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, January 22, 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: June 19, 2019 Work & Regular Session

PLANNING COMMISSION CHAIR STATEMENT

DECISION ITEMS

Non-Public Hearings


DISCUSSION ITEMS

1. Staff Discussion
   a) Planning Commission Bylaws
2. Planning Commissioner’s Minute
3. Staff Communications

**PLANNING COMMISSION MEETING ADJOURNED**

Dated this 14th 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.
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
Jacoby 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
parking lot”.

- 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 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 red, but wanted to know if the white material would 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, or even as a 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, Murray 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 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 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.
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.**
TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, January 22, 2020


RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of approval to the City Council for FSP 2019-120013 as conditioned, a final subdivision plat request by Jason Hamblin for the proposed 30-lot single-family subdivision for the subject properties located at approximately 741 West 300 North (TIN: 12-019-0121, 12-019-0030, & 12-019-0029). This recommendation is based on the subdivision discussion and findings in the Staff Report.

PROJECT SUMMARY

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<tr>
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<td>General Plan Land Use Classification</td>
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<tr>
<td>West</td>
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BACKGROUND

Site Overview
The applicant is requesting final approval to subdivide two properties and a portion of another for a 30-lot single-family subdivision. The proposed subdivision will have public streets and will connect to 300 North. Along the east side of the subdivision is an existing ninety foot (90’) Jordan Valley Water Conservation District (JVWCD) easement. To accommodate buildable areas for homes on those properties, each of the east lots is proposed to have an area greater than 11,000 square feet. These lots will need to be developed similar to the homes in the Autumn Ridge Estates Phase 2 subdivision (directly to the south) with the buildable area limited to the west side of the properties.

Lot Area, Frontage, and Setback Regulations
The R-1-8 Zone requires that each lot have a minimum area of 8,000 square feet a lot width of seventy feet (70’) for an interior lot and eight feet (80’) for corner lots, with a minimum frontage of seventy feet (70’). The difference between the frontage requirement and width requirement is important to clarify. The frontage standard is measured at the front property line and the width is measured at the front setback line. Staff has identified a few lots that need to be revised to meet the minimum width
requirements outlined above. All the proposed lots will need to comply with the area, frontage, and width requirements of the R-1-8 Zone prior to final approval and creation of a mylar plat for recording.

The R-1-8 Zone requires the following building setbacks:

- **Front Yard:** Twenty feet (20’)
- **Side Yard:** Eight feet (8’)
- **Side Yard, Corner Lots:** Twenty feet (20’)
- **Rear Yard:** Twenty feet (20’)

The proposed lots are designed for the future homes to meet the minimum setbacks of the zone. It is important to note that with the JVWCD easement, the homes on the east side of the subdivision will have a greater rear yard setback than others in the subdivision. Future homes will also be required to be constructed outside of any other public utility easements that will be placed on the lots.

**Roadway Design and Access**

As outlined in the subdivision ordinance under Section 12-9-7, “The arrangement of streets in new subdivisions shall make provisions for the continuation of the existing streets in adjoining areas and shall provide access to unsubdivided adjoining areas so as not to cause unnecessary hardship to owners of adjoining property when they plat their own land or seek to provide convenient access to it.” Based upon these standards the subdivision is providing two (2) future connections to the south and one (1) future connection to the west with stub roads. The design of the west connecting street needs to be revised to square up the lots with the design proposed by staff. The current design creates odd angles for the lots and unusable space for lot 24. By redesigning the street to match the proposed staff changes, the lots will be more square which will benefit the construction and livability of the future homes.

As required by International Fire Code (IFC), any time a subdivision is created there must be more than one road access provided if the development exceeds thirty (30) residential lots. The preliminary subdivision was reduced from thirty-three (33) lots to thirty (30) lots to comply with this standard. Three lots (31, 32, and 33) in the southeast corner of the development will now be developed as part of a second future phase of the subdivision.

**General Plan and Zoning**

The three parcels included in the proposed subdivision are designated as residential in the General Plan. A rezone for a portion of the parcel on the west end of the development was recently approved by the City Council. Now all of the included properties share the same zoning designation of R-1-8 which is supported by the General Plan.

**FINAL SUBDIVISION PLAT REVIEW**

The final subdivision plat, including the civil drawings was submitted for review by City Planning, Engineering, and Public Works staff. Resubmittal of the plans to address comments and to obtain final land use approval will be required following City Council approval. The Clearfield City Engineer has reviewed the plat and plans. Comments were provided in the attached review letter dated January 16, 2020. As required by ordinance, the applicant will need to provide a Geotechnical report for review by the City Engineer. The report was provided shortly before the drafting of this report and has been forwarded to the City Engineer for review. The North Davis Fire District has reviewed the plat and plans and provided comments in the attached review letter dated January 16, 2020.
Public Comment
A public notice sign was posted on the property on January 3, 2019 as well as information on the public notice map on the city website. As of the date of this report, no comments have been received.

PRELIMINARY SUBDIVISION PLAT - CONDITIONS OF APPROVAL

1) Plans shall be revised to address Clearfield City Engineering requirements prior to the resubmittal of the plat and plans for final land use approval.

2) The applicant shall submit a geotechnical report for review by the City Engineer for final land use approval.

3) The subdivision shall not exceed thirty (30) lots unless a secondary access that meets IFC standards is provided.

4) The future connection design at 250 North shall be redesigned to match the recommendation by City Staff as shown on the attached redesign plat.

5) All lots shall comply with the minimum width, frontage, area and setback standards of the R-1-8 zone. The plat shall be revised to fix the lots that need wider widths to meet the minimum standard.

6) 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, sidewalks, landscaping park strip improvements, driveways, etc.

7) An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to obtaining any permits being issued for the properties or plat being recorded. Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in 12-4-6.

ATTACHMENTS

1. Plat with Planning Staff Street Redesign Plat
2. Cover Sheet
3. Existing Site & Demolition Plan
4. Grading and Drainage Plan
5. Utility Plan
6. Storm Water Pollution Prevention Plan (SWPPP)
16 January 2020

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn: Brad McIlrath, Senior Planner
Proj: Hamblin Estates Subdivision
Subj: Review #2

Dear Brad,

Attached is our review of the above referenced Subdivision Improvement Drawings for your consideration. The following comments are somewhat general until we get more detail drawings:

**General Notes:**

*Please request the Developer or his Engineer, submit a response letter with their re-submittal of drawings answering all Engineering review comments contained herein.*

**Plat**

1. The description for the Plat does close within standard tolerances.

2. The Plat indicates that Parcel A – a “Open Space” and Parcel B – a “Detention Basin” are to be dedicated to the City. These dedications will need to be reviewed by the Public Works Department and City Administration as to if this will be acceptable and what requirements go with the dedication (Landscaping improvements, sprinkler systems, neighborhood park improvements, etc.).

3. There needs to be a 15-foot wide (minimum) culinary waterline easement extending from the southerly boundary of the proposed subdivision to the existing subdivision to the south. The new 8” diameter waterline will need to be installed within this waterline easement and connected with the waterline in the neighboring subdivision.
4. There needs to be a utility easement (minimum 15-foot wide) created for the Sanitary Sewer, land drainage and the Storm Water piping leaving the subdivision and connecting with the southerly neighboring subdivision.

5. Easement for the irrigation piping also need to be placed on the Plat.

6. The Plat needs the following information added:

   - All streets need to be addressed with a number.
   - All lots need to be assigned addresses.
   - A 10-foot wide Public Utility Easement will need to be extended around the subdivision perimeter.

7. There is a small parcel of land between lots 22 and lot 24 which the property line between them should be moved westerly closer to the right-of-way corner of the road for better balance. A note needs to be placed on both lots that the frontage property along the City right-of-way must be maintained by the property owner to the individual neighboring property lines.

**Improvement Drawings**

1. A Geotechnical Report/Study will need to be submitted.

2. The service laterals for the structures being demolished must be removed and capped at the main utility pipeline. A note needs to be placed on the drawings with this requirement stated.

3. There are missing culinary water, land drainage and sanitary sewer laterals shown to be installed for each lot. All service laterals will need to be shown with details - i.e., materials, pipeline slope, typical distance location from property lines.

4. The culinary water connection on 300 North Street will need to be a hot tap connection – this needs to be indicated on the drawings.

5. At the intersection of 300 North Street a streetlight is warranted and should be shown on the improvement drawings. Streetlights are required at each intersection and nearest to a fire hydrant.

6. There are several fire hydrants which need the gate valve moved to the tee connection rather that mid-point or as a foot valve. Show the closest fire hydrant along 300 North Street.

7. **Storm Drainage**

   - The strength class of the storm water pipe needs to be shown on the drawings.
   - An over-flow spillway will need to be shown in plan-view extending to the curb & gutter.
The detention basin will be required to have a 12” tall perimeter “free board” and the finish contours need to be shown.

The storm water calculations should be investigated at a 90-minute storm interval. Our calculations indicate that at a 90-minute interval the required detained storm water volume will be approximately 29,500 cubic feet of storage required. The shown site for the storm water basin appears to be too small for the required storage volume.

The basin floor will need to have a 1% drainage slope.

The inlet/outlet pipe will need a concrete structure built with a grate to keep small children & animals out of the piping.

The detention basin will need to be landscaped and irrigated – show design.

Following installation of all storm water storage facilities the Design Engineer must survey and certify to Clearfield City the capacity of storage provided.

The irrigation water system for the detention basin must be connected to the culinary water system utilizing a meter and a double-check (“RP”) assembly testing connection and associated facilities.

The detention basin at the inlet/outlet will need to be shown in cross-section.

8. The various utilities must have the appropriate “utility name” on the manhole lids (Sewer, Water, Land Drain, Irrigation).

9. Details of all improvements to be constructed must be placed in the drawings and not only called as referenced.

Should you have any questions, feel free to contact our office.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

N. Scott Nelson, P.E., S.E.
City Engineer

Cc. Adam Favero, Public Works Director
    Brad Wheeler, Street Superintendent
    Kenny England, Utilities Superintendent
I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns. The submitted plans are considered approved as submitted once an application and review fee are submitted to our office. Attached to this letter is a copy of the plan review application.

1. The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.

2. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4½” connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.

3. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.

4. All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.

5. If grades exceed 8%, approval from the City Engineer and the Fire District is required.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.
TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, January 22, 2020


RECOMMENDATION
Staff recommends that the Planning Commission move to approve as conditioned, SP 2019-120020, a site plan proposal by Matthew Perry to construct a 2,256 square foot Sips Coffee Shop at the property located at 1338 S. State Street (TIN: 09-245-0003). This recommendation is based on the discussion and findings in the Staff Report.

PROJECT SUMMARY

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<td>Commercial</td>
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BACKGROUND

The applicant, Matthew Perry is requesting site plan approval to construct a 2,256 square foot Sips Coffee Shop at this location. The main floor includes the kitchen, point of sale area, two public restrooms and a dining area. The second floor includes a storage room with the remaining area opened to the dining and point of sale area below. The type of business is tailored to drive-thru customers and includes a drive-thru lane around the perimeter of the building to provide enough room for vehicle stacking.

SITE PLAN REVIEW

Lot Width, Setbacks, Density & Height

The proposed development complies with the minimum lot width, setbacks, density, and height of the C-2 Zone.

Landscaping, Dumpster Enclosures, and Screening

The C-2 Zone requires that a minimum of ten percent (10%) of the project be developed as landscaped open space. With a final project area of 0.39 acres or 17,116 square feet, a minimum of 1,711.6 square feet must be provided as landscaped open space. The site plan indicates that 3,782 square feet or 22.10% of the site will be provided with landscaping. As required by Section 11-13-23, “Landscape Standards and Requirements,” all required open space must include at a minimum, one (1) tree for every five hundred (500) square feet of landscape area and one (1) shrub for every three hundred (300) square feet of landscape area. The trees must have a trunk size of two inches (2”) as measured eight inches (8”) above the soil line and a minimum height of six feet (6’). The shrubs must have a minimum size of one (1) gallon
at time of planting that will attain a height of at least two feet (2’). Based upon the required landscape area of 3,782 square feet, the development must have:

- Eight (8) trees; and
- Thirteen (13) shrubs.

The proposed landscape plan provides eight (8) trees and sixteen (16) shrubs. This proposed landscape design along with the building will be a major improvement to the area and will contribute to the attractiveness and appeal of this commercial area in the City.

As required by the “Off-Street Parking and Loading” Chapter (Chapter 14), landscaping is required around all parking areas. A minimum of ten feet (10’) of landscaping depth is required along all street frontages a minimum of six feet (6’) is required adjacent to properties with the same land use. Based upon the submitted landscape plan the frontage landscaping along State Street and the parking area has a minimum width of twelve feet six inches (12’6”). The landscaping along the parking stalls adjacent to the south property line has a minimum width of three feet three inches (3’3”). Based upon these measurements, staff determines that this frontage landscaping depth meets the intent of the code and provides sufficient landscaping for this area. The landscaping adjacent to the parking stalls along the south property line will need to be increased to six feet (6’) to comply with the minimum standard.

**Dumpster Enclosure**

As required by the C-2 Zone, the garbage dumpster must be completely screened where it can be viewed from a public right-of-way. The design standards chapter (Chapter 18) of the City Code requires that the dumpster enclosure be constructed of the same materials as the building or approved masonry fencing. The enclosure is also required to be surrounded by landscaping to soften the visual impact. The proposed enclosure will be constructed of a CMU masonry material and will be located in a landscape area to meet the screening requirement. Staff recommends that the enclosure be painted to match the main color of the coffee shop.

**Screening**

Due to the unique location of this property, the drive-thru will face the intersection of 1000 East and State Street. The applicant is proposing to screen the drive-thru and headlights of vehicles in the drive-thru with a wall. The height of the wall has not been listed and based upon comments from the City Engineer it may be possible to use the ground that will be removed from the detention basin to provide a screening berm. To screen the majority of vehicle headlights, staff recommends that the height of the berm or wall be a minimum of four feet (4’) tall. If a screening wall is used, it shall not be allowed to be constructed of chain link material with slats or include signage.

**Site Access and Parking**

Chapters 11-14 “Off Street Parking and Loading” and 11-18 “Design Standards” outline the development standards for site access and parking. Fast food and drive-in restaurants require twenty (20) parking spaces for each 1,000 square feet of sales and enclosed eating space. With an interior dining and ordering area of approximately 351 square feet, a total of seven (7) parking spaces are required for this business. The site plan shows that a total of twelve (12) parking spaces will be provided for this use. One (1) of the twelve (12) spaces is designated as a van accessible ADA parking space and is located adjacent to the building as required by federal ADA standards.
Parking Lot Design and Dimensions
As required by code, the parking stalls must have the minimum dimensions of nine feet wide by twenty feet deep (9’x20’). The site plan indicates that the spaces are designed to be nine feet wide by eighteen feet deep (9’x18’). A maximum of 10% of parking spaces may be designed as compact parking spaces with dimensions of eight feet six inches wide and eighteen feet deep (8.6”x18). The plans will need to be revised to comply with these minimum standards.

Pedestrian Considerations (Section 11-18-4F & G of the Design Standards)
Sections 11-18-4F & G of the “Design Standards” chapter require that every development site address pedestrian access from the public right-of-way to the main entrance of the building. The plans do not indicate how this will be addressed; therefore, a note has been placed on the plans by Planning Staff indicating the recommended location for the pedestrian access. As outlined in these code sections, pedestrian walkways must be a minimum of five feet (5’) wide and must be constructed of different materials than the parking or drive-thru area. Additionally benches, pedestrian scaled lighting, bike racks and other pedestrian amenities must be placed throughout the site. The plans will need to be modified to address these requirements.

Snow Stacking Area
As required by code, a snow stacking area that can accommodate a volume of a four inch (4”) snow base over the entire parking lot must be provided. The site plan shows a delivery area but does not indicate the location for the snow stacking area. The plans will need to be revised to provide a snow stacking area to accommodate four inch (4”) volume.

Building Design and Materials
Chapters 11B “C-2 Zone” and 18 “Design Standards,” outline all of the site and building design standards required for new development or major changes to a site within the City. As required by the C-2 Zone, permitted exterior building materials include: brick, stucco, stone, rock or vinyl siding. Vinyl siding is not a permitted building material on any front elevation. Any elevation that faces a street or right of way must have at least two (2) of the following: brick, stucco, stone, or rock. The proposed building materials include painted Exterior Insulated Finish System (EIFS) or stucco, metal and a storefront aluminum for the window treatments. The building can incorporate these materials, but will need to be revised to include one more of the materials listed above. As outlined in the design standards chapter, a minimum of three (3) colors are required to be used per elevation.

The building plans will need to be revised to comply with these standards.

CITY DEPARTMENT / AGENCY REVIEW
On January 9, 2020 copies of the plans were provided to the North Davis Sewer District, North Davis Fire District, City Engineer, Building Official, and Public Works staff. The City Engineer provided a review letter dated January 10, 2020 and the North Davis Fire District provided a letter dated January 16, 2020. Each review letter is included as an attachment to this report. No other comments have been provided to date.

The comments and conditions provided must be met prior to issuance of final land use approval and are included as part of the conditions of approval in the following section.

SITE PLAN REVIEW - CONDITIONS OF APPROVAL
The following conditions of approval shall be addressed by the applicant and shown on a set of revised plans prior to issuance of final land use approval unless otherwise noted. Final land use approval
includes, Planning and Engineering. An application for a building permit will not be accepted until final land use approval is granted.

1) The plans shall be revised to provide a snow stacking area that complies with ordinance standards outlined in Chapter 14 of the Land Use Ordinance.

2) The plans shall be revised to provide additional pedestrian access from State Street as indicated on the reviewed plans.

3) The building materials shall be revised to add one additional material along the frontages that face a street or right of way. The additional material must come from the following list: brick, stone, or rock. A minimum of three (3) colors shall be used for each elevation.

4) Formal landscape and irrigation plans must be prepared and submitted to the City for final approval that meets ordinance standards. A bond or escrow shall be posted for the landscaping as required by code.

5) The landscaping between the south property line and the parking stalls shall be increased to no less than six feet (6’) in width.

6) The parking stalls shall be modified to meet the minimum depth standard of twenty feet (20’) and the access aisle behind the parking stalls shall have a minimum width of twenty four feet (24’) if approved by the North Davis Fire District.

7) The dumpster enclosure shall be painted to match the main color of the building.

8) The screening berm or wall shall have a minimum height of four feet (4’). If a screen wall is used, it shall be constructed of a solid material that is impervious to sight and light and shall not be used for signage and shall be painted to match the building.

9) The plans shall be revised to address the comments/conditions of the City Engineer as outlined in the review letter dated January 10, 2020.

10) The project shall comply with all requirements of the North Davis Fire District as outlined in the review letter dated January 16, 2020.

11) The applicant shall obtain a building permit and the project shall comply with all applicable building code standards.

12) The applicant will be required to post a bond or escrow for the public improvements and landscaping as required by code.

**ATTACHMENTS**

1. Civil Site Plan
2. Utility Plan
3. Architectural Site Plan
4. Landscape Plan
5. Main Floor Plan
6. Upper Level Floor Plan
7. Exterior Elevations
Dumpster must be constructed of the same materials as the building or approved masonry.

This landscaping width needs to be a min of 6 feet wide as required Section 11-14-5.

Clearfield Code requires parking spaces be 9'x20'.

Need to provide pedestrian access that meets standards of Code Section 11-18-4 F&G

Is it possible to construct a berm instead? The dirt that will be removed for the detention pond can be used for this.

Need to provide a snow stacking area to accommodate a volume of a four inch snow base.
Planting Notes

1. All areas planting areas shall receive at least 8" of topsoil at topsoil at four (4")-inch depth. If topsoil is not available at the site, it shall be supplied by the premises and installed at a cost of $5.00 per cubic yard.

2. Prior to application of topsoil, all existing areas shall be covered by plant soil mix in an area of 6' x 6' in diameter. All areas shall be at least 6' x 6' in diameter.

3. All new topsoil shall be mixed thoroughly with a garden soil mix of at least 50% topsoil and 50% garden soil mix. The depth of topsoil mix shall not exceed 8".

4. All new topsoil shall be installed at a rate of 6" per cubic yard at a cost of $5.00 per cubic yard. The total volume of topsoil mix shall be calculated based on the total area to be treated.

5. All new topsoil shall be covered with a layer of landscape fabric prior to installation.

6. All new topsoil shall be installed at a rate of 6" per cubic yard at a cost of $5.00 per cubic yard. The total volume of new topsoil shall be calculated based on the total area to be treated.

Sub-Grade Requirements

1. All areas shall be thoroughly tilled prior to planting. All areas shall be covered with landscape fabric prior to planting.

2. All areas shall be covered with landscape fabric prior to planting. All areas shall be covered with landscape fabric prior to planting.

3. All areas shall be covered with landscape fabric prior to planting. All areas shall be covered with landscape fabric prior to planting.

4. All areas shall be covered with landscape fabric prior to planting. All areas shall be covered with landscape fabric prior to planting.

Landscape Calculations

- TOTAL LST AREA: 10,500 SF
- PLANTING AREA: 3,700 SF
- IRIGATION AREA: 6,800 SF
- GAUGE AREA: 10,500 SF

Irrigation Sprinkler Note

1. All areas shall be irrigated with an automatic irrigation system. The system shall be designed to ensure adequate water coverage and uniformity.

2. All areas shall be maintained with a regular watering schedule. The schedule shall be designed to ensure adequate water coverage and uniformity.

3. All areas shall be maintained with a regular watering schedule. The schedule shall be designed to ensure adequate water coverage and uniformity.

Legend

- Landscape Bouquet (L/B) / Decorative Boulder (D/B) / Tree Planting (T/P) / Decorative Strip (D/S) / Grass (G)
- Landscape Bouquet (L/B) / Decorative Boulder (D/B) / Tree Planting (T/P) / Decorative Strip (D/S) / Grass (G)
- Landscape Bouquet (L/B) / Decorative Boulder (D/B) / Tree Planting (T/P) / Decorative Strip (D/S) / Grass (G)
- Landscape Bouquet (L/B) / Decorative Boulder (D/B) / Tree Planting (T/P) / Decorative Strip (D/S) / Grass (G)

Landscape Architect

NLD Design Company, Inc.
3610 E. 60th Street
Suite 100
Kansas City, MO 64131

Contact: (816) 358-3333
Email: nlddesign@nldesign.com
Subject: Contractor
Page Label: 1
Status:
Author: Brad McIlrath, Senior Planner
Date: 1/10/2020 4:38:48 PM
Color:

This landscaping width needs to be a min of 6 feet wide as required Section 11-14-5.

Subject: Callout
Page Label: 1
Status:
Author: Brad McIlrath, Senior Planner
Date: 1/10/2020 4:38:51 PM
Color:

Is it possible to construct a berm instead? The dirt that will be removed for the detention pond can be used for this.

Subject: Callout
Page Label: 1
Status:
Author: Brad McIlrath, Senior Planner
Date: 1/10/2020 4:38:54 PM
Color:

Dumpster must be constructed of the same materials as the building or approved masonry.

Subject: Contractor
Page Label: 1
Status:
Author: Brad McIlrath, Senior Planner
Date: 1/10/2020 4:38:57 PM
Color:

Clearfield Code requires parking spaces be 9'x20'.

Subject: Text Box
Page Label: 1
Status:
Author: Brad McIlrath, Senior Planner
Date: 1/10/2020 4:39:01 PM
Color:

Need to provide a snow stacking area to accommodate a volume of a four inch snow base.
Need to provide pedestrian access that meets standards of Code Section 11-18-4 F&G.
10 January 2020

Clearfield City  
55 South State Street  
Clearfield City, Utah 84015

Attn: Brad McIlrath, Senior Planner  
Proj: Sips Coffee Shop  
Subj: Site Plan Improvement Drawing Review #1

Dear Brad,

Attached for consideration is my engineering review of the above referenced project. The following items will need to be considered and addressed prior to receiving recommended approval from our office.

**General Notes:**

1. An electronic copy of the Site Plan drawings and details must be submitted to the Public Work Department via our office for record keeping upon design completion and prior to approval of the Site Plan drawings from our office.

2. *Please request the Developer or his Engineer, submit a response letter with their re-submittal of drawings answering all Engineering review comments contained herein.*

3. A Roadway Dedication Plat or an Ownership Plat will be required and is necessary for the right-of-way dedication along 1000 East Street. Show ownership of the corner property – immediately North of the detention pond. No trees may be placed in the corner landscaping due to vehicle sight consideration.

   A roadway cross-section drawing of 1000 East will need to be submitted with right-of-way width details, sidewalk location and details along with curb & gutter and pavement details.

4. The traffic screening along the northerly side of the vehicle drive-through aisle could be an earthen berm rather than a wall if desired.

5. Directional signs (enter and exit) should be placed on the vehicle drive-through aisle.
6. The driveway access width shown on drawing A001 is different from the site plan drawing of C1. These need to be the same width.

**Site Plan – Improvement Drawings:**

1. Notes need to be placed on the Site Plan improvement drawings indicating all deteriorated, damaged or missing surface improvements surrounding the perimeter of the development and on-site be replaced or installed; i.e., curb and gutter, sidewalk, landscaping park strip improvements, asphalt patching, landscaping replacement, site lighting, dumpster screening, concrete improvement, etc.

2. A Geotechnical Report will need to be submitted for review with pavement design, bearing capacity of the soils and all the typical study items.

3. The site Storm Water calculations will need to be submitted for review.
   - Submit a **“Drainage Plan”** – In General, show all elevations, finish floor, grades, dimensions, finish contours, and location of all piping – diameter, inverts, materials and slopes, inlet boxes and grates, directional arrow indicators of storm water run-off flow from the parking area, cast-in-place boxes, special details, other items needed to be submitted.
   - In the storm water design the following items (not limited to these mentioned) need to be addressed:
     
     The detention basin location on site needs to be shown in detail on the drawings, contours, basin wall slopes, landscaping materials & irrigation details, basin volume, and an outlet control structure (large enough for maintenance workmen to safely enter into with orifice control tied to an overflow spillway, 12” freeboard berm, inlet & outlet piping into the City storm water system, site and roof drainage piping to the detention basin structure, etc.

     Evidence that storm water can be discharged off-site is required.

     Notes must be placed upon the drawings that following construction completion the design engineer must survey the completed storm water basin and provide a written report of the storm water volume available within the basin.

4. The following additional detail Site Plan drawings need to be submitted for review:
   - Submit a **“Site Grading Plan”** – Show all proposed facilities, show existing and finish contours, details and widths of all improvements, spot elevations over the site, new curbs & walls with finish elevations, site grades with directional arrows across the hard surfacing and along the curb & gutters, dumpster facilities construction details, parking stall striping – materials and widths, signs and other.
Written approval from UDOT for the driveway location and opening width on State Street will need to be submitted.

- Submit “Utility Plan” – Location of all utilities, i.e., culinary water piping and meters, irrigation backflow device, slopes and materials for all pipes, connection details, grease sediment vault and sampling sanitary sewer manhole - inverts, electrical service lines, natural gas piping, communications lines, location of other piping and conduits, irrigation connections and backflow devices, details as required.

The oil, grit, water separator needs to be sized and the details (inverts, top of box, gallon sizing) for that sized vault needs to be included in the drawings.

- Site “Landscaping Plan” - The plans need to show all areas to be irrigated, backflow device location and details as it relates to the location with the City culinary water lines and connection details. The park strip area between the curb & gutter and the sidewalk should also be landscaped with maintenance by the property owner. The detention basin should be landscaped with sod for ease in maintenance, complete with irrigation.

5. All construction “Details” for all site improvements need to be included on the site plan drawing; i.e., water service and connection, fire hydrant and connection, storm water inlet and junction boxes, repairs to existing asphalt paving and roadbase with the depths and location, parking lot striping (color & width of strips, handicap parking, pavement parking, signs and access ramps, curb & gutter, flatwork, concrete sidewalks, thickened edge sidewalk, walls, etc.

6. The location of all site lighting and business signs will need to be shown on the drawings.

7. All other items required by other departments will need to be included with the final approved Site Plan drawings.

We would be happy to meet with the Developer and/or his Engineer to review the above items should they have any questions.

Sincerely,

CEC, Civil Engineering Consultants, PLLC.

[Signature]

N. Scott Nelson, PE.

City Engineer

Cc.  Adam Favero, Public Works Director
     Braden Felix, Deputy Public Works Director
     Kenny England, Utility Superintendent
     Brad Wheeler, Street Superintendent
TO: Matt Perry/ Owner
Brad McIlrath/ Clearfield City Planner

FROM: John Taylor / Fire Marshal

RE: Sip’s Coffee Shop

DATE: January 16, 2020

I have reviewed the plans submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns. This project will be considered approved once an application and review fee are submitted to our office. I have attached an application to this letter.

1. The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.

2. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4½” connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.

3. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.

4. All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.

5. If grades exceed 8%, approval from the City Engineer and the Fire District is required.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.
Article 1: Planning Commissioners, Youth Ambassador, and Alternate Commissioners

A. Planning Commissioners

1. Number of Commissioners:
   a. The City will attempt at all times to have seven appointed Qualified Elector Commissioners, and a single Youth Ambassador.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the Qualified Elector Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Training:
   a. Planning Commissioners shall be expected to complete the necessary training to fulfill their appointment. Said required training shall be determined, in collaboration, by the Planning Commission and Mayor, subject to the advice and consent of the City Council, with final approval by the Planning Commission.

B. Qualified Elector Commissioners:

1. Qualified Elector Commissioners:
   a. The City will attempt at all times to have a minimum of seven Qualified Elector Commissioners appointed to the Planning Commission.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, a minimum of seven Qualified Elector Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. Qualified Elector Commissioners must reside within the jurisdictional boundaries of the City.
   b. Qualified Elector Commissioners shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of the City.

4. Length of Appointment:
   a. Qualified Elector Commissioners are appointed for five year terms.

5. Unexpired Terms of Appointment:
   a. Should a Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, subject to the advice and consent of the City Council, may
elect to appoint an Alternative Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. Duly appointed commissioners shall take the oath of office prior to sitting on the Planning Commission.

C. Youth Ambassador

1. Youth Ambassador:
   a. A Youth Ambassador may be appointed to the Planning Commission.
   b. The Youth Ambassador is not a voting member of the Planning Commission.
   c. Except for the act of voting, the Youth Ambassador shall carry the same responsibilities and participate in the meetings as all Planning Commissioners.

2. Appointment:
   a. A Youth Ambassador may be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. The Youth Ambassador shall be selected for appointment based on those qualities determined by the Mayor and City Council to best serve the needs of the City.
   b. The Youth Ambassador is not required to be a duly qualified elector.
   c. The Youth Ambassador should be an eleventh or twelfth grade student or between the age of fifteen and eighteen years at the time of appointment.
   d. The Youth Ambassador must primarily (greater than fifty-percent) reside within the jurisdictional boundary of the City during the term of appointment.

4. Length of Appointment:
   a. The term of a Youth Ambassador appointment shall be for a twelve month period, and should begin and expire as determined to be in the best interest of the City.
   b. A Youth Ambassador may finish a term of appointment past the age of eighteen.

5. Unexpired Terms of Appointment:
   a. Should a Youth Ambassador no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, subject to the advice and consent of the City Council may elect to appoint a new Youth Ambassador to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. A duly appointed Youth Ambassador shall take the oath of office prior to sitting on the Planning Commission.
D. Alternate Qualified Elector Commissioners

1. Number of Alternate Commissioners:
   a. The City should attempt at all times to have three appointed Alternate Qualified Elector Commissioners.

2. Appointment:
   a. Pursuant to Clearfield City Code, Title 3, Chapter 2, each of the four Alternate Qualified Elector Commissioners shall be appointed by the Mayor, subject to the advice and consent of the City Council.

3. Minimum Qualifications:
   a. In addition to those qualities determined by the Mayor and City Council to be in the best interest of the City, the four Alternate Qualified Elector Commissioners must reside within the City.

4. Length of Appointment:
   a. Alternate Qualified Elector Commissioners are appointed for five year terms.

5. Unexpired Terms of Appointment:
   a. Should an Alternate Commissioner no longer be able to fulfill their responsibilities during the term of appointment due to death, resignation, removal, disqualification, etc., the Mayor, subject to the advice and consent of the City Council may elect to appoint an Alternate Qualified Elector Commissioner, or any other qualified individual to fulfill the unexpired portion of the term.

6. Oath of Office:
   a. Duly appointed Alternate Qualified Elector Commissioners shall take the oath of office prior to sitting on the Planning Commission.

7. Miscellaneous
   a. Although Alternate Qualified Elector Commissioners do not vote on or participate in the deliberation of issues as regular commissioners unless the alternate member is filling the position of a regular member due to absence, excused or otherwise, during that meeting, alternate members may of course address the Planning Commission on issues when appropriate as would the general public or other residents.

   b. When an Alternate Qualified Elector Commissioner is sitting as a regular member of the Planning Commission due to an absence, then that Alternate Qualified Elector Commissioner assumes all of the duties and responsibilities of a regular Commissioner during that meeting.

E. Attendance Requirements for Planning Commissioners, Youth Ambassador, and Alternative Qualified Elector Commissioners

1. Commissioners, Youth Ambassadors, and Alternate Qualified Elector Commissioners
Commissioners are expected to attend Planning Commission meetings regularly. Any commissioner may be removed by the City Council for cause, including but not limited to, a poor attendance record.

2. Pursuant to Title 3, Chapter 2, Section 8 of the Clearfield City Code, any member of the Planning Commission may be removed for three consecutive unexcused absences.

F. Election of Chairperson and Vice-Chairperson

1. Selection Process:
   a. The Planning Commission shall annually elect a chairperson and vice-chairperson at the first regularly scheduled meeting in January by majority vote after taking nominations from the body.

2. Term as Chairperson or Vice-Chair:
   a. The term will be for a period of one year, with a maximum of five consecutive terms.

3. Unexpired Term of Chairperson or Vice-Chair
   a. If the chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the vice-chairperson shall serve as the acting chair until a new chairperson is elected by the body to fulfill the remaining portion of the chair’s unexpired term.
   b. The Planning Commission need not wait until the annual election in January in order to replace a chairperson.
   c. If the vice-chairperson is no longer able to fulfill the responsibilities of their position, for any reason, the chairperson shall select an acting vice-chair until a new vice-chairperson is elected by the body to fulfill the remaining portion of the vice-chair’s unexpired term.
   d. The Planning Commission need not wait until the annual election in January in order to replace a vice-chairperson.

4. Minimum Qualifications:
   a. Chairperson
      (i) A commissioner must serve on the Planning Commission for at least one year before being eligible to be elected as the chairperson.
      (ii) Time spent serving as an alternate member of the Planning Commission does not count as time served as a regular member of the Planning Commission for the purpose of qualifying to serve as the chairperson.
      (iii) A Youth Ambassador is not eligible to serve as the chairperson.
      (iv) Time appointed as the Youth Ambassador may count for the one year of prior service before being eligible to be elected as the chairperson.
   b. Vice-Chairperson
      i. All commissioners, except a Youth Ambassador is eligible to serve as the vice-chairperson.
G. Duties of the Chairperson

The Chairperson has the following duties and responsibilities:

1. To preside at all meetings of the Planning Commission and provide general direction for the meetings;

2. To call the Planning Commission to order and proceed with the order of business;

3. To announce the business before the Planning Commission in the order in which it is to be acted upon;

4. To receive and submit, in the proper manner, all motions and propositions presented by the members of the Planning Commission;

5. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings, and to announce the result thereof;

6. To inform the Planning Commission, when necessary or when referred to for that purpose, on any point of order or practice. In the course of discharge of this duty the Chair shall have the right to call upon Legal Counsel for advice.

7. To authenticate by signature when necessary or when directed by the Planning Commission, all acts, orders, and proceedings of the Planning Commission;

8. To maintain order at meetings of the Planning Commission;

9. To move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meeting; and

10. Recognize speakers and commissioners prior to receiving comments and presentation of physical evidence, i.e., plans and pictures.

11. The chair will remain impartial on issues and not participate in the voting process unless called upon to break a tie-vote or if the chair’s vote is necessary in order to have a quorum.

12. It is recommended that the chair attend the staff plan review meeting.

H. Vice-Chairperson

When the chairperson is absent, the vice-chairperson assumes the duties and responsibilities of the chair for that meeting.

I. Chairperson Pro-Tem

In extraordinary cases where both the chairperson and vice-chairperson are absent from the meeting or hearing, the remainder of the commissioners shall elect a chairperson pro-tem, by majority vote, to act as the chair for that meeting. A Youth Ambassador
shall not be permitted to serve as chair pro-tem.

J. Gifts and Favors

Gifts, favors, or advantages must not be accepted if they are offered because the receiver holds a position of public responsibility. It is very important that Planning Commissioners are fair and impartial in their dealings with the public and that they serve all citizens equally. It is not enough to avoid favoritism. They should strive to avoid even the appearance of giving preference to one citizen or business over any other.

K. Treatment of Information

It is important to differentiate between planning information that belongs to the public and planning information that does not:

1. Reports and official records of a public planning agency must be open on equal basis to all inquiries.

2. Information considered private, controlled, or protected, that is learned in the course of performing planning duties, must be treated in confidence if specifically requested by the applicant. Such information becomes public when an application for official action, such as a change in zone classification or approval of a plat is submitted.

3. Pre-arranged private meetings between a commissioner and applicants, their agents, or other interested parties, are prohibited. Partisan information or communications on any application received by a commissioner, whether by mail, telephone, or other communication, shall be made part of the public record.

Article 2: Planning Commission Staff Duties

A. Community Development Office

Serve as staff of the Planning Commission and Chief Administrative Officers regarding planning, development, and redevelopment; coordinate and supervise work by staff; prepare all documents for presentation to the Planning Commission; assist the chairperson and secretary of the Planning Commission in the exercise of duties.

B. Secretary

Assure the construction and maintenance of the public record; record the proceedings of all hearings and meetings; prepare the minutes of the meetings as necessary; prepare and distribute agenda.

C. Legal Counsel

The City Attorney, or designee, should serve as legal counsel; prepare memoranda of law as requested by the Planning Commission; review drafts of ordinances, resolutions, and guideline amendments regarding planning and development.
Article 3: Meetings of the Commission

A.  Place

All meetings of the Planning Commission shall be held in the Clearfield City Council Chambers, 55 South State Street, Clearfield, Utah (Third Floor) or at such other place in Clearfield City as the Planning Commission may designate.

B.  Agenda Setting

The chairperson may change the order of the business or consider matters out of order, if there is no objection from any member of the Planning Commission, or by a majority vote of the Planning Commission.

C.  Regular Meetings

Regular meetings of the Planning Commission are anticipated to be held once a month, typically the first Wednesday of each month or at the request of the chair when necessary and after properly noticed. All noticed official meetings are open to the public. The purpose is to obtain information, deliberate, and vote on specific matters. Written and recorded minutes will be kept.

D.  Work Meetings

Work meetings shall be held at such a time when needed. Work sessions are noticed, official meetings open to the public to discuss specified matters. The intent of the work meeting is informational. The Planning Commission may not take any formal action or vote during such work meetings. A record will be kept stating the date and general items that are discussed.

E.  Public Hearings

A noticed official meeting, the express and limited purpose of which is to provide an opportunity for the public to offer input. The Planning Commission may not vote during the hearing.

F.  Field Trips

A noticed official meeting, open to the public, for the purpose of visiting specific sites. Public comment may be taken, but the Planning Commission will take no vote or formal action during the field trip.

G.  Training Meetings

A noticed official meeting, open to the public, for the purpose of training planning commissioners.
Article 4: Form and Character of Motions

A. Making of Motions

Upon review of the full public record pertaining to an application or request and following due deliberation among the members of the Planning Commission, any member of the Planning Commission, except the chairperson, may make a motion. The motion shall include not only the direction of the motion, but also specific findings, conditions as applicable, denial, and also the recitation of specific findings supporting such motion.

B. Second to the Motion Required

A second to the motion shall be required for each motion citing compatible findings. A motion shall die in the absence of a second.

C. Withdrawing a Motion

After a motion has been seconded, it shall be deemed in the possession of the Planning Commission, but may be withdrawn at any time before decision or amendment by the unanimous consent of the Commission.

D. Motion to Table

A motion to table an agenda item for further study should be accompanied by specific reasons for continuing the matter, and whenever possible, a specific date to re-hear the matter should be scheduled.

E. Amending Motions

When a motion is pending before the Planning Commission, any member may suggest an amendment, at any time prior to the final vote, in order to amend the stated motion. The author and the second may choose whether or not to accept the amendment.

F. Substitute Motions

A substitute motion, which when seconded serves to replace the original motion, may be made prior to a vote on the original motion.

G. To Rescind a Motion

A motion to rescind or make void the results of a prior motion may take place when the applicant and other persons directly affected by the motion have not materially changed their position in reliance on the Planning Commission’s action on the motion.

H. To Reconsider a Motion

To recall a previous motion for further evaluation and/or action, a motion for
reconsideration may be made by a commissioner who voted with the majority. The motion to reconsider must pass with a majority vote. If it is determined that the motion should stand as previously approved, no formal vote is necessary. If the former motion is to be amended or made void, the motion shall be put to a formal vote of the Planning Commission. Motions to reconsider a previous motion must take place during the same meeting the motion was made or when the minutes containing that particular item are approved.

I. Motion to Close Hearings

When the Planning Commission is acting in a quasi-judicial capacity as an appeal authority pursuant to the City Code or state statute, the deliberation portion of a hearing may be closed if authorized by law. In order to close a portion of a hearing for deliberation by the body, a motion shall be made by a commissioner prior to discussion and voting on the matter. *Open meetings may only be closed pursuant to Utah law and legal counsel should be consulted prior to doing so.*

J. Motion to Recess

A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.

K. Motion to Adjourn

A motion to adjourn the meeting shall be made at the end of each planning commission meeting. No second is required to the motion to adjourn.

Article 5: Quorum and Voting Requirements

A. Majority Required

A majority of the seven (7) appointed planning commission members, which may include alternate members and the chair when an otherwise insufficient number of regular commissioners are present, shall constitute a quorum for all hearings and meetings. Ex-officio may not be counted as part of the quorum. The voting body shall include a minimum of four (4), but no more than seven (7) members. At least four (4) votes are required to carry a motion or take any official action. If only four (4) members are present, the voting must be unanimous in order for the motion to carry.

B. Tie-Votes

Tie-votes shall be broken by the chairperson casting a vote.

C. Abstention from Voting

A Commissioner should abstain from deliberation or consideration of an issue when a conflict prevents that Commissioner from being completely fair, unbiased and deciding an issue based wholly on the merits. Abstention from voting shall not be counted in the
determination of the motion, but shall be noted on the record.

Article 6: Requirements for Submission of Requests

A. Forms

The Planning Commission shall adopt standard forms for the submission of requests, and these forms shall include advance time requirements.

B. Completion of Forms

The Planning and Zoning Administrator shall certify the completeness, or lack thereof, of all requests.

C. Items Scheduled

Upon a complete submittal and full review, the request(s) will be scheduled for the next available planning commission meeting, after assuring required public notification has been completed.

Article 7: Administrative Calendar

A. Public Notice

Notice for all public hearings, work sessions, and regular meetings shall conform to requirements of the Utah Code.

B. Yearly Meeting Schedule

The regular meeting schedule for the next calendar year shall be determined at a meeting of the Planning Commission in November.

C. Annual Meeting

The Planning Commission shall have an annual public meeting to review the work of the previous year and decide the work program for the coming year and to elect officers for the coming year as necessary.

Article 8: Conduct of Members of the Planning Commission

A. Meeting Preparation

Members of the Planning Commission shall take such time as necessary to prepare themselves for hearings and meetings.

B. Conflict of Interest

A planning commissioner to whom some private benefit may come as the result of a planning commission action shall not participate in that action.
1. The private benefit may be direct or indirect, create a material or personal gain, or provide an advantage to relations, friends, or to groups and associations which hold some share of a person’s loyalty. However, membership itself in a group or organization shall not be considered a conflict of interest as to Planning Commission action concerning such group unless a reasonable person would conclude that such membership by itself would prevent an objective consideration of the matter.

2. A planning commissioner experiencing a conflict of interest shall declare that interest publicly on the record in the meeting where the item or issue creating the conflict will be under consideration. If a conflict of interest is of such a degree that a commissioner will be unable to fairly consider the issue based wholly on the merits and offer an unbiased position on the matter, then that commissioner must abstain from voting on the action and shall be excused from the dais during discussion and consideration of that issue. That commissioner shall not discuss the matter privately with any other commissioner. An alternate member of the Planning Commission may take the place of a commissioner when the commissioner has been recused for that issue.

3. No planning official shall engage in any transaction in which the official has a financial interest, direct or indirect, with the agency or jurisdiction that the official serves unless the transaction is disclosed publicly and determined to be lawful.

**Article 9: Adoption and Amendment of Guidelines**

**A. Legal Review**

Guideline adoption or amendment may only be made following review by legal counsel to the Planning Commission.

**B. Majority Vote**

The Planning Commission guidelines shall be adopted or amended upon a vote of a majority plus one of the appointed members. Such shall take effect immediately after successful vote to adopt or amend.