

CLEARFIELD PLANNING COMMISSION MEETING

June 19, 2019

6:30 P.M. – Work Session

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- 5 **PRESIDING:** Brady Jugler Chair
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- 7 **PRESENT:** Kathryn Murray Commissioner
- 8 Robert Browning Commissioner
- 9 Chris Uccardi Commissioner
- 10 Ruth Jones Commissioner
- 11 David Bloomfield Alternate
- 12 Jacoby Marston Alternate
- 13 Eden Bush Youth Ambassador
- 14
- 15 **ABSENT:** Levi Lloyd Commissioner
- 16 Nicole Bigelow Commissioner
- 17 Spencer Brimley Community Development Director
- 18
- 19 **STAFF PRESENT:** Brie Brass Assistant City Attorney
- 20 Brad McIlrath Senior Planner
- 21 Bettina Griffeth Customer Service Rep
- 22

23 **VISITORS:** None

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25 Commissioner Murray called the meeting to order at 6:37 P.M.

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28 DISCUSSION ON APPROVAL FOR THE PLANNING COMMISSION MINUTES OF MAY
29 8, 2019 REGULAR AND WORK MEETINGS

- 30 • Commissioner Murray pointed out some spelling errors that needed to be corrected.
- 31
- 32

33 DISCUSSION ON CUP 1905-007, A CONDITIONAL USE PERMIT REQUEST BY BRAD
34 CARTER WITH NOVASOURCE SUNWEST, LLC TO CONSTRUCT A VALVOLINE
35 INSTANT OIL CHANGE CENTER AT THE SUBJECT PROPERTY. LOCATION: 856 WEST
36 ANTELOPE DRIVE (TIN: 12-667-0024). PARCEL AREA: 0.41 ACRES. ZONE: C-2
37 (COMMERCIAL) and DISCUSSION ON MULTI-FAMILY RESIDENTIAL AND
38 COMMERCIAL BUILDING MATERIALS FOR NEW DEVELOPMENT IN CLEARFIELD
39 CITY

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- 41 • Commissioner Murray said that there were some things that needed to be revised and
- 42 asked if they had revised them. Brad McIlrath answered Mr. Carter received the same
- 43 report the Planning Commission received and the applicant was willing to make revisions
- 44 suggested in the report.
- 45 • Commissioner Murray commented on condition number five (5), that it should read
- 46 “pedestrian path across parking lot shall be constructed of a separate material [than] the

- 1 parking lot”.
- 2 • Commissioner Murray pointed out that the applicant has to have all their applications
3 registered before they are issued a business license. Brad McIlrath answered the last thing
4 the City will issue is the business license and further clarified because the project did not
5 have a subdivision plat there would not have to be anything recorded with the Davis
6 County Recorder’s Office.
- 7 • Commissioner Browning commented a water and oil separation unit is typically required
8 for automotive related projects, but the plans do not show where, or if, there would be
9 one. Mr. McIlrath explained a water oil separator would be required for the building
10 permit and that the applicant had been in communications with the fire department about
11 where their oil will be stored and the need for an oil water separator. Commissioner
12 Murray commented there is nothing in the staff report that says an oil water separator is
13 required and Mr. McIlrath clarified they would be required to install an oil water
14 separation unit for the project.
- 15 • Commissioner Murray asked for clarification about the red and white building materials
16 for the project stating the standing metal panel would be red, but wanted to know if the
17 white material would be hardie board [cement composite] and stated hardie board is not
18 listed in the accepted materials list. Mr. McIlrath answered after talking to the City legal
19 team that the list of acceptable building materials has not been interpreted as an extensive
20 list, but rather the minimum materials required. Commissioner Murray asked if the
21 ordinance needs to be rewritten to clarify that the list of acceptable building materials is
22 the minimum required and not the exclusive materials allowed. City Attorney Brie Brass
23 Stated that language could be changed in the code to make it clearer.
- 24 • Commissioner Jugler asked if they would have to include all of the materials from the list
25 of acceptable building materials. Brad McIlrath explained the code states all front
26 elevations or side elevations facing a street must include at least two (2) of the materials
27 from the acceptable building materials list.
- 28 • Youth Ambassador Eden Bush asked for clarification that the houses and accessory
29 buildings need to be the same material and or color? Brad McIlrath answered they are
30 trying to clarify what is required saying the current code states accessory buildings must
31 be built of an all-weather material and finished to match the primary structure and further
32 saying people are confused about whether it has to be the same material or just the same
33 color.
- 34 • Miss Bush asked if the changes would affect existing homes, or just affect future homes.
35 Brad McIlrath stated just the future.
- 36 • Miss Bush asked who as a planning commission, unelected official, of the city, are we to
37 regulate people’s houses (color, materials etc.), and is that overstepping the bounds we
38 have as a regulatory body? Brad McIlrath answered that cities have the right to enact
39 ordinances that regulate the health, safety, or welfare of the community. Miss Bush then
40 asked how is this protecting the health, safety, or welfare of the city? Mr. McIlrath
41 answered that the terms health, safety, or welfare have very broad definitions.
42 Commissioner Jugler also added property values would fall under welfare of a city, that
43 ascetic choses of one person could negatively affect the property value of their neighbor.
- 44 • Commissioner Murray explained, she believes in rights for private property, but when it
45 starts interfering with others because people don’t care about their property that is where
46 the city can step in.

- 1 • Youth Ambassador Eden Bush stated she was concerned about infringing on the rights of
2 the people and stated she understands the principal of a cities need to regulate, but was
3 concerned about the city abusing their power with this and feels that we don't have a right
4 to control the building material and color that they can use. Miss Bush further asked if this
5 is what people want or would they be upset about it? Brad McIlrath answered the biggest
6 push back so far has been from people wanting to install metal carports or awnings, with
7 several commissioners adding metal carports and awnings can become a safety concern
8 during high winds.
- 9 • Commissioner Murray stated there are people in the city who have put gravel down
10 instead of pavement to park cars on their property and allow weeds to grow and that it is
11 unsightly, Commissioner Browning added the city does not want cars parking on
12 impermeable surfaces because of the risk of soil contamination from the cars leaking oil
13 and adding many of the cities ordnances are in place to protect the citizens or the
14 environment.
- 15 • Commissioners Browning and Murray spoke about different homes in the city with weeds
16 and people who don't keep up their yards.

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19 Chair Juglar adjourned the meeting at 7:00 to move to the regular work session.

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CLEARFIELD PLANNING COMMISSION MEETING

June 19, 2019

7:00 P.M. – Regular Session

- 1
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- 5 **PRESIDING:** Brady Jugler Chair
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- 7 **PRESENT:** Kathryn Murray Commissioner
- 8 Robert Browning Commissioner
- 9 Chris Uccardi Commissioner
- 10 Ruth Jones Commissioner
- 11 Jacoby Marston Alternate
- 12 David Bloomfield Alternate
- 13 Eden Bush Youth Ambassador
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- 15 **ABSENT:** Levi Lloyd Commissioner
- 16 Nicole Bigelow Commissioner
- 17 Spencer Brimley Community Development Director
- 18
- 19
- 20 **STAFF PRESENT:** Brie Brass Assistant City Attorney
- 21 Brad McIlrath Senior Planner
- 22 Bettina Griffeth Customer Service Rep
- 23

24 **VISITORS:** Brad Carter, Ron Witzel

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26 The Pledge of Allegiance was led by Brady Jugler

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28 APPROVAL OF THE MINUTES FROM THE APRIL 3, 2019 REGULAR SESSION, APRIL
29 17, 2019 WORK AND REGULAR SESSIONS, AND THE MAY 8, 2019 WORK AND
30 REGULAR SESSIONS

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32 **Commissioner Murray moved to approve the minutes from the April 3, 2019, Regular**
33 **Session, April 17, 2019 Work and Regular Sessions, and the May 8, 2019, Work Session and**
34 **Regular Sessions. Seconded by Commissioner Uccardi. The motion carried upon the**
35 **following vote: Voting AYE – Commissioners Bloomfield, Browning, Jones, Marston,**
36 **Murray, and Uccardi. Voting NO – None.**

37
38 Chair Jugler read the Planning Commission Chair statement.

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41 PUBLIC HEARING, DISCUSSION AND APPROVAL OF CUP 1905-007, A CONDITIONAL
42 USE PERMIT REQUEST BY BRAD CARTER WITH NOVASOURCE SUNWEST, LLC TO
43 CONSTRUCT A VALVOLINE INSTANT OIL CHANGE CENTER AT THE SUBJECT
44 PROPERTY. LOCATION: 856 WEST ANTELOPE DRIVE (TIN: 12-667-0024). PARCEL
45 AREA: 0.41 ACRES. ZONE: C-2 (COMMERCIAL). PLANNER: BRAD MCILRATH
46 (ADMINISTRATIVE MATTER)

1 Brad McIlrath, Senior Planner, reviewed site access, parking, site landscaping and open space,
2 and building design and materials for the development with the Commission. There was a
3 discussion about the landscape requirements for the site and how much grass, how many trees,
4 and the difference between Xeriscape and cobblestone. There was also a discussion about how
5 the facility would separate water and oil prior to it entering the City's waste system. Mr. McIlrath
6 explained that requirement would be addressed during the building permit process.

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8 PUBLIC COMMENT

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10 *Brad Carter*, NovaSource Sunwest, LLC, described the type of business that would be located on
11 the site. He stated Valvoline was excited to be located in Clearfield.

12
13 *Ron Witzel*, NovaSource Sunwest, LLC, stated there would be a water and oil separator on the
14 site. He explained how the separation would take place. He also addressed the access to the site.

15
16 **Commissioner Chris Uccardi moved to approve CUP 1905-007, a Conditional Use Permit**
17 **request by Brad Carter with NovaSource, LLC, to construct a Valvoline Instant Oil Change**
18 **Center at 856 West Antelope Drive. The recommendation was based on the findings and**
19 **discussion in the Staff Report with the following conditions:**

- 20 **1. The project shall comply with all applicable development standards of the C-2**
21 **zone.**
- 22 **2. A landscape and irrigation plan shall be submitted and must meet the minimum**
23 **landscape standards of the C-2 zone and Clearfield City which includes, but is**
24 **not limited to the following:**
 - 25 **a. One additional deciduous tree shall be added to the landscape island at the**
26 **east end of the front row of the parking island. Shrubbery shall be added to**
27 **the island as required by Code.**
 - 28 **b. The front landscaping area between Antelope Drive and the parking area**
29 **shall be modified to include a planting hedge to screen the parking area as**
30 **required by ordinance.**
- 31 **3. The dumpster enclosure shall be constructed of the same material that matches**
32 **the building or an approved masonry.**
- 33 **4. The access aisle for the ADA parking space shall be increased to eight feet (8')**
34 **wide to meet federal standards.**
- 35 **5. The pedestrian path across the parking lot shall be constructed of a separate**
36 **material than the parking material as required by ordinance.**
- 37 **6. The front building façade materials shall be revised to comply with the approved**
38 **materials outlined in the C-2 zone.**
- 39 **7. The project shall comply with all applicable fire code standards and obtain North**
40 **Davis Fire District approval prior to the issuance of final land use approval.**
- 41 **8. The project shall comply with engineering standards / requirements and obtain**
42 **approval prior to the issuance of final Land Use approval.**
- 43 **9. The applicant shall obtain a building permit for all site work prior to the**
44 **commencement of said work.**
- 45 **10. The applicant shall obtain a Clearfield City Business License prior to the**
46 **commencement of business operations at this site.**

47 **Seconded by Commissioner Jones. The motion carried upon the following vote: Voting**

1 **AYE – Commissioners Bloomfield, Browning, Jones, Marston, Murray, and Uccardi.**
2 **Voting NO – None.**

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4
5 DISCUSSION ITEMS

6
7 *Permitted Building Materials*

8 Brad McIlrath, Senior Planner, led a discussion with the Commission regarding building
9 materials for new development in Clearfield. He reviewed the types of building materials allowed
10 in each zone. He recommended the following amendments for consideration:

- 11 • The list of materials in the City Code not be the only approved materials.
- 12 • The term vinyl siding be removed to allow a larger variety of siding.
- 13 • Vinyl siding continue to be limited to the sides of buildings and not allowed for multi-
14 family buildings.
- 15 • Vinyl siding be prohibited in commercial zones.
- 16 • Allow metal paneling as a secondary material, not a primary material.
- 17 • Limit the amount of stucco that could be used.
- 18 • Continue to limit vinyl siding to sides and rears of buildings.

19
20 Mr. McIlrath asked the Commission if it preferred calling out specific building materials in each
21 zone or clarifying acceptable materials. He wondered if the Commission wanted to consider
22 recommending limiting the amount of stucco allowed and limiting metal paneling to a secondary
23 use. Commissioner Browning suggested breaking the approved materials into two groups: primary
24 materials and secondary materials. Commissioner Jones suggested having a design standard rather than a
25 list and possibly addressing percentages seemed a better option.

26
27 Commissioner Murray asked if proposed changes would apply to home improvements or just
28 new construction. Mr. McIlrath indicated the proposal would limit new standards to new
29 construction and remodels. Commissioner Murray asked if there was a difference in cost between
30 vinyl siding and other types of siding. Mr. McIlrath stated vinyl siding was less expensive to use
31 than some of the other types of siding available to builders. Commissioner Jones commented the
32 price difference was significant but still cheaper than other types of building materials that were
33 already allowed in the Code. She added vinyl siding did not hold up as well as other types of
34 siding so she would like to see it removed from the options. She acknowledged that might not be
35 possible because of the cost.

36
37 Commissioner Uccardi cautioned about the hazards of making it difficult for developers to meet
38 the City's design standards. Commissioner Jones encouraged some limitation of products because
39 she wanted to make sure the products being used provided long term viability for the City. Mr.
40 McIlrath reviewed the Design Standards chapter already in the City Code. He explained that
41 different zones in the City Code required different standards in addition to that chapter.
42 Commissioners Jones, Murray, and Uccardi agreed that consolidating design standards in a
43 central location and including additional guidelines was the best approach for development than
44 creating limitations. Brie Brass, Assistant City Attorney, agreed language could be added to the
45 current Design Standards chapter to provide additional direction for development.

1 *Accessory Building Materials (City Code § 11-13-38)*
2

3 Brad McIlrath, Senior Planner, reviewed examples of accessory structures throughout the City.
4 He explained that the majority of detached garages and large accessory buildings were located on
5 properties with smaller, older homes that were not originally built with attached garages. He
6 noted some accessory structures matched the materials and colors of the main structure while
7 others did not. He stated there was currently a lot of inconsistency. He explained the City Code
8 required the accessory buildings and structures to match the exterior of the principal building but
9 the word “match” was creating too much ambiguity.

10
11 There was a discussion about the following:

- 12 • Setback requirements.
- 13 • The differences between accessory dwelling units and accessory structures.
- 14 • The size of buildings where proposed standards would apply.
- 15 • The affordability of adding accessory structures if the requirements were too strict.
- 16 • The need to define the word “match” more clearly.
- 17 • The possibility of identifying matching color and style.
- 18 • The difficulty with requiring the materials to match the primary structure because the
19 housing stock in Clearfield was older and harder to match.
- 20 • The possibility of addressing the matching question in the Design Standards chapter of the
21 City Code.
- 22 • The possibility of requiring matching materials and style based on the size of the
23 accessory structure.
- 24 • Storage containers not being accessory structures because they were not permanent.
- 25 • A suggestion to add language that required the structure to match the primary structure
26 and roof style.

27
28 The Commission asked Mr. McIlrath to look at the requirements of other cities with older
29 housing stock for ideas. It also directed Mr. McIlrath to take the discussion and draft possible
30 options being mindful of the cost for some materials, so there could be further discussion at a
31 later date

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33
34 PLANNING COMMISSIONERS’ MINUTE

35
36 Chair Jugler – Nothing

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38 Commissioner Murray – Nothing

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40 Commissioner Browning – Nothing

41
42 Commissioner Uccardi – Mentioned the City was looking for July 4th parade hosts that would monitor kids
43 along the route for safety purposes.

44
45 Commissioner Jones – Nothing

46
47 Commissioner Marston – Nothing

1
2 Alternate Commissioner Bloomfield – Updated on the construction at the site for the new Maverick at 700
3 South and UDOT’s I-15 reconstruction project. He expressed concern that a lot of trees were being
4 removed.

5
6 Youth Ambassador Eden Bush – Nothing

7
8 STAFF COMMUNICATIONS

9
10 Brad McIlrath, Senior Planner, updated the Commission on upcoming items for its consideration.

11
12
13 There being no further business to come before the Planning Commission, **Commissioner Jones**
14 **moved to adjourn at 9:10 P.M. Seconded by Commissioner Chris Uccardi. All voting AYE.**
15