

CLEARFIELD PLANNING COMMISSION MEETING

June 16, 2010

7:00 P.M. - Regular Session

PRESIDING:	Nike Peterson	Chair
PRESENT:	Darren Carpenter	Commissioner
	Matt Stones	Commissioner
	Randy Butcher	Alternate Commissioner
EXCUSED:	Bill Moore	Commissioner
	Ron Jones	Commissioner
	Doyle Sprague	Council Liaison
STAFF PRESENT:	Brian Brower	City Attorney
	Adam Lenhard	Community Development Director
	Kent Bush	Planning/Zoning Administrator
	Gregg Benson	Planner
	Christine Horrocks	Building Permits Specialist
VISITORS:	Kathryn Murray, Bjorn Carlson, Joel Gaerte, Kevin Porter, Layne Waite, Rorie Stott, Misty Black	

Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF MINUTES FROM MAY 19, 2010 PLANNING COMMISSION MEETING

Commissioner Butcher moved to approve the minutes of May 19, 2010, seconded by Commissioner Stones. All Voting AYE.

APPROVAL OF SITE PLAN TO INSTALL CONCRETE PARKING AREAS AT SET PRICE AUTO AT 555 NORTH MAIN

Bjorn Carlson, general manager for Set Price Auto Sales, said they plan to put in a parking surface along the northwest corner of the property. The drainage will be directed to the gutters east to Main Street or south to Villa. The primary use for the parking surface is for retail vehicles and some employee parking. In the site plan palm trees have been added to beautify the area. They have requested to place a future monument sign toward the front on the property along Main Street. Kent Bush said the sign will be in compliance with the clear vision ordinance. Commissioner Carpenter stated previously the Planning Commission had concern about parking vehicles on Villa Drive. Mr. Carlson said the parking area will open up the rear area to allow employee parking and additional parking for customers.

Chair Peterson asked Mr. Carlson about the palm trees. He said there will not be any lighting on

the trees; and they will be about twelve feet tall. The trees are industrial grade, and were purchased from a water park. Chair Peterson was concerned that the palm trees play into the stereotype of a used car lot. She continued that the City has been through a comprehensive process in the past year putting in design standards and developing a vision for the downtown corridor. Mr. Carlson stressed the quality of the palm trees. The trees will be permanent and are built to withstand the weather. Chair Peterson asked if in the future they would light the trees. He didn't know for sure, but said if they used lights, it may be at Christmastime.

Commissioner Carpenter moved to approve this request for site plan approval to install concrete parking areas at Set Price Auto at 555 North Main, seconded by Commissioner Stones. All Voting AYE.

PUBLIC HEARING TO RECEIVE COMMENT ON AMENDMENTS TO CITY CODE,
TITLE 11

Chair Peterson declared the Public Hearing open at 7:10 p.m.

Adam Lenhard pointed out a few minor changes that were made to the ordinances sent to the commissioners. 1) In chapter 3 a definition for a pet grooming facility was added. They have been added as a permitted use in the M-1, Manufacturing and C-2, Commercial zones. 2) In chapter 13 there was a provision for the height of a sight obscuring fence in a front yard. In the previous ordinance there was a diagram. The figure has been dropped and the wording has been added to address the height of a sight obscuring fence.

PUBLIC COMMENT:

Kevin Porter, Clearfield – said for 40 years Clearfield Sales has provided benches throughout the City. Recently advertising on benches was removed from the City ordinance. He said until 2007 permits were not required. Mr. Porter said there was miscommunication and he lost his grandfathering because he failed to renew the permits. When he received the 2010 license renewal he was informed the benches were illegal due to a change in the ordinance. Mr. Porter said he wants to pay the fees for licensing for 2008 and 2009. He said he will remain current with fees and he will keep the benches clean especially in the winter when the snow has left residue on the benches. Mr. Porter said his company started placing benches before mass transit was developed as it is today. He said the public sees a bench as a convenience that happens to have a sign on it. He feels benches should not be regulated as off premise signs.

Commissioner Carpenter asked Mr. Porter in what other cities he had bus benches. Mr. Porter said he had benches in North Salt Lake, Layton, Sunset, Roy, Riverdale, South Ogden, and Syracuse. Chair Peterson asked how many benches he had in the other cities. Mr. Porter said half of his benches are in Clearfield. Commissioner Carpenter asked if his biggest concern was with the corner benches. Mr. Porter said corner benches were his biggest concern as far as the new revision is concerned. He said if he can't continue to sell at corners then he will be out of business. Commissioner Carpenter asked how many benches he had at UTA stops. Mr. Porter

said he had about six benches at bus stops with a total of 35 benches. He said he would put more at bus stops if he could stay in business. Commissioner Stones asked if he had benches on any trails. Mr. Porter said he is willing to put them on trails, but he doesn't have any at this time. Commissioner Stones asked what the concerns of the City Council were, and how were their concerns addressed. Mr. Porter said their concerns were cleaning and orderliness. If benches aren't needed, then it is not a public service and the bench is considered an off-premise sign.

Rorie Stott, South Weber – said he has been working with Kevin Porter on the bench project. He wanted to make three points. 1) In South Weber they hired consultants who told them they needed to find something unique to identify the city and tell everybody about it. He said if Clearfield had a pattern of benches announcing events in Clearfield it could make a difference. 2) On the trails that are set up people must cross the main streets to get to the trails. Other proposed trails actually go through intersections. 3) When he was getting signatures on the petitions nobody had a bad word to say, everybody wanted to keep the benches on the corners.

Layne Waite, Syracuse – said he was coming because he has been helping Kevin Porter with canvassing the residents. He thought he would get more negative comments. He said there were quite a few comments that were really boisterous and asked why the City would take away the benches. One citizen felt there are not enough benches, there should be more, not less. One resident said he rides the buses and uses the bus benches often and said it is nice to have a safe place to sit while waiting for the bus. One citizen uses the bench on 700 South State Street and said how important it is for her to have a place to sit. A few residents said the benches need to be kept in good condition.

Misty Black, Clearfield – said she has worked with her dad, Kevin Porter, and Visual Advertising for about 15 years. She knows his dedication to the business and knows when he said he will keep them clean and maintained; it is true. She asked the commissioners to refer to section 7 and the picture of the couple sitting on the bench. This couple said they like to take walks together and sit on the benches. She said some of those that signed the petitions didn't use the benches but knew that others did and understood the reasons they were there. She told the commissioners that some of the material in the binder was new and asked them to study it. She said everyone she talked to was not opposed to the benches in the City.

Commissioner Carpenter moved to close the public hearing at 7:35 p.m., seconded by Commissioner Butcher. All Voting AYE.

RECOMMENDATION OF APPROVAL OF AMENDMENTS TO CITY CODE, TITLE 11

The changes to title 11 were reviewed.

- Chapter 1: General Provisions (added a new “affected entity” as required by state statute)
- Chapter 3: Definitions (added several new definitions)
- Chapter 4: Conditions Use Permits (clarified public hearing notice procedure)

- Chapter 5: Site Plans (modified review procedure and expiration of approvals)
- Chapter 9D: R-2 Zone (clarified area and frontage regulations)
- Chapter 9E: R-3 Zone (clarified area and frontage regulations)
- Chapter 9G: R-1-O Zone (modified permitted and conditional uses)
- Chapter 11A: C-1 Zone (modified height regulations)
- Chapter 11B: C-2 Zone (modified minimum distance between buildings and permitted uses)
- Chapter 11D: M-1 Zone (added height restriction and amended permitted uses)
- Chapter 11E: Downtown Redevelopment Zone (NEW). Adam Lenhard asked to make a clarification. After discussion at a work session, the decision was made to add “single family dwelling” to the list of conditional uses in the Downtown Redevelopment Zone. A change would need to be made to 11-11E-5 A, to replace “multiple-family dwellings” with “residential dwelling units.” He said there is also a change to the last sentence to read, “... all building frontage along a public street including State Street and North Main Street.”
- Chapter 13: Supplementary Regulations (various changes to clear vision requirements, wireless communication towers, commercial storage facilities, landscaping standards, bus benches, and portable storage containers) Commissioner Carpenter asked for clarification on the current code for bus benches. He was told they are currently illegal. Adam Lenhard said they are allowed at bus stops; however, signage is currently not allowed on the benches. The main possible change that the Commission was being asked to consider would allow signage on one bench per UTA bus stop. Commissioner Stones asked if there were any benches in a residential zone. Adam Lenhard said there are none. He said there is no legal bench in the City. Commissioner Stones asked about the zoning and if benches would be allowed along a trail if only in a C-2 zone. Mr. Lenhard said the trails are public property and private benches would probably not be allowed for liability issues. The benches installed by the City along a trail would be exempt from the ordinance. Brian Brower said the City probably doesn’t want to get in the business of allowing advertising on City property. Commissioner Butcher asked if the City is planning to place benches along the trails. Mr. Lenhard said there are some, but he didn’t know of new ones to be installed. Gregg Benson said placing benches on the trails is part of the trails master plan but at this time, benches have not been funded. He said there are also benches at some of the City parks.
- Chapter 15: Signage (added regulation on flags for advertising, addressed signs on bus benches, and added regulations to temporary signs)

Commissioner Butcher stated he hasn’t had the opportunity to review the information on bus benches and would like additional time to review the material. Chair Peterson asked him if he would like a short recess to review the information. Commissioner Butcher said he didn’t know if a recess would be enough time for him to review chapter 11-13-25.

Chair Peterson told the commissioners that because they were few in number the voting would need to be unanimous. Commissioner Butcher said he would be willing to vote on all but Chapter 13 this evening.

Commissioner Stones moved to recommend the approval of the amendments to the City Council for the bulk of Title 11 with the exception of Chapter 13, seconded by Commissioner Carpenter. All Voting AYE.

Chair Peterson directed staff to put Title 11, Chapter 13 on the agenda for the next meeting. Commissioner Carpenter asked if there would be a public hearing at the next meeting. Brian Brower said unless there are additional changes made to the ordinance, the Planning Commission could address the issue without an additional public hearing.

STAFF REPORTS

Adam Lenhard said the meeting on July 7th is scheduled to start at 6:00 p.m. for the final joint meeting with the City Council for the design of the UTA property. Commissioner Carpenter said he will be out of town and asked to be excused.

PLANNING COMMISSIONER'S MINUTE

Commissioner Peterson – asked if there were any tentative dates for training. Kent Bush said the first training will be set for July 21st.

Commissioner Carpenter – said a few years ago the commissioners took a bus tour of the City. He said it may be beneficial to see the areas the City would like to improve.

Commissioner Stones – gave thanks to City staff for their work in putting together the agenda.

Commissioner Butcher – nothing

There being no further business to come before the Planning Commission, **Commissioner Stones moved to adjourn at 7:58 P.M.**