

CLEARFIELD PLANNING COMMISSION MEETING

July 21, 2010

7:00 P.M. - Regular Session

PRESIDING:	Nike Peterson	Chair
PRESENT:	Matt Stones	Commissioner
	Ron Jones	Commissioner
	Barbara Perry	Alternate Commissioner
	Brandon Stanger	Alternate Commissioner
	Doyle Sprague	Council Liaison
EXCUSED:	Darren Carpenter	Commissioner
	Randy Butcher	Commissioner
	Joel Gaerte	Commissioner
UNEXCUSED:	Bill Moore	Commissioner
STAFF PRESENT:	Brian Brower	City Attorney
	Adam Lenhard	Community Development Director
	Gregg Benson	Planner
	Christine Horrocks	Building Permits Specialist
VISITORS:	Kevin Porter, Kathryn Murray,	

Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF MINUTES FROM JUNE 2, 2010 AND JULY 7, 2010 PLANNING COMMISSION MEETINGS

Commissioner Stones moved to approve the minutes of June 2, 2010 as presented, seconded by Commissioner Jones. All Voting AYE.

Commissioner Jones moved to approve the minutes of July 7, 2010 as presented, seconded by Commissioner Stones. All Voting AYE.

PUBLIC HEARING FOR AMENDMENTS TO TITLE 11, CHAPTER 13, SUPPLEMENTARY REGULATIONS AND CHAPTER 15, SIGN REGULATIONS

Chair Peterson declared the public hearing open at 7:04 p.m.

Chair Peterson stated there have been substantial changes made to the proposal since the previous public hearing. This public hearing is to specifically address the new changes that are being considered.

PUBLIC COMMENT:

Kevin Porter, Visual Advertising, said he is the only one with a tangible stake in these decisions. He wants to be an asset to the community while remaining in business. He asked the commissioners to consider what is fair and prudent. If the people support the use of public funds for a service that could be free and the City wants to provide that service and buy their own benches, then the discussion is over. If public funds are better used elsewhere then he has a valuable service to offer. Mr. Porter said if he is allowed to continue this service, he is committed to upgrade the benches and have a uniform look throughout the Clearfield area. He said he will keep the benches maintained and in good clean order. He asked to be allowed to work with staff to find a new look that meets the needs for functionality. He asked for a phase in time to bring his benches to the new standard. He accepts the fact that much of this discussion would have been unnecessary if he had been more consistent and aggressive in maintaining and upgrading his benches. He feels his approach is a win, win, win. It is a good way for the City to provide a desired service; it is a good way for citizens to receive, it is good for businesses which is the life blood of the community.

Commissioner Stones moved to close the public at 7:09, seconded by Commissioner Jones. All Voting AYE.

APPROVAL OF AMENDMENTS TO TITLE 11, CHAPTER 13, SUPPLEMENTARY REGULATIONS AND CHAPTER 15, SIGN REGULATIONS

Adam Lenhard said the amendments have been reviewed before with the exception of one new paragraph that was added to Chapter 13 regarding a modification to the required percentage of open space that could be modified through a development agreement. Mr. Lenhard reviewed the changes that have been made.

11-13-25: The section has been renamed to courtesy benches and shelters.

11-13-25 F-4 – should courtesy benches be allowed at intersections?

11-13-25 G – the current ordinance states no signs shall be allowed on bus benches or shelters or the ordinance could be repealed.

11-13-25 H – a specific bench design should be included with the ordinance and referred to as Figure 1.

11-15-7 C-5 – current ordinance states there could be one sign allowed per bench or it could be repealed.

The commissioners found a few instances where “bus” needed to be changed to “courtesy.”

Chair Peterson asked the commissioners if they had any concerns on the changes to any ordinance except 11-13-25. There were not any concerns voiced. Chair Peterson said she is somewhat opposed to changing to courtesy bench rather than bus bench. She said she is comfortable with the wording “bus benches.” Commissioner Stanger said there are two different kinds of benches, those at bus stops and then benches that are in a non-bus related location.

Chair Peterson asked the commissioners for their thoughts on placing benches at intersections.

Commissioner Stanger said if the City decides to have a courtesy bench they should be strategically located in the City where it could benefit someone needing to rest between corners. He also was in favor of no signage on the benches.

Commissioner Jones said he wants to have a uniform look throughout the City. He wants the City to look better and so his vote would be to not have signage. He asked if the benches at intersections needed to meet clear view. Adam Lenhard said the benches must be at least 60 feet from the intersection to be out of the clear view, but within 100 feet. Commissioner Jones stated then the benches wouldn't be at the intersection.

Commissioner Stones said typically if there is a bus stop, it will be around 60 feet to 200 feet from the intersection. He likes the benches at the intersections. He said he doesn't like signage on the benches, but he also doesn't want to spend City money on benches when it could go elsewhere. Commissioner Stones said if the signs were gone it would improve the look of the City, but could cause the City to expend funds that could be used elsewhere for better purposes.

Commissioner Perry said she likes using the verbiage "courtesy benches" rather than "bus benches," because she feels they are a courtesy and using the term bus benches, made her feel they were furnished by UTA. She felt paragraph 4 should be included as it is. She also doesn't like the signs on the benches, but isn't in favor of spending public money.

Chair Peterson said she felt the commissioners want to have the benches, but without the signs for the visual appeal and the chance to provide a unified look for the City. There is also a concern about the cost associated with the City providing the benches. She asked the commissioners what they would like to recommend to the City Council.

Commissioner Stanger said some residents he spoke to felt the City should benefit from the benches, if there is no revenue they felt there is no reason to keep the benches. Chair Peterson asked staff for clarification about the status of the current benches around the City. Adam Lenhard said there are not any benches that currently meet City standards; none of the current benches can stay as they are.

Chair Peterson asked the commissioners for their opinion on allowing signs on benches. Commissioner Stanger said the only sign he liked is the logo that isn't painted on and doesn't cover the back of the bench. He is not in favor of signage on the benches. Commissioner Jones said he is not in favor of signage. Commissioner Perry said she recommends no signs. Commissioner Stones said signs should be eliminated from the benches; however, if there is a shelter provided with the bench then a sign could allowed inside the shelter. Gregg Benson said there are shelters at the rail stop; however, there is no signage. The current ordinance for signs would not allow business advertising within a shelter. It would allow information such as maps, locations, or addresses.

Chair Peterson asked the commissioners for their opinion on having benches at intersections. Commissioner Stanger felt it is more important to have a bench at or near a bus stop than at an intersection. Commissioner Jones said he would just like the benches to be uniform. Commissioner Stones said he wants to see conformity and a standard look in the City. Commissioner Perry asked if there was a regulation on the distance from an intersection to a bus stop. Gregg Benson said there are no regulations in place, but the bus stops are generally about 80 feet from the intersection. Commissioner Perry said with most bus stops being within 60 feet to 100 feet from the intersection, she felt that between 60 feet to 100 feet is good.

Chair Peterson asked about the design of the benches. Gregg Benson stated the bench design submitted today is the most economical of the benches. Chair Peterson said she felt the commissioners preferred to keep the cost down while providing an attractive and low maintenance bench. She asked if the commissioners were okay with the discussed bench for Figure 1. Chair Peterson said she felt the commissioners wanted to keep new term – “courtesy bench,” allow benches at an intersection when clear view requirements are met, and there will be no signage allowed on benches.

Adam Lenhard said if the City moves forward and installs new benches, they will be exempt from regulations except the benches will be out of the clear view triangle. Commissioner Stanger said he prefers to not have benches at an intersection, but at bus stops.

Commissioner Stones moved to recommend to the City Council approval of the changes to Title 11 as written with the following additional changes: 1) 11-13-25 remain with the verbiage of courtesy benches throughout the contents of the documentation (ordinance); 2) 11-13-25-F-4 should remain as stated with the maximum of one courtesy bench no more than 100 feet from the curb line intersection and as currently written; 3) Paragraph G remain and that signage not be allowed; 4) In paragraph H-1, Figure 1, shall be representative of the exhibit that was provided to the Planning Commission this evening; 5) In section 11-15-7-C-5 the paragraph be repealed. These changes are being made in order to facilitate the design standards that are in conformity with Vision 2020 and to bring the City into a future design standard of a uniform look throughout the City and we are replacing the benches in violation of the City codes and that have not been permitted for the past two years. Seconded by Commissioner Jones. All Voting AYE.

STAFF REPORTS

None

PLANNING COMMISSIONER'S MINUTE

Commissioner Stones – said with the decision to move forward with the changes he recognizes the financial stress it puts on individuals but he feels it will allow the City to maintain a standard of design and the uniformity that follows with the Vision 2020 plan. He felt the commission had a good deliberation and the consensus is best for the City.

Commissioner Jones –said he feels it is a frustrating thing to decide. One of the main reasons he wanted to be involved with the Planning Commission is to help the City be a better place to live. He said we can't please everyone. He agrees with the comments of Commissioner Stones. He thanked staff for preparation of the agenda.

Commissioner Perry – said she reflects the same sentiment as Commissioner Stones. Change is difficult but she felt the change tonight moves toward the goals of Vision 2020.

Commissioner Stanger – said he agrees with what the other commissioners have said.

Councilmember Sprague – said these are hard decisions being made, but he feels the City is moving in the right direction. He said he was invited to go to HAFB and take a tour. He feels it is good the City is trying to build relationships with the Base. He said the City Council is trying to get out to the public more and let them know that Clearfield City cares.

Commissioner Peterson – said she felt the Planning Commission came to the closest and best place to be on a difficult decision. We now can move forward with designs that have been identified and find a way to use City funds responsibly to keep the costs down. She appreciated the consideration of the commissioners throughout the last several months on that, thank you.

There being no further business to come before the Planning Commission, **Commissioner Jones moved to adjourn to a work session at 8:03 P.M.**

DISCUSSION ITEMS

PLANNING COMMISSION TRAINING

Chair Peterson called the work session to order at 8:15 p.m.

Commissioner Perry asked if an alternate who is not seated on the dais could make a comment. Chair Peterson said the Planning Commission Rules and Regulations state an alternate can make comments by filling out a public comment form; they have the same rights as any other citizen. An alternate cannot be a part of the discussion or voting with the commissioners on the dais. Brian Brower explained there is concern if a decision goes through an appeal process and an alternate member has been part of the discussion, but didn't have the right to vote. Any comment made would not be accepted as part of the decision.

Adam Lenhard gave instructions to the Planning Commission on:

- Legal Justifications
- City Code
- Planning Commission Roles
 - Advisory or Approval
- General Plan and Adoption of General Plan

- Adoption of Land Use Ordinance
- Public Hearings and Public Meetings
- Review of Land Use Application procedures
 - Adam Lenhard discussed the various types of applications for development and explained the procedure before an item is presented to the Planning Commission. He said staff reports should be informative so you have few questions. Please call before the meeting if you have questions. Chair Peterson told the commissioners they can get a lot of information from staff. They are expected to do their homework and if they would like more information, please call staff.

Adam Lenhard said there has been a request made for future training to review conditional use permits. Commissioner Stanger asked if there could be training on making a motion or if the commissioners could have a cheat sheet giving verbiage for the motion. Adam Lenhard said they will add more detail to the staff reports in the recommended motion section.

Brian Brower gave instruction on the basics of Roberts Rules of Order. He said the rules are a basis to maintain order and keep the meeting moving in an orderly fashion. He said to make a motion the simplest way is to say, "I move." The time to address a change to a motion is to state your change before the motion is seconded. You can ask to have the motion amended or you can make a substitute motion. If the second is made, the Chair may ask for comments before the vote is taken. At that time changes could be requested and the motion could be changed. Commissioner Stones asked if changes are made to the motion does the entire motion need to be restated. Brian Brower said it would not be necessary to repeat the entire motion.

There being no further business to come before the Planning Commission, **Commissioner Stones moved to adjourn at 9:07 P.M.**