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, September 7, 2016, 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. APPROVAL OF MINUTES
   A. August 3, 2016

PUBLIC HEARINGS:

2. Public Hearing for ZTA 1607-0003, a Zoning Text Amendment to Title 11, requested by Clearfield City Staff for the purpose of regulating the keeping of bees within Clearfield City. Also, this zoning text amendment will consider corrections to references to community development director and community development department within Title 11, Chapters 2, 5, 13 and 15.

3. Public Hearing for CUP 1608-0006, a request by Clearfield City Staff on behalf of Reagan Outdoor Advertising for a Conditional Use Permit for the relocation of a billboard to be relocated from 100 S. State Street to 1499 South State Street (TIN: 09-022-0069). The property is approximately 2.08 acres and lies in the C-2 (Commercial) zoning district.

SCHEDULED ITEMS:

4. Discussion and Possible Action on CUP 1608-0006, a request by Clearfield City Staff on behalf of Reagan Outdoor Advertising for a Conditional Use Permit for the relocation of a billboard to be relocated from 100 S. State Street to 1499 South State Street (TIN: 09-022-0069). The property is approximately 2.08 acres and lies in the C-2 (Commercial) zoning district.

5. Discussion and Possible Action on FSP 1608-0001, a request by Mike Ford for final subdivision plat approval to amend lots 8 and 9 of the Wilcox Farms Amended subdivision, located at 939 and 919 W. 1600 S. (TIN: 12-391-0009, 12-391-0008). The property is approximately 1.31 acres and lies in the C-2 (Commercial) zoning district.

6. Discussion and Possible Action on SP 1608-0001, a request by Mike Ford for Site Plan approval of a multi-tenant flex building, located at 939 and 919 W. 1600 S. (TIN: 12-391-0009, 12-391-0008). The property is approximately 1.31 acres and lies in the C-2 (Commercial) zoning district.

7. Discussion and Possible Action on ZTA 1607-0003, a Zoning Text Amendment to Title 11, requested by Clearfield City Staff for the purpose of regulating the keeping of bees within Clearfield City. Also, this zoning text amendment will consider corrections to references to community development director and community development department within Title 11, Chapters 2, 5, 13 and 15.

DISCUSSION ITEMS:

1. Downtown Clearfield Small Area Plan work session – WFRC/UTA/Staff
2. General Plan Update and Discussion:
   A. Future Land Use Map, Street & Transportation Map, and Master Trails Plan

COMMUNICATION AND TRAINING:
1. Training – Legislative Body and Appeal Authority
2. Staff Communications
3. Planning Commissioners’ Minute

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 2nd day of September, 2016
/s/Spencer W. Brimley, 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.
TO: Planning Commission

FROM: Spencer W. Brimley, MRED
Development Services Manager
Spencer.Brimley@clearfield.org (801) 525-2785

MEETING DATE: September 7, 2016

SUBJECT: Public Hearing, Discussion and Possible Action on Public Hearing for CUP 1608-0006, a request by Clearfield City Staff on behalf of Reagan Outdoor Advertising for a Conditional Use Permit for the relocation of a billboard sign to be relocated from 100 South State Street to 1499 South State Street (TIN: 09-022-0069). The property is approximately 2.08 acres and lies in the C-2 (Commercial) zoning district.

RECOMMENDATION
Move to approve as conditioned CUP 1608-0006, a request by Clearfield City Staff on behalf of Reagan Outdoor Advertising for a Conditional Use Permit for the relocation of a billboard sign to be relocated from 100 South State Street to 1499 South State Street, based on discussion and findings in the Staff Report.

PROJECT SUMMARY

<table>
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</tr>
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<tbody>
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<tr>
<td>Property Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
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<tr>
<td>Current Zoning</td>
</tr>
<tr>
<td>Master Plan Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>
Vicinity Map (Existing and Proposed)
ANALYSIS
General Plan and Zoning
The property for the proposed sign relocation is 2.08 acres, developed as a commercial site. The billboard will be relocated in the southwest corner of the property into a landscaped area adjacent to State Street at 1499 South State Street. The General Plan and zoning on the property show this area as 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.

*Applicable Clearfield City and Utah State Codes:*
Clearfield City Code 11-15-8F: The entitlement of new additional billboard signs within the City is restricted.
Clearfield City Code 11-15-6(10): All existing billboards within the City are “off-premise” signs and are considered to be structures that have been provided and maintain legal nonconforming status.
Clearfield City Code 11-17-5: Allows for an existing nonconforming use or noncomplying structure to be changed for another nonconforming use or noncomplying structure which is determined to be of a more desirable nature upon specific approval of the Planning Commission.
Clearfield City Code 11-15-8F(4): 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.
Utah State Code 10-9a-513: Requires municipalities to allow for the relocation of existing 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.

*Requested Relocation of Existing Legal Nonconforming Billboard*
In order to further support the economic development in the downtown core of the City, and to avoid unnecessary delay with the continued development of the City Centre Apartments (formally known as Sandridge), the relocation of a legal nonconforming billboard located on the property currently under development is necessary to continue with the redevelopment of the downtown core area.

The legal nonconforming billboard is owned by Reagan Outdoor Advertising. Reagan Outdoor Advertising is requesting the approval of the legal nonconforming billboard relocation in conformance with our City code, and with the support of City staff.

After careful review of the City’s General Plan, and the proposed Downtown Plan, City Code, and all other relevant documents, City staff determines that relocation of the legal nonconforming billboard located at 100 South State Street would be of a more desirable nature at the location of 1499 S. State Street and with the new structure as proposed by Reagan. Based on the above, City staff supports the removal of the legal nonconforming billboard, as an impediment to the development of the City Centre A...
Apartments in the downtown core. In addition, City staff determined that the new location and structure of the legal nonconforming billboard at 1499 S. State Street would not be detrimental to the health, safety and welfare of the general public.

Staff is supportive of the above request to relocate the legal nonconforming billboard and is recommending approval to the Commission.

The approval of this use is to follow the procedures outlined in section 11-4 of the Clearfield City Code, included in the chart below.

Public Comment
No 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>
</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>The request is for the relocation of an existing legal nonconforming billboard that is being removed to accommodate new development within the City. The relocated legal nonconforming billboard will be similar in size and erected and displayed in accordance with the legal requirements of our code. The relocated sign will have a new foundation and structure that is anticipated to be greater than the current legal nonconforming sign that is to be removed, and is not expected to create any significant detrimental impacts.</td>
</tr>
</tbody>
</table>
Impact Burden: 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.

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.

CONDITIONS OF APPROVAL

1) This Conditional Use Permit is for the relocation of a legal nonconforming billboard owned by Reagan Outdoor Advertising. The legal nonconforming billboard will be relocated from 100 South State Street to 1499 South State Street (TIN: 09-022-0069).

2) The structure of the relocated existing legal nonconforming billboard shall be a monopole, with a height not to exceed 45 feet and will not obstruct sight triangles or the visibility of adjacent commercial buildings.

3) The relocated existing legal nonconforming billboard shall conform to all applicable federal, state, and local laws, including but not limited to the City’s applicable regulations.

4) Approval from UDOT for the location of this relocated existing legal nonconforming, with any conditions required.

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

ATTACHMENTS

1. Site plan
2. Elevations
Proposal Location

Owner: Brady & Antoinette Panter
Animal Care Clearfield
Parcel#: 090220067
Address: 1499 S State St
Contractor: Reagan Outdoor Advertising
TO: Planning Commission

FROM: Spencer W. Brimley, MRED
Development Services Manager
Spencer.Brimley@clearfield.org (801) 525-2785

MEETING DATE: September 7, 2016

SUBJECT: Discussion and Possible Action on FSP 1608-0001, a request by Mike Ford for final subdivision plat approval to amend lots 8 & 9 of the Wilcox Farms Amended Subdivision to create the Clearfield Business Park Condominiums, a condo project, located at 939 and 919 W. 1600 S. (TIN: 12-391-0009, 12-391-0008). The property is approximately 1.31 acres and lies in the C-2 (Commercial) zoning district.

RECOMMENDATIONS
Move to recommend to the City Council approval of FSP 1608-0001, a request by Mike Ford for final subdivision plat approval to amend lots 8 & 9 of the Wilcox Farms Amended Subdivision to create the Clearfield Business Park Condominiums, based on the discussion and findings provided in the Staff Report.

PROJECT SUMMARY

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Vicinity and Zoning Map
ANALYSIS

Background
The request is for an amended subdivision plat for a proposed multi-tenant building located at 939 & 919 W 1600 S. The building is a single story building with approximately 21,900 square feet and will amend the subdivision plat for lots 8 and 9 of Wilcox Farms Amended Subdivision, to create a multi-tenant condo building complete with site improvements (including sidewalks, infrastructure, etc.)

General Plan and Zoning
The parcels are General Planned and zoned Commercial. The uses and buildings surrounding this site are consistent with the C-2 commercial zoning. The development of a building with individually owned units is consistent with the General Plan and the zoning.

Subdivision Plat Approval
Since this property has been previously subdivided and exists in an approved subdivision, it will require amendment to the subdivision to accomplish the proposal. The building condominium plat proposes twelve (12) separate units, and the delineation of shared common area for the parking lot and landscaping, and portions of the front entrance of the building. The proposal meets engineering standards, with a few minor items to be addressed as outlined in the comments generated in the review. Condominium plats also require the review and approval of the building official as the creation of condominiums must meet specific building code standards. The building official has reviewed the site plan, and will require additional documents to insure buildings are constructed in accordance with current building codes for this type of building.

PRIVATE COVENANTS AND RESTRICTIONS
The request is also subject to Title 11, Chapter 13, and Section 24, review of the condominium codes, covenants and restrictions (CC&R’s). The CC&R’s are private contracts between the property owners’ association and the individual condominium owners; the City is not a party to them. Therefore, the term approved used in the context of the code is meant for the as an opportunity to review proposed CC&Rs by the City Attorney, Planning Commission and the City Council, to insure the required elements and items are included in the documents that will be recorded with the County at the same time as the plat, and run with the land. Final review is subject to the City Attorney’s comments prior to plat recordation.

A cursory review of the submitted CC&R’s from a similar project by the applicant, indicates that the required provisions have been included and are outlined below:

<table>
<thead>
<tr>
<th>Specific Provision</th>
<th>Inclusion in CC&amp;R’s</th>
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<tbody>
<tr>
<td>All covenants, conditions and restrictions shall include management policies which shall set forth the quality of maintenance that will be performed and who is to be responsible for said maintenance within said condominium development. Said document shall, at a minimum, contain the following:</td>
<td></td>
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<td>The establishment of a private association or corporation responsible for all maintenance, which shall levy the cost thereof as an assessment to each unit owner within the condominium development.</td>
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<tr>
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<td>---</td>
</tr>
<tr>
<td>1)</td>
<td>Included. Condominium to be identified as “Clearfield Business Park, A Condominium Project”.</td>
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</tbody>
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<tr>
<th></th>
<th>The establishment of a management committee, with provisions setting forth the number of persons constituting the committee, the method of selection and the powers and duties of said committee and including the person, partnership or corporation with property management expertise and experience who shall be designated to manage the maintenance of the common areas and facilities in an efficient and quality manner.</th>
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<tbody>
<tr>
<td>2)</td>
<td>Included. Management Committee established. Further provisions included in the By-Laws, adopted by exhibit to the Declaration.</td>
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<thead>
<tr>
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<th>The method of calling a meeting of the members of the corporation or association, with the members thereof that will constitute a quorum authorized to transact business.</th>
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<tr>
<td>3)</td>
<td>Included. Meetings of the Association established in the By-Laws, adopted by exhibit to the Declaration.</td>
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<th></th>
<th>The manner of collection from unit owners for their share of common expenses and the method of assessment.</th>
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<tr>
<td>4)</td>
<td>Included. “Assessments” section includes the provisions for the collection from unit owners.</td>
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<tr>
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<th>Provisions as to percentage of votes by unit owners which shall be necessary to determine whether to rebuild, repair and restore or sell property in the event of damage or destruction of all or part of the project.</th>
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<tbody>
<tr>
<td>5)</td>
<td>Included. Several paragraphs under “Damage to Property” include percentage of votes to make determinations.</td>
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<th></th>
<th>The method and procedure by which the declaration may be amended.</th>
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<tr>
<td>6)</td>
<td>Included. The vote of at least 75% of the undivided ownership interest. Recordation of instrument executed by the Management Committee of amendment.</td>
</tr>
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</table>

**Public Comment**

No public comment has been received to date.
CONDITIONS OF APPROVAL

1) The final condominium plat shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated August 5, 2016, prior to recordation.

2) Final review of the private covenants and restriction documents shall be completed by the City Attorney and any comments generated be appropriately addressed, prior to recordation of the associated documents and of the plat.

3) The private covenants and restrictions required (pursuant to 11-13-24 of the City Land Use Ordinance), any amendment, and any instrument affecting the property or any unit therein, shall be approved by the city attorney, planning commission, and city council, and shall be recorded with the county recorder.

ATTACHMENTS

1. Clearfield Business Park Condominium Plat
2. Engineer Review Letter, dated August 5, 2016
Dear Spencer,

Attached for consideration is my engineering review of the above referenced project. The following items will need to be considered and addressed prior to receiving recommended approval from our office.

**General Note:**

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

**Plat**

1. The Section Tie lengths are missing the footage ( ′ ) mark.

2. The one-lot should be labeled as “Lot # 1” along with the proposed address.

3. The existing streets should be identified by name on the Plat drawing along with all surrounding owners or subdivision lot numbers with their subdivision name.

4. The side yard distances that are perpendicular to the front of the building are in error approximately 0.02′ from being correct.

5. The “Owners Dedication” is written such that it is dedicating items (streets, canals, water channels, etc.) that are not applicable to the proposed dedication action. The “Owners Dedication” should be reviewed and written to include only items applicable and not a catch all dedication.
Site Plan – Improvement Drawings

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

2. A Geotechnical Report will need to be submitted for review.

3. Storm water concerns:
   - The storm water calculations indicate “Riverdale City’ which is incorrect.
   - The site storm water calculations will need to be checked and re-submitted for review. We calculate the storm water detention basin – storage volume should be approximately 5,900 cubic feet of storage detention rather than the 3,600 cubic feet shown on the drawings.
   - A 12” freeboard berm is needed in the design.
   - The detention basin control box needs the overflow wall elevation shown on the detail drawing for the contractor to build. This box should be larger (6’ x 6’) for ease in maintenance. Also a concrete apron should be installed at the top of the box similar to the parking lot inlet box aprons.
   - The control box shows the control orifice as 3” diameter. Our calculations indicate a 2” diameter orifice should be used.
   - The bottom of the detention basin should be a minimum of 1%.
   - Roof drains should be extended to the under ground storm water piping.
   - All open pipes will need to have a grate included with the piping for animal control.
   - The 8” diameter storm drain piping - construction slope is too flat to function properly and should be corrected.

4. The culinary water service laterals will need to be called out using type k copper along with the note that the meters are to be 1” water meters. A detail drawing showing the 1” diameter meter needs to be included with the details.

5. The location of the irrigation connection to the culinary water service lateral and the “RP” backflow device needs to be shown on the drawings.

6. The sanitary sewer collection pipe (lateral connections) running parallel to the front of the building need to be called out along with its construction slope.

7. The waterway should have a reinforcement schedule shown on the drawing.

8. We would recommend a concrete apron be designed in front of the dumpster pad to help control the front wheel impact loads which occur during dumping of the container.
9. Site Grading Plan – Existing and finish contours, spot elevations over the site, new curbs & walls with finish elevations, grades across the hard surfacing, dumpster facilities and dumpster details and other.

10. The location of all site lighting and business signs should be shown on the drawings.

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

We would like to request the drawings be resubmitted with a check-list from the Design Engineer or the Developer indicating a response to all items mentioned above.

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

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, PE.

City Engineer

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

FROM: Spencer W. Brimley, MRED
Development Services Manager
Spencer.Brimley@clearfield.org (801) 525-2785

MEETING DATE: September 7, 2016

SUBJECT: Discussion and Possible Action on SP 1608-0001, a request by Mike Ford for Site Plan approval of a multi-tenant building, located at 939 and 919 W. 1600 S. (TIN: 12-391-0009 & 12-391-0008). The properties are approximately 1.31 acres and lie in the C-2 (Commercial) zoning district.

RECOMMENDATIONS
Move to approve as conditioned, SP 1608-0001, a request by Mike Ford for Site Plan approval of a multi-tenant building, located at 939 and 919 W. 1600 S, based on the findings and discussion in the Staff Report.

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## Development Standards:

<table>
<thead>
<tr>
<th></th>
<th>Proposed</th>
<th>Required</th>
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</thead>
<tbody>
<tr>
<td>Lot Size</td>
<td>1.31 acres</td>
<td>None</td>
</tr>
<tr>
<td>Lot Width</td>
<td>&gt;35 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Setbacks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front</td>
<td>5 feet</td>
<td>82 feet</td>
</tr>
<tr>
<td>Side</td>
<td>0 feet 10 feet (street side yard)</td>
<td>10 feet 39 feet</td>
</tr>
<tr>
<td>Rear</td>
<td>0 feet</td>
<td>10 feet</td>
</tr>
<tr>
<td>Landscaping</td>
<td>10%</td>
<td>16%</td>
</tr>
<tr>
<td>Parking Spaces</td>
<td>50 spaces</td>
<td>2.3 spaces/1000 sq. ft.</td>
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### Vicinity Map

![Vicinity Map](image)

### Surrounding Properties and Uses:

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<th>Current Zoning District</th>
<th>Comprehensive Plan Land Use Classification</th>
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<td>North</td>
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<td>Commercial</td>
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</table>
ANALYSIS

General Plan and Zoning
This project is subject to Site Plan approval as the previous there has not been any development on this site to date and the addition of a structure, along with impervious surface and other improvements will require staff and agency review prior to a decision. The proposed building and use are consistent with current zoning, and fit into a commercial land use designation on the future land use map, as reflected in the General Plan.

Background
Wilcox Farms amended subdivision was approved in 2000 and created 15 lots for future development. Several of the lots have been sold and developed. Lots 8 and 9 are currently zoned C-2 (commercial) and are two of just a few remaining, undeveloped parcels of land in this area. The applicant is proposing to construct a multi-tenant building.

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.

This item is included as a condition of approval.

SITE CIRCULATION and PARKING
Parking for this site will be consistent with the uses approved for a multi-tenant building. Each tenant, for the building will be required to meet parking requirements, as outlined in Clearfield City Code 11-14. The applicant has proposed 50 stalls for the entire building. This amount of parking is the midpoint for intense retail and less intensive uses. Staff is supportive of this approach and proposal on parking. Limitations in parking may preclude more intensive uses from locating in this building.

This item is included as a condition of approval.

LANDSCAPING
Minimum landscaping that needs to be provided is 10% of the site. The landscaping plan may include the detention area, but that does not provide the full amount of landscaping required. The increased landscaping will need to be shown and verified on the submitted construction documents. Minimum landscaping standards set forth in Clearfield City Code 11-13-23 will also have to be demonstrated. All landscaping must be well kept and maintained. An automatic irrigation system is required for this site and should be submitted with final landscape plan.

This item is included as a condition of approval.

GARBAGE DUMPSTER
Garbage dumpster, with approved enclosure, must be provided for the site. At a minimum, per City Code, any on-site dumpster must be screened from view within an approved enclosure. Given the nature of the business, staff is confident the location will have a minimal negative impact and should not cause significant disturbance to the residents greater than the inherent disturbance the existence of a standard dumpster might have.
This item is included as a condition of approval.

FENCING PLAN
No additional fencing is required.

SIGN PACKAGE
Signage is not included as part of this Site Plan request and will require separate submittal and review.

ENGINEERING REVIEW
Engineering has reviewed the request. This site will be required to meet site grading and drainage requirements prior to the issuance of final approval. This item is included as a condition of approval.

OTHER AGENCY REVIEW
Fire Review
North Davis Fire is still reviewing the proposal. Applicant will be required to meet any and all requirements prior to issuance of final approval.

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>
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<tbody>
<tr>
<td>1) Traffic: The effect of the site development plan on traffic conditions on abutting streets.</td>
<td>This site has adequate access from 1000 W and provides sufficient ingress and egress. Staff does not foresee any additional traffic impacts to or from this site.</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 driveway to the site is will be installed along with curb, gutter and sidewalk. Deteriorated or damaged sidewalk and concrete will need to be replaced or installed.</td>
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<td>3) Off-Street Parking: Compliance of off-street parking facilities with Chapter 14 of this Title.</td>
<td>Parking will be consistent with Clearfield City code. The size of the stalls will need to the standard of 9 feet wide by 20 feet long and provide at least 2 ADA compliant spaces. The provided parking plan meets paving improvement standards with the use of asphalt.</td>
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<td>4) Loading and Unloading Facilities: The location, arrangement and dimensions of truck loading and unloading facilities.</td>
<td>This is a shell building with individual units and does not require loading and unloading facilities.</td>
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<td></td>
<td>Description</td>
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<td>5)</td>
<td><em>Surfacing and Lighting: Parking</em></td>
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<tr>
<td>6)</td>
<td><em>Screen Planting</em></td>
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<td>7)</td>
<td><em>Landscaping</em></td>
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<td>8)</td>
<td><em>Drainage</em></td>
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<td>9)</td>
<td><em>Utility</em></td>
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<td>10)</td>
<td><em>Building Locations</em></td>
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<td>11)</td>
<td><em>Exterior Design</em></td>
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<tr>
<td>12)</td>
<td><em>Signs</em></td>
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CONDITIONS OF APPROVAL

1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1608-0001; however, they will also include and address the following:
   a. Final approval of the site plan contingent on approval of the Amended Plat, 1608-0001.
   b. The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
   c. The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.
   d. The final building plans shall meet the minimum standards for building materials as established in 11-11B-12(D) as well as 11-18.
   e. The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. A minimum of two (2) parking stalls must meet ADA standards.
   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. Each use will require review and approval from Clearfield City Staff, to insure parking requirements are met.
   h. New lighting for the site, for both parking lot and exterior to the building shall be shown on the construction documents and meet City Code.
   i. A minimum of 10% landscaping shall be provided and meet the minimum standards set forth in 11-13-23 for the minimum amount of trees and shrubs.
   j. All landscaping will be watered by an automatic irrigation system, to be submitted and approved by staff.
   k. Proposed signage must meet Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.

2) The garbage dumpster must be provided and screened.

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

4) Applicant is responsible to obtain and provide to staff any necessary reviews and approvals from North Davis Sewer District.

5) Should the landscape not be installed prior to Certificate of Occupancy, pursuant to Land Use Ordinance 11-13-23(B), (C) and (D) Final building permit approval is subject to the applicant establishing an escrow account, as reviewed and approved by the City Engineer and City Attorney.

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.

ATTACHMENTS

1. Site Plan Set
2. Elevations
TO: Planning Commission

FROM: Spencer W. Brimley, MRED
Development Services Manager
Spencer.Brimley@clearfieldcity.org (801)525-2785

MEETING DATE: September 7, 2016

SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 1607-0003, a request by Clearfield City Staff for Zoning Text Amendments within Title 11 Land Use, to consider supplemental regulations for the keeping of bees in the R-1, A-1 and A-2 zoning districts. Also, this zoning text amendment will consider corrections to references to community development director and community development department within Title 11, Chapters 2, 5, 13 and 15. These changes would be effective across all applicable parcels of property and zones within Clearfield City.

RECOMMENDATION
Move to recommend approval of ZTA 1511-0005 to the City Council, a request by Clearfield City Staff for Zoning Text Amendments within Title 11 Land Use, to consider supplemental regulations for the keeping of bees in the R-1, A-1 and A-2 zoning districts. Also, this zoning text amendment will consider corrections to references to community development director and community development department within Title 11, Chapters 2, 5, 13 and 15, based on the findings and discussion in the Staff Report.

ANALYSIS
Staff has prepared an amendment to the supplemental regulations for beekeeping with in the City. Below is a summary of the proposed ordinance for beekeeping with in the City. Staff has researched other Municipal ordinances and worked with local beekeeping groups, such as Davis County Beekeepers Association. Following the proposed language for the beekeeping will be some minor housekeeping items related to Title 11. Analysis and explanation is provided later in the report.

Beekeeping

**Purpose:**
The purpose of this section is to authorize beekeeping subject to certain requirements intended to avoid problems that may otherwise be associated with beekeeping in populated areas.

**Definitions:**
- **APIARY:** Any place where one (1) or more colonies of honeybees are located.
- **BEEKEEPER:** A person who owns one (1) or more colonies of honeybees for the purpose of (i) collecting honey and beeswax, (ii) pollinating crops or (iii) produce bees for sale to other beekeepers
- **BEEKEEPING EQUIPMENT:** Anything used in the operation of an apiary, such as, but not limited to, hive bodies, supers, frames, top and bottom boards, and extractors.
- **COLONY:** Honeybees in any hive including queens, workers, drones or brood.
FLYWAY AREA: An area surrounding the hive, five (5) feet from the property line, consisting of a solid wall, fence, dense foliage or a combination thereof extending at least ten (10) feet beyond the hive in each direction to force bees to fly no less than six (6) feet above ground level over property lines in the vicinity of the apiary.

HIVE: Shall have the meaning set forth in Utah Code Annotated title 4 chapter 11. This defines a hive as a frame hive, box hive, box, barrel, log, gum skep, or other artificial or natural receptacle which may be used to house honeybees.

HONEYBEE or “Bee(s):” The common honeybee, Apis mellifera species, at any stage of development, but not including the African honeybee, Apis mellifera scutellata species, or any hybrid thereof.

Certain Conduct Unlawful:
Notwithstanding compliance with the various requirements of this section, it shall be unlawful for any person to maintain an apiary or to keep any colony on any property in a manner that threatens public health or safety. Hives are a permitted use on properties that contain a primary use on a property. Beekeeping is not permissible as primary or singular use on residential lots.

Hives on Lots:
A. As provided in this section, and notwithstanding any contrary provision in Title 11 of this code, an apiary, consisting of not more than three (3) hives, may be maintained in a rear yard of any residential lot up to one quarter (1/4) acre. Lots that are one-quarter (1/4) acre, not to exceed on-half (1/2) acre shall consist of no more than fives (5) hives. On any residential lot which is on-half (1/2) acre up to one (1) acre, the number of hives permitted on the lot may be increased to ten (10) hives. Lots that meet the above listed zoning designation and are greater than one (1) acre may not have an imposed limit on the number of hives.
B. A person shall not locate or allow a hive on property owned or occupied by another person without first obtaining written permission from the owner.
C. No hive or group of hives shall exceed six (6) feet in height.

Beekeeper Registration:
Each beekeeper shall be registered and maintain an active license with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Title 4, Chapter 11 of the Utah Code, as amended.

Hives:
A. Honeybee colonies shall be kept in hives with removable frames which shall be kept in sound and usable condition.
B. Hives shall be placed at least five (5) feet from any property line and six (6) inches above the ground, as measured from the ground to the lowest portion of the hive; provided, however, that this requirement may be waived in writing by the adjoining property owner.
C. Hives shall be operated and maintained as provided in the Utah Bee Inspection Act.
D. Each hive shall be conspicuously marked with the owner’s name, address, telephone number, and state registration number.

Flyways:
A hive shall be placed on property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals. If any portion of a hive is located within fifteen (15) feet from an area which provides public access or from a property line on the lot where an apiary is located, as measured from the nearest point on the hive to the property line, a flyway barrier at least six (6) feet in height shall be established and maintained around the hive except as needed to allow access. Such flyway, if located along the property line or within five (5) feet of the property line, shall consist of a solid wall, fence, dense foliage or a combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly to an elevation of at least six (6) feet above ground level over property lines in the vicinity of the apiary.

Water:
Each beekeeper shall ensure that a convenient source of water is available to the colony continuously between March 1 and October 31 of each year. The water shall be located on the property of the owner of
the hive and in a location that minimizes any nuisance created by bees seeking water on neighboring property.

**Beekeeping Equipment:**
Each beekeeper shall ensure that no bee comb or other beekeeping equipment is left upon the grounds of an apiary site. Upon removal from a hive, all such equipment shall promptly be disposed of in a sealed container or placed within a building or other bee-proof enclosure.

**Conflict with Davis County Health Department regulations:**
In the event of a conflict between any regulation set forth in this section and honeybee management regulations adopted by the Davis County Health Department, the most restrictive regulations shall apply.

**Enforcement:**
Any person violating or causing the violation of any of the provisions of this title, or failing or refusing to do some act required under this title, shall be guilty of a class C misdemeanor and upon conviction thereof shall be subject to penalty as provided by section 1-4-1 of this code. In addition to any criminal penalties, any person found in violation of this title may be subject to payment of costs associated with enforcement of this title, including, but not limited to, attorney fees.

**Proposed Amendments**

**11- Land Use**
The changes within this chapter of the Clearfield City Land Use Ordinance are for minor language changes specific to all references for “Director of Community Development” to be changed to “Planning and Zoning Administrator” or “Building Official” and all references to “Community Development Department” to be changed to “City.” Additionally, references to the office of “community development” will be stricken.

**Chapter 13 – Supplementary Regulations**

- **25 - Courtesy benches and shelters**
  A. Permit Required: No courtesy bench or shelter shall be installed or erected without first obtaining a permit from the community development department city. Courtesy bench and shelter permits shall be nontransferable.
  B. Application: Application for a courtesy bench or shelter permit shall be made in writing by the property owner or certified agent on forms prepared by the community development department city, and shall be accompanied by payment of the fee required by the city's fee schedule. Upon receipt of a complete application, the planning and zoning administrator shall be authorized to approve the application, approve the application with conditions, or deny the application.

- **26: Fireworks stand, Temporary or seasonal merchant, and Mobile food vendor regulations:**
  A. Location Specified; Location Restrictions:
    1. Each license shall specify the location where the business is approved to operate. No operation shall occur at locations other than the approved site. Please refer to the official mobile food vendors map filed in the community development department city.
    2. Licenses issued under this section shall be limited to the following street corridors:
       a. Main Street, State Street, 1700 South, 700 South, 200 South, and 300 North, if located outside of Freeport Center or Freeport West. All fireworks stands, temporary or seasonal merchants, and mobile food vendors shall not occupy more than twenty percent (20%) of the parking stalls on the lot where the business has been approved.
       b. No location restrictions are imposed by the city if locating inside Freeport Center or Freeport West.
       c. No location restrictions are imposed by the city if locating on future developed property at SR-193 and 2000 East and Legend Hills.
d. Fireworks stands are not allowed on property at SR-193 and 2000 East nor at Legend Hills (refer to map held in the community development department city).

e. Licenses may only be issued to properties with the following zoning: C-1, C-2, MU, C-R, D-R, and M-1.

- 27: Portable storage containers

B. Residential Requirements:
1. Portable storage containers shall not be allowed for permanent storage.
2. Only one portable storage container shall be allowed per parcel.
3. Portable storage containers shall only be allowed for moving purposes or during construction or remodeling and shall meet the following requirements:
   a. Portable storage containers used for moving in or out of a residence shall be allowed for a maximum of fourteen (14) days, and shall only be located on a driveway or other paved area on private property.
   b. Portable storage containers used during construction shall:
      (1) Only be allowed if a valid building permit is currently on file with the community development department city;
      (2) Be allowed for a maximum of six (6) months. An extension of up to six (6) months may be granted by the planning and zoning administrator;
      (3) Not be located in a public right of way; and
      (4) Be removed before a certificate of occupancy is issued.

- 34: Light manufacturing and limited distribution uses

A. Neither light manufacturing nor limited distribution uses will be allowed on parcels which have frontage on, are adjacent to, or have direct unobscured visibility from main transportation corridors in the city including: State Street, Main Street, 800 North, 300 North, 200 South, S-R 193, 700 South, 1700 South, South Main Street, 1000 West, 1000 East, 1500 East, 2000 East, or Depot Street. The official map will be available in the community development department city.

B. Structures housing the light manufacturing or limited distribution uses must be not more than thirty thousand (30,000) square feet in size, and the use must be completely contained within a single enclosed structure on one parcel of land (no multiple parcels or structures for these light/limited uses). (Ord. 2015-01, 2-24-2015)

Chapter 15 – Sign Regulations

- 8 Signs that require a permit

A. Permit Required: Except as otherwise provided in this title, it shall be unlawful for any person to erect, alter, relocate, direct, or order a person to erect, alter or relocate any of the following signs within the city without first obtaining a permit or permits from the community development department city. A fee for the permit shall be paid by the applicant in accordance with the city's current fee schedule.

- 10 Permit Process

A. Sign Permit Required: No person shall erect, install, or paint any sign, or change the face of any sign, whether it be temporary or permanent in nature, without obtaining a sign permit from the community development department city except as provided in this chapter. This includes new signs, signs to be added to existing buildings or uses, and existing signs that are to be enlarged, changed, or modified.
B. Penalty: New or existing signs installed or altered without a permit will be required to be removed, or a penalty fee of one hundred dollars ($100.00) will be charged at the time application is made for a sign permit with the community development department city. (Ord. 2009-45, 11-24-2009)
Public Comment
No public comment has been received to date.

FINDINGS

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

<table>
<thead>
<tr>
<th>Review Consideration</th>
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<tbody>
<tr>
<td>1) The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The proposed text amendments are consistent with the goals and policies of the Land Use Element of the City’s General Plan.</td>
</tr>
<tr>
<td>2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>In addition to the minor language corrections within title 11, Clearfield City Staff determined that the creation of more clearly defined regulations for beekeeping is the responsibility of the City and in the best interest of its residents.</td>
</tr>
</tbody>
</table>
GENERAL PLAN MAPS
Clearfield City General Plan

Legend

Future Land Use
- Business Park
- Commercial
- Falcon Hill
- Hill AFB
- Manufacturing
- Mixed Use
- Residential

Map prepared by Payden McRoberts
for Clearfield City Executive Dept./Community Development
December 10, 2015