homes shall be completing and constructing the required improvements associated with this plat as required through the subdivision process. This includes installation of sidewalk, curb, and gutter to the satisfaction of the City Engineer and Public Works Director.

ATTACHMENTS

1. 700 South Road Dedication Plat
Planning Commission

STAFF REPORT

TO: Planning Commission

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

MEETING DATE: January 7, 2015

SUBJECT: Public Hearing, Discussion and Possible Action on CUP 1412-0002: A request by Mike Helm on behalf of Yesco Outdoor Media for the relocation of a media billboard located at 1412 Legend Hills Drive (TIN: 09-320-0009).

RECOMMENDATION

Move to approve as conditioned, CUP 1412-0002: A request by Mike Helm on behalf of Yesco Outdoor Media for the relocation of a media billboard located at 1412 Legend Hills Drive, based on discussion and findings in the Staff Report.

PROJECT SUMMARY

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<td>Current Zoning</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
ANALYSIS

Comprehensive Plan and Zoning
The property for the proposed sign relocation is a 4.84 acre developed commercial site. The billboard will be relocated approximately 566’ northwest into a landscaped area adjacent to Legend Hills Drive and 1490 South. The Master Plan for this area shows Commercial.

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.

11-15-8F(4) Billboards:
Clearfield City Code restricts the entitlement of new additional billboard signs within the City. Clearfield City Code states that billboards shall require a conditional use permit, and the City
has determined that a conditional use permit is required for the relocation of any existing billboard. State Code requires municipalities to allow for the relocation of existing legal billboards under specific instances. This particular billboard is currently located under two Rocky Mountain Power Lines. State Code 54-8c-2(1) states “No person or thing may be brought within 10 feet of any high voltage overhead line.” The billboard is 13’8” and 17’3” from the overhead power lines. YESCO Employees come within 10 feet of the power line when installing new sign faces or maintaining the sign. For this reason YESCO has requested the billboard relocation, and state code and staff support the request on that basis.

Public Comment
No written comments were 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>
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<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>
</tbody>
</table>

1) **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:
   - The health, safety, and welfare of the City and its present and future inhabitants and businesses;
   - The prosperity of the City and its present and future inhabitants and businesses;
   - The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;
   - The tax base;
   - Economy in governmental expenditures;
   - The State’s agricultural and other industries;
   - The urban and nonurban development;
   - Access to sunlight for solar energy

The request is for the relocation of an existing billboard that is currently sited too close to Rocky Mountain Power lines for the safety of workers changing out the sign face. The relocated sign will be equivalent to the existing permitted use and is not expected to create any detrimental impacts.
|   | devices; or  
<table>
<thead>
<tr>
<th></th>
<th>i. Property values.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2)</td>
<td><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>
</tr>
<tr>
<td></td>
<td>Impact burden arises from negative visual impacts and sight obscuring potential of large signage. As proposed, the relocated sign is not expected to create any additional negative impact burden on the City, so long as it does not obstruct any necessary sight triangles at road intersections, and does not block visibility of existing commercial buildings.</td>
</tr>
<tr>
<td>3)</td>
<td><strong>Conform to the Objectives of the General Plan:</strong> The proposed conditional use shall not limit the effectiveness of land use controls, imperil the success of the General Plan for the community, promote blight or injure property values.</td>
</tr>
<tr>
<td></td>
<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. Conditions of approval are proposed to mitigate impact to the surrounding properties.</td>
</tr>
</tbody>
</table>

### CONDITIONS OF APPROVAL

1) This Conditional Use Permit is for the relocation of a billboard sign owned by YESCO Outdoor Media. The sign will be located at 1412 Legend Hills Drive approximately 566' northwest from the existing location on the South side of Legend Hills Drive and 1450 South.  
2) The existing billboard shall be removed prior to the erection of the new billboard.  
3) The new billboard shall be on a monopole, with sufficient height so as to not obstruct sight triangles or the visibility of adjacent commercial buildings.  
4) The new billboard shall conform to all applicable federal, state, and local laws, including but not limited to the City’s current sign regulations.  
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. YESCO Site Plan  
2. YESCO Relocation Request Letter
December 3, 2014

Clearfield City
Scott Hess – Development Services Manager
55 South State Street
Clearfield, UT 84015

RE: YESCO CUP application to relocate billboard due to proximity of overhead power lines.

Scott Hess,

YESCO Outdoor Media owns a billboard that is located at the bend in the road where Legend Hills Dr. turns into 1450 south.

The billboard is located extremely close to the overhead power lines which creates a serious safety issue. The measurements from those lines are 13’8” from the neutral line and 17’3” from the phase line.

When YESCO employees service the sign it puts them and their equipment within 10’ or less of the power lines. Utah Code 54-8c-2(1) states “No person or thing may be brought within 10 feet of any high voltage overhead line”. I have met with JJ Allen and the city’s attorney and they concluded that due to this issue a CUP would be issued, per statute, to allow YESCO to relocate the billboard to a location that complies with state statute. This letter serves as formal notice of this issue.

Regards,

[Signature]
Mike Helm
Director of Real Estate
YESCO Outdoor Media
801.464.6406
mhelm@yesco.com
TO: Planning Commission

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

MEETING DATE: January 1, 2015

SUBJECT: Public Hearing, Discussion and Possible Action on CUP 1412-0004: A request by Jacob and Shirley Edwards on behalf of Edwards Towing for conditional use permit for an outdoor storage tow yard located at 235 E. 700 S. (TIN: 12-668-0002).

RECOMMENDATION

Move to approve CUP 1412-0004, a request by Jacob and Shirley Edwards on behalf of Edwards Towing for conditional use permit for an outdoor storage tow yard located at 235 E. 700 S., based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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<th>Project Information</th>
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<tr>
<td>Project Name</td>
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<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
<tr>
<td>Outdoor Storage</td>
</tr>
</tbody>
</table>
### Vicinity and Zoning Map

The map illustrates the surrounding properties and uses as well as zoning details. The map is centered on the property of interest, with major roads and boundaries marked.

### Surrounding Properties and Uses

<table>
<thead>
<tr>
<th>Direction</th>
<th>Property Name</th>
<th>Current Zoning District</th>
<th>Comprehensive Plan Land Use Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Jennmar Corporation</td>
<td>M-1 (Manufacturing)</td>
<td>Business Park</td>
</tr>
<tr>
<td>East</td>
<td>UTA/Union Pacific Railroad</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>South</td>
<td>UDOT S.R. 193</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>West</td>
<td>Dale Kruitbosch Multi-tenant Commercial Buildings</td>
<td>M-1 (Manufacturing)</td>
<td>Business Park</td>
</tr>
</tbody>
</table>
BACKGROUND
The property in question has been kept as a number of uses over the years, and is currently home to a small manufacturing business. The applicant would like to improve the property and legitimize the use of outdoor storage for the parking and keeping of towed vehicles. Roadway improvements on State Road 193 / 700 South have left this parcel with limited access at the end of a dead end road.

The application has received approval from the North Davis Fire District. The proposal is currently undergoing Engineering Review to confirm completeness of the Site Plan drawing. The Site Plan approval has been conditioned to meet the Engineer's requirements.

ANALYSIS
Comprehensive Plan and Zoning
The project site is a 0.81 acre parcel, located on the north side of State Road 193 / 700 South. The property is Master Planned Business Park with corresponding M-1 zoning.

The site has been used for a variety of businesses over the years, and has been largely underutilized and unimproved. The project is subject to Site Plan approval as there will be an increase in impervious surface requiring upgrades to storm collection. Site Plan approval is a separate request from this conditional use permit. The requested conditional use is outdoor storage for the parking and keeping of towed vehicles.

Conditional Use Permit Review
Chapter 3 of the Land Use Ordinance defines Outdoor Storage as "The commercial storage or keeping of building materials, equipment, fuels, vehicles, goods, commodities or raw materials outside of a building or structure. Outdoor storage shall be subject to the regulations set forth in section 11-13-12 of this title." The Conditional Use Permit (CUP) requested is for outdoor storage of towed vehicles. Outdoor Storage is permitted with an approved CUP in the M-1 zoning District.

Clearfield City Code Section §11-13-12 Outdoor Storage outlines the requirements that must be met, and the following are applicable to this request: Outdoor Storage must be enclosed by wall or fence at least 6 feet tall and be impervious to sight from public streets, right-of-ways, and adjacent property; Outdoor Storage that may be viewed from the commuter rail trail must be screened from view; Outdoor Storage areas shall be properly surfaced with impermeable all weather material.

Chapter 18 Design Guidelines Section §11-18-4C(5) states that chain link fencing shall not be permitted adjacent to a public right of way or in a required front yard. As such, staff would recommend that a fence of at least six feet high in a different material be shown on the south side street frontage and front yard of the property. All other fencing that is shown as "chain link" must be slatted for screening purposes. The property immediately west of this use has two newer multi-tenant commercial buildings. The east property line is directly adjacent to the Commuter Rail line. Detrimental visual impacts can be mitigated through meeting basic landscaping and screening requirements. Design Guidelines Section §11-18-4K states that screening walls, fences, and other visual barriers that create a continuous surface greater than twenty feet (20') in length shall be softened visually with acceptable landscaping. Staff would recommend that screening trees be placed along the West and East property lines at a regular interval to soften the continuous fence wall and reduce negative visual impacts.
The applicant’s request can be met with the addition of minor corrections to the Site Plan which will be addressed in the Site Plan approval.

Public Comment
No public comment has been received to date.

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>DETERMINATION: 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>1) 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>The request for outdoor storage is similar to surrounding land uses to the north. The property immediately adjacent to the west has two multi-suite commercial buildings that may be impacted by this higher intensity land use. The impacts however, can be mitigated through appropriate screening of outdoor portions of the business, adequate parking and circulation, and the site improvements to current standards.</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>2) Impact Burden: Any cost of mitigating or eliminating detrimental impacts or effects in</td>
<td>The development of the property should assist in addressing and mitigating future detrimental impacts.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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.

The access road to the property has capacity and is designed to accommodate truck traffic. The necessary improvements to existing infrastructure and utilities to meet current standards will be required, including at minimum impervious surface, storm water collection, screening fence, and landscaping improvements.

3) Conform to the Objectives of the General Plan: The proposed conditional use shall not limit the effectiveness of land use controls, imperil the success of the General Plan for the community, promote blight or injure property values.

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, but has the potential to improve the area with new investment on an underutilized piece of ground.

CONDITIONS OF APPROVAL

Conditional Use Permit

1) This Conditional Use Permit is for Edwards Towing for outdoor storage of towed vehicles located at 235 E. 700 S..

2) The fencing plan should consist of a minimum of 6 foot high screening fence that may not be chain link along the access road north of 700 South, or in any required front yard. Remaining chain link fence must be slatted for screening purposes. Fencing shall be kept in good maintenance and repair.

3) Landscaping shall be installed along the West and East property lines in the form of trees at an interval not to exceed one per 25 feet to add necessary screening to reduce detrimental impacts to neighboring property owners and add screening for Commuter Rail by softening visual impacts of a long continuous chain link fence.

4) Outdoor Storage areas shall be properly surfaced with impermeable all weather material.

5) The outdoor storage must be kept orderly and clean of debris and items not permitted by this permit approval.
   a. No visibility or stacking of materials that exceed six feet high or the height of the lowest portion of the fence shall be permitted. If this standard is documented to be violated, the revocation process for the CUP and Business License will be initiated. Please note, that vehicles may be taller than 6 feet, but are not “stacked items” so they are not subject to the same requirement.

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

MEETING DATE: January 1, 2015

SUBJECT: Discussion and Possible Action on SP 1412-0004: A request by Jacob Site Plan for an outdoor storage tow yard located at 235 E. 700 S. (TIN: 12-668-0002).

RECOMMENDATION

Move to approve SP 1412-0004, a request by Jacob and Shirley Edwards on behalf of Edwards Towing for site plan for an outdoor storage tow yard located at 235 E. 700 S., based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Name</td>
<td>Edwards Towing</td>
</tr>
<tr>
<td>Site Location</td>
<td>235 E. 700 S.</td>
</tr>
<tr>
<td>Tax ID Number</td>
<td>12-668-0002</td>
</tr>
<tr>
<td>Applicant and Property Owner</td>
<td>Jacob and Shirley Edwards</td>
</tr>
<tr>
<td>Proposed Actions</td>
<td>Site Plan – Outdoor Storage</td>
</tr>
<tr>
<td>Current Zoning</td>
<td>M-1 (Manufacturing)</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
<td>Business Park</td>
</tr>
<tr>
<td>Gross Site Area</td>
<td>0.81 acres</td>
</tr>
<tr>
<td>Outdoor Storage</td>
<td>20,393 square feet Total Pavement Area</td>
</tr>
</tbody>
</table>
Surrounding Properties and Uses: | Current Zoning District | Comprehensive Plan Land Use Classification |
---|---|---|
North | Jennmar Corporation | M-1 (Manufacturing) | Business Park |
East | UTA/Union Pacific Railroad | N/A | N/A |
South | UDOT S.R. 193 | N/A | N/A |
West | Dale Kruitbosch Multi-tenant Commercial Buildings | M-1 (Manufacturing) | Business Park |
ANALYSIS

Site Plan Review
The proposal for Outdoor Storage is contingent upon acceptance of a Conditional Use Permit by the Planning Commission. The CUP review is a separate item, and has been included in the packet for the Planning Commission’s review and approval. The proposed outdoor storage space will take up the majority of the paved area shown as parking stalls on the site plan.

DESIGN STANDARDS
The requests are subject to Chapter 18 Design Standards of the Land Use Ordinance as the use is changing to a request for Outdoor Storage (11-18-2). Design Standards indicate landscaping and fencing requirements that are addressed below.

LANDSCAPING
The M-1 zoning district requires 10% landscaping of the lot and the proposed construction documents reflect the inclusion of 13% total landscaping. Staff would recommend the addition of trees planted along the East and West property lines at a regular interval to help soften the long wall and add additional screening for both neighboring property owners and the Commuter Rail trains.

GARBAGE DUMPSTER
There is not a shown proposed commercial dumpster on the property, but if one is desired it will need to be in an approved enclosure.

FENCING PLAN
One measure of mitigation of the use and the related storage needs is the requirement of fencing. Pursuant to the Land Use Ordinance 11-11B-12(C) Walls or fences may be required along all property lines which are adjacent to a residential zone or use or public right of way. The exact location, height and type of materials of the wall or fence shall be approved by the planning commission as part of the site plan approval process.

The proposed fencing plan is a six foot tall chain link along the property lines surrounding the property. Per City Code, chain link fencing shall not be permitted adjacent to a public right-of-way or in a required front yard (11-18-4(C)(5)). Fencing along the access road and in the front yard on the south side of the property must be of a different kind than slatted chain link. This could be a masonry wall, or other commercial screening fence that is permanent and provides adequate security and screening. All other areas of chain link fencing must be slatted for screening purposes. In addition to the fencing material, Chapter 18 states: Screening Walls, Fences, And Other Visual Barriers: Walls, fences, and barriers that create a continuous surface greater than twenty feet (20’) in length shall be softened visually with acceptable landscaping. All walls and fences shall conform to the major architectural style of the site plan. (Ord. 2010-04, 1-26-2010) This requirement may be met by utilizing plantings along the West and East property lines to soften the long continuous stretch of screening fencing. Slatted chain link fencing may be used on the north side of the site. Should the Commission decide to alter the fencing plan they should clarify the expectations of changes in a Condition of Approval.
ENGINEERING AND PUBLIC WORKS REVIEW

Engineering and Public Works are both currently reviewing the Site Plan. Review items include on-site storm drainage, site grading and drainage plan, utility plan, and landscaping and fencing plan. Approval of the Site Plan is conditioned upon Engineering and Public Works acceptance. The Site Plan is substantively complete in showing water detention facilities, landscaping, and impervious surface calculations.

OTHER AGENCY REVIEW

Fire Review
North Davis Fire District completed a review of the request and has submitted a letter of approval for the issuance of the Conditional Use Permit and approval of the Site Plan.

SIGN PACKAGE

This Site Plan request does not include proposal for new signage. New signage will be submitted under a separate permit application and is anticipated to be reviewed and approved at the administrative level.

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) Traffic: The effect of the site development plan on traffic conditions on abutting streets.</td>
<td>The site is located with direct access from South Main street along 175 East Street. There is not anticipated to be further impact to the traffic than what existed previously.</td>
</tr>
<tr>
<td>2) Vehicle; Pedestrian: The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.</td>
<td>The driveways to the site are proposed in an acceptable location. There are not currently sidewalks along 560 South or 175 East. Staff does not recommend sidewalks at this time as they would not connect to anything near the site. Planning Commission should consider whether sidewalks would be necessary and beneficial within this area of Manufacturing in Clearfield.</td>
</tr>
<tr>
<td>3) Off-Street Parking: Compliance of off-street parking facilities with Chapter 14 of this Title.</td>
<td>The site is for the parking of towed vehicles and is providing 35 stalls. The size of the stalls will need to meet code standards of 9 feet wide by 20 feet long. The parking also meets paving improvement standards with the use of asphalt.</td>
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<tr>
<td></td>
<td><strong>Loading and Unloading Facilities:</strong> The location, arrangement and dimensions of truck loading and unloading facilities.</td>
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<td>---</td>
<td>-------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>4)</td>
<td>Does not apply to this request.</td>
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<tr>
<td></td>
<td><strong>Surfacing and Lighting; Parking:</strong> The surfacing and lighting of off-street parking.</td>
</tr>
<tr>
<td>5)</td>
<td>The proposal does not include any additional lighting. If security lighting is desired for the site, it should not pose any negative impact to the surrounding uses west of the site. There is no immediately adjacent residential, though lighting could impact the Townhome development north and east across the railroad tracks. Care should be taken to reduce glare and limit negative impacts from excessive night time light outside of the property boundaries.</td>
</tr>
<tr>
<td></td>
<td><strong>Screen Planting:</strong> The location, height and materials, of walls, fences, hedges and screen planting.</td>
</tr>
<tr>
<td>6)</td>
<td>The proposed fencing plan is a six foot tall slatted chain link fence along the property perimeter. Staff’s recommendation is to require the property owner to use a fence that is not chain link along the access road and in the required front yard. Also, the property owner should utilize landscaping plantings through the use of trees planted at a regular interval on the West and East property lines to break up the monotonous wall as required by Chapter 18.</td>
</tr>
<tr>
<td></td>
<td><strong>Landscaping:</strong> The layout and appropriateness of landscaping.</td>
</tr>
<tr>
<td>7)</td>
<td>Landscaping has been proposed at 13% of the total site. The site is not subject to providing landscaped parking lot planters because the parking lot is not public, but rather an Outdoor Storage area pursuant to its own Conditional Use Permit approval process.</td>
</tr>
<tr>
<td></td>
<td><strong>Drainage:</strong> The effect of the site development plan on City storm water drainage systems.</td>
</tr>
<tr>
<td>8)</td>
<td>The applicant has provided storm water detention calculations and a design for a detention area. City Engineering and Public Works are reviewing the design, and will confirm whether or not it meets City Standards. Storm Water detention meeting City Standards is proposed as a condition of approval along with meeting other requirements noted in the City Engineer’s letter.</td>
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<tr>
<td>9)</td>
<td><strong>Utility:</strong> The effect of the site development plan on City utility systems.</td>
</tr>
<tr>
<td>10)</td>
<td><strong>Building Locations:</strong> Consideration of building locations on the site, elevations and relation to surrounding areas (Ord. 84-06B, 9-11-1984)</td>
</tr>
<tr>
<td>11)</td>
<td><strong>Exterior Design:</strong> 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)</td>
</tr>
<tr>
<td>12)</td>
<td><strong>Signs:</strong> 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.</td>
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</tbody>
</table>

**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 1412-0004.

2) Improvement plans, storm water detention facilities, and parking lot design shall be designed and installed to the satisfaction of the City Engineer and City Public Works Director.

3) Site Plan approval is subject to North Davis Fire District review and approval. The final plans for storage shall meet Fire Code and be to the satisfaction of the North Davis Fire District Fire Chief.

4) Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance 11-13-23(C) and (D), final approval will be subject to the applicant establishing an escrow account for future landscaping installation, as reviewed and approved by the City Engineer and City Attorney.

5) Fencing shall provide screening of storage areas and be at least 6 feet in height. Fencing along the access road and in any front yard shall not be chain link. Chain link fencing surrounding the remaining property shall be slatted for screening purposes.
6) Trees shall be planted at an interval not to exceed 25 feet along the West and East property lines to soften visual impacts and provide screening.

ATTACHMENTS

1. Site Plan
Scott Hess
Clearfield City Development Services
50 South State Street
Clearfield, Utah 84015

Scott,

I have reviewed the plans for the new parking area for Edwards Towing and I see no issues or concerns as for the North Davis Fire District. I have also completed a drive by inspection of the area and see no other concerns at this time. If you have any further questions regarding this project please feel free to contact me at your convenience.

John C Taylor
Fire Marshal
Deputy Fire Chief
North Davis Fire District
TO: Planning Commission

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

MEETING DATE: January 1, 2015

SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 1412-0001: A request by John Hansen on behalf of J W. Hansen & Associates for zoning text amendment to Title 11, Chapter 11, Article C, Commercial Residential Zone to amend timing requirements for commercial and residential construction. This amendment would be effective across all property zoned Commercial Residential in Clearfield City.

RECOMMENDATION

Move to recommend approval of ZTA 1412-0001 to the City Council, an amendment to Title 11, Chapter 11, Article C, Commercial Residential Zone to amend timing requirements for commercial and residential construction, based on the discussion and findings in the Staff Report.

ANALYSIS

Clearfield City Code 11-11C Commercial Residential (C-R) is designed to provide for and encourage a mixture of high quality, compatible commercial and residential uses in certain areas of the city. Clearfield Job Corps property is the only area currently zoned C-R. A request for rezone to C-R has been made on a property located at 938 S. 2000 East, owned by Thomas Rosenberg, represented by John W. Hansen & Associates. A conceptual plan has been submitted and accepted by the City pending acceptance of a Development Agreement. C-R Zone Section §11-11C-12(D) requires the commercial portion of each phase of the development to be completed prior to the development of the residential portion.

The applicant has discussed development timing and market conditions with the City, and it was determined by staff that any flexibility in the development timing would need to be addressed through a Zoning Text Amendment, and could not currently be addressed or amended in the Development Agreement. The applicant has proposed text to amend section §11-11C-12(D) to allow for flexibility in the development timing of the residential and commercial phases of projects as follows:

“We request approval to begin construction on the residential portions of the development prior to the commencement of the building of the commercial portions of
the development. We request/offer a deed restriction for the parcels that will become the commercial portion of the development and will designate them as part of the development agreement with the city."

Proposed Changes
Title 11, Chapter 11C-12 (AMENDED LANGUAGE)

11-11C-12(D): OTHER REQUIREMENTS: Development Timing:
D. Development Timing: Development Timing regarding commercial and residential portions of each phase will be approved in the Development Agreement. Designated Commercial portions of each phase of an approved Site Plan shall require a deed restriction to be recorded against the property at Davis County Recorder’s Office indicating commercial-only use of that portion of property.

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>
</tr>
</thead>
<tbody>
<tr>
<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 assist in encouraging high quality mixed-use development without relying on market conditions to support commercial development at the time of property development. This amendment will provide more flexibility through development agreement-based development.</td>
</tr>
<tr>
<td>2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>A recently submitted conceptual plan for commercial residential development has prompted an applicant to propose amendments to the existing C-R Zone in order to better facilitate development of parcels of property.</td>
</tr>
</tbody>
</table>