The Pledge of Allegiance was led by Chair Roper.

APPROVAL OF MINUTES FROM JULY 6, 2016 PLANNING COMMISSION MEETING

Commissioner Jones moved to approve the minutes of the July 6, 2016 Planning Commission meeting as written. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Jones, Mabey, Millard, Murray and Jugler. Voting NO: None.

DISCUSSION ON SP 1607-0001, A REQUEST BY PENNY DENNIS FOR SITE PLAN APPROVAL OF A DRIVE-THRU RESTAURANT, LOCATED AT 585 NORTH MAIN STREET (TIN: 14-071-0039). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley, Development Services Manager, said the request was for site plan approval for a drive-thru restaurant shell. He said two site plans were being requested because UDOT controlled access to Main Street and required a shared access for two adjacent parcels. He said there was currently no tenant for the building. Mr. Brimley said the property was currently zoned C-2, was in the downtown redevelopment area and the use was consistent with the General Plan.

Commissioner Britton arrived and took a seat on the dais at 7:07 p.m. Mr. Brimley said in order to expedite the site plan, staff suggested Planning Commission allow
staff to approve the building design when plans were received but that decision would be left to the commissioners. Mr. Brimley said there would be an additional access through the rear of the KFC property to the north which was also required by UDOT. He said the landscaping was consistent with requirements. Storm water concerns were being discussed with public works and the city engineer. Mr. Brimley said staff requested that the garbage dumpster be screened and landscaping added to soften the look of the dumpster enclosure. He said chain link fencing would not be permitted. Fencing would not be required on the north by KFC, but it could be requested on the south of the Dollar Tree property but a fence was not required between commercial properties. Staff recommended approval of the site plan for a drive-thru restaurant with conditions as outlined.

Commissioner Millard asked if the two houses would be demolished. Mr. Brimley said that both houses would be removed. Commissioner Millard asked about the design for the proposed building. Mr. Brimley said the building had not been designed because there wasn’t a user. Commissioner Millard said his opinion was that the Planning Commission should review the plans for approval when the design was available. Commissioners Jugler and Mabey agreed.

Brandon McDougald with Kimley-Horn Associates said some site improvements would be made with the work being done for the Dollar Tree. He said there were two parcels with easements for cross access. Mr. McDougald said fencing would be placed on the west side of the property. He said UDOT required the cross access with KFC.

Commissioner Murray asked about access behind KFC. Mr. McDougald said the ingress and egress was intended to come off Main Street and the exit behind KFC was required and benefited the truck access for the Dollar Tree. Commissioner Murray asked if the open canal in the front of the drive-in would be covered to eliminate the open box. Mr. McDougald said the irrigation box was only on one parcel and would be abandoned. He said the site would be improved and utilities would be in place for the future tenant.

APPROVAL OF SP 1607-0001, A REQUEST BY PENNY DENNIS FOR SITE PLAN
APPROVAL OF A DRIVE-THRU RESTAURANT, LOCATED AT 585 NORTH MAIN
STREET (TIN: 14-071-0039). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND
LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Millard moved to approve SP 1607-0001, a request by Penny Dennis for Site Plan approval of a drive-thru restaurant shell, located at 585 North Main Street (TIN: 14-071-0039), based on discussion and findings in the staff report with the following conditions:

1. The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1607-0001; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
c. The final building plans shall meet the minimum standards for building materials as established in C-2 Zone. The final building plans shall conform to Title 11, Chapter 18 Design Guidelines of the Clearfield City Code. The proposed architectural materials are a stucco and rock finish, and must be painted and maintained.

d. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking stalls must be 9 x 20.

e. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.

f. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.

g. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.

h. Proposed signage must meet City Code Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

i. Damaged or missing concrete or asphalt shall be corrected and installed prior to final occupancy being granted.

2. The garbage dumpster must be screened. It is recommended that additional landscaping be added to soften the look of the dumpster enclosure.

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

4. Site access on a State-owned right-of-way is subject to Utah Department of Transportation (UDOT) review and approval. Applicant to provide written approval from UDOT.

5. An oil/water separator must be installed on the floor drain, and be confirmed to be in working order prior obtaining final occupancy for the structure.

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.

Seconded by Commissioner Mabey. The motion carried on the following vote: Voting AYE: Commissioners Jones, Mabey, Millard, Murray, Jugler and Britton. Voting NO: None.
DISCUSSION ON SP 1607-0002, A REQUEST BY PENNY DENNIS FOR SITE PLAN APPROVAL OF A DOLLAR TREE STORE, LOCATED AT 567 NORTH MAIN STREET (TIN: 14-071-0040). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley said the request for the Dollar Tree retail establishment was on the south lot. He said the building would have 9,000 square feet. The sample board was given to the commissioners to examine and Mr. Brimley stated that the applicant had met the requirements of City Code § 11-18, Design Guidelines. He said the access was from Main Street with the additional access easement behind the KFC. He said 14 percent landscaping was proposed. Mr. Brimley said the storm drain concerns were being addressed. The dumpster location was in the rear of the building and was hidden and no additional landscaping around the dumpster was being requested. He said fencing was not required between parcels to allow for pedestrian access. Staff recommended approval with the conditions as outlined. Mr. Brimley showed the building elevations.

APPROVAL OF SP 1607-0002, A REQUEST BY PENNY DENNIS FOR SITE PLAN APPROVAL OF A DOLLAR TREE STORE, LOCATED AT 567 NORTH MAIN STREET (TIN: 14-071-0040). THE PROPERTY IS APPROXIMATELY 0.62 ACRES AND LIES IN THE C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Jones moved to approve SP 1607-0002, a request by Penny Dennis for Site Plan approval of a retail Dollar Tree store, located at 567 N. Main Street (TIN: 14-071-0040), based on discussion and findings in the staff report with the following conditions:

1. The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1607-0002; however, they will also include and address the following:
   a. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   b. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   c. The final building plans shall meet the minimum standards for building materials as established in C-2 Zone.
   d. The final building plans shall conform to Title 11, Chapter 18 Design Guidelines of the Clearfield City Code. The proposed architectural colors and materials will be those consistent with those provided at the time of the application.
   e. 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 9 x 20.
   f. Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.
g. New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.

h. A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.

i. Proposed signage must meet City Code Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

j. Damaged or missing concrete or asphalt shall be corrected and installed prior to final occupancy being granted.

2. The garbage dumpster must be screened as required by City Code.

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

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

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

Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Jones, Mabey Millard, Murray, Jugler and Britton. Voting NO: None.

DISCUSSION ITEMS

Amendments to Title 11

Spencer Brimley said the amendments that had been previously discussed were:

- Planning Commission would be the recommending body for preliminary subdivision plat approval and the City Council would be the final approval body.
- Final subdivision plats would be approved administratively.
- Conditional use permits would not require a public hearing but would be presented at a public meeting. Public input would be accepted prior to the meeting; however, the Planning Commission Chair may allow public comment during the meeting.
- Lot line consolidations and adjustments have been proposed to be removed, from table 11-1-10, but would be included and additional language would be added in Title 12 that would change the way lot line consolidations and lot line adjustments were approved.
- An administrative hearing officer would act as appeal authority in land use decisions, except where district court is the appropriate appellate body.
- Notification of the meeting to the applicant would be changed from ten days to three days to be consistent with State Code.

Amendments to Title 12

Mr. Brimley said most changes in Title 12 were specific to the process and operation of subdivision approvals and included changes in approval bodies and more specific language to provide better customer service and a greater degree of predictability in the process. He said the lot line adjustments and lot consolidation to be proposed and applied to parcels that were not part of a recorded subdivision, or did not create additional lots. He said the old language would be
cleaned up and updated for consistency with State Law.

_Beekeeping_

Spencer Brimley said a draft ordinance for beekeeping had been written and the language was very broad. He said a representative from the Davis County Beekeepers Association (DCBA) met with him and gave him examples of ordinances from other cities. Mr. Brimley asked how specific the lot size in the ordinance should be stated. It was proposed that the number of hives allowed would be five for up to half-acre parcels that were zoned residential or agricultural and ten hives on property zoned residential or agricultural that was more than a half-acre. Mr. Brimley said the opinion of DCBA is that five hives was a good number for a residential property. He said it was crucial to have a fly zone, water and fencing.

Councilmember Benson asked what would be required for rental property. Mr. Brimley said the ordinance required written permission from the property owner. He said many beekeepers maintained hives that were outside of their residential property.

Mr. Brimley said the proposed ordinance changed beekeeping from a conditional use to a permitted use in the agricultural zone and was added as a permitted use in residential zones after all requirements were met. He said the proposed ordinance allowed for hives in the rear property setback only.

**TRAINING**

Spencer Brimley told the commissioners the handout they were given would not be reviewed but was for them to read and said there were some items to be aware of with conditional use permits. He read from State Code:

10-9a-507. Conditional uses.

1. A land use ordinance may include conditional uses and provisions for conditional uses that require compliance with standards set forth in an applicable ordinance.
2. (a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
   (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

Mr. Brimley said City Code stated the use could be conditioned to mitigate any detrimental impact. He said litigation had happened when conditions of approval were related to public clamor.

The commissioners watched a video about conditional use permits.
STAFF COMMUNICATIONS

Stuart Williams – told the commissioners that Jake Fordham, Assistant City Attorney, was no longer with Clearfield City and he hoped to have a replacement soon.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Jones – Nothing

Commissioner Mabey – Thanked staff for their hard work.

Commissioner Millard – Nothing

Commissioner Murray – Nothing

Commissioner Jugler – Said he attended the City Council work session and wanted to point out it was catered.

Commissioner Britton – Apologized for his tardiness.

Councilmember Benson – Said it was explained to her that City Council work meetings were catered for City staff that were unable to leave before the meeting. Commissioner Jugler said it didn’t need to be defended; he said it should be expanded.

Commissioner Roper – Stated Clearfield was an awesome community. He said his home was affected by the power outage due to fire.

Spencer Brimley – Said there was another Land Use 101 training on August 27th from 9 a.m. to 1 p.m. It was similar to the training presented in June. He told the commissioners if they desired to attend to let City staff know.

There being no further business to come before the Planning Commission, Commissioner Jones moved to adjourn at 7:58 P.M. Seconded by Commissioner Mabey.