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, February 7th, 2018, 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: January 3rd, 2018

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Non-Public Hearings item:
1. Discussion and Possible Action - SP 1712-0001: A request by Gary Cassel, on behalf of Clear Blue Services, for Site Plan Approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure within the southeast corner of Steed Park. Location: approximately 1000 N 300 W (TIN: 140700022) Parcel Size: 19.27 acres. Zoning: P-F (Public Facilities). Planner: James Shoopman. (Administrative Matter)

Public Hearings item:
2. Public Hearing, Discussion and Possible Action - CUP SP 1712-0002: A request by Gary Cassel, on behalf of Clear Blue Services, for a Conditional Use Permit and Site Plan Approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure within the southeast corner of the parcel. Location: 1499 S State St (TIN: 09-022-0069) Parcel Size: 2.08 acres. Zoning: C-2 (Commercial). Planner: James Shoopman. (Administrative Matter)


5. Discussion and Possible Action – Clearfield City Council has requested Clearfield Planning Commission consider changes to the Planning Commission bylaws to allow for the inclusion of a youth commissioner to serve on the commission. This item was discussed with the Commission in January. Staff has incorporated suggested changes for the bylaws and is requesting action on the proposed changes. Planner: Spencer W. Brimley.

WORK SESSION ITEMS

1. Staff Discussion
2. Planning Commissioners’ Minute
3. Staff communications
**PLANNING COMMISSION MEETING ADJOURNED**

Dated this February 1st, 2018

/s/ James Shoopman, City Planner

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: Planning Commission

FROM: James Shoopman
City Planner
james.shoopman@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, February 7th, 2018

SUBJECT: Discussion and Possible Action, SP 1712-0001: A request by Gary Cassel, on behalf of Clear Blue Services, for Site Plan Approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure within the southeast corner of Steed Park

PROJECT SUMMARY

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<tr>
<td>General Plan-Land Use</td>
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<tr>
<td>Gross Site Area</td>
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</tbody>
</table>

BACKGROUND

Gary Cassel, on Behalf of Clearblue Services, is requesting approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure within the southeast corner of Steed Park.

The parcel is zoned P-F (Public Facilities) and is approximately 19.27 acres.

Communications towers and facilities are allowed as a use by right within the P-F zone district.

The lease site for the equipment will be approximately 2500 square feet with a monopole tower of not more than 75’ tall. There is no maximum permitted height for wireless communication towers within Clearfield City Code; rather there are yard requirements which limit the location’s proximity to surrounding residential zones and structures.

City Code 11-13-19E sets standards for yard requirements. The base of the tower to any adjoining residential structure must be at least 100% of the tower height plus 10 feet. At the proposed height of 75’ there will not be a conflict with this code requirement.
The base of the tower and equipment will be screened and protected within an 8’ high CMU enclosure. Staff recommends landscaping be installed to lessen the visual impacts of the enclosure.

ANALYSIS

General Plan and Zoning

Wireless Communication Towers are regulated through Clearfield City Code 11-13-19 within the “Supplementary Regulations” of Title 11. This section of the code identifies where wireless communication towers are permitted, conditionally permitted, and what types of towers are acceptable.

The request is for a new Wireless Communication Tower with a ground lease for a tower no taller than 75’ feet. This request is consistent with Clearfield City Code Title 11 and with the General Plan for the City, and does not pose any threat or impact to achieving the stated goals of that plan.

RECOMMENDATIONS

The request for a Site Plan approval for a ground lease area for a new Wireless Communication Tower is consistent with the City’s Land Use Ordinance, as this use is permitted within the P-F zoning district.

There have not been any public comments received for this item.

Staff encourages Planning Commission to APPROVE SP 1712-0002 upon the following conditions:

1) Submittal of landscape plans for effective screening of the proposed enclosure
2) Construction plans submitted for building permits shall conform with plans submitted for Site Plan approval.
3) 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.
4) Additional Planning Commission recommendations (if any)

MOTION

I move to APPROVE SP 1712-0001, a request by Gary Cassel, on behalf of Clearblue Services for Site Plan approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure, located within the southeast corner of Steed Park, based on the findings, discussion, and conditions as outlined in the Staff Report.
Zoning and Site Vicinity Maps
Site & Vertical Drawings
TO: Planning Commission

FROM: James Shoopman
City Planner
james.shoopman@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, February 7th, 2018

SUBJECT: Public Hearing, Discussion and Possible Action, CUP 1712-0002: A request by Gary Cassel, on behalf of Clear Blue Services, for a Conditional Use Permit to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure upon the parcel addressed as 1499 S State St.

Discussion and Possible Action, SP 1712-0002: A request by Gary Cassel, on behalf of Clearblue Services, for Site Plan Approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure upon the parcel addressed as 1499 S State St.

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<td>General Plan-Land Use</td>
</tr>
<tr>
<td>Gross Site Area</td>
</tr>
</tbody>
</table>

BACKGROUND

Gary Cassel, on Behalf of Clearblue Services, is requesting approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure within the southeast corner of a 2.08 acre property addressed as 1499 S State St. The property is owned by Brady & Antoinette Panter.

The parcel is zoned C-2 (commercial), and is approximately 2.08 acres.

Communications towers and facilities are allowed as a Conditional Use within the C-2 zone district.
The lease site for the equipment will be approximately 2500 square feet with a monopole tower of not more than 75’ tall. There is no maximum permitted height for wireless communication towers within Clearfield City Code; rather there are yard requirements which limit the location’s proximity to surrounding residential uses.

City Code 11-13-19E sets standards for yard requirements. The base of the tower to any adjoining residential zone or structure must be at least 100% of the tower height plus 10 feet. At the proposed height of 75 feet there will not be a conflict with this code requirement.

The base of the tower and equipment will be screened and protected within an 8’ high CMU enclosure.

ANALYSIS

General Plan and Zoning

Wireless Communication Towers are regulated through Clearfield City Code 11-13-19 within the “Supplementary Regulations” of Title 11. This section of the code identifies where wireless communication towers are permitted, conditionally permitted, and what types of towers are acceptable.

The request is for a new Wireless Communication Tower with a ground lease for a tower no taller than 75’. This request is consistent with Clearfield City Code Title 11 and with the General Plan for the City, and does not pose any threat or impact to achieving the stated goals of that plan.

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 detrimental impacts.

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>
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<tbody>
<tr>
<td><strong>DETERMINATION:</strong> 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 requested height and ground lease area for this commercial site is equivalent to a permitted use. Staff does not foresee any health, safety, or welfare issues at this site. There are no other unique impacts from this site that are assumed will occur, once the impacts are property mitigated.</td>
</tr>
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</table>

*1) Equivalent to Permitted Use: Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:*
a. The health, safety, and welfare of the City and its present and future inhabitants and businesses;
b. The prosperity of the City and its present and future inhabitants and businesses;
c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;
d. The tax base;
e. Economy in governmental expenditures;
f. The State’s agricultural and other industries;
g. The urban and nonurban development;
h. Access to sunlight for solar energy devices; or
i. Property values.

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.

This request is not expected to create any additional impact burden on the residents of Clearfield City.

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.

The proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values. It is a wireless communication tower in the C-2 zoning district. Conditions of approval are proposed to mitigate impact to the surrounding properties.

11-13-19I Additional Conditional Use Requirements:

<table>
<thead>
<tr>
<th>1. Compatibility</th>
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<tbody>
<tr>
<td>2. Collocation</td>
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<tr>
<td>3. Screening</td>
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<tr>
<td>4. Spacing</td>
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<tr>
<td>5. Negative Impacts</td>
</tr>
</tbody>
</table>

The request is compatible with the surrounding area, and is consistent with the conditions required by staff and the applicable ordinances. An 8’ CMU wall is proposed to screen and enclose the site. Staff recommends that landscaping be provided to lessen the visual impacts of the enclosure. The request does not impact tower spacing. The demand in this area has necessitated additional facilities for wireless communication. There are no additional negative outcomes foreseen with this use at this location.
RECOMMENDATIONS

The request for a Conditional Use Permit (CUP) for a ground lease area for a new Wireless Communication Tower is consistent with the City’s Land Use Ordinance as this use is permitted with an approved CUP in the C-2 (Commercial) zoning district.

There have not been any public comments received for this item.

Staff encourages Planning Commission to APPROVE CUP 1712-0002 and SP 1712-0002 upon the following conditions:

1) Submittal of landscape plans for effective screening of the proposed enclosure
2) Construction plans submitted for building permits shall conform with plans submitted for CUP and Site Plan approval.
3) 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.
4) Additional Planning Commission recommendations (if any)

MOTION

I move to APPROVE CUP 1712-0002, a request by Gary Cassel, on behalf of Clearblue Services for a Conditional Use Permit to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure, located at 1499 S State St (TIN: 09-022-0069), based on the findings, discussion, and conditions as outlined in the Staff Report.

MOTION

I move to APPROVE SP 1712-0002, a request by Gary Cassel, on behalf of Clearblue Services for Site Plan approval to erect a 75’ monopole communications tower within a 50’ x 50’ enclosure, located at 1499 S State St (TIN: 09-022-0069), based on the findings, discussion, and conditions as outlined in the Staff Report.
TO: Clearfield City Planning Commission  
FROM: Spencer W. Brimley, Development Services Manager  
MEETING DATE: Wednesday, February, 7th 2018  
SUBJECT: G4 Complete Entertainment Family Entertainment Center: Amusement and Recreation Facility (CUP) – 1400 E 700 S (TIN: 09-411-0003)

OBJECTIVE
Review the application for compliance with Clearfield City code and approved the proposed amusement and recreation facility use for the site located at 1400 E 700 S (TIN: 09-411-0003).

RECOMMENDED ACTION
Staff is recommending approval of the amusement and recreation use for the property located at 1400 E 700 S (TIN: 09-411-0003).

DESCRIPTION / BACKGROUND
The parcel is zoned Commercial (C-2) and has existing parking and landscaping. Except for basic façade improvements, the exterior of the building will not be changed for the proposed intended use. The interior of the building will be changed to allow for the amusement uses proposed for the building.

G4 Complete Entertainment Family Entertainment Center business plan states that it is anticipated to be one of the leaders in the family entertainment business. The mission of G4 is to bring accelerated fun to the neighborhoods they are a part of and every guest they serve.

Guests can enjoy go-karts, arcade games, laser tag, and mini golf, along with many other exciting options that will occupy the facility. They will also have a full-service restaurant and bar offering casual restaurant options, along with all of the expected, and some unexpected, drink options. The service of alcohol at this location is allowed within our code, however this will require licensing and approval through the state DABC.

GENERAL STANDARDS

Conditional Use Permit Review
Clearfield Land Use Ordinance §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:

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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.

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<th>Equivalent to Permitted Use: Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:</th>
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<td>g. The urban and nonurban development;</td>
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<td>h. Access to sunlight for solar energy devices; or</td>
</tr>
<tr>
<td>i. Property values.</td>
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The request is for an amusement and recreation facility business within an established commercial building. Staff does not anticipate any negative impacts from the business or its operation. The impacts from the business would not exceed those of a permitted use.

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The proposed use of the property does not create any hazards or detrimental impacts that require mitigation. There will not be any additional impacts to neighborhoods land uses or city services.
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<th>3)</th>
<th><strong>Conform to the Objectives of the General Plan</strong>: 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.</th>
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<td>The proposed use does not limit the effectiveness of land use controls or the success of the General Plan. The proposed use is not anticipated to promote blight or injure property values. The proposed use will provide for a new use within the City for entertainment, and is anticipated to bring patrons to the City.</td>
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</table>

**LIST OF ATTACHMENTS**

- Interior proposed programming/operation
To: Clearfield City Planning Commission
From: Spencer W. Brimley, Development Services Manager
Meeting Date: Wednesday, February 7, 2018
Subject: Alpine Church (CUP) – 848 W 1600 S (TIN: 12-854-0025)

Objective
Determine if the proposed use for a church meets the requirements outlined in the Conditional Use Permit section of the Clearfield City Code, as outlined in Title 11 Chapter 4.

Recommended Action
Staff is recommending approval of the proposed church use on the property located at 1600 S 848 W (TIN: 12-854-0025).

Description / Background
The parcel is zoned Commercial (C-2) and was recently developed by Let Them Be Kids as an expansion to their existing facility. The proposal for a church is consistent with the zoning, but required a conditional use permit (CUP) to determine if there are factors to be mitigated, in order to allow the use to be located on the property.

The exterior of the building will not be changed, neither will the interior of the building. Alpine Church is proposing to use a portion of the building for their Sunday services, until such time that they are able to construct a new facility. They will bring in chairs for services, as needed, but their use of the building will not require any additional construction.

Since this is an existing developed site, staff will evaluate parking for the use and whether there are any issue that need to be mitigated with the proposal. Parking for churches requires 1 space per 150 SF or fraction thereof. Staff has evaluated the proposed 2,450 SF to be used by the church and finds a requirement of 16.3 spaces. The site has 25 stalls, with another 11 available to the west. Let Them Be Kids has cross access and parking agreements between their two sites. The applicant, based on the parking code, has enough parking for the described use, and will not be allowed to park on the street in violation of the Clearfield Parking regulations found in §7-3.

General Standards
Conditional Use Permit Review
Clearfield Land Use Ordinance §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:

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<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</td>
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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.

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The request is for Alpine Church to be located within an established commercial building. This is a use that is compatible with adjacent properties, and is proposed by the applicant to operate in the off hours from the typical commercial and retail business in this area. Applicant has indicated this is temporary use for the property while they locate a final place to develop their own building.

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<td>Uses of this nature can create a negative impact or burden specific to parking for the patrons and surrounding businesses or residents. Parking for the site is based on the specific calculations described above, and are not anticipated to create a negative impact or burden. Let Them Be Kids, Alpine Church</td>
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<td>3) 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.</td>
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**LIST OF ATTACHMENTS**

- Site Plan – building usage
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, February 7, 2018
SUBJECT: Amendments to Planning Commission by-laws – Youth Commissioner

RECOMMENDED ACTION

Approve amendments to Planning Commission by-laws to allow youth commissioner to serve as a member of the Planning Commission.

DESCRIPTION / BACKGROUND

The Clearfield City Council has expressed a desire and interest to include, as a part of the Planning Commission, a “youth commissioner”. These participants would be held to the same standard as other commissioners, relating to duties and attendance. Proposed changes have been attached to this document for the commission’s and council’s review.

This item was discussed with the Planning Commission at their regular January 2018 meeting. The commission requested the item be tabled until staff can address the concerns voiced. Additionally, it was decided that this item would be brought for discussion with the Council and Commission in a joint work session. Below, staff has included the objectives discussed by the Council at a work session meeting on December 5th and Planning Commission discussion from the January 6th meeting.

Items from PC Discussion from 1/3/2018 PC Meeting:

1. Set age for service - 16+ limit to two terms as youth commissioner / none for alternate.
   a. Included in by-laws
2. Allow for 1 youth alternate, limited to service in the absence of the primary youth member. In the event of both youth being absent an adult alternate may serve.
   a. Make sure that only one youth at a time would be permitted to serve (either a full member or an alternate, not both on the commission)
   b. Included in by-laws
3. Tighten up the language so it is clear who is covered by which section - adult commission member / youth commission member / adult alternate member / youth alternate member.
   a. Staff is looking for clarification on this matter. Is this something that is still a concern?
4. Add a comment that while 18+ youth commissioners are no longer eligible to serve on the commission as a youth member, meeting the adult qualifications would allow them to serve in that capacity.
   a. Language has been added to address this item, however staff did not include language for duly qualified electors at 18, since the language already exists.
5. Youth given too much power over decisions that are made by the Commission
   a. Learning position is more appropriate than a voting position
   b. The ability of the youth to vote on these issues, they cannot vote themselves.
— **Staff is seeking clarification on what the Council and PC would like to do for the authority of the Youth Commissioner. There seems to be a difference on this one item.**

**Council objectives from 12/5/2017 work session:**

1. **Include youth as a member of the PC**
   — Included in by-laws
2. **Junior or Senior in high school to participate**
   — Drafted as minimum 16 and aged out at 18.
3. **Individual would have voting rights**
   — As drafted, the youth commissioner would have voting rights. However, this issue seemed to be of concern to multiple PC members.
4. **Commissioner to function as an alternate that could fill-in for regular members**
   — As drafted, an alternate youth commissioner can fill in for a youth commissioner only, but a qualified electoral commissioner can fill in for the regular or youth commissioner if the alternate youth commissioner is unavailable. As drafted, there can only be one vote casted by a youth commissioner or alternate youth commissioner, but never both.
5. **Wants a member of the youth commission on every board in the City, a voting member (Mayor)**
   a. Interview them the same way we would anyone else.
   b. Mayor/Council discussion wanted a seat on the PC to belong to a youth (Junior/Senior)
   — Clarification on this matter is also needed. Is there a consensus on how the bodies would like to proceed with this?

Each of the items listed above have been addressed however, there is need to clarify and/or receive additional direction on the items that are shown in red.

**IMPACTS**

a. **FISCAL**

   i. Because we are not proposing to increase the number of commissioners there is not fiscal impact with the proposed changes.

**LIST OF ATTACHMENTS**

- Planning Commission by-laws with drafted changes
- Planning Commission by-laws clean version
CLEARFIELD CITY PLANNING COMMISSION RULES
AND REGULATIONS
(Rev. 11-2-2014-172-2018)

Article 1: Planning Commissioners, Youth Commissioner, and Alternate Commissioners
Officers, and Duties

A. Planning Commissioners
   and Alternates and Youth Commissioners

   1. Number of Commissioners:
      a. The City will attempt at all times to have seven Qualified Elector Commissioners, six Qualified Elector Commissioners, six Qualified Elector Commissioners, and a single Youth Commissioner.

   2. Appointment:
      a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the commissioners and two alternate members shall be appointed by the Mayor, subject to the advice and consent of the City Council pursuant to Title 3, Chapter 2 of the Clearfield City Code.

B. Qualified Elector Commissioners:

   1. Qualified Elector Commissioners:
      a. A minimum of six Qualified Elector Commissioners shall be appointed to the Planning Commission.

   2. Appointment:
      a. Pursuant to Clearfield City Code, Title 3, Chapter 2, a minimum of six Qualified Elector Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

   3. Minimum Qualifications:
      a. Qualified Elector Commissioners must reside within the jurisdictional boundaries of the City.
      b. Qualified Elector Commissioners shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of the City. Commissioners and alternates must be duly qualified electors residing within the City.

   4. Length of Appointment:
      a. Qualified Elector Commissioners are appointed for five year terms.

   5. Unexpired Terms of Appointment:
      a. Should a commissioner or alternate no longer be able to fulfill their duties or

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responsible during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council, may appoint an alternative commissioner, or any other qualified individual shall be appointed to fulfill the unexpired portion of the term.

6. Oath of Office:

a. Both duly appointed Commissioners and alternates shall take the oath of office prior to sitting on the Planning Commission.

Alternate members of the Planning Commission are under the same standards for attendance of meetings as are regular members of the Commission. Although alternate members do not vote on or participate in the deliberation of issues as regular Commissioners unless the alternate member is filling the position of a regular member due to absence, excused or otherwise, during that meeting, alternate members may of course address the Commission on issues when appropriate as would the general public or other residents. When an alternate member is sitting as a regular member of the Planning Commission due to an absence, then that alternate member assumes all of the duties and responsibilities of a regular member during that meeting. However, time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Commission for the purpose of qualifying to serve as the Chairperson.

2. Of the seven regular members there will be a youth commissioner who shall be appointed by the Mayor subject to the advice and consent of the City Council pursuant to Title 3, Chapter 2 of the Clearfield City Code. Commissioners must reside within the City for a period of more than 6 months in a 12 month period. Commissioners are appointed for a one year term with a limit of two terms. Should a Commissioner no longer be able to fulfill his or her responsibilities during the term of appointment due to circumstances beyond his or her control, then another qualified individual shall be appointed to fulfill the unexpired portion of the term. Duly appointed Commissioners shall take the oath of office prior to sitting on the Planning Commission.

C. Youth Commissioner

1. Youth Commissioner:

a. A single Youth Commissioner may be appointed to the Planning Commission as one of the seven total commissioners.

2. Appointment:

a. Pursuant to Clearfield City Code, Title 3, Chapter 2, a single Youth Commissioner may be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:

a. The Youth Commissioner shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of
the City.
b. The Youth Commissioner is not required to be a duly qualified elector.
c. The Youth Commissioner must be at least sixteen of age and less than eighteen years of age on the date of appointment.
d. The Youth Commissioner must primarily (greater than fifty-percent) reside within the jurisdictional boundary of the City during the term of appointment.

4. Length of Appointment:
   a. The term of a youth commissioner appointment shall be no greater than twenty-four months.
   b. A Youth Commissioner may not serve as a Youth Commissioner past the age of eighteen.

5. Unexpired Terms of Appointment:
   a. Should a Youth Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council may elect to appoint an alternate Qualified Elector Commissioner, Alternate Youth Commissioner, a new Youth Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. A duly appointed Youth Commissioner shall take the oath of office prior to sitting on the Planning Commission.

D. Alternate Commissioners

1. Number of Alternate Commissioners:
   a. The City should attempt at all times to have four appointed Alternate Commissioners, three of which that are Alternate Qualified Electors, and one that is an Alternate Youth Commissioner.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the four Alternate Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. In addition to those qualities determined by the Mayor and City Council to be in the best interest of the City, three of the Alternate Commissioners must be duly qualified electors residing within the City, and the fourth should be an Alternate Youth Commissioner residing within the City.

4. Length of Appointment:
   a. Alternate Commissioners are appointed for the following lengths of term:  
      (i) Alternate Qualified Electors are appointed for five year terms.
      (ii) Alternate Youth Commissioners may be appointed for up to twenty-four months.
5. Unexpired Terms of Appointment:
   a. Should an Alternate Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council may elect to appoint an Alternate Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. Duly appointed Alternate Commissioners shall take the oath of office prior to sitting on the Planning Commission.

7. Miscellaneous
   a. Although Alternate Commissioners do not vote on or participate in the deliberation of issues as regular commissioners unless the alternate member is filling the position of a regular member due to absence, excused or otherwise, during that meeting, alternate members may of course address the Planning Commission on issues when appropriate as would the general public or other residents.

   b. When an Alternate Commissioner is sitting as a regular member of the Planning Commission due to an absence, then that Alternate Commissioner assumes all of the duties and responsibilities of a regular Commissioner during that meeting.

   c. An Alternate Youth Commissioner may only sit as a participating Youth Commissioner of the Planning Commission due to the absence of a Youth Commissioner. Under no circumstances shall there be more than a single Youth Commissioner sitting as a voting member of the Planning Commission in any meeting.

   d. In the event that both the Youth Commissioner and the Alternate Youth Commissioner is absent or otherwise unable to assume their duties as a voting participant of the Planning Commission, an Alternate Qualifying Electoral Commissioner may fill the vacant Youth Commissioner position.

II-E. Attendance Requirements for Planning Commissioners, Youth Commissioner, and Alternative Commissioners:

1. Commissioners, Youth Commissioners, and Alternate Commissioners are expected to attend Planning Commission meetings regularly. Any both regular members, and alternate and youth commission members may be removed by the City Council for cause, including but not limited to, a poor attendance record.

2. Pursuant to Title 3, Chapter 2, Section 8 of the Clearfield City Code, any member of the Planning Commission may be removed for three consecutive unexcused absences.
F. Election of Chairperson and Vice-Chairperson
C. Election of Chairperson and Vice-Chairperson.

1. Selection Process:
   a. The Planning Commission shall annually elect a Chairperson and Vice-Chairperson at the first regularly scheduled meeting in January by majority vote after taking nominations from the body.

2. Term as Chairperson or Vice-Chair:
   a. The term will be for a period of one year, with a maximum of five consecutive terms.

3. Unexpired Term of Chairperson or Vice-Chair:
   a. If the Chairperson is no longer able to fulfill the responsibilities of their position, for any reason other than death, resignation, removal, or disqualification, etc., the Vice-Chairperson shall serve as the acting Chair until a new Chairperson is elected by the body to fulfill the remaining portion of the Chair’s unexpired term.
   b. The Planning Commission need not wait until the annual election in January in order to replace a Chairperson that has resigned, been removed or disqualified, etc.
   c. If the vice-chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the chairperson shall select an acting vice-chair until a new vice-chairperson is elected by the body to fulfill the remaining portion of the vice-chair’s unexpired term.
   d. The Planning Commission need not wait until the annual election in January in order to replace a vice-chairperson.

4. Minimum Qualifications:
   a. Chairperson
      i. A Commissioner must serve on the Planning Commission for at least one year before being eligible to be elected as the Chairperson.
      ii. Time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Planning Commission for the purpose of qualifying to serve as the chairperson.
      iii. A Youth Commissioner is not eligible to serve as the chairperson.
      iv. Time appointed as the Youth Commissioner may count for the one year of prior service before being eligible to be elected as the chairperson.

   b. Vice-Chairperson
      i. All Commissioners, except a Youth Commissioner, are eligible to serve as the Vice-Chairperson.

   2. A commissioner appointed to serve as a youth commissioner, shall not be selected or permitted to serve as chairperson or vice-chairperson of the commission.
G. Duties of the Chairperson.

D. The Chairperson has the following duties and responsibilities:

1. To preside at all meetings of the Planning Commission and provide general direction for the meetings;

2. To call the Planning Commission to order and proceed with the order of business;

3. To announce the business before the Planning Commission in the order in which it is to be acted upon;

4. To receive and submit, in the proper manner, all motions and propositions presented by the members of the Planning Commission;

5. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the result thereof;

6. To inform the Planning Commission, when necessary or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty the Chair shall have the right to call upon Legal Counsel for advice.

7. To authenticate by signature when necessary or when directed by the Planning Commission, all acts, orders, and proceedings of the Planning Commission;

8. To maintain order at meetings of the Planning Commission;

9. To move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meeting; and

10. Recognize speakers and Commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures.
11. The Chair will remain impartial on issues and not participate in the voting process unless called upon to break a tie-vote or if the Chair’s vote is necessary in order to have a quorum.

12. It is recommended that the Chair attend the any staff plan review meeting.

H. Vice-Chairperson

When the chairperson is absent, the Vice-chairperson assumes the duties and responsibilities of the Chair for that meeting.

I. Chairperson Pro-Tem

In extraordinary cases where both the Chairperson and Vice-Chairperson are absent from the meeting or hearing, the remainder of the Commissioners shall elect a Chairperson Pro-Tem, by majority vote, to act as the Chair for that meeting. A Youth Commissioner shall not be permitted to serve as Chair Pro-Tem, even by majority vote.

J. Gifts and Favors

Gifts, favors, or advantages must not be accepted if they are offered because the receiver holds a position of public responsibility. It is very important that Planning Commissioners are fair and impartial in their dealings with the public and that they serve all citizens equally. It is not enough to avoid favoritism. They should strive to avoid even the appearance of giving preference to one citizen or business over any other.

K. Treatment of Information

It is important to discriminate between planning information that belongs to the public and planning information that does not:

1. Reports and official records of a public planning agency must be open on equal basis to all inquiries.

2. Information considered private, controlled, or protected, that is learned in the course of performing planning duties, must be treated in confidence if specifically requested by the applicant. Such information becomes public when an application for official action, such as a change in zone classification or approval of a plat is submitted.

3. Pre-arranged private meetings between a Planning Commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information or communications on any application received by a Planning Commissioner, whether by mail, telephone, or other communication, shall be made part of the public record.
Article 2: Staff of the Planning Commission Staff and Their Duties.

A. Community Development Department Office

Serve as staff of the Planning Commission and Chief Administrative Officers regarding planning, development, and redevelopment; coordinate and supervise work by staff; prepare all documents for presentation to the Planning Commission; assist the Chairperson and secretary of the Planning Commission in the exercise of duties.
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

B. Secretary

Assure the construction and maintenance of the public record; record the proceedings of all hearings and meetings; prepare the minutes of the meetings as necessary; prepare and distribute agenda.

C. Legal Counsel

C. The City Attorney, or designee, should serve as legal counsel; prepare memoranda of law as requested by the Planning Commission; review drafts of ordinances, resolutions, and guideline amendments regarding planning and development.

Article 3: Meetings of the Commission

A. Place

A. All meetings of the Planning Commission shall be held in the Clearfield City Council Chambers, 55 South State Street, Clearfield, Utah (Third Floor) or at such other place in Clearfield City as the Planning Commission may designate.

B. Agenda Setting

B. The Chairperson may change the order of the business or consider matters out of order, if there is no objection from any member of the Planning Commission, or by a majority vote of the Planning Commission.

C. Regular Meetings

C. Regular meetings of the Planning Commission are anticipated to be held once a month, typically the first Wednesday of each month or at the request of the Chair when necessary and after properly noticed. All noticed official meetings are open to the public. The purpose is to obtain information, deliberate, and vote on specific matters. Written and recorded minutes will be kept.

D. Work Meetings

D. Work meetings shall be held at such a time when needed. Work sessions are noticed, official meetings open to the public to discuss specified matters. The intent of the work meeting is informational. The Planning Commission may not take any formal action or vote during such work meetings. A record will be kept stating the date and general items that are discussed.

E. Public Hearings
A noticed official meeting, the express and limited purpose of which is to provide an opportunity for the public to offer input. The Planning Commission may not vote during the hearing.

F. Field Trips

A noticed official meeting, open to the public, for the purpose of visiting specific sites. Public comment may be taken, but the Planning Commission will take no vote or formal action during the field trip.

G. Training Meetings

A noticed official meeting, open to the public, for the purpose of training Planning Commissioners.

Article 4: Form and Character of Motions

A. Making of Motions

Upon review of the full public record pertaining to an application or request and following due deliberation among the members of the Planning Commission, any member of the Planning Commission, except the chairperson, may make a motion. The motion shall include not only the direction of the motion, but also specific findings, conditions as applicable, denial, and also the recitation of specific findings supporting such motion.

B. Second to the Motion Required

A second to the motion shall be required for each motion citing compatible findings. A motion shall die in the absence of a second.

C. Withdrawing a Motion

After a motion has been seconded, it shall be deemed in the possession of the Planning Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commission.

D. Motion to Table

A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter, and whenever possible, a specific date to re-hear the matter should be scheduled.
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

E. Amending Motions

When a motion is pending before the Planning Commission, any member may suggest an amendment, at any time prior to the final vote, in order to amend the stated motion. The author and the second may choose whether or not to accept the amendment.

F. Substitute Motions

A substitute motion, which when seconded serves to replace the original motion, may be made prior to a vote on the original motion.

G. To Rescind a Motion

A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Planning Commission’s action on the motion.

H. To Reconsider a Motion

To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Planning Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

I. Motion to Close Hearings

When the Planning Commission is acting in a quasi-judicial capacity as an appeal authority pursuant to the City Code or state statute, the deliberation portion of a hearing may be closed if authorized by law. In order to close a portion of a hearing for deliberation by the body, a motion shall be made by a commissioner, excluding the youth commissioner, to do so prior to discussion and voting on the matter. Open meetings may only be closed pursuant to Utah law and legal counsel should be consulted prior to doing so.

J. Motion to Recess

A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

K. Motion to Adjourn

A motion to adjourn the meeting shall be made at the end of each meeting. No second is required to the motion to adjourn.

Article 5: Quorum and Voting Requirements

A. Majority Required

A majority of the seven (7) appointed Planning Commission members, which may include alternate members and the Chair when an otherwise insufficient number of regular commissioners are present, shall constitute a quorum for all hearings and meetings. Ex-officio may not be counted as part of the quorum. The voting body shall include a minimum of four (4), but no more than seven (7) members. At least four (4) votes are required to carry a motion or take any official action. If only four (4) members are present, the voting must be unanimous in order for the motion to carry.

B. Tie-Votes

Tie-votes shall be broken by the Chairperson casting a vote.

C. Abstention from Voting

A Commissioner should abstain from deliberation or consideration of an issue when a conflict prevents that Commissioner from being completely fair, unbiased and deciding an issue based wholly on the merits. Abstention from voting shall not be counted in the determination of the motion, but shall be noted on the record.

Article 6: Requirements for Submission of Requests

A. Forms
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

A. The Planning Commission shall adopt standard forms for the submission of requests, and these forms shall include advance time requirements.

B. Completion of Forms

B. The Planning and Zoning Administrator shall certify the completeness, or lack thereof, of all requests.

C. Items Scheduled

Upon a complete submittal and full review, the request(s) will be scheduled for the next available Planning Commission Meeting, after assuring required public notification has been completed.
Article 7: Administrative Calendar

A. Public Notice
   - Notice for all public hearings, work sessions, and regular meetings shall conform to requirements of the Utah Code.

B. Yearly Meeting Schedule
   - The regular meeting schedule for the next calendar year shall be determined at a meeting of the Planning Commission in November.

C. Annual Meeting
   - The Planning Commission shall have an annual public meeting to review the work of the previous year and decide the work program for the coming year and to elect officers for the coming year as necessary.

Article 8: Conduct of Members of the Planning Commission

A. Meeting Preparation
   - Members of the Planning Commission shall take such time as necessary to prepare themselves for hearings and meetings.

B. Conflict of Interest
   - A Planning Commissioner to whom some private benefit may come as the result of a Planning Commission action shall not participate in that action.

1. The private benefit may be direct or indirect, create a material or personal gain, or provide an advantage to relations, friends, or to groups and associations which hold some share of a person’s loyalty. However, membership itself in a group or organization shall not be considered a conflict of interest as to Planning Commission action concerning such group unless a reasonable person would conclude that such membership by itself would prevent an objective consideration of the matter.

2. A Planning Commissioner experiencing a conflict of interest shall declare that interest publicly on the record in the meeting where the item or issue creating the conflict will be under consideration. If a conflict of interest is of such a degree that a Commissioner will be unable to fairly consider the issue based wholly on the merits and offer an unbiased position on the matter, then that Commissioner must abstain from voting on the action and shall be excused from the dais during discussion and consideration of that issue. That Commissioner shall not discuss the matter privately with any other Commissioner. An alternate member of the Planning Commission may take the place of a regular Commissioner when the Commissioner has been
recused for that issue.

No planning official shall engage in any transaction in which the official has a financial interest, direct or indirect, with the agency or jurisdiction that the official serves unless the transaction is disclosed publicly and determined to be lawful.

3.

**Article 9: Adoption and Amendment of Guidelines**

A. Legal Review

Guideline adoption or amendment may only be made following review by legal counsel to the Planning Commission.

B. Majority Vote

The Planning Commission guidelines shall be adopted or amended upon a vote of a majority plus one of the appointed members. Such shall take effect immediately after successful vote to adopt or amend.
CLEAN VERSION
Article 1: Planning Commissioners, Youth Commissioner, and Alternate Commissioners

A. Planning Commissioners

1. Number of Commissioners:
   a. The City will attempt at all times to have seven appointed commissioners, six Qualified Elector Commissioners, and a single Youth Commissioner.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

B. Qualified Elector Commissioners:

1. Qualified Elector Commissioners:
   a. A minimum of six Qualified Elector Commissioners shall be appointed to the Planning Commission.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, a minimum of six Qualified Elector Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. Qualified Elector Commissioners must reside within the jurisdictional boundaries of the City.
   b. Qualified Elector Commissioners shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of the City.

4. Length of Appointment:
   a. Qualified Elector Commissioners are appointed for five year terms.

5. Unexpired Terms of Appointment:
   a. Should a commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council, may elect to appoint an alternative commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. Duly appointed commissioners shall take the oath of office prior to sitting on the Planning Commission.
C. Youth Commissioner

1. Youth Commissioner:
   a. A single Youth Commissioner may be appointed to the Planning Commission as one of the seven total commissioners.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, a single Youth Commissioner may be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. The Youth Commissioner shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of the City.
   b. The Youth Commissioner is not required to be a duly qualified elector.
   c. The Youth Commissioner must be at least sixteen of age and less than eighteen years of age on the date of appointment
   d. The Youth Commissioner must primarily (greater than fifty-percent) reside within the jurisdictional boundary of the City during the term of appointment.

4. Length of Appointment:
   a. The term of a youth commissioner appointment shall be no greater than twenty-four months.
   b. A Youth Commissioner may not serve as a Youth Commissioner past the age of eighteen.

5. Unexpired Terms of Appointment:
   a. Should a Youth Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council may elect to appoint an alternate Qualified Elector Commissioner, Alternate Youth Commissioner, a new Youth Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. A duly appointed Youth Commissioner shall take the oath of office prior to sitting on the Planning Commission.

D. Alternate Commissioners

1. Number of Alternate Commissioners:
   a. The City should attempt at all times to have four appointed Alternate Commissioners, three of which that are Alternate Qualified Electors, and one that is an Alternate Youth Commissioner.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the four Alternate
Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. In addition to those qualities determined by the Mayor and City Council to be in the best interest of the City, three of the Alternate Commissioners must be duly qualified electors residing within the City, and the fourth should be an Alternate Youth Commissioner residing within the City.

4. Length of Appointment:
   a. Alternate Commissioners are appointed for the following lengths of term:
      (i) Alternate Qualified Electors are appointed for five year terms.
      (ii) Alternate Youth Commissioners may be appointed for up to twenty-four months.

5. Unexpired Terms of Appointment:
   a. Should an Alternate Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, with the advice and consent of the City Council may elect to appoint an Alternate Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. Duly appointed Alternate Commissioners shall take the oath of office prior to sitting on the Planning Commission.

7. Miscellaneous
   a. Although Alternate Commissioners do not vote on or participate in the deliberation of issues as regular commissioners unless the alternate member is filling the position of a regular member due to absence, excused or otherwise, during that meeting, alternate members may of course address the Planning Commission on issues when appropriate as would the general public or other residents.

   b. When an Alternate Commissioner is sitting as a regular member of the Planning Commission due to an absence, then that Alternate Commissioner assumes all of the duties and responsibilities of a regular Commissioner during that meeting.

   c. An Alternate Youth Commissioner may only sit as a participating Youth Commissioner of the Planning Commission due to the absence of a Youth Commissioner. Under no circumstances shall there be more than a single Youth Commissioner sitting as a voting member of the Planning Commission in any meeting.

   d. In the event that both the Youth Commissioner and the Alternate Youth Commissioner is absent or otherwise unable to assume their duties as a voting participant of the Planning Commission, an Alternate Qualifying Electoral
Commissioner may fill the vacant Youth Commissioner position.

E. **Attendance Requirements for Planning Commissioners, Youth Commissioner, and Alternative Commissioners**

1. Commissioners, Youth Commissioners, and Alternate Commissioners are expected to attend Planning Commission meetings regularly. Any commissioner may be removed by the City Council for cause, including but not limited to, a poor attendance record.

2. Pursuant to Title 3, Chapter 2, Section 8 of the Clearfield City Code, any member of the Planning Commission may be removed for three consecutive unexcused absences.

F. **Election of Chairperson and Vice-Chairperson**

1. **Selection Process:**
   a. The Planning Commission shall annually elect a chairperson and vice-chairperson at the first regularly scheduled meeting in January by majority vote after taking nominations from the body.

2. **Term as Chairperson or Vice-Chair:**
   a. The term will be for a period of one year, with a maximum of five consecutive terms.

3. **Unexpired Term of Chairperson or Vice-Chair**
   a. If the chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the vice-chairperson shall serve as the acting chair until a new chairperson is elected by the body to fulfill the remaining portion of the chair’s unexpired term.
   b. The Planning Commission need not wait until the annual election in January in order to replace a chairperson.
   c. If the vice-chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the chairperson shall select an acting vice-chair until a new vice-chairperson is elected by the body to fulfill the remaining portion of the vice-chair’s unexpired term.
   d. The Planning Commission need not wait until the annual election in January in order to replace a vice-chairperson.

4. **Minimum Qualifications:**
   a. **Chairperson**
      (i) A commissioner must serve on the Planning Commission for at least one year before being eligible to be elected as the chairperson.
      (ii) Time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Planning Commission for the purpose of qualifying to serve as the chairperson.
      (iii) A Youth Commissioner is not eligible to serve as the chairperson
      (iv) Time appointed as the Youth Commissioner may count for the one year of prior service before being eligible to be elected as the chairperson.
b. Vice-Chairperson
   i. All commissioners, except a Youth Commissioner is eligible to serve as the vice-chairperson.

G. Duties of the Chairperson

The Chairperson has the following duties and responsibilities:

1. To preside at all meetings of the Planning Commission and provide general direction for the meetings;

2. To call the Planning Commission to order and proceed with the order of business;

3. To announce the business before the Planning Commission in the order in which it is to be acted upon;

4. To receive and submit, in the proper manner, all motions and propositions presented by the members of the Planning Commission;

5. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the result thereof;

6. To inform the Planning Commission, when necessary or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty the Chair shall have the right to call upon Legal Counsel for advice.

7. To authenticate by signature when necessary or when directed by the Planning Commission, all acts, orders, and proceedings of the Planning Commission;

8. To maintain order at meetings of the Planning Commission;

9. To move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meeting; and

10. Recognize speakers and commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures.

11. The chair will remain impartial on issues and not participate in the voting process unless called upon to break a tie-vote or if the chair’s vote is necessary in order to have a quorum.

12. It is recommended that the chair attend the staff plan review meeting.

H. Vice-Chairperson

When the chairperson is absent, the vice-chairperson assumes the duties and responsibilities of the chair for that meeting.

I. Chairperson Pro-Tem
In extraordinary cases where both the chairperson and vice-chairperson are absent from the meeting or hearing, the remainder of the commissioners shall elect a chairperson pro-tem, by majority vote, to act as the chair for that meeting. A Youth Commissioner shall not be permitted to serve as chair pro-tem.

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It is important to differentiate between planning information that belongs to the public and planning information that does not:

1. Reports and official records of a public planning agency must be open on equal basis to all inquiries.

2. Information considered private, controlled, or protected, that is learned in the course of performing planning duties, must be treated in confidence if specifically requested by the applicant. Such information becomes public when an application for official action, such as a change in zone classification or approval of a plat is submitted.

3. Pre-arranged private meetings between a commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information or communications on any application received by a commissioner, whether by mail, telephone, or other communication, shall be made part of the public record.

Article 2: Planning Commission Staff Duties

A. Community Development Office

Serve as staff of the Planning Commission and Chief Administrative Officers regarding planning, development, and redevelopment; coordinate and supervise work by staff; prepare all documents for presentation to the Planning Commission; assist the chairperson and secretary of the Planning Commission in the exercise of duties.

B. Secretary

Assure the construction and maintenance of the public record; record the proceedings of all hearings and meetings; prepare the minutes of the meetings as necessary; prepare and distribute agenda.

C. Legal Counsel

The City Attorney, or designee, should serve as legal counsel; prepare memoranda of
law as requested by the Planning Commission; review drafts of ordinances, resolutions, and guideline amendments regarding planning and development.

**Article 3: Meetings of the Commission**

A. **Place**

All meetings of the Planning Commission shall be held in the Clearfield City Council Chambers, 55 South State Street, Clearfield, Utah (Third Floor) or at such other place in Clearfield City as the Planning Commission may designate.

B. **Agenda Setting**

The chairperson may change the order of the business or consider matters out of order, if there is no objection from any member of the Planning Commission, or by a majority vote of the Planning Commission.

C. **Regular Meetings**

Regular meetings of the Planning Commission are anticipated to be held once a month, typically the first Wednesday of each month or at the request of the chair when necessary and after properly noticed. All noticed official meetings are open to the public. The purpose is to obtain information, deliberate, and vote on specific matters. Written and recorded minutes will be kept.

D. **Work Meetings**

Work meetings shall be held at such a time when needed. Work sessions are noticed, official meetings open to the public to discuss specified matters. The intent of the work meeting is informational. The Planning Commission may not take any formal action or vote during such work meetings. A record will be kept stating the date and general items that are discussed.

E. **Public Hearings**

A noticed official meeting, the express and limited purpose of which is to provide an opportunity for the public to offer input. The Planning Commission may not vote during the hearing.

F. **Field Trips**

A noticed official meeting, open to the public, for the purpose of visiting specific sites. Public comment may be taken, but the Planning Commission will take no vote or formal action during the field trip.

G. **Training Meetings**

A noticed official meeting, open to the public, for the purpose of training planning
commissioners.

**Article 4: Form and Character of Motions**

A. **Making of Motions**

Upon review of the full public record pertaining to an application or request and following due deliberation among the members of the Planning Commission, any member of the Planning Commission, except the chairperson, may make a motion. The motion shall include not only the direction of the motion, but also specific findings, conditions as applicable, denial, and also the recitation of specific findings supporting such motion.

B. **Second to the Motion Required**

A second to the motion shall be required for each motion citing compatible findings. A motion shall die in the absence of a second.

C. **Withdrawing a Motion**

After a motion has been seconded, it shall be deemed in the possession of the Planning Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commission.

D. **Motion to Table**

A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter, and whenever possible, a specific date to re-hear the matter should be scheduled.

E. **Amending Motions**

When a motion is pending before the Planning Commission, any member may suggest an amendment, at any time prior to the final vote, in order to amend the stated motion. The author and the second may choose whether or not to accept the amendment.

F. **Substitute Motions**

A substitute motion, which when seconded serves to replace the original motion, may be made prior to a vote on the original motion.

G. **To Rescind a Motion**

A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Planning Commission’s action on the motion.

H. **To Reconsider a Motion**
To recall a previous motion for further evaluation and/or action, a motion for reconsideration may be made by a commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Planning Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.

I. **Motion to Close Hearings**

When the Planning Commission is acting in a quasi-judicial capacity as an appeal authority pursuant to the City Code or state statute, the deliberation portion of a hearing may be closed if authorized by law. In order to close a portion of a hearing for deliberation by the body, a motion shall be made by a commissioner prior to discussion and voting on the matter. *Open meetings may only be closed pursuant to Utah law and legal counsel should be consulted prior to doing so.*

J. **Motion to Recess**

A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

K. **Motion to Adjourn**

A motion to adjourn the meeting shall be made at the end of each planning commission meeting. No second is required to the motion to adjourn.

**Article 5: Quorum and Voting Requirements**

A. **Majority Required**

A majority of the seven (7) appointed planning commission members, which may include alternate members and the chair when an otherwise insufficient number of regular commissioners are present, shall constitute a quorum for all hearings and meetings. Ex-officio may not be counted as part of the quorum. The voting body shall include a minimum of four (4), but no more than seven (7) members. At least four (4) votes are required to carry a motion or take any official action. If only four (4) members are present, the voting must be unanimous in order for the motion to carry.

B. **Tie-Votes**

Tie-votes shall be broken by the chairperson casting a vote.

C. **Abstention from Voting**

A Commissioner should abstain from deliberation or consideration of an issue when a
conflict prevents that Commissioner from being completely fair, unbiased and deciding an issue based wholly on the merits. Abstention from voting shall not be counted in the determination of the motion, but shall be noted on the record.

Article 6: Requirements for Submission of Requests

A. Forms

The Planning Commission shall adopt standard forms for the submission of requests, and these forms shall include advance time requirements.

B. Completion of Forms

The Planning and Zoning Administrator, or designee, shall certify the completeness, or lack thereof, of all requests.

C. Items Scheduled

Upon a complete submittal and full review, the request(s) will be scheduled for the next available planning commission meeting, after assuring required public notification has been completed.

Article 7: Administrative Calendar

A. Public Notice

Notice for all public hearings, work sessions, and regular meetings shall conform to requirements of the Utah Code.

B. Yearly Meeting Schedule

The regular meeting schedule for the next calendar year shall be determined at a meeting of the Planning Commission in November.

C. Annual Meeting

The Planning Commission shall have an annual public meeting to review the work of the previous year and decide the work program for the coming year and to elect officers for the coming year as necessary.

Article 8: Conduct of Members of the Planning Commission

A. Meeting Preparation

Members of the Planning Commission shall take such time as necessary to prepare themselves for hearings and meetings.

B. Conflict of Interest

A planning commissioner to whom some private benefit may come as the result of a
planning commission action shall not participate in that action.

1. The private benefit may be direct or indirect, create a material or personal gain, or provide an advantage to relations, friends, or to groups and associations which hold some share of a person’s loyalty. However, membership itself in a group or organization shall not be considered a conflict of interest as to Planning Commission action concerning such group unless a reasonable person would conclude that such membership by itself would prevent an objective consideration of the matter.

2. A planning commissioner experiencing a conflict of interest shall declare that interest publicly on the record in the meeting where the item or issue creating the conflict will be under consideration. If a conflict of interest is of such a degree that a commissioner will be unable to fairly consider the issue based wholly on the merits and offer an unbiased position on the matter, then that commissioner must abstain from voting on the action and shall be excused from the dais during discussion and consideration of that issue. That commissioner shall not discuss the matter privately with any other commissioner. An alternate member of the Planning Commission may take the place of a commissioner when the commissioner has been recused for that issue.

3. No planning official shall engage in any transaction in which the official has a financial interest, direct or indirect, with the agency or jurisdiction that the official serves unless the transaction is disclosed publicly and determined to be lawful.

**Article 9: Adoption and Amendment of Guidelines**

A. **Legal Review**

Guideline adoption or amendment may only be made following review by legal counsel to the Planning Commission.

B. **Majority Vote**

The Planning Commission guidelines shall be adopted or amended upon a vote of a majority plus one of the appointed members. Such shall take effect immediately after successful vote to adopt or amend.