CLEARFIELD PLANNING COMMISSION MEETING
June 6, 2018
7:00 P.M. – Regular Session

PRESIDING: Brady Jugler Chair

PRESENT: Kathryn Murray Commissioner
Robert Browning Commissioner
Chris Uccardi Commissioner
Mallory Call Commissioner
Levi Lloyd Commissioner
Ruth Jones Alternate Commissioner
Eden Bush Youth Ambassador

ABSENT: Nicole Bigelow Alternate Commissioner
Michael Britton Commissioner

STAFF PRESENT: Brie Brass Assistant City Attorney
Brad McIlrath Senior Planner
Christine Horrocks Customer Service Rep

VISITORS: Koral Vasquez, Julie Johansen, Jed Flint, Dan Gunderson, Hollyann Bell, Steven Bell, Denise Sly, Pat Gianchetta, Janene Clark, Doug Kearsley, McKay Kearsley, George Pacheco, Jo Martinez, Walter Hansing, Thomas I Baeder Sr, Kalyn Womble, Diane Russell, LuDean Elliott, Bill Elliott, Darla Saucedo, Shauna Moss, Justin Clark, Whitney Black, David Black, Chris Keller, Nora Keller, Lizz Pettingill, Dean Pettingill, Brent Hill, Don Wood, LuAnn Wood, Leslie Mascaro, Kevin Porter, Royce D Stamps, Faye Walton, Jamie Monson

The Pledge of Allegiance was led by Chair Jugler.

APPROVAL OF MINUTES FROM MAY 2, 2018 PLANNING COMMISSION MEETING

Commissioner Murray moved to approve the minutes of the May 2, 2018 Planning Commission meeting as written. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, and Call. Voting NO: None.

Commissioner Lloyd entered at 7:02 p.m. and took a seat on the dais.

Chair Jugler read the Planning Commission Chair Statement.
DISCUSSION ON SITE PLAN, SP 1803-0004 A REQUEST BY CHAD BUCK FOR A TWO (2) BUILDING, 8-UNIT TOWNHOME PROJECT. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151)

Brad McIlrath, Senior Planner, said the request for site plan approval was for a townhome project located at 1215 South 1000 East. The proposal was for two buildings with four-units each. The elevations included a variety of materials and City Code required at least three different materials. Staff requested modifications to the rear elevation which would add variations to the design. The applicant desired installation of a vinyl fence rather than the masonry wall and the change was made to the conditions of approval.

APPROVAL OF SITE PLAN, SP 1803-0004 A REQUEST BY CHAD BUCK FOR A TWO (2) BUILDING, 8-UNIT TOWNHOME PROJECT. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151)

Commissioner Murray moved to approve as conditioned, SP 1803-0004, the Falcon Corner site plan project request by Chad Buck, for a two (2) building, eight (2) unit townhome project located at 1215 South 1000 East (TIN:09-022-0151) based on the discussion and findings in the staff report with the following conditions which included a modification to condition number three:

1) The project shall comply with all applicable development standards of the R-3 (Residential) Zone.
2) The landscape plan shall be modified to include the landscaping square footage and percentage calculations for the project. All site landscaping shall comply with applicable standards of the R-3 (Residential) Zone and as outlined in Chapter 13 (Supplementary Standards) of the Land Use Ordinance.
3) All fencing shall comply with established standards and as approved by the Planning Commission. A six foot (6’) fence shall be installed along the two property frontages and shall be reduced to 36” in height within the clear vision areas.
4) The project shall comply with the applicable design standards of the Land Use Ordinance as outlined in this report. The rear elevations shall be modified to include additional variations as outlined in this report and determined by the Planning Commission. A minimum of three (3) colors shall be used per building façade.
5) The applicant shall obtain a building permit prior to the commencement of construction and obtain all other necessary permits/approvals prior to site development work.
6) A bond shall be posted with the City Recorder for the installation and maintenance of landscaping as outlined in Section 11-13-23C of the Land Use ordinance.
7) In accordance with a requirement of the rezone of this property to R-3 Residential, the applicant shall complete a development agreement and the project shall comply with the standards of that agreement that meet or exceed the standards of the Land Use ordinance.

Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.
PUBLIC HEARING AND DISCUSSION ON THE PRELIMINARY SUBDIVISION PLAT, PSP 1803-0004 A REQUEST BY CHAD BUCK FOR PRELIMINARY SUBDIVISION PLAT APPROVAL FOR AN 8-UNIT TOWNHOME SUBDIVISION. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151)

Commissioner Uccardi moved to open the public hearing at 7:13 p.m. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

Brad McIlrath said the preliminary subdivision approval was an administrative action by the Planning Commission and the final subdivision plat would be presented to the City Council. The lots would be owned individually and each had private ownership space along with the common areas. Staff recommended approval of the preliminary subdivision as conditioned. Mr. McIlrath said the applicant understood the conditions of approval and would comply.

PUBLIC COMMENT:
George Pacheco, adjacent property owner, said the existing power poles were old and recommended the poles be replaced.

No further comments

Commissioner Murray moved to close the public hearing at 7:17 p.m. Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call and Lloyd. Voting NO: None.

Commissioner Call asked if there would be an HOA. Mr. McIlrath said the HOA and CC&Rs would be required with the final subdivision plat.

APPROVAL OF THE PRELIMINARY SUBDIVISION PLAT, PSP 1803-0004 A REQUEST BY CHAD BUCK FOR PRELIMINARY SUBDIVISION PLAT APPROVAL FOR AN 8-UNIT TOWNHOME SUBDIVISION. LOCATED AT 1215 SOUTH 1000 EAST (TIN: 09-022-0151)

Commissioner Uccardi moved to approve as conditioned PSP 1803-0004, the Preliminary Subdivision Plat for the Falcon Corner Townhomes to create 8 townhome units at the property addressed 1215 South 1000 East based on the discussion and findings in the staff report and subject to the following conditions:

1. Plans shall be revised to address Clearfield City Engineering requirements prior to the submittal of plans for Final Plat review and approval.
2. An updated landscape plan that meets the requirements of the Site Plan approval shall be included with the revised subdivision plans for Final Plat review and approval.
3. The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surround the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.
4. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recording of the Final Plat as outlined in § 12-4-6. Seconded by Commissioner Lloyd. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call and Lloyd. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON PSP 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 Jones moved to open the public hearing at 7:19 p.m. Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

Brad McIlrath said the proposed subdivision was at the corner of 700 South and Depot Street. The properties were currently zoned C-2, A-1 and R-3 however they were included with the rezone for the Form Based Code later to TC (Town Commerce). Lot 1 contained the Masonic Lodge. A new retention basin and parking lot would be added to Lot 1. The proposal for Lot 2 was the future development of townhomes. Lot 3 would have a proposed 20,000 square foot commercial building. Each lot would have a 10 foot public utility easement. Site plans would be presented in the future for lots 2 and 3. Staff recommended approval with conditions.

PUBLIC COMMENT:
There were no public comments.

Commissioner Lloyd moved to close the public hearing at 7:24 p.m. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

APPROVAL OF PSP 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 Uccardi moved to approve, as conditioned, PSP 1804-0004, the Preliminary Subdivision Plat for the Masonic Temple Subdivision for the properties located at 452 East 700 South, based on findings and discussion in the staff report with the following conditions of approval:

1. The subdivision plans shall be revised and resubmitted in compliance with Title 12 of the City Code for Final Subdivision Plat review and approval.
2. Each lot shall contain the sufficient amount of public utility easements necessary as determined by the City Engineer.
3. The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surround the perimeter of the
subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

4. Future subdivision of any of the proposed lots shall obtain preliminary and final subdivision plat approval by Clearfield City.

5. Future development of these properties shall comply with the development standards outlined in the Downtown Form Based Code.

6. 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 Lloyd. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

PUBLIC HEARING AND DISCUSSION ON CUP 1804-0010 A REQUEST BY STEVEN BELL FOR A HOME OCCUPATION BUSINESS TO RENT KAYAKS AND PADDLE BOARDS FROM A DETACHED GARAGE ON THE PROPERTY. LOCATED AT 814 WEST 300 NORTH (TIN: 14-070-0008)

Commissioner Murray moved to open the public hearing at 7:26 p.m. Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

Brad McIlrath said the request was for a conditional use permit for a home occupation license for the rental of kayaks and paddle boards from a detached garage. The paddle boards and kayaks would be stored on trailers within the detached garage. Staff recommended approval as conditioned.

PUBLIC COMMENTS:
There were no public comments.

Commissioner Murray moved to close the public hearing at 7:29 p.m. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

APPROVAL OF CUP 1804-0010 A REQUEST BY STEVEN BELL FOR A HOME OCCUPATION BUSINESS TO RENT KAYAKS AND PADDLE BOARDS FROM A DETACHED GARAGE ON THE PROPERTY. LOCATED AT 814 WEST 300 NORTH (TIN: 14-070-0008)

Commissioner Murray moved to approve as conditioned, CUP 1804-0010, a request by Steven Bell, on behalf of Mountain Sports Rentals, for a Conditional Use Permit to obtain a Home Occupation Business License, for the rental of kayaks and paddle boards from a detached garage on the property. The property is located at 814 West 300 North (TIN: 14-070-0008) based on the findings and discussion in the Staff Report with the following conditions:
1) The storage of rental equipment shall be conducted entirely within the detached 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 detached 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 Clearfield City Code 11-15.
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 discernable 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.
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.

Seconded by Commissioner Call. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.
PUBLIC HEARING AND DISCUSSION ON ZTA 1804-0008, A REQUEST BY CLEARFIELD CITY TO CONSIDER THE REZONE OF PROPERTIES IDENTIFIED IN THE FORM-BASED CODE. THE REZONES WOULD APPLY SPECIFICALLY TO PROPERTIES LOCATED ALONG THE CORRIDOR OF STATE ROUTE 126 (STATE AND MAIN STREET) FROM 300 NORTH TO 1000 SOUTH AND ALONG THE CORRIDOR OF STATE ROUTE 193 (700 SOUTH) FROM INTERSTATE 15 TO THE RAIL CORRIDOR.

Commissioner Uccardi moved to open the public hearing at 7:31 p.m. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

Brad McIlrath explained the process that began in 2015 when the City Council wanted to find a way to revitalize Clearfield as a whole and also downtown. A market study was completed for determination of the areas where commercial and redevelopment would be viable. Areas were identified for redevelopment. The Wasatch Front Regional Council provided a grant to design a small area plan and design guidelines for a form based code, which was different than typical zoning ordinances. The small area plan was completed and adopted by City Council in March 2017 and was included in the General Plan.

The Form Based Code (FBC) was recommended with the small area plan. FBC addressed the entire area rather than each development individually. A steering committee was formed that included the Mayor, business owners, citizens, developers, members of the City Council and Planning Commission plus City Staff. Public outreach was engaged through open houses, Facebook, Citywide mailers, and the City website. The FBC was approved unanimously by City Council on May 22, 2018, but the rezone of the properties did not occur. The rezone before the Commission was for the rezone of the properties for conformance with the code.

The FBC identified different nodes, Civic Center, Mabey Place and Access Point. FBC Principles were based on place making, based on form, it was a proactive approach because it described exactly what the developer was required to do and was a clear implementation strategy for the downtown.

The list of the properties that were being considered for rezone was shown. Mr. McIlrath stated that notices for the rezone were sent to properties that were not on the list for rezone because City Code required notices sent to the properties within a 300 foot radius of a project. The zoning classifications were Town Commerce (TC); Town Residential (TR) which allowed for single family homes, town homes, and multi-family but also encouraged commercial and office uses; Urban Residential (UR) and Urban Commerce (UC).

Mr. McIlrath said Jed Flint requested the following parcels be included in the rezone: 608 South 1000 East – TIN: 12-004-0178 and 620 South 1000 East– TIN: 12-004-0177. Mr. Flint would like to the parcels included to allow for the redevelopment of the parcels consistent with the surrounding area.

The owner of the following properties requested the following parcels be excluded from the
rezone:
627 South 1000 East – TIN: 09-017-0001, 655 South 1000 East – TIN: 09-017-0007,
1011 East 700 South – TIN: 09-017-0008, 1017 East 700 South – TIN: 09-017-0009 and 1029
East 700 South – TIN: 09-017-0009.

Staff was supportive of the request, and suggested the other parcels east of 1000 East be removed
since they were not included in the Small Area Plan nor the Future Land Use Map (General Plan).

Staff recommended the Planning Commission recommend approval of the rezone to the City
Council.

Mr. McIlrath reviewed some comments he had received. One main concern was if the use of the
property would change. Under State Code the use would become a legal non-conforming use or
grandfathered and could continue as currently used. The FBC rezone only impacted future
development or major changes to a site. He stated the term “legal non-conforming” indicated the
properties were legal before the zoning was changed.

Commissioner Call asked if legal non-conforming properties would be sold as grandfathered or
the new zoning requirement. Mr. McIlrath said if property changed hands it still held the legal
non-conforming status. Commissioner Call asked if the owner had the right to change how the
property was marketed if it was compliant with the FBC zoning. Mr. McIlrath the property could
be marketed to conform with the FBC or as it was currently.

Commissioner Uccardi asked what the current zoning was for the properties on 1000 East that
were removed from the rezone. Mr. McIlrath said the properties were zoned C-2 and R-1-8.

Chair Jugler reviewed the Planning Commission Chair statement.

PUBLIC COMMENT:

FOR:
Leslie Mascaro represented the property owners of the triangular piece that was excluded from
the rezone. The intent for the property was to construct a C Store. Work has been done on the site
to clean up and demolish the buildings. She said the property owners supported staff in its
recommendation in not including the parcels in the rezone. The property was adjacent to the
freeway and with the elevation change would make it difficult to tie into a walkable pedestrian
friendly community. When the property was purchased it was master planned to be commercial.

AGAINST:
Doug Kearsley of Dick Kearsley Service Center, said the business had been at 520 S State for
about 45 years and asked why the property was not included in the commercial corridor. He said
the business supported Clearfield City and wanted to do what was best. He recommended the
property be left in the commercial corridor if possible.

Chair Jugler asked Mr. McIlrath to show the zoning map as it currently existed. Commissioner
Murray said the business could stay there as long as it desired. Mr. Kearsley said it was his opinion that the long term use along State Street should be commercial. Chair Jugler stated the proposed zone for the Kearsley property was TC (Town Commerce) included retail, office and mixed use residential. Mr. McIlrath said the surrounding properties were commercial.

Denise Sly, 485 East 450 South, said her family had owned her property for 85 years. In a Planning Commission meeting in 2008 a two year moratorium was placed on apartments. She asked how many apartments and townhomes were currently in the City and how many would be in at Lakeside Square. Mr. McIlrath said he didn’t know how many there were, but could find the percentage of what properties were zoned multi-family. Ms. Sly said there were three youth offender homes within 25 yards of her home and there was a lot of low income apartment housing. The neighborhood she lived in now was not the same as when she grew up. She said Clearfield City was known for apartments, youth offender homes and drug treatment facilities. At a Planning Commission meeting in 2008 the mission statement of the City was stated to be, “To provide services that enhance the quality of life for our community.” She asked how that had been met if Clearfield City was number one in felonies. There were 179 parcels being rezoned and 126 of the parcels would be zoned TC and TR. Ms. Sly said as a single family residential homeowner she feared for her property. She said the sweeping rezone of 179 parcels was ridiculous especially if things would stay the same. She asked if it would change property taxes. Chair Jugler said the rezone was to change the future development plan. Ms. Sly said Clearfield City was not the City she knew and loved.

Kevin Porter, property owner on South Main Street, asked if the property on South Main from Center Street to 700 South could be included in the rezone so it included mixed use.

Mr. McIlrath said the properties that would be rezoned go to the rail line because it was not recommended by the market study and small area plan.

Royce Stamps, 181 Ross Drive, said his property backed up to the TC property on 700 South. He was concerned that there would be four story apartments that would look down into his backyard. Mr. McIlrath said the FBC dictated the design and style of the buildings and a mixed use building could be no taller than 36 feet within 30 feet of the property line and a landscaped setback of 20 feet was required. In a single family zone the house was restricted to 35 feet in height. Mr. Stamps was concerned there would be an access road adjacent to his property. Mr. McIlrath said any access to the area in the FBC would be from 700 South.

Jo Martinez, 653 S State, was concerned that her property taxes would be increased. She asked if the residents were able to vote on the change. The curb and gutter along State Street was constantly full of garbage and debris.

Julie Johansen, 102 South Lakeview Drive, asked if her property would be rezoned. Mr. McIlrath said it was not but was adjacent to property that was included in the FBC. She asked what future plans were for the area and wondered if her property taxes or the value of home increase or decrease. Her opinion was there was a hidden agenda when the future plans of the City were discussed at the party held at the Aquatic Center. She asked what the plans were for the adjacent
property and if there were plans in motion.

Brent Hill said his family owned parcels on State Street that were affected. It was his opinion that it was premature for a decision to be made for recommendation to City Council. He suggested allowing the property owners on the boundary of the FBC area some deviation from the scope. He desired his family properties kept in the same zone.

Faye Walton, 173 Ross Drive, said it was the first time she heard about the changes. She didn’t want residential town houses in her back yard or a three or four story apartment building off Ross Drive. She was concerned with the amount of traffic currently on 700 South and said there would be a larger problem if town houses were built, commercial was okay but keep the town houses away from Ross Drive and the area on 700 South.

Chris Keller, 147 East 350 South, said the efforts to publicize the changes had failed. He was concerned that many of the mixed use areas would end up being high density housing. He encouraged the Planning Commission to look for more comments from the public; individuals wanted answers to their questions and suggested a question/answer forum.

Jamie Monson, 172 South 500 East, said the citizens were told that they could continue to use their property as currently used, but in actuality it’s more like, use it until we are ready to take it and she said that was wrong. She said please stop with apartments and townhomes there are way too many, Clearfield City would be known as the place to get a less expensive place to live.

**Commissioner Murray** moved to close the public hearing at 8:29 p.m. Seconded by **Commissioner Call**. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

Chair Jugler reminded the citizens that city staff or members of the City Council or Planning Commission could be contacted any time with any questions or concerns they had.

Brad McIlrath had made notes from the citizen comments and said he would try to respond to the questions.

Doug Kearsley wanted his property included in the Commercial Corridor (CC) rather than Town Residential (TR). He said the recommendation was to have a lot of TR, and residential would be mixed use with commercial. Town Commerce (TC) which was mostly along 700 South required a commercial component. As an advisory body to the City Council changes to the proposed plan could be recommended by the Planning Commission to the City Council. The final decision would be made by the City Council.

There were several citizens that had questions and concerns about an increase in property taxes. The office of the Davis County Assessor determined property tax value and the assessment. A rezone didn’t change property tax value. Property tax value was based on similar uses and market value. Mr. McIlrath said agencies such as the school district, local cities, sewer districts, that collect taxes could increase property taxes without a rezone. Based on his experience Mr.
McIlrath said the property was taxed on the use; however, he could not answer for the Davis County Assessor.

Mr. Porter asked if properties on South Main could be included in the rezone. Properties west of the rail lines were not identified or included in the small area plan and the General Plan. He told Mr. Porter he could address the City Council at the meeting on June 12 and ask for the property to be included.

There were concerns that outreach was done only through social media. Mr. McIlrath said information was sent on flyers in the utility bills and invitations on the City website. Social media attracted different demographics but was not the only means the City used. Agendas were always posted in several public places prior to each meeting.

There were several comments regarding the notice for the form based code for the small area plan which was not done through individual mailers but on utility bill notices. Mr. McIlrath understood the feeling of not being included because the utility bill flyer/newsletter would need to be read.

Mr. McIlrath explained that the Planning Commission would make a recommendation to the City Council and the final decision would be made by City Council.

Concerns were noted about buildings with four stories adjacent to residential. In the TC area the building height was limited to 36 feet.

Someone requested the rezone be brought up as a vote; however, typically planning matters were not brought up as a vote. The public could petition to have a vote after needed signatures were obtained.

The curb, gutter and sidewalk issues would be communicated to the Public Works department.

There was a question about what was happening right now but there are not any projects planned at this time. All projects in the FBC required site plan review and approval by the Planning Commission. Any subdivision approval would also be reviewed by the City Council.

A question/answer format was requested. The open houses that were held had a question/answer format. Mr. McIlrath said he tried to address the questions at the Planning Commission meeting.

Deviation on the edges of the FBC area was requested and Mr. McIlrath said an example of that was with the properties on the east side of the area. The property owner after receiving notice approached the City and requested a change in the proposal.

A resident was concerned with more residential and traffic problems it created. Mr. McIlrath stated residential was a hot topic in every community. Residential use was a vital component of creating a livable downtown. In order for a downtown to be sustained through market recessions and change of times there needed to be a 24 hour presence. He said change was difficult to
accept. The plan presented tonight was a result of the elected officials trying to create a downtown that was identifiable and had a unique style.

A comment was made that the property could be used until the City wanted to take it. Mr. McIlrath said the owners could use their property as long as they wanted. The only way property would be taken was if the City chose to use eminent domain because of need or blight which was not being considered at this time. In the future a developer could approach a property owner to purchase the property but the decision was up to the property owner.

The last comment made was about lack of notification. Mr. McIlrath said Clearfield City tried to be the as transparent as possible with notification and posting of the agenda.

Chair Jugler said usually the Planning Commission worked in an administrative environment where the decision was made if code was met rather than by personal opinion. Tonight the decision recommended to the City Council would be made by views on what was best for the future of the City.

Commissioner Call said in our nation Utah and Nevada were tied for number one for growth. It was projected that Utah would double in population by 2065. Housing was desperately needed. She said last week in Davis County there were four residential properties on the market that were under $250,000. She said there was a debate that there weren’t enough affordable housing opportunities. She added that a recent poll based from statistics from the local government that Clearfield City was seventeenth in the State on the list as the safest city to live in.

Commissioner Browning said several citizens were upset because they said the only notifications for previous meetings were via Facebook. The agenda for every meeting was legally required to be posted and Clearfield City posted the agenda at the two post office buildings and the City building. He had spent over 20 hours in meetings that were properly posted discussing the proposed changes. It was the opinion of the elected officials that Clearfield City didn’t fit in the normal development scheme. The plan might not be a perfect plan but a plan with flexibility. The City needed to build on what we have. He said hopefully we would all be involved.

Commissioner Lloyd said things change throughout time. In the 1950’s people didn’t want to live downtown, they wanted to live in a single family home with their own property. In the past five years the vision had flipped and people wanted to come back to the downtown. The younger generation wanted everything at their fingertips. He had been involved in research for the revitalization of downtown areas of cities. He said he worked in downtown Salt Lake City and people were flocking to cities and amenities more than before. Clearfield City was trying to revitalize downtown so it was a walkable district.

Commissioner Jones said she had lived in Clearfield City for five years and it’s where her family wanted to stay. She said there was a negative view of condominiums, townhomes and apartments. We needed to look at ways to bring others to the City. She wanted more opportunities for people to come and be welcomed in Clearfield City.

Commissioner Uccardi thanked the citizens for their comments and participation; you wanted
your voice heard. He had been part of the process for a while. This change was a bold and a big change. His opinion was that it was a necessary change. Clearfield City was being left behind in Davis County by the communities around us because we don’t have the land. The perception of Clearfield was rapidly deteriorating because new development was coming to surrounding cities that was new, shiny, and pretty. Clearfield City had to move forward and the plan was a long term plan. The changes won’t happen in a year, the focus was for ten to fifteen to twenty years. He understood the City Centre apartments were filling and the building was 60 percent full. The apartments are market value and people wanted to move there. He said everyone needed to work together to make the plan work.

Commissioner Murray said when talking about apartments and rentals, Clearfield City had a high percentage of rentals with a lot of low income rentals. The perspective was being changed trying for high end apartments. She had lived in Clearfield City for over 40 years and knew that something different needed to be done. The change was a bold move and the City Council wanted what was best for the residents. The leaders were trying to make Clearfield City a place where people were proud to come to and what is best for everyone overall.

Commissioner Murray moved to recommend approval to the City Council of ZTA 1804-0008, a request by Clearfield City to consider the rezone of properties identified in the form-based code. The rezones would apply specifically to properties located along the corridor of State Route 126 (State and Main Street) from 300 North to 1000 South and along the corridor of State Route 193 (700 South) from 1000 East to the rail corridor. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Jones, Murray, Browning, Call, and Lloyd. Voting NO: None.

STAFF COMMUNICATIONS

Brad McIlrath said Commissioner Bigelow had a baby boy, Warren, on May 31st. She asked to be excused from the meeting.

PLANNING COMMISSIONERS’ MINUTE

Commissioner Lloyd – Nothing

Commissioner Call – Nothing

Commissioner Browning – Appreciated the comments from the public and hoped more people would get involved.

Commissioner Murray – Nothing

Commissioner Jones – Attended the Meet the Candidate night for the Davis County School Board and found it informative.

Commissioner Uccardi – Nothing
Youth Ambassador Bush – Grateful to be here and encouraged those in attendance to look at the agenda with a growing perspective.

Chair Jugler – Thanked staff for guidance and thanks those that attended and encouraged the citizens to express concerns to the City Council.

There being no further business to come before the Planning Commission, Commissioner Murray moved to adjourn at 9:16 P.M. Seconded by Commissioner Jones