The Pledge of Allegiance was led by Chair Jugler.

APPROVAL OF MINUTES FROM JUNE 6, 2018 PLANNING COMMISSION MEETING

Commissioner Murray moved to approve the minutes of the June 6, 2018 Planning Commission Meeting as written. Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, and Browning. Voting NO: None. Commissioner Britton abstained from the vote because he was absent.

Chair Jugler read the Planning Commission Chair Statement.

DISCUSSION ON FSP 1806-0001 A FINAL SUBDIVISION PLAT REQUEST BY CHAD BUCK FOR THE FALCON CORNER SUBDIVISION; AN 8-UNIT TOWNHOME SUBDIVISION. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151).

Brad McIlrath, Senior Planner, said the applicant requested final subdivision approval for the Falcon Corner Townhomes subdivision. The project was located at 1215 South 1000 East and
was zoned R-3. The site plan and preliminary subdivision plat were approved on June 6, 2018. The plat included two buildings with eight units, four units per building.

Staff recommended the Planning Commission forward a recommendation of approval to City Council.

RECOMMENDATION FOR FSP 1806-0001 A FINAL SUBDIVISION PLAT REQUEST BY CHAD BUCK FOR THE FALCON CORNER SUBDIVISION: AN 8-UNIT TOWNHOME SUBDIVISION. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151).

Commissioner Call moved to recommend approval to the City Council as conditioned FSP 1806-0001, a request by Chad Buck for the final subdivision plat of the Falcon Corner Townhome Subdivision for the property addressed 1215 South 1000 East (TIN: 09-022-0151). This recommendation is based on the discussion and findings in the Staff Report with the following conditions:

1) Plans shall be revised to address Clearfield City Engineering requirements prior to the submittal and recording of the Final Subdivision Plat.
2) The Development Agreement that was a condition of the rezone shall be completed and approved by the City Council prior to recording the final plat with Davis County.
3) The applicant shall provide conditions, covenants, and restrictions (CC&R’s) that govern the continual maintenance and upkeep of the Falcon Corner Townhomes. The CC&R’s shall establish a homeowner association to manage the common areas of the property. The CC&R’s shall be approved by Community Development staff and the City Engineer, and recorded with the final subdivision plat.
4) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements that surround the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
5) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in 12-4-6.

Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

DISCUSSION ON FSP 1804-0004, A REQUEST FOR A THREE (3) LOT COMMERCIAL AND RESIDENTIAL SUBDIVISION. LOCATED AT 452 EAST 700 SOUTH (TIN: 12-066-0113, 12-066-0099, 12-850-0002).

Brad McIlrath said the Masonic Temple subdivision was located at 452 East 700 South and was zoned Town Commerce. On June 6, 2018 the preliminary three lot subdivision was approved, lot
one had the Masonic Temple, lot two was the largest lot and would have residential townhomes and lot three was intended to have a commercial building. One change had been made which relocated two easements.

Staff recommended the Planning Commission forward a recommendation of approval to City Council.

RECOMMENDATION FOR FSP 1804-0004, A REQUEST FOR A THREE (3) LOT COMMERCIAL AND RESIDENTIAL SUBDIVISION. LOCATED AT 452 EAST 700 SOUTH (TIN: 12-066-0113, 12-066-0099, 12-850-0002).

Commissioner Britton moved to recommend approval to the City Council as conditioned FSP 1806-0006, a request for final subdivision plat approval for the Masonic Temple Subdivision for the properties addressed 452 East 700 South (TIN: 12-066-0113, 12-066-0099, and 12-850-0002). This recommendation is based on the discussion and findings in the Staff Report with the following conditions:

1) Plans shall be revised to address Clearfield City Engineering requirements prior to the submittal and recording of the Final Subdivision Plat.
2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surround the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
3) Future subdivision of any of the proposed lots shall obtain preliminary and final subdivision plat approval by Clearfield City.
4) Future development of these properties shall comply with the development standards outlined in the Downtown Form Based Code.
5) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in Clearfield City Code 12-4-6.

Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

DISCUSSION ON SP 1806-0002, A SITE PLAN AND CUP 1806-0002 A CONDITIONAL USE PERMIT, REQUEST BY BRIAN SIECK ON BEHALF OF AT&T FOR A WIRELESS COMMUNICATIONS MONOPOLE. LOCATED AT 375 WEST 1700 SOUTH (TIN: 12-243-0001).

Brad McIlrath said the request was for a monopole cell tower at 375 West 1700 South, property owned by AA Access Storage. The 85 foot tall monopole had an eight foot lightning rod and would be placed in a 20 foot by 20 foot enclosure. The monopole met the distance requirement to residential use. City ordinance encouraged co-location on a monopole facility and construction was being done in a way that allowed co-location. Mr. McIlrath reviewed the site plan layout and
stated a portion of the storage building would be removed to accommodate the monopole. For improvement to the screening, staff recommended installation of a new fence along 1700 South to replace the existing chain-link fence.

Staff recommended approval of the site plan and conditional use permit subject to the conditions outlined in the staff report.

APPROVAL OF SP 1806-0002, A SITE PLAN REQUEST BY BRIAN SIECK ON BEHALF OF AT&T FOR A WIRELESS COMMUNICATIONS MONOPOLE. LOCATED AT 375 WEST 1700 SOUTH (TIN: 12-243-0001)

Commissioner Murray moved to approve SP 1806-0002, a site plan request by Brian Sieck on behalf of AT&T for a wireless communications monopole. Located at 375 West 1700 South (TIN: 12-243-0001). Based on the finding and discussion in the Staff Report and with the following conditions:

1) The approval of SP 1806-0002 is subject to approval of a Conditional Use Permit 1806-0002 for a wireless communications towers at 375 West 1700 South.
2) Applicant will be required to obtain access permit from UDOT prior to final approval of the site plan.
3) Screening should be provided for the entire frontage of the parcel of the site. Screening may be in the form of increased landscaping and vegetation, fencing, or other screening fencing material, but not chain link.

Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

PUBLIC HEARING FOR CUP 1806-0002, A CONDITIONAL USE PERMIT REQUEST BY BRIAN SIECK ON BEHALF OF AT&T FOR A WIRELESS COMMUNICATIONS MONOPOLE. LOCATED AT 375 WEST 1700 SOUTH (TIN: 12-243-0001).

The public hearing was declared open at 7:22 p.m.

PUBLIC COMMENT:
There were no public comments.

The public hearing was closed at 7:23 p.m.

APPROVAL OF CUP 1806-0002, A CONDITIONAL USE PERMIT REQUEST BY BRIAN SIECK ON BEHALF OF AT&T FOR A WIRELESS COMMUNICATIONS MONOPOLE. LOCATED AT 375 WEST 1700 SOUTH (TIN: 12-243-0001).

Commissioner Britton moved to approve CUP 1806-0002, a conditional use permit request by Brian Sieck on behalf of AT&T for a wireless communications monopole. Located at 375 West 1700 South (TIN: 12-243-0001). Based on the finding and discussion in the Staff Report and with the following conditions:
1) This Conditional Use Permit is for a 400-square-foot ground lease for an AT&T Wireless facility, located at approximately 375 West Antelope Drive. Submitted Construction Documents shall be in conformance with the plans submitted for CUP-SP 1806-0002.

2) Applicant will be required to obtain all required approvals and permits from UDOT prior to final approval of the Conditional Use permit.

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.

Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON CUP 1805-0002 A CONDITIONAL USE PERMIT REQUEST BY OMAR ALBERTO VILLARINE CHAIDEZ ON BEHALF OF FRIENDLY RECREATIONAL RENTALS, LLC, FOR A HOME OCCUPATION TO RENT JET SKIS AND A BOAT FROM THE GARAGE ON THE PROPERTY LOCATED AT 235 EAST 2450 SOUTH. (TIN: 12-349-0018)

Brad McIlrath said the conditional use permit was for the use of the garage for a home occupation business to rent jet skis and a boat during the summer and possibly rent snowmobiles in the winter. The boat cannot fit in the garage and must be stored off-site or not be used with the business.

Staff recommended approval subject to the conditions of approval. Mr. McIlrath reviewed a few of the conditions.

The applicant Omar Villarine and his wife were present to answer questions. Commissioner Murray asked if the trailer parked in the street was part of the rental. Mrs. Villarine said it was not and the jet skis would be parked in the garage. At this time they would just rent jet skis and they owned two at this time and the boat would not be part of the business.

The public hearing was declared open at 7:29 p.m.

PUBLIC COMMENT:
There were no public comments.

The public hearing was closed at 7:30 p.m.
APPROVAL OF CUP 1805-0002 A CONDITIONAL USE PERMIT REQUEST BY OMAR ALBERTO VILLARINE CHAIDEZ ON BEHALF OF FRIENDLY RECREATIONAL RENTALS, LLC, FOR A HOME OCCUPATION TO RENT JET SKIS FROM THE GARAGE ON THE PROPERTY LOCATED AT 235 EAST 2450 SOUTH. (TIN: 12-349-0018)

Commissioner Murray moved to approve, as conditioned, CUP 1805-0002, a Conditional Use Permit for a Home Occupation to use the garage at the property addressed 235 East 2450 South, based on findings and discussion in the staff report with the following conditions:

1) The storage of rental equipment shall be conducted entirely within the garage.
2) No more than one nonresident may be employed on the premises, at any time.
3) The home occupation shall not physically change the dwelling to the extent that it would alter the residential character of the neighborhood in which it is located.
4) The use shall not unreasonably disturb the peace and quiet of the neighborhood by reason of signage, color, design, materials, construction, lighting, sound, noises or vibrations.
5) Rental equipment shall be stored entirely within the garage. On-street parking shall not be used for the storage of rental equipment.
6) There shall be no external display of goods or materials upon the premises.
7) No sign or advertising shall be displayed on the premises other than signs permitted in residential zones in accordance with § 11-15-7-B-4 of this title.
8) The home occupation shall not generate vehicular traffic significantly in excess of that which is normally generated by a residential use. The home occupation shall not generate frequent deliveries by large vehicles.
9) All vehicles of customers or residents must be parked in authorized portions of the lot upon which the home occupation is located and not on the public street.
10) There shall be complete conformity with the currently adopted building code, fire code, plumbing code, mechanical code, national electrical code and Davis County and state health codes, and to all state and city ordinances.
11) The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare or other hazards to safety and health, which are emitted and may be discernible beyond the premises. The home occupation shall not create a hazard by using or storing flammable, explosive or other dangerous materials in quantities that exceed those which may normally be found in a residence, or by keeping, raising or storing animals which are capable of inflicting harm or discomfort, or endangering the health and safety of any person or property.
12) The home occupation shall not involve the installation on the exterior of the dwelling of special equipment and/or fixtures or plumbing or electrical wiring for such special fixtures or equipment which are not ordinarily or customarily used in a dwelling.
13) To protect the single-family character of the neighborhood, the business shall operate and only have customers come to the home between the hours of 8:00 AM and 9:00 PM during summer months. During winter months hours of operation shall be between the hours of 8:00 AM and 7:00PM.
14) 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.

15) The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.

16) The rental of a boat shall not be part of the home occupation business.

Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

The Planning Commission recessed at 7:32 p.m.

The Planning Commission reconvened at 7:35 p.m.

PUBLIC HEARING AND DISCUSSION ON RZN 1805-0003, A REZONE REQUEST BY KYLE WEAVER AND KIRT NALDER TO REZONE THE EXISTING PROPERTY FROM R-1-8 (RESIDENTIAL) TO R-3 (RESIDENTIAL) LOCATED AT 90 WEST 200 SOUTH (TIN: 12-020-0062)

Brad McIlrath stated the request was to rezone the property to multi-family residential. The General Plan governed the direction of development within the City. Clearfield City’s General Plan designated the area north of 200 South as Residential and the area south of 200 South as Business Park. The existing R-1-8 Zone was consistent with the goals and objectives of the General Plan as the preferred zone for future development of single family housing. The property is located in an area with limited vehicular access and even more limited pedestrian access. Multi-family developments require access to public transportation and well-connected pedestrian ways in order to promote quality development that supported increased density. The rezone request was inconsistent with adjacent residential zoning in the area. The rezone request expanded the scope of focus for multi-family development along the State Street corridor in the downtown area.

Based on findings and research staff recommended the Planning Commission forward a recommendation of denial to the City Council and retain the zoning of R-1-8 for the property.

Commissioner Britton asked if there was another proposed alternative for the development of the parcel. Mr. McIlrath said the applicant could try to rezone to another residential zone. General Plan encouraged single family zones. The property was already zoned R-1-8 which was the recommended single family zoning designation to be used. He said no alternative proposals had been received. Commissioner Lloyd asked how many units were requested. Mr. McIlrath said the ordinance allowed up to sixteen units to the acre.

Applicants Kirt Nalder and Kyle Weaver said it was an odd piece of property with the surrounding properties. They weren’t set on any concept and were surprised with the recommendation of denial. Mr. Weaver said it would be more difficult to sell houses with the proximity to the railroad tracks. The existing house on 1.5 acres was dilapidated. They said an HOA would be established for maintenance of the property.
The public hearing was opened at 7:46 p.m.

PUBLIC COMMENT:
There were no public comments.

The public hearing was closed at 7:47 p.m.

Commissioner Call said it would be useful to see a plan because it was challenging to say yes. Mr. McIlrath said a rezone should not be conditioned on a project but on the future land use of the City. The rezone should be considered as an overall concept. City Council directed staff to focus the multi-family development in the downtown.

Chair Jugler asked if a concept was presented and the rezone was based on the project, could the rezone be held contingent. Mr. McIlrath said it wasn’t good practice to have a rezone subject to a plan. Stuart Williams, City Attorney, said problems could be created if the final product wasn’t exactly as expected.

Commissioner Call asked where the form based code area was in relation to the subject property. Mr. McIlrath said the property was west of the tracks and the form based code area was east. The recommendation was based on the General Plan. There was a demand in the City for additional single family houses.

Chair Jugler asked the commissioners for comment and determination on what action should be taken. Commissioner Browning said he didn’t want to be too creative. It was a tough piece of property and he suggested the applicant return with a new proposal. Commissioner Murray said it would better if the request was denied.

RECOMMENDATION FOR RZN 1805-0003, A REZONE REQUEST BY KYLE WEAVER AND KIRT NALDER TO REZONE THE EXISTING PROPERTY FROM R-1-8 (RESIDENTIAL) TO R-3 (RESIDENTIAL) LOCATED AT 90 WEST 200 SOUTH (TIN: 12-020-0062)

Commissioner Murray moved to forward recommendation of denial for RZN 1805-0003 to the City Council for the proposed rezone of the property addressed 90 West 200 South from R-1-8 to R-3, based on the findings and discussion in the Staff Report. Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.


Brad McIlrath said the request was to rezone properties that were currently zoned agricultural. The General Plan had the area designated as residential and R-1-8 was preferred single family
residential zone for growth in the City. There was a need for increased single family ownership in the City. Staff recommended the Planning Commission for a recommendation of approval to the City Council for the proposed zone change based upon the following findings:

1. The proposed zone change is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed zone change is supported by the Future Land Use Map designation of Residential in the General Plan.
3. The R-1-8 Zone is the preferred zone for future development of single-family housing.
4. Future subdivision and development of these properties in the R-1-8 Zone would be consistent with the existing land uses in the area.
5. With design, future pedestrian and vehicular connections can be provided for this area.

Greg Day, applicant, said they were looking forward to being in Clearfield City and wanted to do a great job.

Commissioner Murray said the properties being rezoned weren’t next to each other and asked if it was difficult to make a subdivision with missing pieces. Mr. Day said they would like to include all the properties but were unable to purchase all properties. Commissioner Murray said the R-1-8 zone was a good fit for the area. Mr. Day said they were working on an easement to the south. Properties to the west would have access to City utilities in the future. Commissioner Murray asked when the project would start. Mr. Day said as soon as possible.

Commissioner Call asked if the development would be in phases. Mr. Day said it could all be done at once based on market demand.

Chair Jugler declared the public hearing open at 8:11 p.m.

PUBLIC COMMENT:

Marcia Hamblin said she and her husband, Larry Hamblin, owned two parcels that were ten acres and two and a half acres. They had no plans on losing the agricultural zoning at this time. She stated they were in favor of the proposal with conditions. 1) There was a 90 foot easement along the walking path and no structures could be built in the easement. 2) The irrigation water came down 300 North and State law required the continuation of their water rights must exist. 3) They had animals and requested a privacy fence between agricultural and residential to keep people out due to liability. 4) The City sewer could not pass through their property. They don’t live on the property and had a watering system set up for the animals and wanted the animals secure. Those were her concerns and she was in favor of the rezone and but with the options and conditions she stated.

Marilyn Hamblin said there wasn’t enough water for the people in the state. She said how he came into possession of the property was questionable. She was concerned with the irrigation water flooding the homes. Didn’t think it was right.
Vergil Zaugg owned the property at 797 West 300 North which paralleled the property at 813 West. Weber Basin Water had a 90 foot easement to the west along railroad tracks and building was not allowed on the easement and there was not room for a road. The proposed layout of the property and the easement was along the back or through the proposed houses. His was concerned with the property at 813 West. In the past ten years he had a problem with the irrigation water flooding the property because there were horses that tore down the ditch bank. If the housing project was approved the property should be six inches higher than his and compacted with a fence on the property line so his water wouldn’t go in and damage the property. He said there shouldn’t be trees planted within 20 feet of the fence because they would shade the field and stunt the crop and the houses couldn’t be more than one story high. He said he told the City several times that the house at 813 West 300 North was an apartment house in an R-1 zone and nothing had been done.

Carlton Wallace and Alex Wallace said they had recently purchased property at 755 West 300 North and wondered if they could obtain property and maintain any trees and structures. They were instructed to talk to staff during the day.

David Igert, 851 West 75 North, was concerned with the number of houses that would be built and the traffic that would be increased on 300 north and the Center Street bridge. The development would create more heat in the area with more asphalt. He was also concerned about the increased use of water. He enjoyed the green area with the animals.

Mr. McIlrath, in response to the citizen comments, said he had spoken with Weber Basin about the 90 foot easement. A road could be construction with permission from the owner of the utility easement but not a structure. The concern about the irrigation ditch would be worked out with the developer to ensure access was provided for the irrigation water. He said the City couldn’t enforce a fence height or impose conditions on a property, except for mitigation of impacts. All property owners had the same property rights. Conditions couldn’t be imposed on the rezone. When the subdivision plan was presented conditions could be imposed. He said Code Compliance was now in the Community Development and would report the complaint. The concern of flooded basements would be addressed in the subdivision process. In response to the question about the number of lots in the subdivision, Mr. McIlrath said the preliminary concept proposal had about 30 lots. Mr. Wallace was referred to the developer for the acquisition of additional property.

Mr. McIlrath said the rezone request had been evaluated by staff and recommended approval.

Commissioner Murray asked if the developer had acquired the properties. Mr. McIlrath said the developer had acquired or was under contract for the properties to be rezoned.

Greg Day, applicant, said the comments were taken seriously and they would work with the neighbors.

The public hearing was closed 8:42 p.m.
Commissioner Browning said the project was the type of infill project the City desired. He appreciated that the residents wanted a quality project because it impacted them. He said the rezone was the first step to develop the property and suggested the residents keep involved as the project progressed.

Commissioner Lloyd asked if a fence was required between residential and agricultural properties. Mr. McIlrath said a fence was not required and wasn’t mandated unless there were health or safety concerns. Commissioner Lloyd asked if a geo technical report was required. Mr. McIlrath said a geo technical report was required with all new development. Commissioner Lloyd asked how the homeowner was made aware of the location of the easement. Mr. McIlrath when a property was purchased the title report should contain a description of any easements.


Commissioner Murray moved to recommend approval of RZN 1805-0004 to the City Council a request by Greg Day on behalf of CW Land Company to rezone the parcels addressed 741, 767, and 813 West 300 North ( TIN: 12-019-0029, 12-019-0030, 12-019-0001, and 12-019-0025) from A-1 (Agricultural) to R-1-8 (Residential). Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1805-0005, A REQUEST BY CW LAND COMPANY TO CONSIDER THE FOLLOWING LOT STANDARD CHANGES FOR PROPERTIES LOCATED IN THE R-1-8 (RESIDENTIAL) ZONE. REDUCTION IN LOT WIDTH FROM EIGHTY FEET (80’) TO SEVENTY FEET (70’), FOR CORNER LOTS A REDUCTION IN WIDTH FROM NINETY FEET (90’) TO EIGHT FEET (80’), AND A REDUCTION IN FRONT AND REAR SETBACK FROM TWENTY-FIVE FEET (25’) TO TWENTY FEET (20’). THESE STANDARDS ARE OUTLINED IN SECTIONS 11-9B-4 AND 11-9B-5 OF THE LAND USE ORDINANCE.

Brad McIlrath said the changes requested to the R-1-8 zone were to help develop the property that was recommended for rezone from A-1 to R-1-8. If approved the requested lot width would be reduced from 80 feet to 70 feet and for corner lots from 90 feet to 80 feet. The required front and rear setbacks would be reduced from 25 feet to 20 feet. The changes allowed for a larger home to be built and the expansion or improvements of homes in an existing R-1-8 zone. Mr. McIlrath showed a comparison of lots widths in surrounding cities. The General Plan stated that ordinances should be created that allowed and encouraged infill and redevelopment. Staff recommended the Planning Commission forward a recommendation of approval to City Council.

Chair Jugler declared the public hearing open at 8:56 p.m.
PUBLIC COMMENT:
There were no public comments.

The public hearing was closed 8:57 p.m.

Commissioner Browning was concerned with the 20 foot front and rear setback, but the decrease of the lot width was consistent with surrounding cities. He suggested not changing the front and rear setbacks, but recommended the lot width be decreased. He commented that the decision would affect the entire City.

Commissioner Murray asked Mr. Day the reason for the narrow lot. Mr. Day said the size of the lot had not decreased. Over time building design had changed and they desired to have a more efficient layout.

Commissioner Murray asked if the decreased setback would put the houses closer. Mr. Day said the rear yard for the properties along the rail trail would be 90 feet and each lot would be different and the setback was a minimum. The setback would allow for a truck to be parked on the driveway and there would be an option for a three car garage. He said 20 feet would be the minimum but some might be greater than 20 feet. The 20 feet started from the back of the sidewalk.

Commissioner Call said most homeowners considered the size of the rear yard. The proposal seemed reasonable and if a larger back yard was desired a homeowner could choose the lot with the easement in the back yard.

Commissioner Lloyd said with the sidewalk and park strip the home would still be 30 feet from the road.

Commissioner Call understood that a variety of options would be offered. Premium lot fees were added depending on the features available.

Commissioner Murray said the change was not for just this subdivision but for all existing and future R-1-8 properties. Mr. McIlrath said it opened up opportunities for existing homes.

Commissioner Lloyd said some people don’t spend time in the yard and want a smaller yard with a third car garage to store their toys.

Commissioner Call said the houses Mr. Day described would not be for first time home buyer. They wouldn’t be building a starter home.

Chair Jugler allowed additional public comment after the public hearing had been closed.
PUBLIC COMMENT:

Ruth Jones said she looked at the change as an exciting opportunity for the revitalization and expansion for older neighborhoods where houses could be enlarged. The change was good for all residents.

Kirt Naalder said the change opened the opportunities for the parcel he owned. He was was in favor of the changes.

Gaylan Colledge lived in the Autumn Ridge subdivision and said the reduced lot size provided flexibility. He said smaller lots didn’t allow for bigger garages. He wanted to have a smaller back yard so he didn’t have to maintain it. He was concerned about the parking in his subdivision. He said he couldn’t park two deep in his driveway.

Chair Jugler asked the commissioners to consider what the negative or positive impacts of the change would be. The lot size was the same, still 8,000 square feet, the change was to the front and rear setbacks and the side setbacks stayed the same.

RECOMMENDATION ON ZTA 1805-0005, A REQUEST BY CW LAND COMPANY TO CONSIDER THE FOLLOWING LOT STANDARD CHANGES FOR PROPERTIES LOCATED IN THE R-1-8 (RESIDENTIAL) ZONE. REDUCTION IN LOT WIDTH FROM EIGHTY FEET (80’) TO SEVENTY FEET (70’), FOR CORNER LOTS A REDUCTION IN WIDTH FROM NINETY FEET (90’) TO EIGHT FEET (80’), AND A REDUCTION IN FRONT AND REAR SETBACK FROM TWENTY-FIVE FEET (25’) TO TWENTY FEET (20’). THESE STANDARDS ARE OUTLINED IN SECTIONS 11-9B-4 AND 11-9B-5 OF THE LAND USE ORDINANCE.

Commissioner Britton moved to recommend to the City Council approval of ZTA 1805-0005 a request by CW Land Company to consider the following lot standard changes for properties located in the R-1-8 (Residential) Zone. Reduction in lot width from eighty feet (80’) to seventy feet (70’), for corner lots a reduction in width from ninety feet (90’) to eight feet (80’), and a reduction in front and rear setback from twenty-five feet (25’) to twenty feet (20’). These standards are outlined in Sections 11-9B-4 and 11-9B-5 of the Land Use Ordinance, based on the findings and discussion in the Staff Report. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1806-0004, A ZONING TEXT AMENDMENT REQUEST BY CLEARFIELD CITY TO REVISE THE CLEAR VISION REGULATIONS OUTLINED IN SECTION 11-13-10 OF THE CLEARFIELD CITY LAND USE ORDINANCE.

Brad McIlrath said there had been previous discussion on clear vision regulations. The current requirement was 60 feet at a corner and 25 feet at the driveway. The review of clear vision ordinances for surrounding cities showed that most corner triangles were not greater than 40 feet
and not less than 30 feet and driveways were 10 feet. The proposal recommended a change from 60 feet to 30 feet for corners and 10 feet for driveways.

Staff recommended the Planning Commission forward a recommendation of approval to City Council.

Chair Jugler opened the public hearing at 9:30 p.m.

PUBLIC COMMENT:
There were no public comments.

The public hearing was closed 9:31 p.m.

RECOMMENDATION OF ZTA 1806-0004, A ZONING TEXT AMENDMENT REQUEST BY CLEARFIELD CITY TO REVISE THE CLEAR VISION REGULATIONS OUTLINED IN SECTION 11-13-10 OF THE CLEARFIELD CITY LAND USE ORDINANCE.

Commissioner Lloyd moved to recommend to the City Council approval of ZTA 1806-0004, a zoning text amendment request by Clearfield City to revise the Clear Vision regulations outlined in Section 11-13-10 of the Clearfield City Land Use ordinance, based on the findings and discussion in the staff report. Seconded by Commissioner Britton. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON ZTA 1806-0005, A ZONING TEXT AMENDMENT REQUEST BY CLEARFIELD CITY TO AMEND THE STANDARDS FOR ON PREMISE FREESTANDING SIGNS OUTLINED IN SECTION 11-15-8C OF THE CLEARFIELD CITY LAND USE ORDINANCE.

Brad McIlrath said the request was to modify on-premise freestanding sign regulations for planned commercial center signage. On premise freestanding signs were allowed in commercial or manufacturing parcels or centers that were ten acres or larger. The proposal provided for more flexibility but still mitigated the impact of the signage. A freestanding sign or a pole sign was only allowed at a planned commercial center; in all other areas a monument sign is allowed. He reviewed other cities requirements.

The change to the City ordinance § 11-15-8 C would state:
2. Commercial or manufacturing parcels or centers larger than ten (10) acres in size: One freestanding sign shall be allowed per three hundred feet (300’) of street frontage. Sign area shall not exceed three hundred (300) square feet, and sign height shall not exceed thirty five feet (35’). Signs shall be located at least two hundred feet (200’) away from an intersection.
3. For centers with more than one sign, there shall be a minimum separation of two hundred and fifty lineal feet (250’) between each sign.
Staff recommended the Planning Commission forward a recommendation of approval to City Council.

Commissioner Call asked if regulations on flashing and electronic signs could be put in place. Mr. McIlrath said it could be addressed but wasn’t at this time.

Chair Jugler opened the public hearing at 9:42 p.m.

There was no public comment.

The public hearing was closed at 9:43 p.m.

RECOMMENDATION OF ZTA 1806-0005, A ZONING TEXT AMENDMENT REQUEST BY CLEARFIELD CITY TO AMEND THE STANDARDS FOR ON PREMISE FREESTANDING SIGNS OUTLINED IN SECTION 11-15-8C OF THE CLEARFIELD CITY LAND USE ORDINANCE.

Commissioner Uccardi moved to recommend approval of ZTA 1806-0005, to the Clearfield City Council, a zoning text amendment request by Clearfield City to amend the standards for On Premise Freestanding Signs outlined in Section 11-15-8C of the Clearfield City Land Use ordinance. Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Lloyd, Uccardi, Call, Murray, Browning and Britton. Voting NO: None.

DISCUSSION ITEMS

DISCUSSION ON NEW ORDINANCE REGULATING THE INSTALLATION OF SMALL WIRELESS FACILITIES (SWFs) IN THE CITY

Brad McIlrath said in March 2018 the Utah State Legislature passed legislation that required municipalities to allow the installation of new wireless antennas and equipment known as Small Wireless Facilities (SWFs). It was for small cellular equipment that would increase the amount of data available from a provider. The ordinance was required to be in place prior to September. By adopting an ordinance colocation could be required, the location could be limited.

Commissioner Britton asked if the ordinance could allow or require colocation. Mr. McIlrath said the ordinance could require the colocation or documentation that stated why colocation was not feasible.

Commissioner Uccardi asked if the ordinance would be consistent with the design features of the Form Based Code. Mr. McIlrath said the design could be limited.
STAFF COMMUNICATIONS

Brad McIlrath said the August agenda had only four or five items. A work session for Clearfield Station small area plan would be held on July 31, 2018 at 6:00 p.m.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Britton – Nothing

Commissioner Browning – Nothing

Commissioner Murray – Thanked the commissioners for putting up with all her questions.

Commissioner Call – Nothing

Commissioner Uccardi – Said the 4th of July celebration was wonderful and he asked if the Planning Commission could do something for the next year’s celebration.

Commissioner Lloyd – Nothing

Commissioner Jones – July 4th was great.

Commissioner Bigelow – Nothing

Chair Jugler – Thanked the commissioners for their comments and discussion and staff for their work.

There being no further business to come before the Planning Commission, Commissioner Britton moved to adjourn at 9:59 P.M. Seconded by Commissioner Uccardi.