

CLEARFIELD PLANNING COMMISSION MEETING

May 5, 2010

7:00 P.M. - Regular Session

PRESIDING:	Darren Carpenter	Vice-Chairman
PRESENT:	Bill Moore	Commissioner
	Nike Peterson	Commissioner
	Matt Stones	Commissioner
	Ron Jones	Commissioner
	Randy Butcher	Alternate Commissioner
	Doyle Sprague	Council Liaison
UNEXCUSED:	Jeff Hogg	Alternate Commissioner
STAFF PRESENT:	Adam Lenhard	Community Development Director
	Kent Bush	Planning/Zoning Administrator
	Gregg Benson	Planner
	Christine Horrocks	Building Permits Specialist
STAFF EXCUSED:	Brian Brower	City Attorney
VISITORS:	Lee Perry, Kathryn Murray, Joel Gaerte, Kevin Porter	

Pledge of Allegiance was led by Commissioner Carpenter.

Commissioner Carpenter announced that Commissioner Hartvigsen resigned from the Planning Commission because he moved from the City.

APPROVAL OF MINUTES FROM APRIL 7, 2010 PLANNING COMMISSION MEETING

Minutes were not available for approval.

**REVIEW OF CONDITIONAL USE PERMIT FOR A COUNSELING AND THERAPY OFFICE
AT 189 SOUTH STATE STREET #180**

Commissioner Carpenter told Mr. Perry that the Planning Commission reviews Conditional Use Permits after the business has been open for a while to make sure all conditions have been met. He asked Mr. Perry how his business was going. Mr. Perry stated business is slow, but he expected it to pick up soon. Commissioner Carpenter said all the conditions have been met and there have been no complaints filed with the City. Commissioner Peterson asked if he had any contracts in place. He said he doesn't have a contract at this time, because the State level of licensing necessary to do group counseling was not available until today. He said he has been working with individual clients but now will expand to group therapy.

Commissioner Butcher moved to approve this request for continuation of a conditional use permit for a counseling and therapy office at 189 South State Street, #180 with the following condition: that if there are any complaints they will be reviewed by the Planning Commission, seconded by Commissioner Jones. All Voting AYE.

DISCUSSION ITEMS

PLANNING COMMISSION RULES AND REGULATIONS

Commissioner Carpenter said he had two versions of the Rules and Regulations. Commissioner Peterson said changes were made after she had a conversation with Brian Brower. She reviewed the changes that were made.

Commissioner Carpenter requested some additional changes or questions for review.

The following changes were requested:

Article 1

- A-1 – There are two references to “Commissioners”. Changed to read “Commissioners and Alternates”.
- A-2 – Commissioner Carpenter asked if the alternate members should be excluded from the deliberation. Commissioner Jones said he felt that input from alternates was valuable. Commissioner Carpenter requested legal counsel review the statement.
- C-1 – Changed biennially to annually.
- C-1 – Added “or as needed” after January in the first sentence.
- C-1 – Expanded the paragraph to state the process by which the nomination will proceed.
- E-1 – Capitalized the C in “Vice-Chairperson”.
- F-1 – Added the verbiage, “will assume the duties and responsibilities of the Chair for that meeting.”

Article 3

- E – Changed the 2nd “provide” to “offer”
- F – Added “or formal action” so it states, “...will take no vote or formal action...”

Article 4

- I – Requested to have legal counsel clarify the intent of the paragraph.

Commissioner Carpenter said he felt the changes discussed will improve and clarify the rules and regulations. He requested the changes be incorporated so a vote for approval of the Rules and Regulations can be accomplished at the next meeting. After the Rules and Regulations have been approved, the Planning Commission will be ready to elect a new chairperson. Commissioner Carpenter asked Commissioner Moore if he would be willing to serve as Chairman of the Planning Commission. Commissioner Moore said he would not be opposed to being chair but would not be able to do so until June. Commissioner Butcher asked if an alternate can make a nomination, if the alternate is not part of the voting commissioners. Commissioner Carpenter said if there is a quorum of regular commissioners, then the alternate commissioners would not be able to nominate or vote.

TITLE 11 CHAPTER 11, DOWNTOWN REDEVELOPMENT ZONE

Adam Lenhard said tonight the discussion will focus on the Downtown Redevelopment Zone. Mr. Lenhard said the Commission needs to define geographic limits for the Downtown Redevelopment Zone and determine what the City wants to accomplish with this zone. He continued there are some obstacles for Clearfield because the highway runs through the middle of downtown; it is a barrier to make the area walkable. The second obstacle faced is the big box retail society we live in. He said the Commission needs to be realistic about retail. He asked if the Downtown Redevelopment Zone should be a place to do more high quality, urban style development. He stated whenever there is discussion on residential development in the Downtown Redevelopment Zone, the best quality that can be brought downtown is expected.

Commissioner Carpenter felt the word redevelopment has a negative feeling. He said Syracuse has a Heritage zone which is similar. Adam Lenhard asked what the purpose of the zone is. He said the City will definitely want to encourage development of vacant or underutilized parcels. Commissioner Carpenter asked if there would be incentives to redevelop. Mr. Lenhard stated it could be a component and explained to the commissioners tax increment financing. Commissioner Peterson asked if there could be a phased approach to the geographic boundaries. Mr. Lenhard stated a phased approach will be appropriate for the actual development. After some discussion it was determined that the Downtown Redevelopment Zone should be distinctive. Commercial property could front State Street with high end residential behind or above the store fronts. There is a need to have more rooftops in the downtown area. The Commission felt the commercial wouldn't make it without the residential component and the residential areas need to be flexible. Commissioner Peterson said the City needs to be very selective with permitted and conditional uses in the Downtown Redevelopment Zone. She said it could be more restrictive than the current C-2 zone.

Adam Lenhard asked the commissioners what the boundaries of the zone should be. He reviewed the possible boundaries for the Downtown Redevelopment Zone using State Street as the main corridor. The commissioners felt a change with lampposts, landscaping and elevations could give definition to the downtown area. Mr. Lenhard said the areas will be identified on the map and this discussion would be continued at the next Planning Commission meeting.

STAFF REPORTS

Kent Bush gave the commissioners a handout on cell towers. Cell tower regulations are located in chapter 13; however, cell towers need to be identified in each zone where they are allowed and a determination made if the use is permitted or conditional. Mr. Bush reviewed the changes recommended by staff.

Mr. Bush gave the commissioners information on training available from Utah League, "Powers and Duties of Land Use Authorities." It will be held at the Town of Alta on Thursday, May 20th, from 12:00 to 3:00 p.m.

Mr. Bush stated a Conditional Use Permit was approved in March for a veterinary clinic on State Street. A three month review was one of the conditions. Remodel work is currently being done and the review will need to be postponed. Mr. Bush said he would talk to Brian Brower, City Attorney, about the proper procedure to extend the review time.

PLANNING COMMISSIONER'S MINUTE

Commissioner Carpenter – said a group of chicken lovers approached him and asked if any of the commissioners are interested in discussing chickens again. Adam Lenhard said the Animal Control Ordinance is in Title 6 and the Planning Commission wouldn't be involved unless it was in Title 11. Commissioner Peterson said more cities around the area are allowing chickens; however, they are being allowed on half acre lots. Kent Bush said the larger lots in the City are already zoned agricultural. Mr. Bush said most of the citizens that want chickens are on small lots and chickens on small lots should not be allowed. Kent Bush said animal control doesn't like chickens in residential areas because the dogs cause problems barking or digging under fences.

Commissioner Moore – said it is good to be back.

Commissioner Peterson – said the City should be more aggressive in raising public awareness of the Planning Commission vacancies.

Commissioner Stones – nothing

Commissioner Jones – nothing

Commissioner Butcher – nothing

Councilmember Sprague – nothing

There being no further business to come before the Planning Commission, **Commissioner Stones moved to adjourn at 8:51 P.M.**