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, April 12, 2017, 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. March 1, 2017

PUBLIC HEARINGS:

2. Public Hearing for 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.

3. Public Hearing for 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070). The parcels are approximately 0.93, 0.09 and 0.5 acres and are located in an M-1 (Manufacturing) zoning district.

4. Public Hearing for 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 all agricultural zones.

SCHEDULED ITEMS:

5. Discussion and Possible Action 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070). The parcels are approximately 0.93, 0.09 and 0.5 acres and are located in an M-1 (Manufacturing) zoning district.

6. Discussion and Possible Action on 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070). The parcels are approximately 0.93, 0.09 and 0.5 acres and are located in an M-1 (Manufacturing) zoning district.

7. Discussion and Possible Action 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.
8. Discussion and Possible Action 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.

9. Discussion and Possible Action 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 all agricultural zones.

COMMUNICATION AND TRAINING:

10. Staff Communications
   A. Council Open house March 21st at Antelope Elementary 6-7:30 PM
   B. Council Open house April 18th at Holt Elementary 6-7:30 PM
   C. Council Open house May 30th at Wasatch Elementary 6-7:30 PM

11. Planning Commissioners’ Minute

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 5th day of April, 2017

/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: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, April 12, 2017

SUBJECT: Public Hearing, Discussion and Possible Action 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.

RECOMMENDATION
Move 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.

BACKGROUND
Staff received a request from the public to evaluate setbacks for accessory buildings within R-1 (residential) zoning districts on or about June 2016. After corresponding with multiple residents, including the requesting resident, and conducting a careful review of our current existing regulations, the City previously brought a number of proposed changes to the regulations for accessory buildings in the R-1 zone to the Planning Commission and then later the City Council in October, 2016. Following a lengthy discussion and deliberation related to the Planning Commission recommendation, the City Council did not support the proposed changes to the accessory building regulations within the R-1 zone recommended by the Planning Commission, and instead instructed staff to continue to work with the community and residents to re-evaluate the regulations for accessory buildings in the R-1 zone, including recommending that staff conduct a more in-depth review of neighboring municipalities current regulations.

After a great deal of additional study, which included a more in-depth study of the surrounding municipalities regulations related to accessory buildings within a residential zones, and meetings with residents, staff makes the following outlined proposal.

ANALYSIS
The proposed amendments to 11-9, accessory buildings in the R-1 (residential) zoning district are meant to allow residents to make better use of their property related to the erection and use of accessory buildings with the R-1 (residential) zoning district. Our current ordinance regulates the height, distance from each property line, as well as coverage and maximum size for an accessory building within the R-1 (residential) zoning districts. In addition, there are regulations related to the look of the building and additional criteria for detached garages and carports. Previously, staff primarily evaluated single family setbacks. However, staff is now taking a new approach for accessory building regulation, and is providing regulations for both the A-1 and A-2 zones, as well as the R-1 zones. The information contained in the following tables and
the language as proposed has been discussed with both the interested resident, and others. Staff has not done an extensive outreach to the public, but has sought to be responsive to those who have requested information and responded to meeting requests.

CURRENT REGULATIONS

<table>
<thead>
<tr>
<th>ZONE</th>
<th>A-1</th>
<th>A-2</th>
<th>R-1-6</th>
<th>R-1-8</th>
<th>R-1-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min. Lot Size</td>
<td>14,520</td>
<td>14,520</td>
<td>6,500</td>
<td>8,000</td>
<td>9,000</td>
</tr>
<tr>
<td>Min. Front Yard</td>
<td>30</td>
<td>30</td>
<td>25</td>
<td>25</td>
<td>30</td>
</tr>
<tr>
<td>Min. Side Yard (interior)</td>
<td>2</td>
<td>2</td>
<td>2</td>
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<tr>
<td>Min. Side Yard (corner) on Arterial</td>
<td>20</td>
<td>20</td>
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</tr>
<tr>
<td>Min. Rear Yard</td>
<td>2</td>
<td>2</td>
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<td>2</td>
</tr>
<tr>
<td>Distance Between Accessory and Principle Bldgs (same lot)</td>
<td>6</td>
<td>6</td>
<td>6</td>
<td>6</td>
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</tr>
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**Height**

<table>
<thead>
<tr>
<th></th>
<th>A-1</th>
<th>A-2</th>
<th>R-1-6</th>
<th>R-1-8</th>
<th>R-1-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max. Height of Principle Bldg.</td>
<td>35</td>
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<tr>
<td>Max. Height of Acc. Bldg.</td>
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</table>

**Lot Coverage**

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<tr>
<th></th>
<th>A-1</th>
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<th>R-1-6</th>
<th>R-1-8</th>
<th>R-1-9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main building</td>
<td>40%</td>
<td>40%</td>
<td>50%</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Parcel</td>
<td>45%</td>
<td>45%</td>
<td>45%</td>
<td>40%</td>
<td>40%</td>
</tr>
</tbody>
</table>

**Building design**

Accessory buildings shall be built with a finished, all weather exterior material. Detached garages and carports shall be finished to match the exterior of the main building.

<table>
<thead>
<tr>
<th>DETACHED GARAGE (Min 2 car garage)</th>
<th>A-1</th>
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<th>R-1-8</th>
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<tbody>
<tr>
<td>Min. Square Footage</td>
<td>400</td>
<td>400</td>
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</tbody>
</table>

PROPOSED REGULATIONS

<table>
<thead>
<tr>
<th>ACCESSORY STRUCTURE SETBACKS</th>
<th>43,560 and up</th>
<th>43,559 - 15,000</th>
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<tr>
<td>Distance Between Accessory &amp; Principle Struc (adjacent lot)</td>
<td>12</td>
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</table>
Zoning for accessory building will be provided in the supplementary regulations, since it is no longer zone specific. Regulations could be outlined in both table and written regulations. The table format was meant to provide the Commission with a visual that would be easier to interpret and understand.

**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 amendments are consistent with the goals and policies of the Land Use Element of the City’s General Plan. These references correct small issues and better define potential uses in Clearfield City.</td>
</tr>
<tr>
<td>2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>A review of current City Codes demonstrates that there are a number of minor small corrections that needed to be made to ensure accuracy and conformity within the City Code. In addition to the minor language corrections within title 11, Clearfield City Staff determined that the creation of a more clearly defined regulation for</td>
</tr>
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</table>
accessory buildings or structures is the responsibility of the City.

ATTACHMENTS

1. Accessory Building regulations spreadsheet
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</tr>
<tr>
<td>Total Parcel coverage calculation</td>
<td>20%</td>
<td>30%</td>
<td>40%</td>
<td>40%</td>
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</table>

**ACCESSORY STRUCTURE SETBACKS**

No accessory building shall be located in the required front yard area. A structure or use may be erected or established as an accessory structure or use to a permitted principal structure or use, provided that it meets the following:

- Is clearly incidental and customary to, and commonly associated with the operation of the principal use;
- Is operated and maintained under the same ownership or by lessees or concessionaires thereof and on the same lot as the principal use;
- Does not include or allow living quarters or a dwelling of any type.

Accessory buildings or structures 200 square feet or less shall require site plan approval, but will not require a building permit, as long as there are no utilities provided to the building.

Setback requirements shall start at no less than 2 feet for any side and rear lot line, except on lots that are situated on a corner.

Accessory building will be required to be setback an additional foot for each for over the height allowed at 2 feet from the property line.

Coverage calculation is for all buildings, both main and accessory, and shall not exceed percentages as listed in the table.

No portion of the accessory building shall extend over any property line. Storm water runoff shall be maintained on owners property and shall not run onto adjacent property.
TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, April 12, 2017

SUBJECT: Public Hearing, Discussion and Possible Action 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070). The parcels are approximately 0.93, 0.09 and 0.5 acres and are located in an M-1 (Manufacturing) zoning district.

Discussion and Possible Action 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070). The parcels are approximately 0.93, 0.09 and 0.5 acres and are located in an M-1 (Manufacturing) zoning district.

RECOMMENDATIONS
Move 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070), based on the discussion and findings in the Staff Report.

Move 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 625 South Main (TIN: 14-022-0045, 12-022-0058 and 12-022-0070), based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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

Dean Garrett, on behalf of Morgan Pavement, has made application for a subdivision to combine three parcels located at approximately 600-625 South Main Street. These three parcels have existed as single family dwellings lots until recently. The owners of Morgan pavement purchased all parcels in hopes of expanding their current operations. Following completion of the subdivision the applicant will be required
to receive site plan approval from the Planning Commission, prior to any development of the site. The applicant is proposing to remove the two houses, will retain the building located on the southwest portion of the southernmost parcel for an on-site office and operations use on the site. The parcels contain 0.93, 0.09 and 0.5 acres, for a total of 1.52 acres, prior to any dedication.

**General Plan and Zoning**
This area of the city is zoned industrial/manufacturing with similar uses along Main Street. The General Plan for the City has this area listed as industrial/manufacturing for the foreseeable future.

**Subdivision Plat Review**
This request is a subdivision to adjust for the consolidation of three lots. Elements of the site development will be handled in the site plan review process. Due to the simplistic nature of the plat, the Preliminary Subdivision Plat and Final Subdivision Plat are identical and are being presented to this body. These two items will run simultaneously with Conditions of Approval being identical for both items.

Public Works and Engineering have done an initial review of the proposal, and are comfortable with the subdivision as proposed. Staff is proposing a 10 foot PUE around the perimeter of the subdivision. The subdivision does not create a lot that is inconsistent with any Clearfield City code.

**Public Comment**
No public comment has been received to date.

**CONDITIONS OF APPROVAL**

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 dedicated 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 surround 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.

**ATTACHMENTS**

1. Preliminary Subdivision Plat
2. Final Subdivision Plat
NOTE:

WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREIN, INCLUDING THE RIGHT OF ACCESS TO SUCH
PUBLIC WALKWAY

E N S I G N

1485 W. Hillfield Rd. Ste 204
Phone: 801.547.1100
Layton UT 84041
WWW.ENSIGNENG.COM

1. GENERAL NOTES:

PROPERTY IS IN A MANUFACTURING ZONE (M-1)

ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (PU & DE) ARE 10' FRONT, 10' SIDE AND
FRONT YARD SETBACK IS 10 FEET.

SIDE YARDS SETBACKS ARE 0 FEET EXCEPT WHERE A SIDE
A CORNER LOT SIDE YARD SETBACK ON THE STREET SIDE

363.50'
N 90°00'00" E     396.50'
SOUTH     211.51'
N 90°00'00" W     211.51'

MORGAN PAVEMENT SUBDIVISION

LOCATED IN THE SOUTHEAST QUARTER
OF SECTION 2
TOWNSHIP 4 NORTH RANGE 2 WEST
SALT LAKE BASE & MERIDIAN
CLEARFIELD CITY, DAVIS COUNTY, UTAH

NOTARY PUBLIC

A. LAIRD

HORZ: 1 inch =        ft.

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

MORGAN PAVEMENT SUBDIVISION

I,-orange, a Limited Liability Company and that He/She

has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area

DOCS.

MPM Property Holdings, LLC

Davis County 84089

contains 66,981 square feet, 1.538 acres.

On the day of ____________, 20__,

Known all men by these presents that I / we, the undersigned owner(s) of the above described tract of land, having caused same to

be surveyed, acknowledge that the same is dedicated for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

I, ___________________________,

a Limited Liability Company and that He/She

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following the same.

In witness whereof I / we have signed this Agreement this day of ____________, 20__.

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following the same.

In witness whereof I / we have signed this Agreement this day of ____________, 20__.
TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday April 12, 2017

SUBJECT: Public Hearing, Discussion and Possible Action 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.

RECOMMENDATION

Move 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.

ANALYSIS

Since 2009 there has been a continual interest for the residence in allowing chickens within Clearfield City. On March 28, 2017, Clearfield City Council approved the keeping of chickens on parcels within the R-1 zoning designation by the approval of ZTA 1701-0003. During public hearings held at both the Planning Commission and the City Council, interested parties who supported ZTA 1701-0003 asked if consideration could be given to allow for the legal keeping of chickens on A-1 and A-2 parcels that do not meet minimum lot size standards for chickens in the agricultural zoning districts. As a result, staff was directed to address this issue.

The current A-1 and A-2 zones allow for chickens (one fowl unit = 30 chickens) on lots that are greater than one-half (1/2) acre. With the current adoption of ZTA 1701-0003 that allows for chickens in the R-1 zone, and with the current language allowing for chickens in the A-1 and A-2 zones with lot sizes greater than one-half (1/2) acre, this creates gap in A-1 and A-2 properties that are less than one-half (1/2) acre that can legally have chickens on their property. To address this gap and to create greater consistency with the intent of the Council regarding legal allowance for chickens in the City, staff proposes the allowance of chickens in the A-1 and A-2 zones with lot sizes less than one-half (1/2) acre in a manner that reduces the number of chickens (fowl units) a property owner may legally possess based on the size of the property.

Current regulations would not change for lots located in A-1 and A-2 zones that are greater than one-half (1/2) acre.
Based on the direction Council gave to staff during the adoption of ZTA 1701-0003, no changes are proposed regarding Title 6.

Changes to title 11, Chapter 8 for A-1 and A-2 zones are proposed as follows:

**11-8A and B-11: OTHER REQUIREMENTS:**

**A. Farm Animals And Structures:**

1. Animal or fowl units for family food production or pleasure shall be kept in accordance with the following regulations:
   
   a. No animal or fowl unit shall be kept on any lot smaller than one-half (1/2) acre in size.
   
   b. Parcels that are less than one-half (1/2) acre and no less than one-third (1/3) of an acre shall be allowed to have one-half (1/2) of a fowl unit (15 chickens).
   
   c. 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).
   
   d. 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).
   
   e. Lots between one-half (1/2) acre and one acre in size shall be allowed to keep one animal unit and one fowl unit.
   
   f. Lots larger than one acre shall be allowed to keep one additional animal unit and one additional fowl unit per each additional one-third (1/3) acre in lot size.
   
   g. Animal and fowl units shall not be allowed on an incremental or prorated basis.

2. All pens, coops, barns, stables or corrals shall be set back not less than fifty feet (50') from a public street (except on corner lots where the setback from the side street may be reduced to not less than 35 feet), and located not closer than twenty feet (20') from any dwelling on the lot or fifty feet (50') from any dwelling on an adjacent lot.

Language that would be amended and/or removed from the code would be consistent with those regulations that would not allow for the keeping of fowl on a parcels or lot that is less than a one-half acre. Additionally, language that does not allow for incremental or prorated basis for the number of chickens will be removed. Those sections of the code have been shown above as stricken.

**Public Comment**

Public comment was received in the Council Meeting on Tuesday, March 28, 2017 regarding this matter. A resident asked for the Council to consider changes to Agricultural zones to allow for chickens in the A-1 and A-2 zones on lots that are less than one-half (1/2) acre, given the changes to the R-1 zoning. The Council directed Staff to take up this issue and propose changes. No other public comment has been received on this matter.

**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>
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<th>The proposed amendment is in accordance with the General Plan and Map; or</th>
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<tr>
<td>1)</td>
<td>The proposed text amendment is consistent with the goals and policies of the Land Use Element of the City’s General Plan.</td>
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<td>2)</td>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
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<td>A review of current City Codes demonstrates that there are minor revisions that are needed to ensure accuracy and conformity within the City Code. Clearfield City Staff has determined that minor language changes within title 11 for regulation that would allow for the keeping of chickens is consistent with Clearfield City’s code for agricultural zoning.</td>
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TO:    Clearfield City Planning Commission

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

MEETING DATE:   Wednesday, April 12, 2017

SUBJECT:   Public Hearing, Discussion, and Possible Action 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.

RECOMMENDATION
Move 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.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
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<tbody>
<tr>
<td>Project Name</td>
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<tr>
<td>Site Location</td>
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<tr>
<td>Tax ID Number</td>
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<tr>
<td>Applicant</td>
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<tr>
<td>Property Owner</td>
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<tr>
<td>Proposed Actions</td>
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<td>Current Zoning</td>
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<td>General Plan-Land Use</td>
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<tr>
<td>Gross Site Area</td>
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<tr>
<th>Surrounding Properties and Uses:</th>
<th>Current Zoning District</th>
<th>Land Use Classification</th>
</tr>
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<tbody>
<tr>
<td>North Hill Air Force Base</td>
<td>HAFB (Hill Air Force Base)</td>
<td>HAFB (Hill Air Force Base)</td>
</tr>
<tr>
<td>East Weber State Campus</td>
<td>C-2 (Commercial Zone)</td>
<td>Commercial</td>
</tr>
<tr>
<td>South AAA/Exeter Financial</td>
<td>C-2 (Commercial Zone)</td>
<td>Commercial</td>
</tr>
<tr>
<td>West Sundowners Condos/SFD</td>
<td>R-3 (Multifamily / R-1-9</td>
<td>Residential</td>
</tr>
<tr>
<td></td>
<td>(Single Family Res.)</td>
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ANALYSIS

Background
This request is for an amended plat to reconfigure the lots in the Midtown at Legends Hills Subdivision. Development of this parcel has long been anticipated by the City. The site was procured by a private developer in 2016, and is being considered for mixed use development. Currently the proposal is to consolidate the existing parcels from 3 lots to two lots. The larger lot will be approximately 9.391 acres, and smaller lot, located on the northeast corner of the property, will be 1.484 acres. Conditional Use and Site Plan approval will be required for the development of the site, given the interest of the applicant for commercial and residential uses. Specific development plans for the site will be evaluated at a future meeting by the Planning Commission and City Council.

General Plan and Zoning
The parcel is identified in the General Plan as mixed use. The current zoning on the property is Commercial, however current plans from the owner indicate a change to mix of use for the site consistent with the current General Plan designation. The difference in zoning and land use will necessitate a zone change request along with a full land use review for the site. The proposed plat amendment is consistent with both the General Plan and zoning within the City. Easements along the north and west sides of the property shall be continued with this proposed amendment, given the need to maintain areas for existing and future infrastructure. Staff has included, with this report, the Engineering letter which outlines the required
inclusion of easements and their required widths and locations. Staff has received the revised plat with requested easements and has included it as an attachment to this plan.

**Plat Amendment Review**
The plat has been reviewed by the appropriate agencies. Staff recommends the City Engineer and Public Works office review the plat for approval, as proposed. Staff has reviewed the proposed plat and the proposed amendments and recommends approval of the plat to the Commission to be forwarded to the Council for final approval.

**Public Comment**
No public comment has been received to date.

**CONDITIONS OF APPROVAL**

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 ands 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.

**ATTACHMENTS**

1. Midtown At Legend Hills Amended Plat
2. Engineering letter dated March 28, 2017
28 March 2017

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn:  Spencer W. Brimley, Development Services Manager
Proj:  Midtown Village at Legend Hills Subdivision – First Amended
Subj:  Plat Review – Recommend Approval

Dear Spencer,

I finished my review of the resubmitted subdivision Plat and find the plat meeting the Engineering Standards of Clearfield City.

I herewith recommend approval of the Plat.

An electronic copy of the Plat must now be submitted to the Public Work Department Office for record keeping and prior to the approval signature of the final Plat.

Should you have any questions feel free to contact me.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, PE.
City Engineer

Cc.  Scott Hodge, Public Works Director
     Kamilla Schultz, City Staff Engineer
     Dan Schuler, Public Works Inspector and Storm Water Manager
     Michael McDonald, Building Official