

CLEARFIELD PLANNING COMMISSION MEETING

October 4, 2006

7:00 P.M. - Regular Session

PRESIDING:	Victor Olson	Chairman
PRESENT:	Cornell Griffeth	Commissioner
	Mark Shepherd	Commissioner
	Robert Osborne	Commissioner
	Matt Hartvigsen	Commissioner
	Mark Bottema	Commissioner
(Non-voting)	Darren Carpenter	Alternate Commissioner
(Non-voting)	Kenneth Jeppesen	Alternate Commissioner
	Bill Moore	Alternate Commissioner
	Doyle Sprague	Council Liaison
STAFF PRESENT:	Larry Waggoner	City Attorney
	Scott Hodge	Director Public Works
	Kay Chandler	Economic Development Director
	Kent Bush	Planning/Zoning Administrator
	Christine Horrocks	Building Permits Specialist
	Gregg Benson	Planning/Zoning GIS Specialist
VISITORS:	Harvey Justice, Tiffany Justice, Chad Hawks, Don Wood, Ryan Bankhead, Foster Chandler, Vera Chandler, Greg Higley, Gregg Richardson	

Pledge of Allegiance was led by Chairman Olson.

APPROVAL OF MINUTES FROM SEPTEMBER 6, 2006 PLANNING COMMISSION MEETING

Commissioner Shepherd moved to approve the minutes of September 6, 2006 as submitted. Seconded by Commissioner Hartvigsen. All Voting AYE.

Minutes from the September 20, 2006 meeting were not available for approval.

7:00 P.M. PUBLIC HEARING TO APPROVE A NEW ZONE, PUBLIC FACILITIES (PF), AND TO AMEND CURRENT ORDINANCE

Chairman Olson read the Public Hearing Notice and declared the Public Hearing Open at 7:01 P.M.

Kent Bush said this is the zone we have been working on the past couple of months. A few changes were made this afternoon. Commissioner Shepherd was concerned that he hadn't had more time to review the ordinance. Kent Bush explained to him that it is the same as discussed

the past few meetings, except now it is in ordinance form. Chairman Olson asked Mr. Bush to explain the changes that had been made. Mr. Bush said under approvals required the conditional use some verbiage had been removed, and some typographical errors were changed on the ordinance sheet and paragraph G was omitted. Commissioner Osborne was concerned about the 10' setback when we require residences to be setback 25' – 30'. Kent Bush said some of these are existing uses and he didn't want to create nonconforming uses in the zone. He said in residential zones the setback allows for parking in the driveway, and a commercial zone can have parking to the side or rear. The goal is to create a zone that fits with what we have. Kent Bush said there are existing electrical substations that only have a 10' setback. Chairman Olson asked if the 10' setback has changed from the document the Commissioners were given previously. Mr. Bush said it had not. Kent Bush asked for some good reasons why it should be changed from 10'. Commissioner Shepherd said aesthetics. Mr. Bush asked Commissioner Shepherd what he would change it to. Commissioner Shepherd said he would change it to the residential setback of 25'. Commissioner Carpenter said it would have been good to have the ordinance form in the packet they received. Chairman Olson told him that the wording has not changed, only the format.

FOR:

None

AGAINST:

None

Commissioner Shepherd moved to close the Public Hearing at 7:16 P.M. Seconded by Commissioner Hartvigsen. All Voting AYE.

Commissioner Shepherd said he would be abstaining from the vote stating he didn't have a chance to review it before.

Commissioner Hartvigsen moved to send this request for adoption of the new Public Facilities Zone and the amendment of other sections of the current zoning ordinance to the City Council with recommendation of approval from the Planning Commission. Seconded by Commissioner Griffeth. Voting AYE: Commissioners Griffeth, Osborne, Hartvigsen, Bottema, and Moore. Voting NAY: None. Abstaining: Commissioner Shepherd.

SITE PLAN APPROVAL FOR AN OFFICE BUILDING AT 726 EAST 700 SOUTH

Foster Chandler said he wants permission to build an office building for an insurance business. Mr. Chandler said the storm drain system has been part of the delays in getting to the Planning Commission. The retention pond has been designed to hold double the maximum 100 year storm. Mr. Chandler said he received a letter today from the school district allowing him to have the overflow from the retention pond to drain onto their property. When asked about the ownership of the building, Mr. Chandler said it will be a joint ownership. Part of the building

will be owned by Mr. Chad Hawks and the rest by Mr. Greg Higley and himself. Commissioner Shepherd asked about the removal of the trash; plans show there would not be a dumpster. Mr. Hawks said he had requested Pinnacle add a dumpster pad to the site plan and it will be enclosed.

Commissioner Shepherd moved to approve this request for Site Plan Approval for an Office Building at 726 East 700 South. Seconded by Commissioner Osborne. All Voting AYE.

FINAL SUBDIVISION APPROVAL FOR WILCOX FARMS PHASE 4 AMENDED AT 866 WEST 1700 SOUTH

Gregg Richardson said since preliminary approval, minor changes have been made to the easement lines for vehicle access in the rear. Kent Bush told the Commissioners all requirements have been met.

Commissioner Osborne moved to approve this request for Final Subdivision Approval for Wilcox Farms Phase 4 Amended at 866 West 1700 South. Seconded by Commissioner Shepherd. All Voting AYE.

DISCUSSION ITEMS:

R-1 OPEN ZONE

Kent Bush stated this was on the agenda because some Commissioners had some concerns. He wasn't sure what they wanted to change or discuss. Mr. Bush stated that use of open space has been changed from what it was originally. If there is more than a 30% slope for the water detention area it could not be counted as open space. In reference to the density in the R-1 Open zone he said every subdivision approved has not been near the 4.5 density and most of them have exceeded the 10% required open space. The developers are doing more than the ordinance is requiring. Commissioner Carpenter said he personally feels that lots that are 9,000 -10,000 sq. ft. is a better neighborhood, the area is more open. He said if we address the size of the house plus the set backs requires the lot to be 9,000 to 10,000 sq. ft. The other concern he has is not allowing them to use the detention basins as open space. Larry Waggoner said this is a desert; most of the retention areas will not become ponds. Kent Bush said water is rarely in the retention areas. The City is using retention ponds for parks and he gave examples of Jacobson Park, Barlow Park and the future park on South Main. Commissioner Osborne said he is okay with using the detention as part of the open space; however, he suggested it be written into the ordinance that 15-20% has to be something other than a retention pond. He also recommended the 15-20% open space could not be adjacent to the retention pond. Kent Bush said in most subdivisions it is that way; there are no subdivisions with strictly a retention pond. Chairman Olson said if this is done, it may create an unusable piece of ground if it is not allowed to be next

to the retention area. Chairman Olson asked how many areas there were in the city that could be developed. Kent Bush told him the Tanner piece is the only large piece that hasn't had an application made for development.

Kent Bush said a few years ago the City Staff looked at lot sizes, house size and the setbacks of some neighboring cities. It was the intent of the City to combine large side yards and provide an open area for the public to use, not just an individual family. He said he has been to a lot of planning meetings in the past 21 years and 10,000 sq. ft. lots are the biggest waste of land in the country. Too big for most people, too small for a tractor and to farm, so it goes to weeds and wasted side yards. The idea of open space provides a place for the public to use. House size or cost is not determined by the size of the lot. A few years ago the minimum house size was increased. We are currently getting houses larger than the minimum house size. In the future phases of Autumn Ridge the lots are larger so they can to add a 3rd car garage. One way to increase the cost of the house is to add brick, rock, or stucco. The rental issue will be resolved by changes in an ordinance. Commissioner Carpenter said the feeling he is getting from those he has talked to is that they want larger lots. Commissioner Shepherd said as a Real Estate Agent he has recently worked with four families and they all wanted something different as to size of lot and house. Commissioner Jeppesen feels that the side yards should be increased. Commissioner Osborne would like the side yard to be large enough for an RV. Kent Bush said if you increase the side yard then the developer will have to increase the size of the lot. He said that you can make changes to the Development Agreement. Chairman Olson asked for rational and logical reasons why the changes are needed. He asked for a poll to decide if they wanted to have a workshop to make changes to the R-1 Open zone. A majority of the Planning Commissioners felt it wasn't necessary to make revisions.

C-R ZONE

Kent Bush had marked up the C-R zone and asked the Commissioners if they wanted any other changes. He asked the Commissioners if they saw something that would not fit in a mixed-use area to let him know. He felt that most of the uses would fit under the permitted uses; however, he isn't certain about some of the manufacturing type businesses. In reviewing the type of businesses to be included under the permitted uses, it needs to be determined if the business would be conducive to residential use. Commissioner Griffith said that dental labs should not be allowed in a residential area. Kent Bush explained to the Commissioners where C-R is designated in the General Plan there could be residential or commercial or commercial and residential mixed. There was concern and discussion about having apartments. Kent Bush stated that multi-family can be condos or apartments. He explained that multi-family is residential units attached together. Commissioner Shepherd asked if it would be possible to include condos and eliminate apartments. Kent Bush said that we may need to look at the density and the height restriction. Commissioner Shepherd felt that the height restriction should be eliminated. Commissioner Carpenter was concerned about increasing the density. Commissioner Shepherd said with greater density, the only way to build is up. Kent Bush said in the C-R zone the commercial development is required in with the first phase of residential. The walls and fence could be required by site plan approval. Larry Waggoner said it could be a contract zone and a

Development Agreement could be used. Kent Bush said he will get changes to the Commissioners for the next meeting.

PLANNING COMMISSIONER'S MINUTE

Chairman Olson - Nothing

Commissioner Griffeth - Nothing

Commissioner Shepherd – said he hoped he didn't step on any toes. We need to look to the future, need to look to how it will affect us down the road.

Commissioner Osborne – he felt if time for discussion is needed, set a separate time. He felt they were being cut off. Chairman Olson said he felt the discussion was going nowhere tonight. This forum shouldn't operate on emotions and unlearned inputs. Commissioner Osborne said it should be based on ideas. Larry Waggoner said the ideas cannot be arbitrary and capricious. Chairman Olson feels that his position as Chairman is to keep the discussion focused, and he felt it was lost.

Commissioner Hartvigsen – appreciates opinions of the Commissioners.

Commissioner Bottema - Nothing

Commissioner Carpenter – like Commissioner Osborne, feels it was stifled tonight. He thinks it isn't possible with their limited resources to do research like you are asking. We come with our ideas and debate it, he thinks that is what it is about. He feels that the time is well spent overall. Commissioner Shepherd said if there are questions, we need to talk to Kent Bush and Gregg Benson during the day. Chairman Olson challenged the Commissioners to do their homework before coming to the meeting and come in with the facts.

Commissioner Jeppesen - Nothing

Commissioner Moore - Nothing

Councilmember Sprague – Feels like we are always fighting staff. He doesn't know how we are going to solve that. He feels like we have ideas, but staff says you don't want to do that. Somehow we need to iron that out so we aren't battling staff. If this group here feels that the lots need to be bigger or the houses need to be bigger then staff needs to listen. And if staff doesn't want to listen then I don't know where we are getting. We seem to be battling back and forth and not getting anywhere. We have knocked this thing out about four times in a row and we still haven't solved one thing. We need to get with staff and decide what we want. If we want bigger houses then we have to change the ordinances. Kent Bush said if you want bigger houses don't say you want a minimum lot size, change the minimum square footage and increase the side yards. That will cause the developer to increase the lot size. Commissioner Shepherd said if

there is going to be a change it needs to be taken to staff to be put on the agenda.

Staff – Kent Bush reminded the Commissioners that there will be some subdivisions coming in for approval, if they meet the ordinances as the ordinance currently exists, you cannot disapprove them. The Planning Commission makes administrative decisions. And an administrative decision must be approved if requirements of the ordinance are met.

Commissioner Shepherd added that we needed to publicly thank Commissioner Poorte for his work on the Planning Commission; he will be missed. Chairman Olson said he was a great asset to the Planning Commission.

Chairman Olson talked about the joint meeting with the City Council that was held last night, October 3rd. He said there is a huge effort with the current City Council and Planning Commission to work together to better Clearfield City. The Commissioners had a copy of a briefing given by Chris Hillman, City Manager. The Planning Commission will be asked to look at the elements of this briefing and start helping to initiate some of the actions recommended. He asked the Commissioners to look at the briefing and if there are any questions, please ask. As a Planning Commission we will be asked to look at the elements and help determine where to start. Commissioner Shepherd said they will probably start with Strategy #4, Modify zoning ordinances and classifications relating to single family dwelling units, so come prepared to discuss.

Kent Bush said the document they had on open meetings was presented at the joint meeting last night. The State requires all boards and commissions to have a yearly training on the open meetings act. He told the Commissioners to read the information so they are informed on the open meetings laws.

There being no further business to come before the Planning Commission, **Commissioner Shepherd moved to adjourn at 8:52 P.M. Seconded by Commissioner Hartvigsen. All Voting AYE.**