

CLEARFIELD PLANNING COMMISSION MEETING

May 4, 2005

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Cornell Griffeth	Commissioner
	Mark Shepherd	Commissioner
	Ligia Muñoz	Commissioner
	Matt Hartvigsen	Commissioner
	Mark Bottema	Alternate Commissioner
	Charles Johnson	Alternate Commissioner
	Marilyn Fryer	Council Liaison
EXCUSED:	Paul Poorte	Commissioner
	Robert Osborne	Commissioner
	Larry Waggoner	City Attorney
	Kay Chandler	Economic Development Director
	Kent Bush	Planning/Zoning Administrator
STAFF PRESENT:	Scott Hodge	Director Public Works
	Christine Horrocks	Building Permits Specialist
	Gregg Benson	Planning/Zoning GIS Specialist
	Tracy Heun	Community Services Director
VISITORS:	Ivan Ray, Marvin Murri, Carol Dye, Joanie Johnson, Rhonie Smith	

Pledge of Allegiance was led by Commissioner Olson

APPROVAL OF MINUTES FROM APRIL 6, 2005 PLANNING COMMISSION MEETING

Commissioner Shepherd moved to approve the minutes of April 6, 2005 as submitted. Seconded by Commissioner Griffeth. All Voting AYE.

CONDITIONAL USE PERMIT FOR AN ADULT VOCATIONAL CENTER AT 185 EAST 350 SOUTH

Chairman Olson read the public hearing notice and declared the public hearing open at 7:00 P.M.

Carol Dye, Danville Corporation of Utah, said this will be a day treatment program working with people that have disabilities. Their objective is help them develop skills and receive training to have a productive job and have an income. Some people use public transportation and some are transported by Danville Corporation, it is based on their needs and abilities. Some clients have issues that will not allow them to have community based jobs, so they are given an opportunity within their agency to learn skills, have community access, recreational opportunities and have

onsite jobs that may provide them with an income. Commissioner Shepherd asked what type of remodeling they would be doing. Carol Dye stated they will occupy the lower, back part of the building. They plan to entirely remodel the 5,500 sq. ft. facility. They would like to use clients to develop and maintain the area in the back. Chairman Olson asked if the landlord had been contacted about the conditions of the outside. Gregg Benson said they had not spoke to him, however, the tenant will have leverage with the landlord to get the improvements made. Commissioner Muñoz asked if the inside would meet ADA requirements. Carol Dye said yes, the plans being drawn will be designed for ADA requirements.

FOR:
None

AGAINST:
None

Commissioner Shepherd moved to close the public hearing at 7:05 P.M. Seconded by Commissioner Hartvigsen. All Voting AYE.

Commissioner Hartvigsen asked if it was typical to use the Conditional Use Permit to impose site conditions on the landlord. Gregg Benson said it has been done before however, this is probably the most we have ever done. The work really needs to be done. Commissioner Hartvigsen was concerned the restrictions may affect their ability to get the property. Commissioner Shepherd said the landlord would have to clean it up for any tenant.

Commissioner Shepherd moved to approve this request for a conditional use permit for an Adult Vocational Center at 185 East 350 South with the following conditions: That the weeds, shrubs, and trash be taken care of and the parking lot be repaired to a point where it can be utilized and the public can have access to the property and review this in six months. Seconded by Commissioner Muñoz. All Voting AYE.

CONDITIONAL USE PERMIT TO ALLOW TWO FLAG-LOTS AS PART OF BRIARWOOD HOLLOW SUBDIVISION

Chairman Olson read the public hearing notice and declared the public hearing open at 7:08 P.M.

Marvin Murri said the proposed design of the subdivision will require two flag lots. He has spoken with the Police and Fire Departments and has satisfied their needs and requirements for emergency services. The flag lots are lots 15 and 16. In the Development Agreement it is stipulated that the homes face a certain direction. The driveway will be shared and will be a common access for both residences. It will give the Fire Department access to the homes. Commissioner Shepherd was concerned about the driveway width and length. Gregg Benson said the driveway must be engineered for the weight of the fire truck. It is a private drive, the owners

will be responsible to plow the drive in the winter. Scott Hodge said the plat shows the lot lines as individual ownership, not as a street.

FOR:
None

AGAINST:

Ivan Ray, Davis Weber Counties Canal Co., said he was not necessarily speaking against this request. He noted that on the map the Davis Weber Counties Canal is on the North of the project. Mr. Ray has nine deeds dated back to 1898 of ownership and wants to ensure that the property clearances do not infract on these deeds. If this structure is piped, they will need to have access to a perimeter road. Another concern Davis Weber Canal Co. has is the fencing next to the canal. Mr. Murri told Mr. Ray that he was looking at an old plat. He did see the pin on the road and the engineers went back and a new plat has been adjusted about 10' to account for the canal and the road. The final approval for the subdivision will be in two weeks. Marvin Murri told Mr. Ray in regard to his concern with the fence, they will put a 6' fence. Commissioner Hartvigsen asked about the access. He was told access would be provided on 1500 East.

Commissioner Shepherd moved to close the public hearing at 7:21 P.M. Seconded by Commissioner Muñoz. All Voting AYE.

Commissioner Shepherd moved to approve this request for a conditional use permit for two flag lots in Briarwood Hollow Subdivision, with the condition: that it is spelled out clearly to the buyers in their responsibility to keep the driveway cleared. Seconded by Commissioner Hartvigsen. All Voting AYE.

PRELIMINARY APPROVAL FOR BRIARWOOD HOLLOW SUBDIVISION

Marvin Murri said this is the subdivision containing the flag lots from the previous discussion. Commissioner Shepherd commented he likes the layout of the subdivision.

Commissioner Hartvigsen moved to approve this request for Preliminary Subdivision approval for Briarwood Hollow Subdivision at approximately 925 South 1500 East. Seconded by Commissioner Muñoz. All Voting AYE.

DISCUSSION - AMENDMENT TO THE SIGN ORDINANCE

Gregg Benson said while he and Kent Bush were out enforcing the sign ordinance, they found banners hung on fences. The sign ordinance does not allow for banners on fences. Community Development had received some sponsorships and have banners hanging on the fence at the ball

diamonds. In order for them to hang them on the fence, there needs to be an amendment to the sign ordinance. Commissioner Shepherd said he didn't have a problem because he feels it is the right thing to do, however, the ordinance needs to be worded correctly. Commissioner Griffeth said if businesses can't put banners on fences, Clearfield City shouldn't be able to do it. Commissioners Shepherd and Griffeth said when the sign ordinance was revised, it was determined that it must be enforced. Could it be put in the ordinance to limit it to sponsorships and sports program. Commissioner Shepherd said if we do, we are opening up for lawsuits.

Tracy Heun from Community Services said the public relations/special event coordinators went out for sponsorships. She said they started by reading the sign ordinance, however, they didn't understand it. They sent sponsorship letters out to many business in Clearfield City and Davis County. They have been very fortunate in getting many sponsors for their programs. Banner signs at baseball diamonds are very common for sponsors because of the visual impact. Because they misunderstood the sign ordinance, they are in trouble. Commissioner Shepherd suggested putting the signs on the building. Tracy Heun said that there are too many signs for the buildings. It is easy to put the banners on the fence facing inward toward the diamond. Commissioner Griffeth asked if they had thought about smaller signs on the buildings or a billboard on the buildings or a separate sign on the walkway to the diamonds, where the individual sponsors can be changed as needed. Tracy Huen said the reason the banners are placed on the fence is that the advertisement is facing the spectators. She said it becomes more expensive to do something more permanent. Commissioner Shepherd asked how long the signs would be up. She said they would probably be up from April through October. Gregg Benson said the problem with banners is the wind. Commissioner Griffeth feels something more permanent could be done. Commissioner Shepherd feels that the problem will be a complaint that the city doesn't follow its own rules. He feels we need to have Larry Waggoner review and recommend the wording for the change in the ordinance. Commissioner Hartvigsen asked how are the sponsors chosen. Tracy Heun told him that we solicited them and for their donation they get this benefit. Tracy Heun asked if the high school was exempt from the sign ordinance. Gregg Benson said that the school district is in their own little world. Commissioner Griffeth said he would like to see options other than banner signs.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Nothing

Commissioner Griffeth - Nothing

Commissioner Shepherd - Nothing

Commissioner Muñoz - Would like to see a lower speed limit on 1000 East. She was told it is a police issue.

Commissioner Hartvigsen - Nothing

Commissioner Bottema - Nothing

Commissioner Johnson - Nothing

Councilmember Fryer - asked to be excused as she will be out of the country for next meeting.

Staff - Gregg said the next meeting agenda will have the Final Approval for Briarwood Hollow. unless sign ordinance is on

There being no further business to come before the Planning Commission, **Commissioner Shepherd moved to adjourn at 7:53 P.M. Seconded by Commissioner Muñoz. All Voting AYE.**