

CLEARFIELD PLANNING COMMISSION MEETING

July 11, 2012

7:00 P.M. - Regular Session

PRESIDING:	Nike Peterson	Chair
PRESENT:	Randy Butcher	Commissioner
	Joel Gaerte	Commissioner
	Ron Jones	Commissioner
	Norah Baron	Alternate Commissioner
	Lance Brown	Alternate Commissioner
	Michael LeBaron	Council Liaison
ABSENT:	Becky Brooks	Commissioner
	Brandon Stanger	Commissioner
STAFF PRESENT:	Brian Brower	City Attorney
	Valerie Claussen	Development Services Manager
	Christine Horrocks	Building Permits Specialist

Pledge of Allegiance was led by Chair Peterson.

APPROVAL OF AGENDA

Chair Peterson said item number 5 would be a discussion item. **Commissioner Gaerte moved to approve the agenda with the noted change. Seconded by Commissioner Brown. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Gaerte, Jones, Baron and Brown. Voting NO: None.**

APPROVAL OF MINUTES FROM JUNE 6, 2012 PLANNING COMMISSION MEETING

Commissioner Baron moved to approve as written the minutes of June 6, 2012. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Jones, Brown, Baron and Peterson. Voting NO: None.

PUBLIC HEARING FOR ZONING TEXT AMENDMENT ZTA 1205-0003 FOR AN AMENDMENT TO TITLE 11, CHAPTER 3 FOR MODIFICATIONS TO THE DEFINITION OF "FAMILY"

Chair Peterson declared the public hearing open at 7:07 p.m.

Public Comment:
NONE

Commissioner Jones moved to close the public hearing at 7:08 p.m. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Gaerte, Jones, Baron and Brown. Voting NO: None.

Brian Brower, City Attorney, said the modification changed the number of unrelated persons in the definition of family. The revised definition stated: "Up to three (3) unrelated persons with or without children living together as a single housekeeping unit in a dwelling unit." The change was brought forward so the City was in compliance with State code. For the City ordinance to have enforceability, the definition must be at a minimum three unrelated persons.

Commissioner Butcher moved to recommend approval to the City Council to amend paragraph B of the definition of the family to state, "Up to three (3) unrelated persons with or without children living together as a single housekeeping unit in a dwelling unit." Seconded by Commissioner Brown. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Gaerte, Jones, Baron and Brown. Voting NO: None.

PUBLIC HEARING FOR ZONING TEXT AMENDMENT ZTA 1205-0004 FOR AN AMENDMENT TO TITLE 11, CHAPTER 1, TABLE 11.1 MODIFYING APPEAL AUTHORITIES FOR CERTAIN LAND USE APPLICATIONS

Chair Peterson declared the public hearing open 7:18 p.m.

Public Comment:
NONE

Commissioner Brown moved to continue the public hearing portion for ZTA 1205-0004 until the August 1, 2012 meeting. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Gaerte, Jones, Baron and Brown. Voting NO: None.

Brian Brower said this item was discussed at a City Council work session and members of the City Council recommended some changes. Staff consulted with additional attorneys and decided more research needed to be done before a final presentation was made. Mr. Brower said staff wanted input from the Planning Commission about the concerns with the appeal authority on land use. He referred the commissioners to City Code, Title 11, Chapter 1, Section 3, Table 11.1.

Mr. Brower said the discussion was to change the appeal authority on conditional use permits and variances from the City Council and Planning Commission to a hearing officer, most likely a land use attorney from another jurisdiction. He stated it was the responsibility of staff to bring the information forward and then do as directed from the City Council. He asked for input from the commissioners.

Commissioner Jones could see both sides; however, he liked the idea of a third party with no political pressure involved. Commissioner Butcher asked who would be the hearing officer. Mr. Brower said it would be determined by the City. It would be his recommendation to hire someone that is not employed or does not live in Clearfield City.

Chair Peterson was concerned with a third party making decisions for the City about its

ordinances. She also was concerned that the third party individual would receive compensation from the City. Commissioner Jones said the City Council and the Planning Commission had the best interest of the City in the decisions made.

TRAINING

Chair Peterson led a discussion on the C-1 zone.

STAFF REPORTS

Valerie Claussen, Development Services Manager, said the commissioners would be notified when the joint UTA meeting was scheduled. She said the City Council adopted the ordinance on retail tobacco. Ms. Claussen said a few changes were made to the wording but nothing substantial. She said next meeting there would be a couple of conditional use permits on the agenda. One was for relocation of Victors Tires and the other for a church in a C-2 zone. The appeal authority text amendment would be continued and training on the C-2 zone. Ms. Claussen said a sign code work group would start review of the sign ordinance possibly on August 1st.

PLANNING COMMISSIONERS' MINUTE

Commissioner Peterson – The training on August 1st would be tentative if the discussion on the conditional use permits took a while.

Commissioner Butcher – Nothing

Commissioner Gaerte – Nothing

Commissioner Jones – Thanks for the email; I heard it loud and clear.

Commissioner Baron – Glad she lives in Clearfield.

Commissioner Brown – Nothing

Councilmember LeBaron– Thanks for the work the Commission does. Also thanks to the volunteers that helped with the 4th of July celebration.

There being no further business to come before the Planning Commission, **Commissioner Jones moved to adjourn at 8:18 P.M.**