# CLEARFIELD PLANNING COMMISSION MEETING

April 12, 2017  
7:00 P.M. - Regular Session

<table>
<thead>
<tr>
<th>PRESIDING:</th>
<th>Brady Jugler</th>
<th>Chair</th>
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<tbody>
<tr>
<td>PRESENT:</td>
<td>Kathryn Murray</td>
<td>Commissioner</td>
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<td>Ron Jones</td>
<td>Commissioner</td>
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<td>Robert Browning</td>
<td>Commissioner</td>
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<td>Michael Britton</td>
<td>Commissioner</td>
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<td>Steve Parkinson</td>
<td>Commissioner</td>
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<td>Chris Uccardi</td>
<td>Alternate Commissioner</td>
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<td>Karece Thompson</td>
<td>Alternate Commissioner</td>
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<td>ABSENT:</td>
<td>Michael Millard</td>
<td>Commissioner</td>
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<td>Mallory Call</td>
<td>Alternate Commissioner</td>
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<td>STAFF PRESENT:</td>
<td>Stuart Williams</td>
<td>City Attorney</td>
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<td></td>
<td>Brie Brass</td>
<td>Assistant City Attorney</td>
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<td></td>
<td>Spencer Brimley</td>
<td>Development Services Manager</td>
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<td></td>
<td>Christine Horrocks</td>
<td>Building Permits Specialist</td>
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<td>VISITORS:</td>
<td>Lee Schaffer, Sharon Hinckley, Yolanda Martinez, Scott Gibby, Keith Russell, Dean Garrett, Todd Morgan</td>
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The Pledge of Allegiance was led by Chair Jugler.

## APPROVAL OF MINUTES FROM MARCH 1, 2017 PLANNING COMMISSION MEETING

Commissioner Jones moved to approve the minutes of the March 1, 2017 meeting as written. Seconded by Commissioner Britton. The motion carried on the following vote:  
Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning.  
Voting NO: None.

## PUBLIC HEARING ON ZTA 1609-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO CHAPTERS IN THE CITY CODE, TITLE 11 – LAND USE, FOR THE REGULATIONS OF ACCESSORY BUILDING IN ALL A-1, A-2 AND R-1 ZONING DISTRICTS.

Chair Jugler declared the public hearing open at 7:03 p.m.  

There were no public comments.
Commissioner Uccardi moved to close the public hearing at 7:04 p.m. Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON PSP 1702-0002, A REQUEST BY DEAN GARRETT, FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT TO COMBINE THREE PARCELS FOR THE USE OF PROPERTY BY MORGAN PAVEMENT LOCATED AT 600 AND 624 SOUTH MAIN (TIN: 12-022-0009, 12-022-0058 AND 12-022-0066). THE PARCELS ARE APPROXIMATELY 0.93, 0.09 AND 0.5 ACRES AND ARE LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:05 p.m.

PUBLIC COMMENT:
Scott Gibby asked when the property was rezoned to M-1. Spencer Brimley said the single family dwellings existed on manufacturing zoned property for some time. Mr. Gibby said Morgan Pavement had a nice curb appeal and was a good neighbor. However he was concerned how the change would affect his residential property. Mr. Brimley said the discussion currently before the Commission was for subdivision approval and the site design would be discussed at the May Planning Commission meeting. He encouraged Mr. Gibby to speak with Mr. Garrett following the meeting.

Commissioner Jones moved to close the public hearing at 7:07 p.m. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

PUBLIC HEARING ON ZTA 1703-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENT TO CITY CODE § 11-8A-11, AGRICULTURAL ZONE (A-1), § 11-8B-11, AGRICULTURAL ZONE (A-2) TO ALLOW FOR THE KEEPING OF CHICKENS WITHIN CLEARFIELD CITY IN THE A-1 AND A-2 AGRICULTURAL ZONES. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Chair Jugler declared the public hearing open at 7:08 p.m.

There were no public comments.

Commissioner Jones moved to close the public hearing at 7:09 p.m. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.
DISCUSSION ON PSP 1702-0002 AND FSP 1702-0002, A REQUEST BY DEAN GARRETT, FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT AND FINAL SUBDIVISION PLAT TO COMBINE THREE PARCELS FOR THE USE OF PROPERTY BY MORGAN PAVEMENT LOCATED AT 600 AND 624 SOUTH MAIN (TIN: 12-022-0009, 12-022-0058 AND 12-022-0066). THE PARCELS ARE APPROXIMATELY 0.93, 0.09 AND 0.5 ACRES AND ARE LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Spencer Brimley, Development Services Manager, said Morgan Pavement requested consolidation of three lots that totaled approximately 1.5 acres to expand its business. There were two single family dwellings that would be removed, one existing building would be utilized as office space and the remainder of the site would be used for storage. The plat was reviewed by staff plus engineering and public works and there were no concerns. He reviewed the conditions of approval which were typical to the subdivision process. Mr. Brimley said there were currently no improvements along Main Street, a portion of the property was required to be dedicated to the City and improvements would be installed as part of the site plan.

Commissioner Britton asked if the road would be widened. Mr. Brimley said the dedication was a formality that ensured the public roadway existed for access. Commissioner Browning asked how the site would be improved. Mr. Brimley said any improvements were requested to be installed to City standards. Staff recommended approval of the preliminary subdivision plat and recommended the Planning Commission recommend to the City Council approval of the final subdivision plat.

APPROVAL OF PSP 1702-0002, A REQUEST BY DEAN GARRETT, FOR APPROVAL OF A PRELIMINARY SUBDIVISION PLAT TO COMBINE THREE PARCELS FOR THE USE OF PROPERTY BY MORGAN PAVEMENT LOCATED AT 600 AND 624 SOUTH MAIN (TIN: 12-022-0009, 12-022-0058 AND 12-022-0066). THE PARCELS ARE APPROXIMATELY 0.93, 0.09 AND 0.5 ACRES AND ARE LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Uccardi moved to approve as conditioned, PSP 1702-0002, a request by Dean Garrett, for approval of a Preliminary Subdivision Plat to combine three parcels for the use of property by Morgan Pavement located at 600 and 624 South Main (TIN: 12-022-0009, 12-022-0058 and 12-022-0066), based on the discussion and findings in the Staff Report with the following conditions:

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated 6th of March 2017.
2) Applicant will be required to dedicate a portion of property to meet the required width for Main Street.
3) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
4) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code § 12-4-6.

Seconded by Commissioner Jones. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

RECOMMENDATION OF FSP 1702-0002, A REQUEST BY DEAN GARRETT, FOR APPROVAL OF A FINAL SUBDIVISION PLAT TO COMBINE THREE PARCELS FOR THE USE OF PROPERTY BY MORGAN PAVEMENT LOCATED AT 600 AND 624 SOUTH MAIN (TIN: 12-022-0009, 12-022-0058 AND 12-022-0066). THE PARCELS ARE APPROXIMATELY 0.93, 0.09 AND 0.5 ACRES AND ARE LOCATED IN AN M-1 (MANUFACTURING) ZONING DISTRICT.

Commissioner Parkinson moved to recommend to the City Council approval as conditioned of FSP 1702-0002, a request by Dean Garrett, for approval of a Final Subdivision Plat to combine three parcels for the use of property by Morgan Pavement located at 600 and 624 South Main (TIN: 12-022-0009, 12-022-0058 and 12-022-0066), based on the discussion and findings in the Staff Report with the following conditions:

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated 6th of March 2017.

2) Applicant will be required to dedicate a portion of property to meet the required width for Main Street.

3) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

4) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code § 12-4-6.

Seconded by Commissioner Uccardi. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

Chair Jugler excused Commissioner Jones at 7:19 p.m. and invited Commissioner Thompson to join the Planning Commission on the dais.
DISCUSSION ON FSP 1703-0002, A REQUEST BY JERRY PRESTON, FOR AN AMENDED SUBDIVISION PLAT TO RECONFIGURE THE PARCELS LOCATED AT APPROXIMATELY 1850, 1900, AND 1950 EAST 700 SOUTH (TIN: 09-363-0001, 09-363-0002, AND 09-363-0003). THE PARCELS ARE APPROXIMATELY 4.70, 5.18 AND 0.99 ACRES AND ARE LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley said the request was for an amendment to an existing plat. The amendment reconfigured the subdivision and created two lots. Easements along the north and west sides of the property would be continued with the proposed amendment, given the need to maintain areas for existing and future infrastructure. Mr. Brimley reviewed the conditions of approval and stated staff recommended approval to City Council of the amendment to the subdivision.

Commissioner Murray asked what the property was zoned. Mr. Brimley said it was zoned C-2 and the General Plan designation was mixed use. Commissioner Murray asked about the layout of the development. Mr. Brimley said the development would not be as previously discussed and all plans were preliminary but would be addressed during the site plan review process.

Commissioner Parkinson said it appeared the amendment just removed one lot line and the corner lot remained the same. Mr. Brimley told Commissioner Parkinson the corner lot would be expanded and one lot line removed. Commissioner Parkinson asked if it was typical for earth to be moved prior to approval. Mr. Brimley said that it typically was not allowed without approval and he would send someone to inspect the property. Keith Russell, Ensign Engineering, said he would ask the owner what was being done, but thought it might be grubbing.

RECOMMENDATION OF FSP 1703-0002, A REQUEST BY JERRY PRESTON, FOR AN AMENDED SUBDIVISION PLAT TO RECONFIGURE THE PARCELS LOCATED AT APPROXIMATELY 1850, 1900, AND 1950 EAST 700 SOUTH (TIN: 09-363-0001, 09-363-0002, AND 09-363-0003). THE PARCELS ARE APPROXIMATELY 4.70, 5.18 AND 0.99 ACRES AND ARE LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Murray moved to recommend, to the City Council approval, as conditioned, FSP 1703-0002, a request by Jerry Preston for an amended Subdivision Plat to reconfigure the parcels located at approximately 1850, 1900, and 1950 East 700 South (TIN: 09-363-0001, 09-363-0002, and 09-363-0003), based on findings and discussion in the staff report with the following conditions:

1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated 17th of March 2017.
   a. Along the west side of the Plat a 10’ wide public utility & drainage easement is required (as shown) and adjacent to the 10’ PUE. a 20’ wide culinary water easement for Clearfield City is required.
   b. Along the north side of the Plat a 10’ wide public utility & drainage easement is required (as shown) and adjacent to the 10’ PUE. a 30’ wide culinary water easement for Clearfield City is required.
2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) All work on the State road and highway will require written approval from Utah Department of Transportation to the City, i.e. changes to driveway approaches and any additional utility connections.

4) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code § 12-4-6.

Seconded by Commissioner Britton. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

DISCUSSION ON ZTA 1609-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO CHAPTERS IN THE CITY CODE, TITLE 11 – LAND USE, FOR THE REGULATIONS OF ACCESSORY BUILDING IN ALL A-1, A-2 AND R-1 ZONING DISTRICTS.

Spencer Brimley said accessory building regulations were discussed at the October 2016 Planning Commission meeting and City Council denied the Zoning Text Amendment as presented. City Council directed staff to reevaluate the ordinance with the citizen concerns. Mr. Brimley reviewed the history of accessory buildings in the City. Accessory building regulations prior to 2009 allowed for accessory buildings to be no less than one (1) foot from the property line and no building was allowed to exceed 35 feet in height. Lot coverage requirements were limited to a percentage of the lot that could be covered. Agricultural buildings were based on the size of the lot. Changes were made to the code in 2009 which increased the minimum distance from the property line from one foot to two feet, imposed stricter height requirements and included language for accessory building limitations relating to the footprint on the single family dwelling.

Mr. Brimley said the proposed accessory building ordinance was based on square footage of the lot, the allowed overall height was increased, language addressed increasing setback and height requirement, the lot coverage requirement based on the footprint of the single family dwelling was removed and the building design required the accessory building match the principal home.

Commissioner Browning said changes helped the substandard agricultural lots. Mr. Brimley said the majority of the citizens that voiced concerns had large lots with a single family zoning and requested flexibility for larger accessory buildings on the larger lots. Commissioner Browning liked the proposed changes.
RECOMMENDATION OF ZTA 1609-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO CHAPTERS IN THE CITY CODE, TITLE 11 – LAND USE, FOR THE REGULATIONS OF ACCESSORY BUILDING IN ALL A-1, A-2 AND R-1 ZONING DISTRICTS.

Commissioner Uccardi moved to recommend approval of ZTA 1609-0004 to the City Council, Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory building in all A-1, A-2 and R-1 zoning districts, based on the findings and discussion in the Staff Report. Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Thompson, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

DISCUSSION ON ZTA 1703-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENT TO CITY CODE § 11-8A-11, AGRICULTURAL ZONE (A-1), § 11-8B-11, AGRICULTURAL ZONE (A-2) TO ALLOW FOR THE KEEPING OF CHICKENS WITHIN CLEARFIELD CITY IN THE A-1 AND A-2 AGRICULTURAL ZONES. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Spencer Brimley said the request was for an amendment to agricultural zones changing the fowl unit allowance. On March 28, 2017, Clearfield City Council approved the keeping of chickens on parcels in the R-1 zoning designation. During public hearings held at both the Planning Commission and the City Council, residents asked if consideration could be given to allow for the legal keeping of chickens on A-1 and A-2 parcels that did not meet minimum lot size standards for chickens in the agricultural zoning districts. He said staff provided a calculation based on lot size. The proposed language stated:

a) Parcels that are less than one-half (½) acre and no less than one-third (1/3) of an acre shall be allowed to have one-half (½) of a fowl unit (15 chickens).

b) Parcels that are less than one-third (1/3) acre and no less than one-fourth (1/4) of an acre shall be allowed to have one-third (1/3) of a fowl unit (10 chickens).

c) Parcels that are less than a one-fourth (1/4) acre and no less than 6,500 SF (approximately 0.15 acres) shall be allowed to have one-fifth (1/5) of a fowl unit (6 chickens).

Commissioner Murray asked if the regulations imposed on the R-1 zones should be required in the agricultural zones. Mr. Brimley said it was the opinion of staff that the language didn’t need to be changed for the agriculturally zoned properties, but if the Planning Commission determined licensing should be required, the recommendation to the City Council could include licensing as a requirement.

Commissioner Browning said his opinion was the existing agricultural requirements imposed greater restrictions than the residential requirements. Mr. Brimley said the limiting factor in the existing requirement was the proximity to other properties and structures.
Commissioner Jugler asked if the same requirements should exist on properties the same size regardless of the zone. Commissioner Britton said there wasn’t a benefit to consistency; there were two different zones for a reason. Mr. Brimley said the reason for the extensive language in the R-1 zones was because the R-1 zones were not intended to allow chickens and the regulations were placed to mitigate detrimental factors; however, the intent of the A-1 zone was to allow farm animals.

Commissioner Parkinson said any property less than 14,520 square feet was non-conforming in an agricultural zone. Mr. Brimley said City Code § 11-8A-11 A.2 was restrictive enough for the size of lots in the A-1 zone. Commissioner Uccardi was concerned that a potential problem was created when a resident in an R-1 zoned property with a larger lot wanted to have more chickens. Mr. Brimley said that question could be asked, but from staff’s perspective there was no comparison.

Commissioner Thompson asked if there was a potential for nuisance with agricultural and residential lots bordering. Mr. Brimley said there were split zoned parcels in the City but he wasn’t concerned with the split zoned properties because the lots would be regulated as an R-1 lot.

RECOMMENDATION OF ZTA 1703-0004, A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENT TO CITY CODE § 11-8A-11, AGRICULTURAL ZONE (A-1), § 11-8B-11, AGRICULTURAL ZONE (A-2) TO ALLOW FOR THE KEEPING OF CHICKENS WITHIN CLEARFIELD CITY IN THE A-1 AND A-2 AGRICULTURAL ZONES. THIS AMENDMENT WOULD BE EFFECTIVE WITHIN THE LAND USE CODE FOR CLEARFIELD CITY, A DOCUMENT REGULATING THE DEVELOPMENT OF CLEARFIELD CITY AS A WHOLE.

Commissioner Britton moved to recommend, to the City Council, approval of ZTA 1703-0004, a request by Clearfield City Staff for Zoning Text Amendment to City Code § 11-8A-11, Agricultural Zone (A-1), § 11-8B-11, Agricultural Zone (A-2) to allow for the keeping of chickens within Clearfield City in the A-1 and A-2 agricultural zones, based on the discussion and findings in the Staff Report. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Thompson, Uccardi, Parkinson, Murray, Britton and Browning. Voting NO: None.

STAFF COMMUNICATIONS

Spencer Brimley said a City Council open house was held at Antelope Elementary in March and the next one would be held on Tuesday, April 18th at Holt Elementary from 6:00 to 7:30 p.m. He asked the commissioners to let him know if they would be in attendance so a name badge would be available identifying them as a member of the Planning Commission. The last open house would be on May 30th at Wasatch Elementary from 6:00 to 7:30 p.m. Mr. Brimley said the next quarterly work session with City Council was scheduled for May 16th at 6:00 p.m.
Mr. Brimley forwarded an email to the commissioners from Wasatch Front Regional Council about Wasatch Choice 2050 and he asked the commissioners to take the survey and give input.

**PLANNING COMMISSIONERS’ MINUTE**

Commissioner Browning – Nothing

Commissioner Britton – Nothing

Commissioner Murray – Nothing

Commissioner Parkinson – Nothing

Commissioner Uccardi – Nothing

Commissioner Thompson – Nothing

Chair Jugler – Thanked the commissioners for coming to the meeting and for their participation.

There being no further business to come before the Planning Commission, **Commissioner Uccardi moved to adjourn at 8:01 P.M. Seconded by Commissioner Murray.**