

## CLEARFIELD PLANNING COMMISSION MEETING

April 3, 2013

7:00 P.M. - Regular Session

PRESIDING: Nike Peterson Chair

PRESENT: Becky Brooks Commissioner  
Randy Butcher Commissioner  
Joel Gaerte Commissioner  
Ron Jones Commissioner  
Norah Baron Commissioner  
Keri Benson Alternate Commissioner  
Timothy Roper Alternate Commissioner  
Michael LeBaron Council Liaison

STAFF PRESENT: Brian Brower City Attorney  
Valerie Claussen Development Services Manager  
Christine Horrocks Building Permits Specialist

VISITORS: Kathryn Murray, Benjamin Larsen, Todd Morgan

Pledge of Allegiance was led by Chair Peterson.

### APPROVAL OF AGENDA

Chair Peterson said the approval of the minutes for the March 6, 2013 meeting would be moved to the next Planning Commission meeting. **Commissioner Gaerte moved to accept the agenda with stated change. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron, and Benson. Voting NO: None.**

### CONSIDERATION OF APPROVAL OF THE MINUTES FROM MARCH 6, 2013 PLANNING COMMISSION MEETING

The approval of the minutes was moved to the May 1, 2013 Planning Commission Meeting.

### PUBLIC HEARING FOR FSP 1211-0006, A REQUEST ON BEHALF OF UTAH DEPARTMENT OF TRANSPORTATION FOR THE STREET DEDICATION PLAT OF 175 EAST AND 550 SOUTH LOCATED IN THE VICINITY EAST OF MAIN STREET AND NORTH OF 700 SOUTH

Valerie Claussen, Development Services Manager, said the request for a street dedication plat was necessitated by the SR 193 (700 South) Utah Department of Transportation (UDOT) project. The 175 East portion of the street was a privately maintained road that provided access from 700 South as it existed today through Jennmar and Morgan Pavement properties to 550 South then out to Main Street. Ms. Claussen said the plat dedicated the street to the City for acceptance and

maintenance as a public road. She said a frontage road would be added to the existing road to provide adequate circulation and access for the properties affected by the bridge overpass on 700 South. Ms. Claussen said a fire access easement was included to provide secondary emergency access from Main Street to 175 East. No public comment had been received and staff recommended approval as conditioned.

Commissioner Butcher was concerned with the amount of vehicles that were parked on the road that made driving along the road difficult and would cause difficulty for a fire truck to get through. Brian Brower, City Attorney, said when the road became a City road the City would have more control over the road.

Councilmember LeBaron arrived at 7:13 P.M.

Todd Morgan, owner of Morgan Pavement, said the trucks and vehicles parked on the road were from Jennmar. He said Jennmar was in process of adding to their parking area to provide more parking for its employees. Councilmember LeBaron believed UDOT would use the road as a detour during construction. Ms. Claussen said the road would never be owned by UDOT; the plat dedicated the street to Clearfield City for maintenance. Mr. Brower said he was not aware of plans to improve the road. Ms. Claussen said the only improvement drawings included were for the new portion of the road that provided access to the properties on 700 South affected by the construction of the SR 193 bridge and the City would accept the existing street. After further discussion Councilmember LeBaron decided it was not the road UDOT would use for detour. Commissioner Gaerte asked for clarification on the improvements drawings. Ms. Claussen said construction of the new portion of road would be done by UDOT.

Chair Peterson declared the public hearing at 7:29 P.M.

**PUBLIC COMMENT:**

None

**Commissioner Butcher moved to close the public hearing at 7:30 P.M. Seconded by Commissioner Baron. The motion carried on the following vote: The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron, and Benson. Voting NO: None.**

Commissioner Butcher asked about the analysis in the staff report. Ms. Claussen said the analysis for the plat was different than one for a site plan or conditional use permit. She said a plat was non-discretionary and if it met code, it should typically be approved. Ms. Claussen said the plat was unique in that it was a UDOT generated plat which provided the MiNOa Subdivision access to a public road so it was not landlocked. Commissioner Butcher was concerned with parking and also asked about the easement access. Ms. Claussen explained it was an emergency access easement. Mr. Brower said it would remain the property of the current owner and the City would have access as needed. Kathryn Murray said Todd Morgan explained to her that it was currently a private road and when it became a public road there wouldn't be parking on the road.

Commissioner Butcher wanted to have an additional condition. Mr. Brower said there was one condition recommended and a motion with additional conditions would be acceptable, however he suggested the commissioners needed to stay within the scope of the street dedication plat. He said a condition that parking on the street would be limited to allow room for travel in both directions could be added.

APPROVAL OF FSP 1211-0006, A REQUEST ON BEHALF OF UTAH DEPARTMENT OF TRANSPORTATION FOR THE STREET DEDICATION PLAT OF 175 EAST AND 550 SOUTH LOCATED IN THE VICINITY EAST OF MAIN STREET AND NORTH OF 700 SOUTH

**Commissioner Butcher moved to recommend to the City Council approval on the conditions stated on page 3 of the staff report, 1) Approval of this street dedication plat is subject to the condition that Utah Department of Transportation (UDOT) shall complete and construct the required improvements associated with the plat including the safety concerns of two way traffic as indicated in the improvement drawings referenced in the City Engineer's approval letter. These improvements would be constructed and worded such that it already is.**

Mr. Brower suggested a second condition that didn't involve UDOT relative to the two-way traffic might clarify the request. Ms. Claussen said UDOT would not have any involvement with the road after the new portion was constructed. Chair Peterson said a second had not been received on the motion and asked Commissioner Butcher if he wanted to make a substitute motion. Commissioner Butcher asked if he could amend the motion.

**Commissioner Butcher moved to recommend to the City Council approval as conditioned, with the addition of Condition number two to ensure public safety on the new road including two-way traffic, of FSP 1211-0006, a street dedication plat for 175 East and 550 South based on the discussion and findings provided in the Staff Report. Seconded by Commissioner Benson. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron and Benson. Voting NO: None.**

PUBLIC HEARING ON ZTA 1303-0002, A ZONING TEXT AMENDMENT TO THE CLEARFIELD CITY LAND USE ORDINANCE TITLE 11 TO PERMIT AGRICULTURAL RECREATION IN THE C-2 ZONING DISTRICT AND FOR THE INCLUSION OF SUPPLEMENTARY STANDARDS FOR THIS USE

Valerie Claussen said the application was for a text amendment to Title 11 for agricultural recreation to be considered as a conditional use permit (CUP) in the C-2 (commercial) zoning district. Agricultural recreation was currently permitted in A-1 and A-2 (agricultural) zones. She said the amendment also proposed supplementary standards for the use in all zoning districts. The proposed changes to Title 11 include: Chapter 11 – inclusion as a permitted use with a CUP in the C-2 zone; Chapter 3 – definition included reference to supplementary standards; Chapter 13 – supplementary standards which were intended to establish expectations of the use and encourage predictability despite the temporary nature of most agri-tainment type activities. Ms. Claussen

said the supplementary standards included: minimum of ten acres, ag-rec must be related to the agriculture on site, an operational plan was required, planned activities, hours of operation and number of days in use on the site. Ms. Claussen said a site plan was required with location of activities, traffic circulation and access, compliance with standards for setbacks, and parking surface. She said a joint/shared parking plan was required if the provision were used. Ms. Claussen said it was at the discretion of the Planning Commission to set hours of operation, additional fencing or screening requirements when abutting residential use, the joint/shared parking plan, and temporary signage review. She said the use was consistent with the General Plan because the C-2 zoning district was intended to promote commercial uses and ag-rec (agri-tainment) was a hybrid of commercial and agricultural. It was consistent with Vision 2020 because opportunities of ag-rec could have positive impact for the cities in which they were located. Ms. Claussen said the scale was usually not large, but there was an opportunity for additional revenue and social activities. She said no public comment had been received to date and staff recommended approval.

Chair Peterson declared the public hearing open at 7:56 P.M.

**PUBLIC COMMENT:**

None

**Commissioner Gaerte moved to close the public hearing at 7:57 P.M. Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron and Benson. Voting NO: None.**

Benjamin Larsen, Clearfield, said this proposal was to utilize large acreage areas that weren't generating revenue. He said ag-rec would allow more economic growth and opportunity in the community. Mr. Larsen said the agri-tainment industry was not being utilized in the Clearfield City boundaries. He said it was a way to increase revenue to the City and provided a good wholesome positive experience to a wide audience.

Commissioner Butcher asked if an applicant could request an ag-rec use on less than ten acres. Ms. Claussen said based on research on an ag-rec type of use typically needed a minimum of ten acres. She said smaller lots could be used; however, ag-rec tended to be larger in scope. Mr. Larsen said the purpose of ten acres was to provide adequate space and have it designed in way to have the area necessary. Commissioner Jones said he was okay with requiring ten acres. He said with a smaller lot size there would be other safety issues and problems with parking. Mr. Larsen said it was important to remember the text amendment didn't apply only to the C-2 zone, but also agricultural zoned properties.

APPROVAL OF ZTA 1303-0002, A ZONING TEXT AMENDMENT TO THE CLEARFIELD CITY LAND USE ORDINANCE TITLE 11 TO PERMIT AGRICULTURAL RECREATION IN THE C-2 ZONING DISTRICT AND FOR THE INCLUSION OF SUPPLEMENTARY STANDARDS FOR THIS USE

**Commissioner Jones moved to recommend approval of ZTA 1303-0002, an amendment to the land use ordinance Title 11 to permit agricultural recreation in the C-2 zoning district and for the inclusion of supplementary standards, based on the findings and discussion in the Staff Report. Seconded by Commissioner Baron. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron and Benson. Voting NO: None.**

PUBLIC HEARING ON RZN 1303-0004, TO REZONE FROM C-2 (COMMERICAL) TO R-3 (P-D) (MULTIPLE-FAMILY RESIDENTIAL WITH A PLANNED DEVELOPMENT OVERLAY) FOR APPROXIMATELY 2.55 ACRES LOCATED AT 850 WEST 1600 SOUTH

Valerie Claussen said staff did not have the time needed to adequately review the rezone request and recommended the Planning Commission open the public hearing and continue it date specific to the May 1, 2013 meeting.

Chair Peterson declared the public hearing open at 8:09 P.M.

PUBLIC COMMENT:

None

**Commissioner Butcher moved to continue RZN 1303-0004, the Wilcox Farms rezoning from C-2 to R-3 PRUD, to the May 1, 2013 Planning Commission meeting. Seconded by Commissioner Benson. The motion carried on the following vote: Voting AYE: Commissioners Butcher, Brooks, Jones, Gaerte, Baron and Benson. Voting NO: None.**

STAFF REPORTS

Valerie Claussen said on Saturday, April 13<sup>th</sup> from 8:00 A.M. to 4:45 P.M. the Commissioners would be able to participate in a webinar at the City Building. She told them to come when they were available throughout the day.

She said future Planning Commission meetings included a conditional use permit for the ag-rec project, pending City Council approval of the text amendment; the rezone for the Wilcox property; the rezone for Clearfield Station from C-2 and M-1 to MU. She said some University of Utah planning students would report their findings on a feasibility study for circulator routes they had prepared. She said the condo plat was continued and would be heard by City Council at the end of April.

PLANNING COMMISSIONERS' MINUTE

Commissioner Peterson – told the commissioners to please come when available to the webinar on the 13<sup>th</sup>.

Commissioner Butcher – asked to be excused from the meeting on May 1, 2013.

Commissioner Brooks – asked if there was any new information on Rocket Fuel. Valerie Claussen said she had been in contact with the State on the change of use. She talked to a tech representative and was referred to his supervisor. She wasn't able to contact the supervisor yet. Ms. Claussen said the applicant had been advised to get all the approvals needed. She said they had challenges with the site.

Commissioner Gaerte – Nothing

Commissioner Jones – Nothing

Commissioner Baron – Nothing

Commissioner Roper – Nothing

Commissioner Benson – Nothing

Councilmember LeBaron – said last night the City Council reviewed the SR193 project and he apologized for the confusion with some of his comments. He said it would be a nice road and would add a lot to the City.

Brian Brower – apologized for the confusion on the UDOT plat and would have had UDOT come to address that item. He said the additional condition and concern would be brought to the attention of City Council. Valerie Claussen said UDOT was invited to the meeting.

There being no further business to come before the Planning Commission, **Commissioner Jones moved to adjourn at 8:21 P.M.**