MEETING AGENDA OF THE CLEARFIELD CITY PLANNING COMMISSION

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at 7:00 P.M., Wednesday, February 5, 2020 on the 3rd floor in the City Council Chambers of the Clearfield City Municipal Building, located at 55 S. State Street, Clearfield, UT 84015.

WORK SESSION – 6:30 PM – Executive Conference Room
Review agenda items to address questions.

CALL TO ORDER - PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: None

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Public Hearings

1. Public Hearing, Discussion and Possible Action on ZTA 2020-010020, for proposed amendments to the Title 11, Chapter 1, Section 8 of the Clearfield City Code, the City is seeking to amend its current land use ordinances to further regulate the development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City. Planner: Spencer Brimley (Legislative Matter).

2. Public Hearing, Discussion and Possible Action on ZTA 2020-010021, a request by Clearfield City Staff for Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory buildings in all A-1, A-2 and R-1 zoning districts. Location: City wide. Zone: All zones. Planner: Zack Ludlow (Legislative Matter).

Non-Public Hearings

3. Discussion and Possible Action on PSP 2020-010017, a preliminary subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot. Location: 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). Aggregate Parcel Area: 11.33 Acres. Zone: M-1 (Manufacturing). Planner: Brad McIlrath (Administrative Matter).

4. Discussion and Possible Action on FSP 2020-010017, a final subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot. Location: 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). Aggregate Parcel Area: 11.33 Acres. Zone: M-1 (Manufacturing). Planner: Brad McIlrath (Administrative Matter).
DISCUSSION ITEMS

1. Staff Discussion
2. Planning Commissioner’s Minute
3. Staff Communications

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 30th day of January, 2020

/s/ Brad McIlrath, Senior Planner

The City of Clearfield, in accordance with the ‘Americans with Disabilities Act’, provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call the Customer Service Center at 801-525-2701, giving the City a 48 hour notice.

The Work Session meeting is a public meeting; however, public comments are only received in the formal Planning Commission meeting. The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission’s agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.
TO: Clearfield City Planning Commission  
FROM: Spencer W. Brimley, Community Development Director  
MEETING DATE: Wednesday, February 5th, 2020  
SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 1907-0002, a zoning text amendment by Clearfield City for proposed amendments to the Title 11, Chapter 1, Section 8 of the Clearfield City Code, the City is seeking to amend its current land use ordinances to further regulate the development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City. Staff: Spencer Brimley (Legislative Matter).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of APPROVAL for ZTA 2020-010020 to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-11B-3 as proposed. This recommendation is based upon the information and findings outlined in this report.

RECOMMENDATION OPTIONS

1. Move to recommend approval of ZTA 2020-010020 to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-11B-3 as proposed.

2. Move to recommend denial of ZTA 2020-010020 to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-11B-3 as proposed.

3. Move to table ZTA 2020-010020 to request additional information for consideration.

The Planning Commission may also make a recommendation that is different than those listed above such as a modified recommendation of approval.

BACKGROUND & ANALYSIS

Motor Vehicle Sale ("auto dealership") is a conditional use in the C-2 (Commercial) Zone. The C-2 zone is primarily located in along State/Main Street (SR-126) in and around the Downtown Clearfield Form-Based Code area, as well as on Antelope Drive. Currently, Main Street includes numerous auto dealerships on both sides of the street, with some located south of 700 south. The majority of the existing auto dealerships within the City are on older properties that have transitioned from non-auto dealership uses into new (used) auto dealership. The most transient business are located on small lots and create the largest concern for how best to regulate these uses.

During the meeting with the Council on August 27th staff presented 15 existing motor vehicle uses. Since that meeting 4 have moved on or gone out of business to bring the number to 11.
Current Business and Inventory:
Below is a list of all known auto dealerships in the City.

1. Baird Motors 345 Main St N 0.68
2. Best Buy Auto Inc. 214 State St S 0.39
3. Beutler Auto Sales, Inc. 378 N Main St 1.38
4. Chariot Auto Sales 562 State St S 1.87
5. CM Automotive Bldg. E-6 Freeport West Freeport West
6. Dave’s Discount Auto Sales 400 S State St 0.13
7. Dubs Auto 345 W 1700 S 1.4
8. Safe Buy Auto 447 Main St N 0.61
9. Watori Auto 269 E 200 S Clearfield Town Square/RMT
10. Westbridge Auto 730 S State St 1.48
11. Westgate Auto Sales 555 Main St N 0.38

Existing Standards
Motor Vehicle Sales is a conditional use in the Commercial (C-2) zone. The standards that apply to this use are the same as every use in the C-2 zone. The City does not have current regulations that differentiate by use. The discussion for this issue is how to properly regulate motor vehicle sales with in the current code, to balance private and public interest. Staff would recommend the new regulations be included in the current 11-11B-3 or in supplementary regulations as the body deems most appropriate.

PUBLIC COMMENT
Public notice was placed in the newspaper on January 26, 2020, on the State of Utah public notice website, and on the City’s website. No public comment has been received to date.

GENERAL FINDINGS
Zoning Ordinance Text Amendment
Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff’s evaluation are outlined below:

<table>
<thead>
<tr>
<th>Review Consideration</th>
<th>Staff Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The proposed amendment is not contradictory to the General Plan. The General Plan encourages continual evaluation and modifications to adopted ordinances as circumstances require.</td>
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<td>2)</td>
<td>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
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<td></td>
<td>With the growing number of motor vehicles sales lots in the City it is essential that standards for the proper regulation be created. These changes will provide the needed fulfilment of this title.</td>
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**FINDINGS OF FACTS & CONCLUSION**

1. Setting common and specific standards or motor vehicle sales will allow for better quality development more positive impacts within the Cities commercial corridors.

**ATTACHMENTS**

1. DRAFT Motor Vehicles Sales Ordinance
Motor Vehicle Sale Draft Ordinance

Motor vehicle sales may only be allowed as a conditional use in commercial (C-2) zones as designated in this title and are not allowed in residential zones. Applications for motor vehicle sales shall be submitted and reviewed as a conditional use permit in accordance with Title 11, Chapter 4 of this Code.

A. Purposes: The purposes of this section and any rules, regulations, standards and specifications adopted pursuant hereto are to:
   
a. Minimize Impact: Accommodate such motor vehicle sales with minimal impact in commercial C-2 zones in terms of compatible infill, scale, design and appearance of buildings.

b. Terms And Conditions: Set forth standardized terms and conditions for motor vehicle sales and procedures for review and approval of the same.

b. Approval: No motor vehicle sales establishment shall be developed, erected, constructed, reconstructed, installed, altered, licensed, or relocated without review and approval by the Clearfield City Community Development Department.

B. Standards: The following standards and conditions shall apply to motor vehicle sales developments, in addition to any terms and conditions of approval as imposed by the Planning Commission during the conditional use permit process:

b. Auto dealerships shall not be permitted on lots smaller than one (1) acre.

b. Architectural Detail:
   
i. Create buildings that provide human scale and interest through use of varied forms, materials, details and colors;

ii. Provide architecturally finished and detailed elevations for all exposures of the building;

iii. Blank Wall Limitations: A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:

1. No rectangular area greater than 30% of a story's facade, as measured from floor to floor, may be windowless; and

2. No horizontal segment of a story's facade greater than 15 feet in width may be windowless.

iv. Rooflines may be flat or pitched. Roofing shall not be of vivid primary colors (i.e., red, blue or yellow). Rooftop equipment shall be screened by roof components, parapets, cornices or other architectural features. Galvanized hoods and vents shall be painted to match the roof color.

c. Fencing:
   
i. A six (6') foot fence must be installed on all property lines adjacent to residential zones or uses.

ii. All fencing must be decorative in nature.

iii. Fencing shall be stamped masonry, wrought iron or a mixture of both.

iv. Vinyl and chain-link fencing is expressly prohibited.

d. Landscaping:
i. A minimum of ten percent (10%) of the gross area of the site shall be landscaped. The ten percent (10%) landscaping requirement shall blend well with the fencing. Landscaping shall be provided in the high traffic and visible areas of the project, as well as covering large and long exterior walls.

ii. Create a landscaped buffer of no less than five (5) feet between the street facing property lines and parking/display areas (5 foot buffer counts towards 10% landscape requirement).

iii. Landscaping must be watered with an automatic sprinkler systems and maintained in a healthy and visually pleasing manner.


e. Signage: See chapter 15 of this tittle

f. Parking, inventory storage, and delivery:

   i. Off street parking must be provided for customers and employees (not to be used for inventory) at a ratio of one (1) stall per two hundred fifty (250) square feet of indoor office/sales area and one (1) stall for every ten (10) inventory vehicles (all fractions are rounded up to the next whole stall), with a minimum of four (4) stalls provided.

   ii. Parking for customers, employees, and inventory must be on non-permeable surfaces, such as pavement, asphalt, pavers, or combination thereof and striped and marked with signage and cannot block entrance/exit.

   iii. ADA parking stalls shall be provided in compliance with or better than the standards detailed in the Utah State Accessibility Code and ADA standards, including quantity, size, location, and accessibility.

   iv. Loading/delivery of inventory must occur on the property, not on public streets, and vehicles are not permitted to back directly onto, or from, public streets.

   v. Inventory storage, customer parking, and employee parking cannot be double parked and shall conform to the following table.

g. Lighting: For developments for which outdoor lighting is proposed, lighting plans shall be required which illustrate the type and location of lighting proposed for structures, walkways and parking lots. Lighting shall be designed, located and directed so as to eliminate glare and minimize reflection of light into neighboring properties. With the exception of security lights, lighting for the sales lot shall not occur past ten o'clock (10:00) P.M.

h. Maintenance: The property must be maintained and kept clean. This includes sweeping and maintaining the asphalt, keeping free of debris, trash and weeds, etc.

C. RULES AND REGULATIONS:

   a. A. Compliance with Zoning Regulations: Each motor vehicle sales license shall comply with the applicable zoning requirements set forth in title 11 of this code, or the license is subject to denial.

D. PENALTY

   a. Unless otherwise specified, any person violating any of the provisions of this chapter shall be guilty of a class B misdemeanor and subject to penalty as provided in section 1-4-1 of this code. Each separate day a person violates any provision of this chapter shall be a separate violation.
TO: Clearfield City Planning Commission
FROM: Zack Ludlow
Planning Technician
Zach.Ludlow@clearfieldcity.org
(801) 525-2718
MEETING DATE: Wednesday, February 5, 2020
SUBJECT: Public Hearing, Discussion and Possible Action on ZTA 2020-010021, a request by Clearfield City Staff for Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory building in all A-1, A-2 and R-1 zoning districts.

RECOMMENDATION
Move to recommend approval of ZTA 2020-010021 to the City Council, Zoning Text Amendments and corrections specific to chapters in the City Code, Title 11 – Land Use, for the regulations of accessory building in all A-1, A-2 and R-1 zoning districts, based on the findings and discussion in the Staff Report.

BACKGROUND
In June 2016 staff received a request from the public to evaluate setbacks for accessory buildings within R-1 (residential) zoning districts. After corresponding with multiple residents, including the requesting resident, and conducting a careful review of our existing regulations and the related accessory building standards of surrounding municipalities. Following this research, the City Council approved an amendment to City code in April 2017 to remove accessory building standards from A-1, A-2 and R-1 zones and create an accessory building and structures section under chapter 13: Supplementary Regulations. The purpose of the amendment was to allow residents to better utilize their properties based on the size of their lot or parcel and not by the zoning classification.

More recently it came to the attention of planning staff that some of the accessory building standards were not removed from the A-1, A-2, and R-1 zones and those standards are in conflict with the standards found in chapter 13 of the City code. The purpose of these proposed amendments are to clean up those code chapters and remove the conflicting provisions in favor of the standards outlined in Chapter 11-13-38 of the supplementary regulations.

ANALYSIS
The proposed amendments to chapters 11-8A & B, as well as 11-9A-H, accessory building standards in the A-1, A-2 (agricultural), and R-1 (residential) zoning districts are meant to remove standards that are in conflict with chapter 13 standards of City code. This is to allow residents to make better use of their property related to the erection and use of accessory buildings with in the A-1, A-2 (agricultural), and R-1 (residential) zoning districts. It was the intent of the original zoning text amendment (in April 2017) to
relocate all accessory building standards from A-1, A-2, and R-1 zoning districts to chapter 13. Chapter 13 regulates the maximum size an accessory building can be by the size of the lot and maximum allowed lot coverage for the size of the lot. As an oversight some accessory building standards were left in the R-1 zoning districts that base the maximum size an accessory building can be off of the size of the home (principle structure) as seen below for the R-1-8 Zone.

CURRENT REGULATIONS:

Chapter 13 Accessory Building Standards Table

<table>
<thead>
<tr>
<th>Accessory building and structure setbacks:</th>
<th>Minimum Lot Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum front yard</td>
<td>43,550 sq. ft. and up</td>
</tr>
<tr>
<td>Minimum side yard (corner) on arterial</td>
<td>30</td>
</tr>
<tr>
<td>Minimum side yard (interior)</td>
<td>20</td>
</tr>
<tr>
<td>Minimum rear yard</td>
<td>2</td>
</tr>
<tr>
<td>Minimum setback of an accessory building and principal buildings and structures (same lot)</td>
<td>6</td>
</tr>
<tr>
<td>Minimum setback of an accessory building and principal buildings and structures (adjacent lot)</td>
<td>12</td>
</tr>
</tbody>
</table>

Chapter 8 (R-1-8) Lot Coverage Standards

11-9B-8: LOT COVERAGE:

A. Lot coverage by all buildings, including main and accessory buildings, shall not be more than forty percent (40%) of the lot or parcel area.

B. The combined footprint of all accessory buildings shall not exceed fifty percent (50%) of the footprint of the main building. [Ord. 2009-27, 11-24-2009]

Recommendation
Staff recommends that all accessory building standards be removed from chapter 8 (agricultural zones) and chapter 9 (residential zones) to eliminate conflicting accessory building standards and to create a more uniform accessory building standard City wide.

FINDINGS

Zoning Ordinance Text Amendment
Clearfield Land Use Ordinance Section §11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff’s evaluation are outlined below:
<table>
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<th>Review Consideration</th>
<th>Staff Analysis</th>
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</thead>
<tbody>
<tr>
<td>1) The proposed amendment is in accordance with the General Plan and Map; or</td>
<td>The proposed text amendments are consistent with the goals and policies of the Land Use Element of the City’s General Plan. These references correct small issues and better define potential uses in Clearfield City.</td>
</tr>
<tr>
<td>2) Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</td>
<td>A review of current City Codes demonstrates that there are a number of minor small corrections that needed to be made to ensure accuracy and conformity within the City Code. In addition to the minor language corrections within title 11, Clearfield City Staff determined that the creation of a more clearly defined regulation for accessory buildings or structures is the responsibility of the City.</td>
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</tbody>
</table>

**ATTACHMENTS**

None
TO: Clearfield City Planning Commission

FROM: Brad McIlrath, Senior Planner
brad.mcilrath@clearfieldcity.org
(801) 525-2784

MEETING DATE: Wednesday, February 5, 2020

SUBJECT: Discussion and Possible Action on PSP 2020-010017, a preliminary subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot. Location: 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). Aggregate Parcel Area: 11.33 Acres. Zone: M-1 (Manufacturing). Planner: Brad McIlrath (Administrative Matter).

Discussion and Possible Action on FSP 2020-010017, a final subdivision plat request by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot. Location: 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). Aggregate Parcel Area: 11.33 Acres. Zone: M-1 (Manufacturing). Planner: Brad McIlrath (Administrative Matter).

RECOMMENDATIONS

Staff recommends that the Planning Commission move to approve as conditioned, PSP 2020-010017, a preliminary subdivision plat by Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot for the parcels located at 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). This recommendation is based on the discussion and findings in the Staff Report.

Staff recommends that the Planning Commission forward a recommendation of approval of FSP 1909-0001 as conditioned, to the City Council for the final subdivision plat request Keith Russell with Ensign Engineering to consolidate the three parcels at this location into one lot for the parcels located at 440 S. Main Street (TIN: 12-022-0055, 12-022-0054, & 12-022-0022). This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

<table>
<thead>
<tr>
<th>Project Information</th>
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<tbody>
<tr>
<td>Project Name</td>
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<tr>
<td>Site Location</td>
</tr>
<tr>
<td>Tax ID Number</td>
</tr>
<tr>
<td>Applicant</td>
</tr>
<tr>
<td>Owner</td>
</tr>
<tr>
<td>Proposed Actions</td>
</tr>
<tr>
<td>Current Zoning</td>
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<tr>
<td>Site Area</td>
</tr>
</tbody>
</table>
BACKGROUND

The owners of the subject properties are seeking to sell the properties. As a purchasing requirement of the buyer, the three parcels need to be consolidated into one property. In accordance with the Clearfield City Subdivision ordinance, any subdivision of land or consolidation of parcels requires approval by the Planning Commission and City Council with a subdivision plat. As part of this subdivision plat road dedication of Main Street for a width of thirty three feet (33’) will be addressed as well. The plat includes the required ten foot (10’) public utility easements (PUE) around the perimeter, a rail road easement on the north side for the rail spur, a twenty foot (20’) wide sewer easement along the west end of the property, and the identification of the floodplain line for the separate flood plain zones.
PRELIMINARY AND FINAL SUBDIVISION PLAT REVIEW
The City Engineer and Public Works staff were provided with the proposed plat for review of technical items. The City Engineer/Deputy Public Works Director has received the plat for compliance and will provide comments to the applicant upon completion of his review.

If recommended for approval by the Planning Commission, the final subdivision plat will be reviewed by the City Council on Tuesday, February 25, 2020.

Public Comment
A public notice sign was placed on the property as well as the notice placed on the public notice map. No public comments have been received to date regarding this project.

CONDITIONS OF APPROVAL - PRELIMINARY SUBDIVISION PLAT
1) As needed, the plat shall be revised to meet requirements of the Clearfield City Engineer/Deputy Public Works Director prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of this property shall comply with the development standards outlined for the M-1 Zone and other applicable City Code sections.

CONDITIONS OF APPROVAL - FINAL SUBDIVISION PLAT
1) As needed, the plat shall be revised to meet requirements of the Clearfield City Engineer/Deputy Public Works Director prior to approval by the City and recording at the Davis County Recorder’s office.

2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.

3) Future development or redevelopment of this property shall comply with the development standards outlined for the M-1 Zone and other applicable City Code sections.

ATTACHMENTS
1. Subdivision Plat