MEETING AGENDA 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, November 1, 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

APPROVAL OF MINUTES: October 4, 2017

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Public Hearings items:


WORK SESSION ITEMS

1. Staff Discussion
   b. Discussion on Clearfield City Lighting regulation 11-13-17.

2. Planning Commissioners’ Minute

3. Staff communications

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 30th day of October, 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.

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission’s agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, November 1, 2017
SUBJECT: General Plan Amendment Request - Commercial to Residential

DESCRIPTION / BACKGROUND
A request by Bruce Hazen, on behalf of Bretwood Construction, for a General Plan Amendment to change the land use map for Clearfield City from Commercial to Residential. The property is located at approximately 1240 W 300 N (TIN: 14-065-0120). The portion of the property under consideration is approximately 2.559 acres in size.

This property received an application for townhomes in 2014 that required an amendment to the General Plan. The amendment was approved by the Council, which made rezones for two-family (R-2) or multi-family dwellings (R-3) much more discretionary. Prior to 2014, the Clearfield City General Plan included language that stated: “No additional property will be rezoned for the development of two-family or multi-family dwellings, except as part of an approved R-3R, MU, C-R, or D-R Zone project.” Changes approved in 2014 allow the Council to evaluate each request on the merits of the project and not a broad policy statement within the General Plan. This request is to amend the future land use map along with the rezone request to enable the developer to receive approval of the rezone request and to make application for a site plan and subdivision for the project.

Proposed Changes
The applicant is requesting an amendment to the future land use map to allow for the approval of a rezone of the same property from Commercial (C-2) to Residential (R-3). The proposed amendment to the map would be for a portion of the 4 acres that has been known as “King Storage”. In 2009, Clearfield City Council approved the removal commercial storage facilities from the code as an allowable use. Since 2009, staff has received several requests for the expansion of storage facilities as well as some requests for townhomes as the highest and best use of this property. The highlighted aerials, on the next page show the subject property for this request.
Current land use is shown as commercial:

![Current Land Use Map]

Proposed land use has been requested to residential:

![Proposed Land Use Map]

Staff Review
Staff has no concerns with the requested amendment and is supportive of the request to amend the future land use map in order to allow the applicant to make the subsequent applications for their proposed project.

Public Comment
No public comment was received at the time this report was written.

FINDINGS

General Plan Map Amendment
Clearfield Land Use Ordinance Section 11-6-4 establishes the procedure the Planning Commission shall use to review a Petition for Change to General Plan or General Plan Maps. The procedure and staff’s evaluation are outlined below:
RECOMMENDED ACTION: After careful consideration of the information presented and known to the Planning Commission at this time, the Planning Commission recommends:

1. **The City Council approve GPA 1709-0001 to change the future land use map from Commercial to Residential**
2. **The City Council deny GPA 1709-0001 to change the future land use map from Commercial to Residential**
3. **Tables the items and request additional time to consider the request, before making a recommendation to the Council.**
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, November 1, 2017
SUBJECT: Rezone Request (Zone Change) – Commercial (C-2) to Residential (R-3)

DESCRIPTION / BACKGROUND
A request by Bruce Hazen, on behalf of Bretwood Construction, for a Zoning Amendment to change the zoning map of Clearfield City from Commercial C-2 to Residential R-3. Located at approximately 1240 W 300 N (TIN: 14-065-0120). The portion of the property under consideration is approximately 2.559 acres in size.

This property received an application for townhomes in 2014 that required an amendment to the Genera Plan. The amendment was approved by the Council. Prior to 2014, the Clearfield City General Plan included language that stated: “No additional property will be rezoned for the development of two-family or multi-family dwellings, except as part of an approved R-3R, MU, C-R, or D-R Zone project.” This language made rezones for two-family (R-2) or multi-family dwellings (R-3) much less discretionary. Changes to the General Plan approved in 2014 allow each rezone request to be evaluated on the general plan, land use map as well as the merits of the project. This language was removed in 2014 for the purpose of allowing greater ability for the council to consider rezones for R-2 and R-3 zoning on the merits of each project. This request to rezone the property along with the general plan request are the first steps to allow the developer to make application for site plan and subdivision approval for the project.

Proposed Changes
The applicant is requesting an amendment to the future land use map to allow for the approval of this rezone of the same property from Commercial (C-2) to Residential (R-3). The proposed amendment to the map would be for a portion (2.559) of the 4 acres that has been known as “King Storage”. Staff has received several requests to expand the storage facility on site, as well as requests for townhomes as the highest and best use of this property. Clearfield City code would not allow for new storage facilities, but towhomes could be constructed, if the proper zoning was approved.

The amendment, as proposed, would allow that portion of land that has remained undeveloped to be improved with new, high quality housing, in the form of townhomes. Additionally, the developer would be required to improved the property and to install public improvements (curb, gutter and sidewalk) which would improve pedestrian walk ways.

Project Information

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<th>Project Information</th>
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<tr>
<td>Project Name</td>
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<td>Site Location</td>
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<td>Tax ID Number</td>
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<td>Applicant</td>
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This property received an application for townhomes in 2014 that required an amendment to the Genera Plan. The amendment was approved by the Council. Prior to 2014, the Clearfield City General Plan included language that stated: “No additional property will be rezoned for the development of two-family or multi-family dwellings, except as part of an approved R-3R, MU, C-R, or D-R Zone project.” This language made rezones for two-family (R-2) or multi-family dwellings (R-3) much less discretionary. Changes to the General Plan approved in 2014 allow each rezone request to be evaluated on the general plan, land use map as well as the merits of the project. This language was removed in 2014 for the purpose of allowing greater ability for the council to consider rezones for R-2 and R-3 zoning on the merits of each project. This request to rezone the property along with the general plan request are the first steps to allow the developer to make application for site plan and subdivision approval for the project.

Proposed Changes
The applicant is requesting an amendment to the future land use map to allow for the approval of this rezone of the same property from Commercial (C-2) to Residential (R-3). The proposed amendment to the map would be for a portion (2.559) of the 4 acres that has been known as “King Storage”. Staff has received several requests to expand the storage facility on site, as well as requests for townhomes as the highest and best use of this property. Clearfield City code would not allow for new storage facilities, but towhomes could be constructed, if the proper zoning was approved.

The amendment, as proposed, would allow that portion of land that has remained undeveloped to be improved with new, high quality housing, in the form of townhomes. Additionally, the developer would be required to improved the property and to install public improvements (curb, gutter and sidewalk) which would improve pedestrian walk ways.
and increase the look and feel for this area of the community. The applicant is proposing a townhome development for the site. Staff has provided a concept drawing and preliminary elevations for the project. The property has also been surveyed to determine the future boundary of the project. Should the zoning be approved it would fall under the R-3 Residential zoning district. R-3 allows for the development of single family detached homes in the following manner:

1. Lot size: 6,500 SF
2. Width/Frontage: 65/60 (lot width is measured at the front set back as opposed to frontage, which is measured at the road).
3. Front Setback: 25 FT
4. Side yards: 8 FT
   a. Corner Lots require 15 FT
5. Rear Yard: 25 FT

The site plan provided by the applicant does not provide details for the development. The preliminary drawing shows 30 Townhomes for the site. Maximum density for the site is 16 units/acre. This density can only be granted if all other aspects of the required codes and regulations are met.

Staff review
Should this rezone be approved for this location, it would be contingent on the General Plan request being approved, as well as a site plan, subdivisions and most likely development agreement being finalized and approved.

Public Comment
No public comment has been received to date.

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

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<td>1)</td>
<td>The proposed amendment is in accordance with the General Plan and Map; or</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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### Staff Analysis

Goal 1 of the Land Use Element states “Maintain consistency between the City’s Land Use Ordinance and the General Plan.” The General Plan currently shows “Commercial” for this parcel. Market demand for commercial development at this location does not seem viable. The parcel has sat vacant, other than a storage facility for sometime. This fact supports the idea that residential is the highest and best use on the remainder of the parcel.

The applicant has marketed this property for many years as commercial with little to no interest. Commercial viability for the parcel has long been held, but not realized by private development. The applicant feels that residential best represents the highest and best use of this remaining area of the parcel. Careful consideration should be taken for how this potential change may effect the surrounding area.

### RECOMMENDED ACTION

After careful consideration of the information presented and known to the Planning Commission, the Planning Commission recommends:

1. The City Council approve RZN 1709-0001 to change the zone on a portion of property from Commercial (C-2) to Residential (R-3)
2. The City Council deny RZN 1709-0001 to change the zone on a portion of property from Commercial (C-2) to Residential (R-3)
3. Table the item and request additional time to consider the request, before making a recommendation to the Council.

### CONDITIONS OF APPROVAL

1. The rezone is contingent upon:
   a. The approval of application GPA 1709-0001
2. The rezone shall not take effect without approval of a Site Plan and subdivision for the property and execution of a development agreement, between the Clearfield City and the developer.

### EXHIBITS

1. Preliminary Site Plan & Elevations
2. Survey and legal description for project area
KING ESTATES

SUNDOWN MHC LLC
14-065-0106

PARCEL "A"

N89° 55' 10"E
435.02

N89° 56' 05"W
300 NORTH STREET

PARCEL A DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF 300 NORTH STREET, SAID POINT BEING 33 FEET NO'04'50"W ALONG THE SECTION LINE BETWEEN THE SOUTHEAST CORNER AND THE EAST QUARTER CORNER OF SAID SECTION 34 AND 643 FEET N89°56'05"W A PORTION OF WHICH IS ALONG THE NORTH RIGHT OF WAY LINE OF 300 NORTH STREET FROM THE SOUTHEAST CORNER OF SAID SECTION 34 AND RUNNING THENCE; N89°56'05"W ALONG SAID RIGHT OF WAY LINE 435.02 FEET; THENCE NO'04'50"W 255.65 FEET; THENCE N89°56'10"E 435.02 FEET TO THE WESTERLY LINE OF STEED MARKETPLACE; THENCE S00°04'50"E ALONG SAID WESTERLY LINE 256.75 FEET TO THE POINT OF BEGINNING.

CONTAINING 111452 SQUARE FEET OR 2.559 ACRES MORE OR LESS

Project Info.

Designer: TJH
Date: 9-26-17
Name: KINGS ESTATES
Number: 4522-05
Scale: 1"=100'
WORK SESSION ITEMS
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, November 1, 2017
SUBJECT: Discussion on future changes to Title 11 - Clear Vision

RECOMMENDED ACTION

No action at this time. Staff is presenting these items for discussion with the Commission to evaluate steps forward in making necessary and appropriate changes to Title 11-13-10 for Clear Vision regarding intersections and corner treatments for roads within the City.

DESCRIPTION / BACKGROUND

11-13-10: Clear Vision

Clearfield City code requires large areas for view corridors around corners and driveways areas. This can have a negative impact on small commercial parcels and reduces the area that can be of benefit to property and business owners. Staff is currently reviewing other municipal codes on this issue and would like to discuss current regulations and what changes may need to be implemented. Current regulations are included below:

Corner Lots:

1. In all zones which require a front and corner side yard, no obstruction to view in excess of thirty-six inches (36") in height shall be placed on any corner lot within a triangular area formed by the street curb lines and the line connecting them at points sixty feet (60') from the intersection of the curb (see figure 1 of this section).
2. Fences may be permitted to seventy-two inches (72") in height for non-sight obscuring construction, except as set forth in subsection D of this section. Where there is no curb, the measurement shall be taken from the edge of the pavement or concrete.
3. Lawn trees are permitted in the clear vision triangle provided they are pruned at least seven feet (7') above the nearest established road grade so as to not obstruct a clear view by motor vehicle drivers. (Ord. 2010-13, 7-27-2010).

Driveways:

1. In residential zones shall be governed by a clear vision triangle measured at a point where the edge of the driveway and curb meet (see figure 2 of this section).
2. At this point, measurements shall be made twenty-five feet (25') into the property along the driveway edge and fifty-five feet (55') along the curb.
3. Where there is no curb, the measurements shall be taken from the edge of the pavement or concrete. The extent of these measurements shall be connected, forming the clear vision triangle.
4. Lawn trees are permitted in the clear vision triangle provided they are pruned at least seven feet (7') above the established road grade so as to not obstruct a clear view by motor vehicles. Other vegetation
may be made on both sides of the driveway and may affect placement landscaping or fencing on adjacent property. (Ord. 2009-40, 11-24-2009)

Other Lots:
1. Front Yards: Lawn trees and other landscape elements are permitted but must be planted at least fifteen feet (15') back from the street line as measured to the point of the trees nearest the street line (figure 2 of this section).
2. Trees and other landscape elements planted closer than fifteen feet (15') from the street line shall be pruned at least seven feet (7') above the established grade of the road or not exceed thirty six inches (36") in height.

Fences: Fences located within a required residential front setback area shall not exceed thirty six inches (36") in height if sight obscuring, or forty eight inches (48") if non-obscuring, and shall meet all clear vision standards where applicable. (Ord. 2010-13, 7-27-2010)

Figure 1:

Staff is requesting input from the Commission on regulation to be evaluated for future inclusion in Title 11 of the Clearfield City code.

**SCHEDULE / TIME CONSTRAINTS**

Staff has been begun working on this and is anticipating specific language and a recommendation within the next 3-6 months.

**ATTACHMENTS**

Clear Vision corner examples:
- Current Standard 60 x 60
- 40 x 40 standard
- 30 x 30 standard
Clear Vision Driveway example
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, November 1, 2017
SUBJECT: Discussion on future changes to Title 11 - Lighting Regulations

RECOMMENDED ACTION
No action at this time. Staff is presenting these items for discussion with the Commission to evaluate steps forward in making necessary and appropriate changes to Title 11-13-17 regarding lighting.

DESCRIPTION / BACKGROUND
11-13-17 Lighting:

At the September 6, 2017 meeting of the Planning Commission staff presented an application which required a decision by the Planning Commission on lighting, which is typically a private matter between neighbors and does not progress to the level of public hearing and decision by the a public body. This process also has allowed staff to evaluate the criteria within our code to determine that there may be some need for clarification and more specific criteria relative to the regulation. Staff is bring this matter to the Commission for a discussion, in anticipation of changes in the coming months. Staff has also been able to research other codes to provide some detail and context for this discussion.

Current regulation is as follows:
A. Height Regulation: No light shall be higher than fifty feet (50') from finished grade, except that athletic field lights may be higher with approval of the planning commission through the site plan process.

B. Glare: All lights shall be so designed, located, shielded and directed so as to prevent the casting or glare or direct light from artificial illumination upon surrounding property and public roadways. Such lights alleged to violate this subsection by the adjacent property owners or planning and zoning administrator, shall be subject to a public hearing before the planning commission as to the validity of the alleged violation. If such light is determined to be in violation, the owner of said light shall take appropriate corrective action as directed. (Ord. 2009-40, 11-24-2009)

Staff is requesting input from the Commission on lighting standards and regulation to be evaluated for future inclusion in Title 11 of the Clearfield City code.

ALTERNATIVES
Failure to completing evaluate codes may open the city up for potential liabilities or inability to enforce laws that are vague or ambiguous. Staff is reviewing other municipal codes to find the proper regulations for lighting within the City.

SCHEDULE / TIME CONSTRAINTS
Staff has been begun working on this and is anticipating specific language and a recommendation within the next 3-6 month.