CLEARFIELD PLANNING COMMISSION MEETING
June 19, 2019
6:30 P.M. – Work Session

PRESIDING: Brady Jugler Chair

PRESENT: Kathryn Murray Commissioner
Robert Browning Commissioner
Chris Uccardi Commissioner
Ruth Jones Commissioner
David Bloomfield Alternate
Jacob Marston Alternate
Eden Bush Youth Ambassador

ABSENT: Levi Lloyd Commissioner
Nicole Bigelow Commissioner
Spencer Brimley Community Development Director

STAFF PRESENT: Brie Brass Assistant City Attorney
Brad McIlrath Senior Planner
Bettina Griffeth Customer Service Rep

VISITORS: None

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

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

• Commissioner Murray pointed out some spelling errors that needed to be corrected.

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

• Commissioner Murray said that there were some things that needed to be revised and asked if they had revised them. Brad McIlrath answered Mr. Carter received the same report the Planning Commission received and the applicant was willing to make revisions suggested in the report.

• Commissioner Murray commented on condition number five (5), that it should read “pedestrian path across parking lot shall be constructed of a separate material [than] the
Commissioner Murray pointed out that the applicant has to have all their applications registered before they are issued a business license. Brad McIlrath answered the last thing the City will issue is the business license and further clarified because the project did not have a subdivision plat there would not have to be anything recorded with the Davis County Recorder’s Office.

Commissioner Browning commented a water and oil separation unit is typically required for automotive related projects, but the plans do not show where, or if, there would be one. Mr. McIlrath explained a water oil separator would be required for the building permit and that the applicant had been in communications with the fire department about where their oil will be stored and the need for an oil water separator. Commissioner Murray commented there is nothing in the staff report that says an oil water separator is required and Mr. McIlrath clarified they would be required to install an oil water separation unit for the project.

Commissioner Murray asked for clarification about the red and white building materials for the project stating the standing metal panel would be red, but wanted to know if the white material would be hardie board [cement composite] and stated hardie board is not listed in the accepted materials list. Mr. McIlrath answered after talking to the City legal team that the list of acceptable building materials has not been interpreted as an extensive list, but rather the minimum materials required. Commissioner Murray asked if the ordinance needs to be rewritten to clarify that the list of acceptable building materials is the minimum required and not the exclusive materials allowed. City Attorney Brie Brass Stated that language could be changed in the code to make it clearer.

Commissioner Jugler asked if they would have to include all of the materials from the list of acceptable building materials. Brad McIlrath explained the code states all front elevations or side elevations facing a street must include at least two (2) of the materials from the acceptable building materials list.

Youth Ambassador Eden Bush asked for clarification that the houses and accessory buildings need to be the same material and or color? Brad McIlrath answered they are trying to clarify what is required saying the current code states accessory buildings must be built of an all-weather material and finished to match the primary structure and further saying people are confused about whether it has to be the same material or just the same color.

Miss Bush asked if the changes would affect existing homes, or just affect future homes. Brad McIlrath stated just the future.

Miss Bush asked who as a planning commission, unelected official, of the city, are we to regulate people’s houses (color, materials etc.), and is that overstepping the bounds we have as a regulatory body? Brad McIlrath answered that cities have the right to enact ordinances that regulate the health, safety, or welfare of the community. Miss Bush then asked how is this protecting the health, safety, or welfare of the city? Mr. McIlrath answered that the terms health, safety, or welfare have very broad definitions. Commissioner Jugler also added property values would fall under welfare of a city, that ascetic choses of one person could negatively affect the property value of their neighbor.

Commissioner Murray explained, she believes in rights for private property, but when it starts interfering with others because people don’t care about their property that is where the city can step in.
Youth Ambassador Eden Bush stated she was concerned about infringing on the rights of the people and stated she understands the principal of a city's need to regulate, but was concerned about the city abusing their power with this and feels that we don’t have a right to control the building material and color that they can use. Miss Bush further asked if this is what people want or would they be upset about it? Brad McIlrath answered the biggest push back so far has been from people wanting to install metal carports or awnings, with several commissioners adding metal carports and awnings can become a safety concern during high winds.

Commissioner Murray stated there are people in the city who have put gravel down instead of pavement to park cars on their property and allow weeds to grow and that it is unsightly, Commissioner Browning added the city does not want cars parking on impermeable surfaces because of the risk of soil contamination from the cars leaking oil and adding many of the city's ordinances are in place to protect the citizens or the environment.

Commissioners Browning and Murray spoke about different homes in the city with weeds and people who don’t keep up their yards.

Chair Juglar adjourned the meeting at 7:00 to move to the regular work session.
CLEARFIELD PLANNING COMMISSION MEETING
June 19, 2019
7:00 P.M. – Regular Session

PRESIDING: Brady Jugler Chair

PRESENT: Kathryn Murray Commissioner
Robert Browning Commissioner
Chris Uccardi Commissioner
Ruth Jones Commissioner
Jacoby Marston Alternate
David Bloomfield Alternate
Eden Bush Youth Ambassador

ABSENT: Levi Lloyd Commissioner
Nicole Bigelow Commissioner
Spencer Brimley Community Development Director

STAFF PRESENT: Brie Brass Assistant City Attorney
Brad McIlrath Senior Planner
Bettina Griffeth Customer Service Rep

VISITORS: Brad Carter, Ron Witzel

The Pledge of Allegiance was led by Brady Jugler


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

Chair Jugler read the Planning Commission Chair statement.

PUBLIC HEARING, DISCUSSION AND APPROVAL OF CUP 1905-007, A CONDITIONAL USE PERMIT REQUEST BY BRAD CARTER WITH NOVASOURCE SUNWEST, LLC TO CONSTRUCT A VALVOLINE INSTANT OIL CHANGE CENTER AT THE SUBJECT PROPERTY. LOCATION: 856 WEST ANTELOPE DRIVE (TIN: 12-667-0024). PARCEL AREA: 0.41 ACRES. ZONE: C-2 (COMMERCIAL). PLANNER: BRAD McILRATH (ADMINISTRATIVE MATTER)
Brad McIlrath, Senior Planner, reviewed site access, parking, site landscaping and open space, and building design and materials for the development with the Commission. There was a discussion about the landscape requirements for the site and how much grass, how many trees, and the difference between Xeriscape and cobblestone. There was also a discussion about how the facility would separate water and oil prior to it entering the City’s waste system. Mr. McIlrath explained that requirement would be addressed during the building permit process.

PUBLIC COMMENT

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

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

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

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

Seconded by Commissioner Jones. The motion carried upon the following vote: Voting
AYE – Commissioners Bloomfield, Browning, Jones, Marston, Murray, and Uccardi.
Voting NO – None.

DISCUSSION ITEMS

Permitted Building Materials

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

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

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

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

Commissioner Uccardi cautioned about the hazards of making it difficult for developers to meet the City’s design standards. Commissioner Jones encouraged some limitation of products because she wanted to make sure the products being used provided long term viability for the City. Mr. McIlrath reviewed the Design Standards chapter already in the City Code. He explained that different zones in the City Code required different standards in addition to that chapter. Commissioners Jones, Murray, and Uccardi agreed that consolidating design standards in a central location and including additional guidelines was the best approach for development than creating limitations. Brie Brass, Assistant City Attorney, agreed language could be added to the current Design Standards chapter to provide additional direction for development.
Accessory Building Materials (City Code § 11-13-38)

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

There was a discussion about the following:
- Setback requirements.
- The differences between accessory dwelling units and accessory structures.
- The size of buildings where proposed standards would apply.
- The affordability of adding accessory structures if the requirements were too strict.
- The need to define the word “match” more clearly.
- The possibility of identifying matching color and style.
- The difficulty with requiring the materials to match the primary structure because the housing stock in Clearfield was older and harder to match.
- The possibility of addressing the matching question in the Design Standards chapter of the City Code.
- The possibility of requiring matching materials and style based on the size of the accessory structure.
- Storage containers not being accessory structures because they were not permanent.
- A suggestion to add language that required the structure to match the primary structure and roof style.

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

PLANNING COMMISSIONERS’ MINUTE

Chair Jugler – Nothing
Commissioner Murray – Nothing
Commissioner Browning – Nothing
Commissioner Uccardi – Mentioned the City was looking for July 4th parade hosts that would monitor kids along the route for safety purposes.
Commissioner Jones – Nothing
Commissioner Marston – Nothing
Alternate Commissioner Bloomfield – Updated on the construction at the site for the new Maverick at 700 South and UDOT’s I-15 reconstruction project. He expressed concern that a lot of trees were being removed.

Youth Ambassador Eden Bush – Nothing

**STAFF COMMUNICATIONS**

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

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