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, January 3, 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: November 1, 2017

ELECTIONS OF CHAIR & VICE-CHAIR FOR THE 2018 YEAR

DISCUSSION & APPROVAL OF 2018 MEETING SCHEDULE

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Non-Public Hearings item:
1. Discussion and Possible Action – Clearfield City Council has requested to amend Clearfield Planning Commission bylaws to allow for the inclusion of a youth commissioner to serve on the commission. Staff is requesting the Commission approve amendments to the Planning Commission by-laws for the purpose of fulfilling the City Council objective to have a youth commissioner serve as a member of the Planning Commission. Planner: Spencer W. Brimley.

WORK SESSION ITEMS

1. Staff Discussion
   a. Clear Vision regulations:
      i. Staff is presenting this item for additional discussion with the Commission to evaluate proposed changes to regulations outlined in Title 11-13-10 for clear vision, specific to intersections and corner treatments for roads and driveways within the City. Planner: Spencer Brimley

   b. Lighting Regulation:
      i. Staff is presenting this item for discussion with the Commission to evaluate the proposed language meant to address previous concerns with Title 11-13-17 regarding lighting regulation within the City. Planner: Spencer Brimley

   c. Illuminated signs:
      i. Staff will present language to be included in the title 15 to allow the City to properly regulations the illumination of signage within the City. Planner: Spencer Brimley

   d. Form Based Code Update and Discussion – Jake Young (consultant)

2. Staff communications
i. Upcoming Meeting: Joint session with Council, Tuesday, February 6, 2018 at 6 PM.

3. Planning Commissioners’ Minute

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 2nd day of January, 2018
/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.
REQUIRED ACTION

By-laws for the Clearfield City Planning commission required annual elections for the Chairperson and Vice-Chairperson of the body. The process is outlined in Article 1, Section E of the by-laws. Staff is requesting that the Commission elect a new Chair and Vice Chair for 2018.

Chair and Vice Chair Elections:

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.

Election of Chair and Vice-Chair will require a nomination with a second and then a vote by all commissioners. Please note the requirements for the planning commission chair are as follows:

1. A commissioner must serve on the Planning Commission for at least one year before being eligible to be elected as the chairperson.
2. Time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Planning
DISCUSSION

Article 7, Section B of the Clearfield City by-laws require the Commission to discuss an annual meeting schedule for the body. Staff has proposed dates as outlined below and is requesting a discussion from the Commission on said dates. All commission meetings will be held the first Wednesday of the month at 7 PM in the Council Chambers. Once exception this year is the July meeting will be on the second Wednesday, to avoid any conflict with the 4th of July Holiday.

2018 Planning Commission Meeting Dates

- January 3, 2018
- February 7, 2018
- March 7, 2018
- April 4, 2018
- May 2, 2018
- June 6, 2018
- July 11, 2018
- August 1, 2018
- September 5, 2018
- October 3, 2018
- November 7, 2018
- December 5, 2018

Staff neglected to discuss the dates with the Commission in November, as outlined in the by-laws, and thus is bringing this item to the Commission at this time. Staff is requesting approval by the Commission of the dates as proposed.

RECOMMENDED ACTION

Discuss and approve 2018 meeting schedule of the Clearfield City Planning Commission as proposed.
RECOMMENDED ACTION

Approve amendments to the Planning Commission by-laws for the purpose of fulfilling the City Council objective to have a youth commissioner serve as a member of the Planning Commission.

DESCRIPTION / BACKGROUND

The Clearfield City Council would like to include a youth commissioner as a member of the Planning Commission. The youth commissioner would be held to the same requirements as other commissioners, relating to duties and attendance. The proposed changes are to accommodate the addition of a youth commissioner and will not have a substantial effect on the administration of the body.

Proposed changes have been attached to this document for the Commission to review. In summary, the following changes are being proposed to the by-laws:

1. Addition of youth commissioner as a full member of the Planning Commission; and
2. Youth commissioners will serve for one year with a limit of two terms.

IMPACTS

a. FISCAL

i. The number of commissioners will not be increased, thus there will not be any additional fiscal impact with this change.

SCHEDULE / TIME CONSTRAINTS

To accomplish the Council’s vision of including a youth commissioner, the by-laws must be amended. Staff is recommending that the changes be approved quickly to allow the youth commissioner to begin their duties as soon as possible.

LIST OF ATTACHMENTS

- Planning Commission by-laws with suggested changes
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 appointed Commissioners, with one designated as a 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.

3. Minimum Qualifications:
   a. In addition to those qualities determined by the Mayor and City Council, at least seven of the Commissioners and alternates must be duly qualified electors residing within the City.

4. Length of Appointment:
   a. Commissioners and alternates are appointed for five year terms.

5. Unexpired Terms of Appointment:
   a. Should a Commissioner or alternate 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 another 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.

B. Youth Commissioner

1. Youth Commissioner:
   a. A single youth commissioner under the age of eighteen may be appointed to the 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 is not required to be a duly qualified elector.
   b. In addition to those qualities determined by the Mayor and City Council, the youth commissioner must primarily (greater than fifty-percent) reside within the City during the term of appointment.

4. Length of Appointment:
   a. The term of a youth commissioner appointment is twelve months, with the possibility of a second appointment, for a total of twenty-four months.
   b. A youth commissioner may turn eighteen during a term of appointment, but may not continue as the youth commissioner past the expiring term in which the youth commissioner turned 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 alternative 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.

C. Alternate Commissioners

1. Number of Alternate Commissioners:
   a. The City should attempt at all times to have three appointed alternate commissioners.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the three 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, the three alternate commissioners must be duly qualified electors residing within the City.

4. Length of Appointment:
   b. Alternate commissioners are appointed for five year terms.

5. Unexpired Terms of Appointment:
   b. 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 alternative commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   b. Duly appointed alternate commissioners shall take the oath of office prior to sitting on the Planning Commission.

7. Miscellaneous
   a. 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.

   b. 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.
B.D. **Attendance Requirements** for Planning Commissioners, Youth Commissioner, and Alternative Commissioners

1. Commissioners, youth commissioners, and alternate commissioners and youth commissioners are expected to attend Planning Commission meetings regularly. Any both regular members and alternate and youth commissioner’s 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.

E. **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, disqualification, etc., then 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.
      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.
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED
Revised: 9-2-2014, 3-2-2018

F. 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 any staff plan review meeting.

G. Vice-Chairperson

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

H. 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.

I. 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.

J. 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.
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

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
   - 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

E. 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.

A. Article 4: Form and Character of Motions

B. 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.

C. 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.

D. 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.

E. 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.

F. 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
F. Substitute Motions

G. 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

H. 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

I. 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 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
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

Rev. 11-2-2014-1-3-2018

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

C. Items Scheduled

C.1. 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
GUIDELINES OF THE CLEARFIELD PLANNING COMMISSION CONTINUED

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**

**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.
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley, Development Services Manager, MRED
MEETING DATE: Wednesday, January 3, 2018
SUBJECT: Discuss proposed changes to Title 11-13-10 Clear Vision

RECOMMENDED ACTION

Discussion only at this time. Staff is presenting this item for additional discussion with the Commission to evaluate proposed changes to regulations outlined in Title 11-13-10 for clear vision, specific to intersections and corner treatments for roads and driveways within the City.

DESCRIPTION / BACKGROUND

Staff is requesting any additional input from the Commission on this proposed change in the regulation to be evaluated for inclusion in Title 11 of the Clearfield City code. Staff has reviewed other jurisdictions and finds that the triangle for corners does not typically vary with street type, when it comes to city streets. Most intersections require stop signs standard stopping patterns, therefore imposing different regulations for street type did not seem appropriate. Including language that allows the traffic engineer to perform a review may be appropriate moving forward as well.

CURRENT CODE REGULATION UNDER 11-13-17

A. Clearfield City code requires large areas for view corridors around corners, intersections and driveways. Staff is currently reviewing other municipal regulations is proposing to reduce the amount of property impacted by the current regulations. Current regulations are included below, with suggested changes, highlighted.

Corner lots: 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). 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. 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).

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. 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.
2. Retaining Walls: Where a retaining wall protects a cut below the natural grade and is located on the line separating lots, such retaining wall may be topped by a fence, hedge, or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as part of the permissible height of a fence, solid wall, or hedge; providing, that in any event a protective fence or wall or hedge not more than thirty six inches (36") in height, when of solid construction or such density as to not permit a clear view of adjoining streets and sidewalks may be erected at the top of the retaining wall, or when the protective fence, wall or hedge is of such construction as to permit a clear unobstructed view of adjoining streets and of sidewalks not exceeding forty eight inches (48") in height may be erected on top of said retaining wall. The provisions of this subsection shall not apply to fences required by state law to surround and enclose public utility installations, public schools, or city property.

Driveways: 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). 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. 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. 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)

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).

PROPOSED CHANGES TO 11-13-17

Clearfield City code requires large areas for view corridors around corners, intersections and driveways. Staff is currently reviewing other municipal regulations is proposing to reduce the amount of property impacted by the current regulations. Current regulations are included below, with suggested changes, highlighted.

Corner lots: 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 thirty feet (60'30") from the intersection of the curb (see figure 1 of this section). 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. 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).

Other Lots:
3. 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.
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

4. Retaining Walls: Where a retaining wall protects a cut below the natural grade and is located on the line separating lots, such retaining wall may be topped by a fence, hedge, or wall of the same height that would otherwise be permitted at the location if no retaining wall existed. Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as part of the permissible height of a fence, solid wall, or hedge; providing, that in any event a protective fence or wall or hedge not more than thirty six inches (36") in height, when of solid construction or such density as to not permit a clear view of adjoining streets and sidewalks may be erected at the top of the retaining wall, or when the protective fence, wall or hedge is of such construction as to permit a clear unobstructed view of adjoining streets and of sidewalks not exceeding forty eight inches (48") in height may be erected on top of said retaining wall. The provisions of this subsection shall not apply to fences required by state law to surround and enclose public utility installations, public schools, or city property.

Driveways: 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). At this point, measurements shall be made twenty fiveten feet (25’10”) into the property along the driveway edge and fifty fiveten feet (1055’) along the curb. 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. 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)

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)

SCHEDULE / TIME CONSTRAINTS

This will be presented to the Commission in February as a decision item. This item will require the Planning Commission to forward a recommendation to the Council for their consideration and final approval.
TO: Clearfield City Planning Commission  
FROM: Spencer W. Brimley. Development Services Manager, MRED  
MEETING DATE: Wednesday, January 3, 2018  
SUBJECT: Discuss proposed language to Title 11-13-17 - Lighting Regulations

RECOMMENDED ACTION  
No action at this time. Staff is presenting this item for discussion with the Commission to evaluate the proposed language meant to address previous concerns with Title 11-13-17 regarding lighting regulation within the City.

DESCRIPTION / BACKGROUND  
Staff discussed the lighting regulations with the Commission at the commission meeting in November. Staff incorporated the feedback the Commission provided at the meeting into the proposed language. Staff has also researched other codes to provide some detail and context for this discussion. Staff has reviewed codes from Syracuse, Farr West, Logan City and Roy City. Staff is proposing the language included below to provide more appropriate lighting regulations within the City to maintain safety and security while decreasing impacts on adjacent parcels.

Current lighting regulation under 11-13-17:

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)

Proposed lighting regulations:

Exterior and landscape lighting applications shall be:

a. Designed to minimize nighttime disruption and visual glare by shielding lamp sources downward and away from view adjacent properties.

b. Controlled by timers and/or motion sensors, to limit the duration of use and reduce prolonged glare.

c. Appropriate to the building design, its function and location (dealing specifically with exterior lighting type, brightness, height and fixture design).

d. Shielded and non-glaring. Light bulbs or tubes shall not be exposed. Lights must not emit direct light into adjacent streets or neighboring properties.

Supplemental Development Standards: Exterior Lighting  
A. Purpose. The purpose of this Section is to provide for adequate and appropriate site lighting that increases nighttime visibility, adds aesthetic quality, and improves safety. These standards are also
designed to enhance night vision while mitigating glare and light pollution. All exterior lighting shall be
designed and located in order to minimize glare, light trespass, skyglow and energy waste.

B. Use of lighting fixtures.
   1. No unshielded or clear glass lighting fixture are permitted. All exterior lighting shall have the light
      source downcast and fully shielded from view with the following exceptions:
      a. If the lighting fixture are less than one thousand (1,000) lumens per fixture (equal to one
         sixty (60) watt incandescent lamp) provided the lighting fixture has an opaque top or is
         under a solid overhang;
      b. Floodlights with external shielding of the light source and is angled down toward the
         ground at thirty (30) degrees or less;
      c. Temporary lighting needed by emergency services;
      d. Lighting for United States of America and State of Utah flags;
      e. Lighting of telecommunication towers to meet Federal Aviation Administration
         regulations;
      f. Lighting associated with an approved and permitted exterior sign;
      g. Lighting fixture used only to light athletic fields and courts when all reasonable measures
         have been taken to minimize lighting of surrounding properties. All adjacent lighting
         fixture surrounding the athletic complex are not exempt; or
      h. Exterior emergency exit lighting.

C. Standards.
   1. Height and Location.
      a. Lighting height and location shall be designed to illuminate the site only. Light cut-offs are
         required to prevent spillover of direct light.
      b. Lighting fixtures and supporting structures shall be placed on the same property as
         intended to light.
      c. Parking area and exterior freestanding lighting fixture shall be no taller than twenty (20)
         feet, including the pole and base. When projects are adjacent to residential zones,
         freestanding lighting fixture on the perimeter closest to the residential zone shall be no
         taller than twenty (20) feet.
      d. Freestanding lighting fixture on private property in residential zones shall be no taller
         than twelve (12) feet.
      e. Lighting fixture for public street lights and athletic fields are exempt from height
         regulations.
      f. Soffit and canopy lighting shall be recessed or flush mounted to the bottom surface of
         the structure.
      g. Pedestrian street lights or lampposts are required within the Urban Commercial, Urban
         Residential, Town Commercial, Town Residential, and Commercial Corridor zoning
         districts, and may be required in other zones subject to design review approval.
      h. Pedestrian street lights or lampposts shall be mounted between 8’ to 16’ above grade to
         provide continuous illumination of all street sidewalks, and shall reflect the architectural
         design and characteristics of the surrounding area.
      i. Exterior building lights affixed to buildings on street-front elevations shall be mounted no
         less than 6’ up to 14’ above adjacent grade.
   a. All public areas shall be lighted with average minimum and maximum levels as follows:
      1) Minimum (for low or non-pedestrian and vehicular traffic areas) of 0.5 foot candles;
      2) Moderate (for moderate or high volume pedestrian areas) of 1-2 foot candles; and
      3) Maximum (for high volume pedestrian areas and building entries) of 4 foot candles.
   b. Lighting shall be provided at consistent levels, with gradual transitions between maximum and minimum levels of lighting and between lit areas and unlit areas. Highly contrasting pools of light and dark areas shall be avoided.
   c. Up-lighting is not permitted, except as approved through design review for highlighting signature landscape features or building elements.
   d. HID or fluorescent tube lights (except compact fluorescent bulbs) are not permitted as exterior building lights.

D. Compliance of Existing Nonconforming Lighting fixture. Remodeling or redeveloping of properties that require a building permit or a result in a ten percent (10%) increase in floor area will require full conformance with this Chapter.

SCHEDULE / TIME CONSTRAINTS

This will be presented to the Commission in February for action. This item will require a recommendation from the Planning Commission to the Council for their consideration and final decision.
TO: Clearfield City Planning Commission
FROM: Spencer W. Brimley. Development Services Manager, MRED
MEETING DATE: Wednesday, January 3, 2018
SUBJECT: Discuss on Title 11 - 15 Signage Regulations for electronic signs (illumination)

RECOMMENDED ACTION
No action at this time. Staff is presenting this item for discussion to evaluate appropriate changes to Title 11-15 signage illumination.

DESCRIPTION / BACKGROUND
Electronic signs are becoming very common, and City staff frequently field complaints about the brightness of such signs. However, Clearfield City does not currently regulate signs that contain electronic messages, nor does it regulate the illumination for signs, other than box and back lit signage. Title 11-15A, for Freeway Oriented signage overlay zone does address illumination, and that language can serve as a starting point for this discussion.

PROPOSED LANGUAGE FOR 11-15

Illumination:

1. Electronic message centers in all zones shall come equipped with an automatic dimming photocell which automatically adjusts the display’s brightness based on ambient light conditions.

2. The brightness level in all zones shall not increase by more than 0.3 foot-candle (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot-candle meter at a preset distance.

3. Brightness measurement process for electronic message centers shall be as follows:
   a. At least thirty (30) minutes past sunset, use a foot-candle meter to record the ambient light reading for the area. This is done while the electronic message center is off or displaying all black copy;
   b. The reading should be taken with the meter aimed directly at the electronic message center at the appropriate preset distance. Measurement distance criteria for zero to one hundred (100) square foot signs to be measured one hundred feet (100') from source;
   c. Turn on the electronic message center to full white copy and take another reading; and
   d. If the difference between the readings is 0.3 foot-candle or less, the brightness is properly adjusted.

4. The owners of such signs shall include a signed letter accompanying their permit application, certifying that they will comply with the prescribed brightness limitations set by this chapter.

(Ord. 2013-14, 12-10-2013)
Staff will conduct further research, but wanted to receive any input from the Commission on this issue to ensure a broad based approach.

**ALTERNATIVES**

Staff has noticed a growing number of illuminated signs being approved. Currently regulations do not allow the city to prohibit the signs, nor is that the City’s intent. Staff wishes to better manage the safety of vehicular traffic throughout the city.

**SCHEDULE / TIME CONSTRAINTS**

This will most likely be returned to the Commission for a discussion in February and potential hearing in March. This item will require a recommendation from the Planning Commission to the Council for their consideration and final decision.