



Community Development

Planning & Zoning, Building Inspections,
Business Licensing, and CDBG Administration

MEETING NOTICE OF THE CLEARFIELD CITY PLANNING COMMISSION

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at **7:00 P.M., Wednesday, May 7, 2014** on the 3rd floor in the **City Council Chambers** of the Clearfield City Municipal Building, 55 S. State, Clearfield, Utah.

7:00 PM CALL TO ORDER-- PLEDGE OF ALLEGIANCE

1. ROLL CALL
2. APPROVAL OF THE AGENDA
(Items may be removed, continued to a later date, or addressed out of sequence)
3. APPROVAL OF MINUTES
 - A. April 2, 2014

SCHEDULED ITEMS:

4. Discussion and Possible Action on **SP 1404-0004**: a request by Tad Rasmussen for Site Plan to consider building changes to add awnings to each side of an existing building, located at Building D2, Freeport Center (TIN: 12-694-0001). The property is approximately 5.97 acres and lies in the M-1 (Manufacturing) zoning district.

PUBLIC HEARINGS:

5. Public Hearing, Discussion and Possible Action on **PSP 1404-0006**: A request by Michael Christensen, on behalf of Thackeray Company's, for a Preliminary Subdivision Plan review and approval for a Mixed-Use Development on approximately 72 acres located at 1250 S. State Street (TIN: 12-066-0071, 12-067-0139).
6. Public Hearing, Discussion and Possible Action on **MDP AMENDMENT 1404-0007**: A request by Michael Christensen, on behalf of Thackeray Company's, to amend the Master Development Plan Phasing Plan for a Mixed-Use Development on approximately 72 acres located at 1250 S. State Street (TIN: 12-066-0071, 12-067-0139).
7. Public Hearing, Discussion and Possible Action on **ZTA 1404-0001**: Zoning Text Amendment to Title 11, C-1 and C-2 Commercial Parking Regulations and Definition, to better define Commercial Parking Lots, and the conditions imposed for location and use of parking lots. This zoning text amendment would be effective across all Commercial Zones in Clearfield City.

8. Public Hearing, Discussion and Possible Action on **ZTA 1404-0002**: Zoning Text Amendment to Title 11, Chapter 5 to propose standards for Administrative Site Plan reviews. This zoning text amendment would be effective across all Zones in Clearfield City.
9. Public Hearing, Discussion and Possible Action on **ZTA 1404-0003**: Zoning Text Amendment to Title 11, Chapter 14 to propose standards for gravel parking areas within residential zones. This zoning text amendment would be effective across all Zones in Clearfield City.

DISCUSSION ITEMS:

10. Discussion about standards for Animal Keeping within Agricultural zones in Clearfield City, and potential amendments to City Code Title 11, Chapter 8 Agricultural Zones to consider allowing greater flexibility for animal keeping within agricultural properties.

COMMUNICATION ITEMS:

11. Staff Communications
12. Planning Commissioners' Minute

****PLANNING COMMISSION MEETING ADJOURNED****

Dated this 1st day of May, 2014

/s/Scott A. Hess, Development Services Manager



The City of Clearfield, in accordance with the 'Americans with Disabilities Act', provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call Christine Horrocks at 525-2780, giving her 48 hours notice.



Planning Commission

STAFF REPORT

AGENDA ITEM
#4

TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Discussion and Possible Action on **SP 1404-0004**: a request by Tad Rasmussen for Site Plan to consider building changes to add awnings to each side of an existing building, located at Building D2, Freeport Center (TIN: 12-694-0001). The property is approximately 5.97 acres and lies in the M-1 (Manufacturing) zoning district.

RECOMMENDATIONS

Move to **approve as conditioned**, SP 1404-0004, Site Plan approval for Freeport Building D2 building addition for two awnings, based on discussion and findings in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Building D2 Awning Addition
Site Location	Building D2, Freeport Center
Tax ID Number	12-694-0001
Applicant and Property Owner	Tad Rasmussen
Property Owner	Freeport Center LLC
Proposed Actions	Site Plan Approval
Current Zoning	M-1 (Manufacturing)
Master Plan Land Use	Manufacturing
Proposed Addition	2000 SF North Side Awning, 2000 SF South Side Awning
Existing Building	3200 SF approx.

Vicinity Map



ANALYSIS

Master Plan and Zoning

The site is located within Freeport Center on South of the 3rd Street alignment between C and D Streets. The property is zoned M-1 and master planned Manufacturing. The proposed addition is consistent with the Master Plan and zoning. The proposed addition is roughly shaded out in red as indicated on the vicinity map above. The awnings will be added to the existing small building residing east of the larger Building D2.

Site Plan Review

The existing building is approximately 3200 square feet with a proposed addition of awnings on the north and south side of the buildings that are approximately 2000 square feet (See *Attachment 1: Site Plan*). The proposed awnings will cover existing mechanical equipment and

raw materials used in the manufacturing process for Tech Steel. The remainder of the site is developed, with parking and other related improvements. The expansion does not necessitate, nor requires, providing additional parking. The awnings will also not pose an additional impact to storm sewer water collection, as the awnings will cover existing impervious surface. Although the awnings are quite large, they are a minor change to the site overall, and will create a better working environment and better quality control in the steel manufacturing process.

The addition of two awnings being attached to an existing building, and constructing them over existing impervious surface is a minor change to the existing site. Chapter 18 Design Standards (11-18- 3) permits the deviation from strict compliance for minor structures and additions to existing buildings. As this is an addition to an existing building this request can meet those findings and are explained in detail under *Findings*.

Public Comment

No public comment has been received to date.

REVIEW CONSIDERATIONS

Site Plan Review

Clearfield Land Use Ordinance Section 11-5-3 establishes the review considerations the Planning Commission shall make to approve Site Plans. The findings and staff’s evaluation are outlined below:

Review Consideration		Staff Analysis
1)	<i>Traffic:</i> The effect of the site development plan on traffic conditions on abutting streets.	Does not apply for this request. No additional traffic is anticipated with this addition. The north side of Building D2 is not a public vehicular traffic route, and traffic is limited to only those employees involved in the manufacturing process.
2)	<i>Vehicle; Pedestrian:</i> The layout of the site with respect to locations and dimension of vehicular and pedestrian entrances, exits, drives and walkways.	The locations of the additional awnings are outside the pedestrian walkways of the property and out of vehicular traffic areas.
3)	<i>Off-Street Parking:</i> Compliance of off-street parking facilities with Chapter 14 of this Title.	Does not apply for this request. The addition does not create additional parking needs. The existing parking meets the standards for the manufacturing use.
4)	<i>Loading and Unloading Facilities:</i> The location, arrangement and dimensions of truck loading and unloading facilities.	Does not apply for this request. The addition does not necessitate additional loading spaces. The awnings will be constructed in such a way to minimize forklift loading and unloading impediments.

5)	<i>Surfacing and Lighting; Parking:</i> The surfacing and lighting of off-street parking.	Does not apply for this request. The parking lot is already developed.
6)	<i>Screen Planting:</i> The location, height and materials, of walls, fences, hedges and screen planting.	The addition is surrounded by developed industrial uses additional screening is not necessary.
7)	<i>Landscaping:</i> The layout and appropriateness of landscaping.	The addition does not alter the existing landscape, nor necessitates the addition of landscaping.
8)	<i>Drainage:</i> The effect of the site development plan on City storm water drainage systems.	Does not apply for this request. The location of the awning improvements adjacent to building D2 does not alter the existing drainage.
9)	<i>Utility:</i> The effect of the site development plan on City utility systems.	Does not apply for this request. The addition does not impact the existing utility systems.
10)	<i>Building Locations:</i> Consideration of building locations on the site, elevations and relation to surrounding areas (Ord. 84-06B, 9-11-1984)	The addition is on the north and south ends of the structure. Visibility of the addition is minimal from surrounding properties. The addition may be visible from C and D Streets, but is set back from the road by a considerable distance. Staff does not see any existing conflicts or harmful impacts.
11)	<i>Exterior Design:</i> Consideration of exterior design in relation to adjoining structures and area character to assure compatibility with other structures in the neighborhood, existing or intended. (Ord. 84-08, 10-23-1984)	The proposal is an addition to an existing industrial building. Under 11-18-3 minor structures added to a site may deviate from strict adherence to Design Standards. (Refer to these findings in the table below.)
12)	<i>Signs:</i> Compliance of signs with Chapter 15 of this Title and particular consideration to the location of signs upon the site, their effect upon parking, ingress and egress, the effects upon neighboring properties and the general harmony of signs with the character of the neighborhood, existing or intended.	Does not apply for this request. Signage is not a part of the request.

FINDINGS

Deviations from Strict Compliance

Clearfield Land Use Ordinance Section 11-18-3 establishes the findings that Planning Commission shall make to approve deviations from some of the Chapter 18 design standards. The findings and staff's evaluation are outlined below:

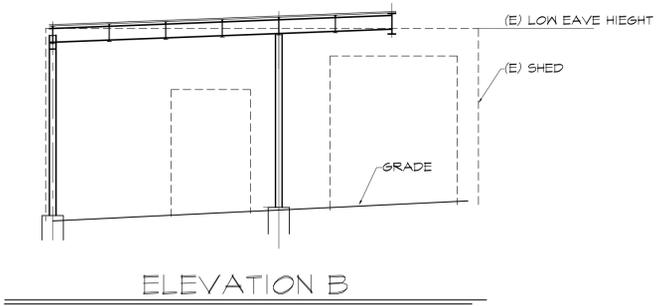
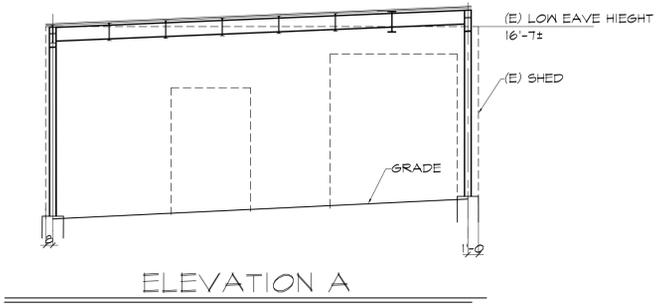
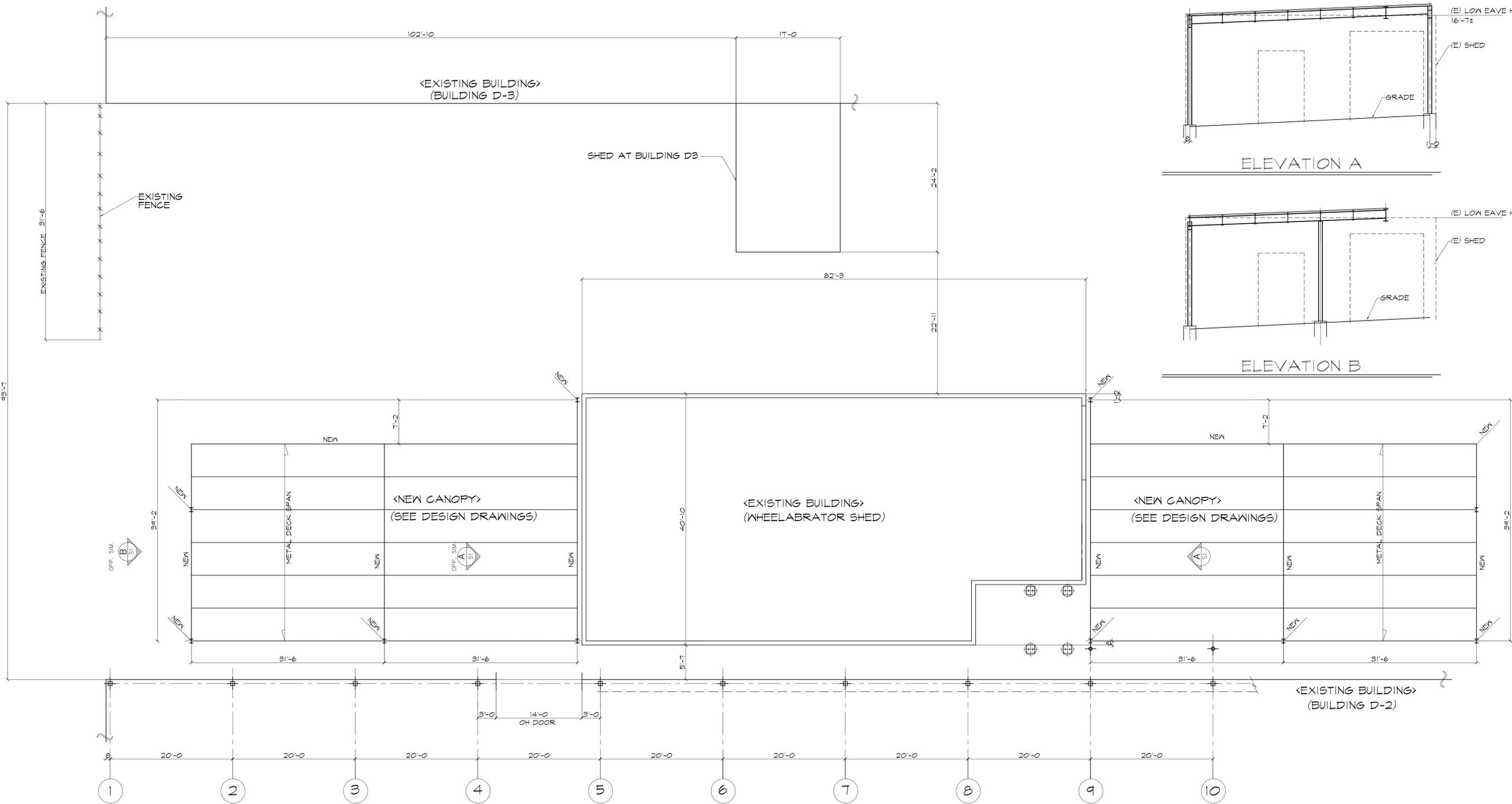
Findings for Deviations		Staff Analysis
1)	Is consistent with the purpose of [Chapter 18] and any applicable master plan or ordinance.	The proposal consists of an awning addition to an existing industrial building, at a location that is surrounded by developed industrial uses on all sides.
2)	Will not adversely affect neighboring property owners or residents; and	The subject property and all surrounding properties are already developed with heavy industrial uses. The addition of awnings attached to an existing building will not adversely affect the neighboring properties.
3)	Creates a consistent and compatible design in cases which involve minor structures added to a site.	The awning addition is consistent with typical heavy industrial developments and other materials in the immediate vicinity.

CONDITIONS OF APPROVAL

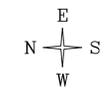
- 1) The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1404-0004.

ATTACHMENTS

1. Site Plan – Tech Steel Building D2



WHEELABRATOR SHED + NEW CANOPY SITE PLAN
SCALE = 1/8" = 1'-0"



	REV. A ISSUE FOR APPROVAL	DATE	
	REV. B	DATE	
	REV. C	DATE	
	REV. D	DATE	
	REV. E	DATE	
TICKETS			
PRINT RECORD	FREEPORT CENTER TECH-STEEL CLEARFIELD, UTAH		
NO. FOR DATE	JOB NAME ROLLER CANOPIES		
	LOCATION BLDG D2	ARCHITECT/ENGINEER MOUNTAIN VIEW ENG.	
	TITLE NEW CANOPY SITE PLAN		
CHECKED BY	CUSTOMER TECH-STEEL	PHASE CODE	
HDLE SIZE UN.	PAINT - 1 SHOP CDAT UN.	DRAWN QH	JOB NO. TS100
		CHKD	SHT. NO. S1



Planning Commission

STAFF REPORT

AGENDA
ITEM #5

TO: Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **PSP 1404-0006**: A request by Michael Christensen, on behalf of Thackeray Company's, for a Preliminary Subdivision Plat review and approval for a Mixed-Use Development on approximately 72 acres located at 1250 S. State Street (TIN: 12-066-0071, 12-067-0139).

RECOMMENDATIONS

- 1.) Move to **approve** PSP 1404-0006, Clearfield Station Preliminary Subdivision Plat located at 1250 S. State Street (TIN: 12-066-0071, 12-067-0139) based on discussion and findings in the staff report.

PROJECT SUMMARY

Project Information	
Project Name	Clearfield Station
Site Location	1250 S. State (SWC of State Street and 1000 East)
Tax ID Number	12-066-0071, 12-067-0139
Applicant	Michael Christensen Thackeray Garn Company
Owner	Utah Transit Authority (UTA) Curtis Clayton, Representative
Proposed Actions	Preliminary Subdivision Plat
Current Zoning	MU (Mixed Use)
Land Use Classification	Mixed-Use
Gross Site Area	70 acres

Surrounding Properties and Uses:	Current Zoning District	Comprehensive Plan Land Use Classification
North	Clearfield City Cemetery, agricultural properties with existing residences and Shady Grove Mobile Home Park	R-2 (Multi-family Residential) A-1 (Agricultural) C-2 (Commercial)
East	State Street, various commercial developments (e.g. Lucky Auto, Jim's Tires, Noah's Auto, Almosta Junction)	C-2 (Commercial)
South	Oakstone Apartments and Townhomes	R-3 (Multi-Family Residential)
West	Union Pacific Railroad, then developed Industrial properties	M-1 (Manufacturing)

ANALYSIS

Master Plan and Zoning

Clearfield Station is a Mixed Use (MU) Development within Clearfield City. As per City Code 11-11F-1 MU Developments are required to have a guiding Master Development Plan (MDP) adopted in conjunction with the rezone of the property. According to City Code 11-11F-6 C2, in the case of conflict between the MDP and Clearfield City Code, the provision of the MDP shall control. In this way, the MDP becomes the master zoning guideline for the approved project within the MU zoned project area. The MDP was approved by Clearfield City Council on March 11, 2014. The Preliminary Subdivision Plat submitted is in substantial conformance with the approved MDP.

Preliminary Subdivision Plat Planning Review

The Preliminary Subdivision Plat for Clearfield Station as submitted is in substantial conformance with the approved MDP and MDA, and accurately reflects the expectations of those guiding documents. There are minor changes requested to the PSP documents as they have been submitted. These are intended for clarification, and not intended to delay or stop the recommended approval of the PSP at this time.

- Correct phasing colors on Page PH-02 to align colors in the legend with those shown as Phase 1A and Phase 1B.
- Building legend on page PH-02 should reflect that all "grayed out" buildings shown are for all buildings beyond Phase 1.
- Road Section K and L need to show on-street bicycle facilities as indicated in the MDP document. Bicycle infrastructure must conform to current NACTO or AASHTO Bicycle Design Guidelines for facility widths and pavement markings. If the indicated

4 foot shoulder is to be considered bicycle infrastructure, please indicate that on the plans and show pavement markings.

- The UTA Parcels 1, 2, and 3 should be indicated on the Plat as future Right-of-Way not to be used as construction parcels for additional structures.
- On Page PL-01 at the top of the page, the word "situate" should be "situated".
- Rename the parcel on the northwest from Outdoor Storage to "Future UTA Property". Clearfield City will work with UTA and the Developer to assure that any activity on that parcel conforms to Clearfield City outdoor storage requirements.

Fire Department Review

North Davis Fire District (NDFD) provided a letter with comments. The comments focus on location of fire risers and fire-fighting infrastructure provided throughout the development. Exact locations of public utilities and fire infrastructure will be reviewed in detail within each phase submittal. NDFD has approved the PSP as submitted, and will continue to review specific plans as each phase and site plan is reviewed by Clearfield City.

- The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.
- Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4 ½" connection facing the point of access for Fire Department Apparatus. Provide written assurance that this will be met.
- Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.
- All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.
- If grades exceed 8%, approval from the City Engineer and the Fire District is required.
- In the flex business buildings, the drawn location of the fire risers is in the center of the building (lengthwise) on the narrow streets in-between buildings. We would like to discuss the option of having the fire risers on the far north or south end of the buildings to facilitate apparatus placement in the event of a fire. We would also like to meet prior to approval with the engineer to discuss all locations of fire risers in all of the future buildings, including the residential spaces.

Public Works Review

Clearfield City Public Works has performed a review of all public utilities, roads, and infrastructure impacts within the development. Their primary concerns are assuring that the plans correctly reflect locations of utilities and details related to functionality of the infrastructure systems. Public Work's has approved the PSP as submitted, and will continue to review specific plans as each phase and site plan is reviewed by Clearfield City.

- Provide 10 foot Public Utility Easements around each lot within the subdivision

- Correctly indicate which water line the project connects to, being sure not to show connection to any existing Layton City water lines in State Street and 1000 E
- Correctly indicate all roads as either public or private
- Street and building addresses.
- Utilities to service locations for the UTA temporary building.
- All main power lines and services to buildings should be underground.
- There are several questions and comments on the water, sewer and storm drain system that would need to be addressed. It would be best if we had a meeting with Ward Engineering to talk through these items.
- Compliance with ADA requirements will need to be specified on the final plans.

Engineering Review

At the time of the Staff Report, there was not an Engineering Review letter provided. After a conversation with the City Engineer, he indicated a number of concerns specific to infrastructure improvements. Those specifics will be worked out within each phase and site plan approval, and should not hold up PSP approval.

Master Development Agreement

The proposed Preliminary Subdivision Plat (PSP) is consistent with the MDA as approved by Clearfield City Council on March 11, 2014.

Public Comment

No additional public comment has been received outside of the previous public hearings.

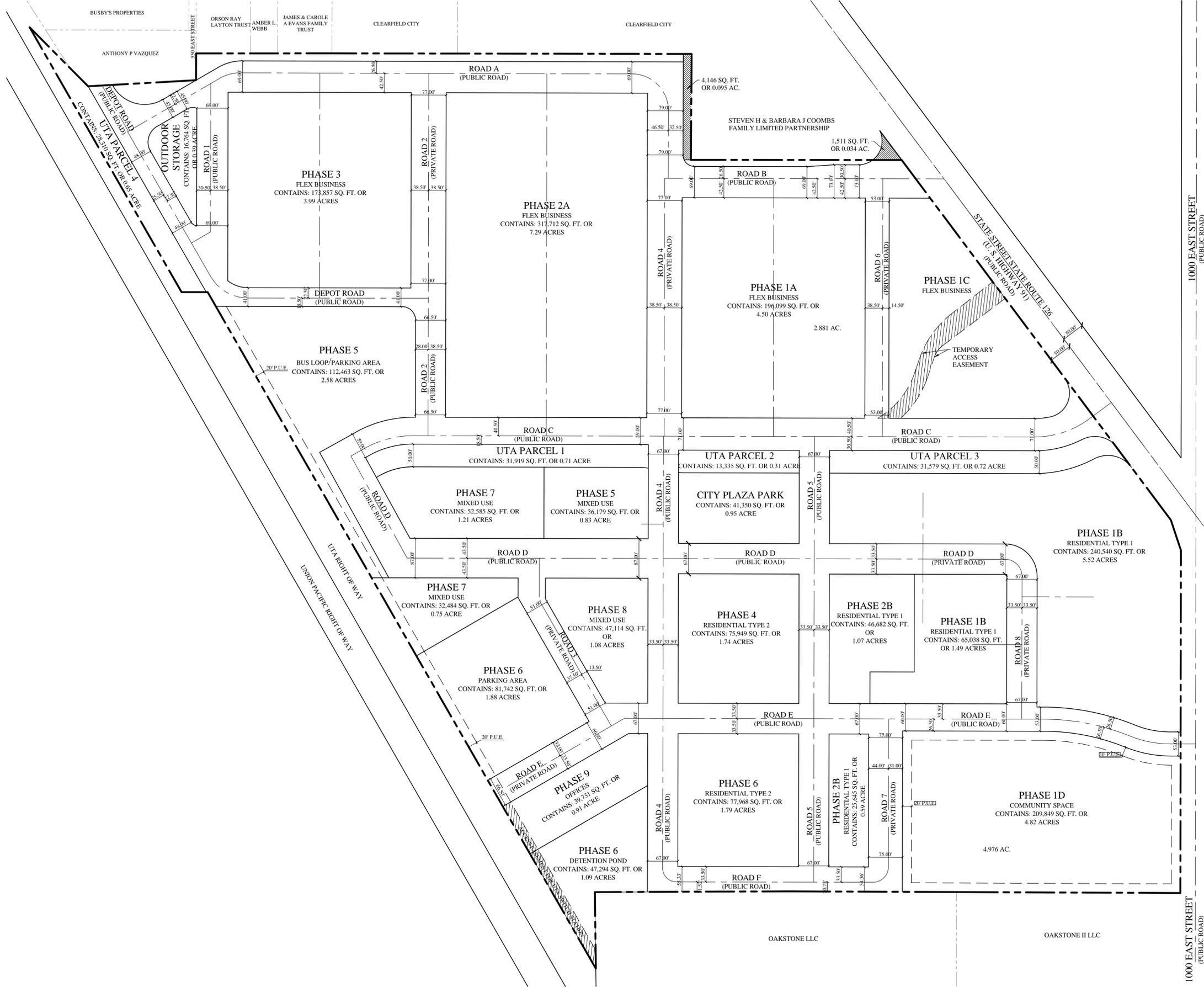
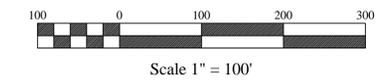
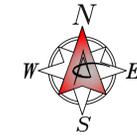
CONDITIONS OF APPROVAL

- 1) The developer shall submit a final clean copy of the Preliminary Subdivision Plat documents correcting all errors and omissions indicated by Staff Reviews.
- 2) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer.
- 3) The final Fire Infrastructure design shall meet North Davis Fire District standards and be to the satisfaction of the Fire Marshall.
- 4) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney and an escrow account shall be established prior to recordation of the Final Plat.
- 5) No building permits shall be issued or construction of buildings or improvements may begin until after recordation of the final plat. Final plat recordation may come in phases for large tract development.
- 6) All Final Subdivision Plat and Site Plan submittals shall be in substantial conformance with the approved Master Development Plan and Master Development Agreement.

ATTACHMENTS

1. Preliminary Subdivision Plat dated April 17, 2014
2. Culinary Water Plans
3. Sewer Water Plans

CLEARFIELD PRELIMINARY PLAT PHASE 1
 SITUATE IN THE WEST HALF QUARTER OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE
 & MERIDIAN.



DRAWN BY: FWH
 FIELD CREW: SM
 CHECKED BY: SNT
 DATE: 3/26/14

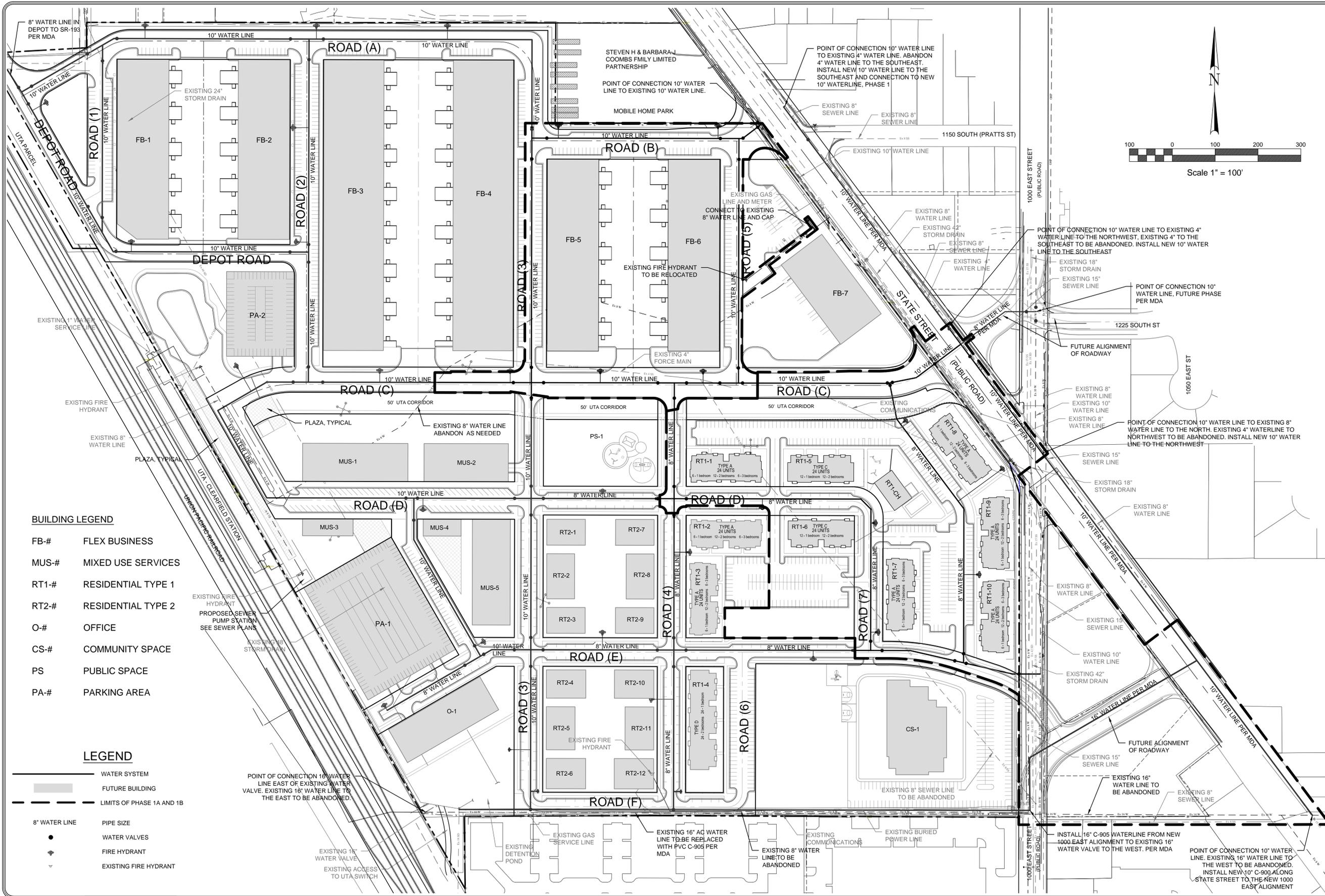
CLIENT: CLEARFIELD TOD INVESTMENTS
 DWG: Preliminary Plat Phase 1
 JOB No: 2420-CTU001-13
 DRAWING IS REDUCED IF LESS THAN 22"x34"
 DIMENSIONS AND NOTES TAKE PRECEDENCE OVER SCALE.

**CLEARFIELD FRONTRUNNER STATION
 PHASE 1 AND 2B PRELIMINARY PLAT**
 LOCATED IN THE WEST HALF OF SECTION 12, TOWNSHIP 4 NORTH, RANGE
 2 WEST, SALT LAKE BASE & MERIDIAN.

No.	DATE	BY	REVISION

Salt Lake City Office tel (801) 487-8040
 1370 SOUTH WEST TEMPLE fax (801) 487-8668
 Salt Lake City, Utah 84101
Ward Engineering Group
 Planning • Engineering • Surveying

FILENAME: T:\Clearfield TOD Investments\CT1003\Phase 1\Engineering\Design\Primary Plans\UT-03 Water System.dwg
TAB: Phase 1 Interim
PLOT DATE AND TIME: 4/30/2014 11:35 AM



BUILDING LEGEND

- FB-# FLEX BUSINESS
- MUS-# MIXED USE SERVICES
- RT1-# RESIDENTIAL TYPE 1
- RT2-# RESIDENTIAL TYPE 2
- O-# OFFICE
- CS-# COMMUNITY SPACE
- PS PUBLIC SPACE
- PA-# PARKING AREA

LEGEND

- WATER SYSTEM
- FUTURE BUILDING
- - - LIMITS OF PHASE 1A AND 1B
- 8" WATER LINE PIPE SIZE
- WATER VALVES
- ⊕ FIRE HYDRANT
- ⊕ EXISTING FIRE HYDRANT

CLEARFIELD STATION T.O.D.
1000 EAST STATE STREET,
CLEARFIELD, UT
WATER SYSTEM

231 West 800 South Suite A Salt Lake City, Utah 84101
Ward Engineering Group
Planning Engineering Surveying
PH: 801-487-8040 FX: 801-487-8666

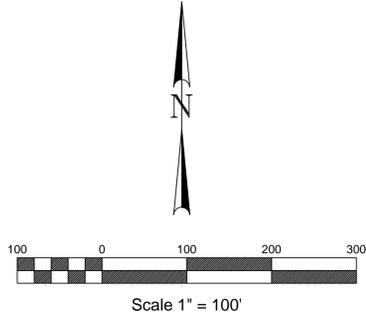
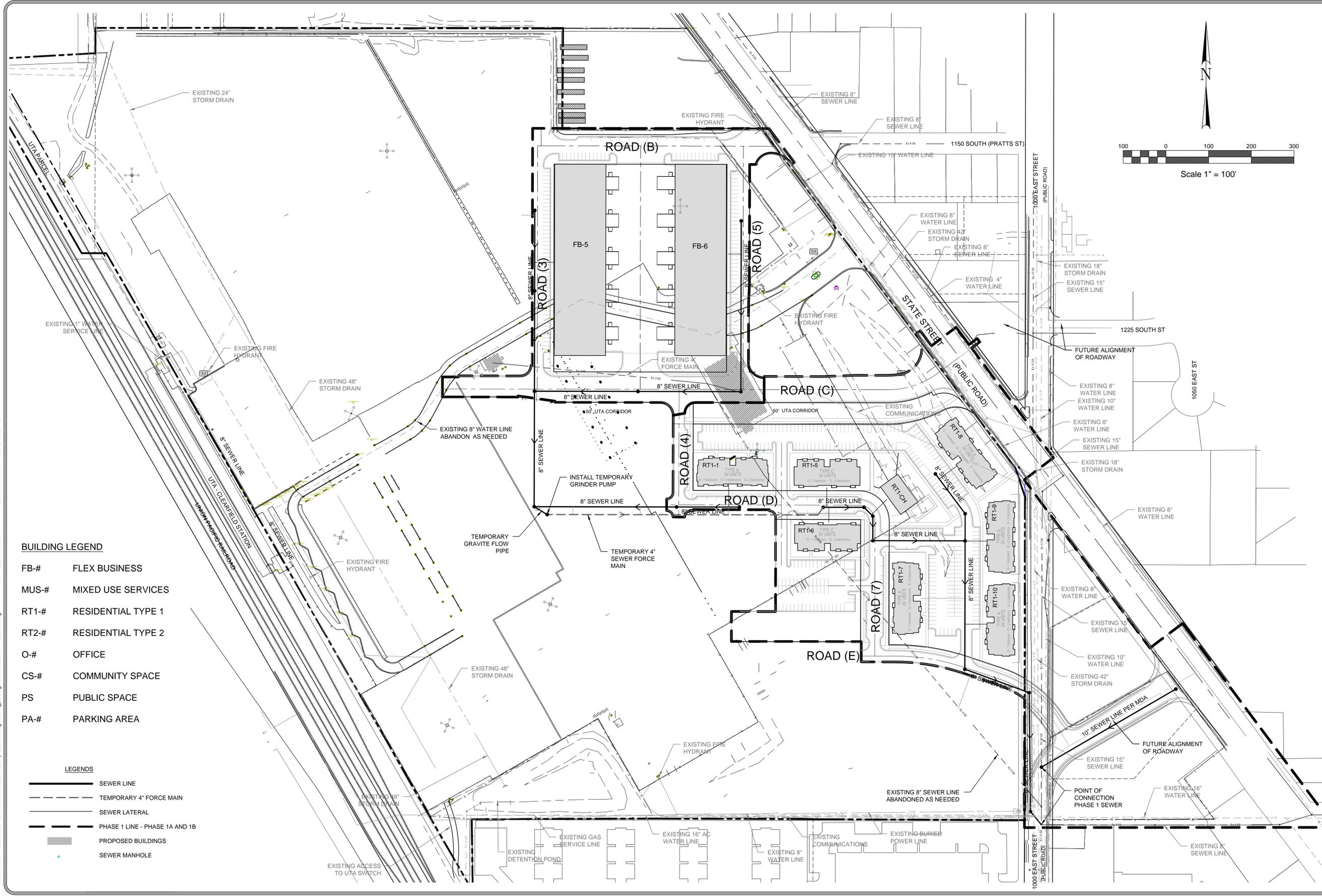
CLIENT: CLEARFIELD TOD INVEST
UT-03 Water System
DWG: 242-CT1003-13
JOB NO: 242-CT1003-13
DATE: 04/18/2014

DRAWN BY: RN/FWH
DESIGN BY: AJS
CHECKED BY: SNT
DATE: 04/18/2014

NO.	DATE	DESCRIPTION

SHEET
UT-03

FILENAME: T:\Clearfield TOD Investments\CTD00X (Phase 1 Engineering)\Design\Exhibits\PH1 Sewer.dwg
 TAB: Phase 1 Interim
 PLOT DATE AND TIME: 5/1/2014 2:44 PM



- BUILDING LEGEND**
- FB-# FLEX BUSINESS
 - MUS-# MIXED USE SERVICES
 - RT1-# RESIDENTIAL TYPE 1
 - RT2-# RESIDENTIAL TYPE 2
 - O-# OFFICE
 - CS-# COMMUNITY SPACE
 - PS PUBLIC SPACE
 - PA-# PARKING AREA

- LEGENDS**
- SEWER LINE
 - TEMPORARY 4" FORCE MAIN
 - SEWER LATERAL
 - PHASE 1 LINE - PHASE 1A AND 1B
 - PROPOSED BUILDINGS
 - SEWER MANHOLE

**CLEARFIELD STATION T.O.D.
 1000 EAST STATE STREET,
 CLEARFIELD, UT
 SEWER SYSTEM**

231 West 800 South Suite A Salt Lake City, Utah 84101
Ward Engineering Group
 Planning Engineering Surveying
 PH: 801.487.8040 FX: 801.487.8668

CLIENT: CLEARFIELD TOD INVEST
 DIV: 06 PH1 Sewer
 JOB NO: 2420-CT001-13
 DRAWN BY: RN / FWH
 DESIGN BY: AJS
 CHECKED BY: SNT
 DATE: 04/18/2014

REVISIONS

SHEET
 UT-04



Planning Commission

STAFF REPORT

AGENDA
ITEM #6

TO: Planning Commission

FROM: Scott A. Hess
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **MDP AMENDMENT 1404-0007**: A request by Michael Christensen, on behalf of Thackeray Company, to amend the Master Development Plan Phasing Plan for a Mixed-Use Development on approximately 72 acres located at 1250 S. State Street (TIN: 12-066-0071, 12-067-0139).

RECOMMENDATIONS

- 1.) Move to find that the proposed phasing plan modifications to the Clearfield Station MDP as set forth in MDP Amendment 1404-0007 do not constitute a material change to the MDP, and to **recommend approval of the amendment to the City Council** based upon the discussion and findings in the staff report.

PROJECT SUMMARY

Project Information	
Project Name	Clearfield Station
Site Location	1250 S. State (SWC of State Street and 1000 East)
Tax ID Number	12-066-0071, 12-067-0139
Applicant	Michael Christensen Thackeray Garn Company
Owner	Utah Transit Authority (UTA) Curtis Clayton, Representative
Proposed Actions	MDP Amendment – Phasing Plan Amendment
Current Zoning	MU (Mixed Use)
Land Use Classification	Mixed-Use
Gross Site Area	70 acres

ANALYSIS

Background

The transit oriented development, Clearfield Station, received approval of a Rezone to Mixed Use (MU), approval of a Master Development Plan (MDP), and execution of an approved Master Development Agreement (MDA) by the Clearfield City Council on March 11, 2014. Since that time, the developer has been working with the City to prepare submittal documents for individual phases approved and building permits issued.

Master Development Plan Amendment Request

Due to the topography of the site, the project will need a sewer lift station near the southwest corner of the property. However, that improvement would ideally not be installed until after the initial phases have been completed. The intention has been for the sewer in Phase 1 to be gravity drained connecting to 1000 East.

In developing the specific plans for culinary water, sanitary sewer, and storm water facilities the developer's engineer discovered that they were not able to adequately gravity drain sanitary sewer from all portions of the approved Phase 1B within the residential portion of the project. The amendment request that the Planning Commission has been asked to consider, will do nothing more than trade residential buildings between the approved Phases 1B, and 2B.

In staff's opinion, the changes to the phasing plan that have been requested do not constitute a "material change". The findings for staff's opinion are based on the fact that the total number of residential units proposed in the revised phasing plan is exactly the same as in the approved phasing plan, and does not exceed the limit of 168 imposed in section 4.1(b) of the Master Development Agreement adopted by Clearfield City Council on March 11, 2014. This finding is further supported by the fact that gravity draining sanitary sewer systems are the preference of Clearfield City Public Works Departments, and will lead to a more predictable and simplistic form of development for both the City and the Developer. As subsequent phases are constructed within the development, sanitary sewer lines will be connected and looped together such that the site will function as intended.

Master Development Agreement

The proposed amendment to the MDP does not change any terms of the MDA, nor does it alter the ability to execute that agreement as written. As indicated in section 2 of the MDA, "in the event of a conflict between this MDA and the MDP, the MDA shall be controlling". In the case of this request, the MDA lists the total number of acceptable residential units for Phase 1B and the amendment request does not deviate from the MDA.

Public Comment

No additional public comment has been received outside of the previous public hearings.

FINDINGS

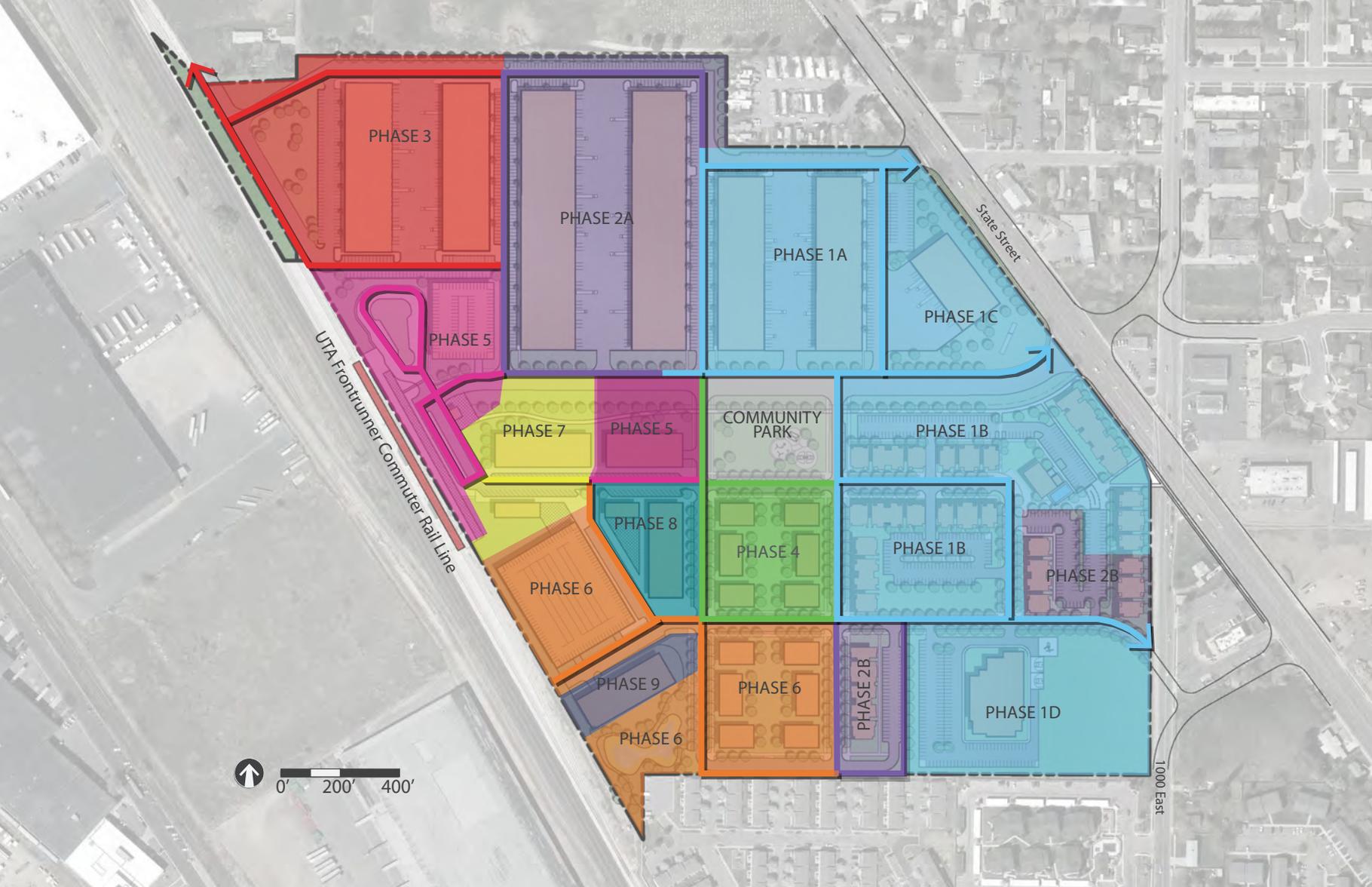
Modifications or Amendments to an MDP

Clearfield Land Use Ordinance Section 11-11F-9 establishes the following findings the Planning Commission and City Council shall make to justify amendments to an approved MDP. The findings and staff’s evaluation are outlined below:

Review Consideration		Staff Analysis
1)	Planning commission will make a recommendation to the city council on whether the proposed modifications are of a material change to the MDP. City council will make a final determination on whether the proposed modifications constitute a material change.	<i>The proposed changes do not represent a “material change” due to the fact that the change does not alter any terms of the approved MDA, and due to it being the preference for Clearfield City Public Works to have gravity draining sanitary sewer infrastructure.</i>
2)	Material Changes to an approved MDP will be required to go through the zoning amendment process as outlined in chapter 6 of this title and pay applicable application and review fees.	<i>Staff has determined that the amendment to the phasing plan is not a Material Change and therefore will not need to go through a zoning amendment process.</i>

ATTACHMENTS

1. Phasing Map – As adopted by City Council March 11, 2014
2. Phasing Map – Revised April 2014



PHASE 3

PHASE 2A

PHASE 1A

PHASE 1C

PHASE 5

PHASE 7

PHASE 5

COMMUNITY PARK

PHASE 1B

PHASE 8

PHASE 4

PHASE 1B

PHASE 2B

PHASE 6

PHASE 9

PHASE 6

PHASE 2B

PHASE 6

PHASE 1D

UTA FrontRunner Commuter Rail Line

State Street

1000 East





PHASE 3

PHASE 2A

PHASE 1A

PHASE 1C

PHASE 5

PHASE 7

PHASE 5

COMMUNITY
PARK

PHASE 8

PHASE 4

PHASE 2B

PHASE 1B

PHASE 6

PHASE 9

PHASE 6

PHASE 2B

PHASE 1D

UTA Frontrunner Commuter Rail Line

State Street

1000 East





Planning Commission

STAFF REPORT

AGENDA ITEM

#7

TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **ZTA 1404-0001** Zoning Text Amendment to Title 11, C-1 and C-2 Commercial Parking Regulations and Definition, to better define Commercial Parking Lots, and the conditions imposed for location and use of parking lots. This zoning text amendment would be effective across all Commercial Zones in Clearfield City.

RECOMMENDATION

1. Hold Public Hearing as noticed, and close or continue public hearing to a date specific meeting.
2. Consider information provided by staff.
3. Provide direction and next steps for language desired by the Planning Commission.

ANALYSIS

On April 22, 2014, the Clearfield City Council enacted a temporary land use regulation regarding parking lots and facilities which was applicable to all commercially zoned property within Clearfield City. The Ordinance passed by City Council, number 2014-08, includes a number of findings used to support the temporary land use regulation, and is attached for the Planning Commission's review.

The City Council asked Staff and the Planning Commission to review the parking ordinance within Commercial Zones and recommend language that would protect the City's remaining prime commercial property from being developed into parking lots that are not necessarily tied to a formal use. In other words, commercial zones would not allow stand-alone parking, but rather would require parking to be an accessory use on the property subordinate to a primary use on the parcel.

The current City Code within C-1 and C-2 allows "Commercial Parking Facilities" as a Conditional Use. The definition for Commercial Parking Facilities is: "A garage or parking lot

used for commercial purposes where vehicles may be parked for not more than seventy two (72) hours.” This conditional use and the definition lead staff to believe that the intent was for a commercial pay lot, but there are no specifics to verify that assumption. At any rate, conditional uses which allow a commercial parking lot that is not tied to a primary use or building is not desirable and does not promote the highest and best of property for Clearfield’s limited amount of remaining commercial properties.

Staff’s intent in presenting ordinance amendment language is to provide a fair amendment which best serves the City’s residents as well as protects both current and future business and property owners in Clearfield City by preventing the consumption of crucial remaining commercial properties for less than ideal uses.

Proposed Ordinance Changes

In order to satisfy the request of the City Council and to provide protection for Clearfield City commercial viability, the following are the proposed ordinance changes.

1. Amend the definition of “Commercial Parking” to require these types of facilities to be pay lots. The potential definition could read as follows: “A garage or parking lot used for commercial purposes and open to the public for a fee where vehicles may be parked for not more than seventy 5 days.
2. Amend the location of “Commercial Parking” to remove the use within C-1, C-2, C-R and D-R Zones.
3. Add “Commercial Parking” as a use within the MU Zone. The area immediately surrounding the UTA Transit station may be one that is viable for a commercial pay lot in the future. Other MU projects may benefit from the same allowance depending on uses and site specifics within those projects in the future.
4. Amend the definition of “Parking Lot” to require the facility to be provided specifically for a primary use or building on the same property as the parking will be located, as well as require that the use be entirely located within Clearfield City. (Say something about off-site parking and how that works)...
5. Add “Parking Lot” as a use within the Permitted Uses of the PF zone for the case of parks, city buildings, or other city needs to assure that there is a legal established parking use within Public Facility Zones. The areas zoned PF are owned and maintained by Clearfield City.

Master Plan

Clearfield City Master Plan states in Community Vision, “2. Promote Clearfield as a regional center for manufacturing, governmental, and commercial facilities with excellent accessibility and a high-quality business environment”. Also, “3. Encourage redevelopment to take full advantage of Clearfield’s strategic location with respect to major rail and highway amenities and proximity to air transportation.” In addition to the Community Vision, the Current Zoning section of the Master Plan discusses within each Commercial Zone for the city that the goal is to expand and develop viable commercial properties to their highest and best use. Limiting the ability to cover key commercial pieces of ground solely with surface parking meets the intent and the language of the Clearfield City Master Plan.

Public Comment

No public comment has been received to date.

FINDINGS

Zoning Ordinance Text Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	As indicated in the staff analysis above, staff feels that an amendment to the City Code is necessary and appropriate to protect limited prime commercially zoned properties within the City.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	The changed conditions requiring an amendment to the City Code at this time are both the limited remaining prime commercial land, and concerns about neighboring cities with viable commercial properties who may be interested in utilizing Clearfield City properties as surface parking areas.

ATTACHMENTS

1. Clearfield City Ordinance 2014-08

CLEARFIELD CITY ORDINANCE 2014-08

AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION REGARDING PARKING LOTS/FACILITIES PURSUANT TO UTAH CODE ANN. § 10-9a-504 APPLICABLE TO ALL OF THE COMMERCIAL ZONED PROPERTIES LOCATED WITHIN THE CITY'S GEOGRAPHIC BOUNDARIES

PREAMBLE: This Ordinance temporarily prohibits the approval, development, erection, construction, reconstruction, installation, or alteration of any stand-alone parking lots and/or parking facilities on commercially zoned property throughout the City which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries.

RECITALS:

Whereas, the city of Clearfield (the "City") has very little prime commercial real estate located within its borders which either remains undeveloped or is ripe for redevelopment at this time; and

Whereas, in order to stimulate additional development and redevelopment which will both bolster the local economy in the City as well as to provide necessary revenues to help better support critical municipal services provided to the City's residents and businesses, it is in the best interests of the City's current and future residents and businesses to encourage the most desirable commercial development on the very limited remaining amount of prime, developable commercial property in the City; and

Whereas, property owners and developers in other neighboring communities adjacent to Clearfield with significantly greater commercial development pose a substantial, unacceptable threat of harm to the City and its future commercial development by way of projects which would place very desirable businesses and structures in a neighboring city while utilizing adjacent property in Clearfield merely to supply surface parking lots or other commercial parking facilities to support those development projects in adjacent cities; and

Whereas, the Clearfield City Council hereby finds that the City's need to protect the very limited amount of remaining developable prime commercial property in Clearfield for development at its highest and best use, rather than as stand-alone parking lots and/or parking facilities to support projects in an adjacent city, is indeed a compelling, countervailing public interest for the City as well as its current and future residents and businesses in Clearfield; and

Whereas, in order to protect both its current and future residents and businesses from the unfair and undesirable development of stand-alone parking lots and/or parking facilities on commercially zoned property which merely support much more desirable development and structures in neighboring cities, pursuant to Title 10, Chapter 9a, Section 509 (1)(a)(ii) of the Utah Municipal Code, as well as Title 11, Chapter 1, Section 8 of the Clearfield City Code, the City either has or will very shortly formally initiate proceedings to amend its current land use

ordinances to prohibit the development of stand-alone parking lots and/or parking facilities on commercially zoned (B-1, C-1, C-2, C-R, and D-R) property throughout the City which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries;

NOW THEREFORE BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

Based upon the City Council's finding of a compelling, countervailing public interest as enumerated above, and pursuant to Title 10, Chapter 9a, Section 504 of the Utah Municipal Code, this Clearfield City Ordinance 2014-08 is hereby enacted to establish a temporary land use regulation prohibiting the approval, development, erection, construction, reconstruction, installation, or alteration of any stand-alone parking lots and/or parking facilities on any and all commercially zoned (B-1, C-1, C-2, C-R, and D-R) property throughout Clearfield's boundaries which are not accessory uses to a lawful permitted or conditional use existing on the same parcel of land which is located entirely within the City's boundaries.

Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Dates: This ordinance enacting a temporary land use regulation shall become effective immediately upon passage and posting as prescribed by law and shall remain in effect until it is either officially repealed by the City Council, or until a period of six months has passed since its effective date, whichever event occurs first.

Passed and adopted by the Clearfield City Council this 22nd day of April, 2014.

ATTEST:

CLEARFIELD CITY CORPORATION

/s/Nancy R. Dean, City Recorder

/s/Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE: Councilmembers Benson, Bush, Jones, Young

NAY: None

EXCUSED: Councilmember LeBaron



Planning Commission

STAFF REPORT

AGENDA ITEM

#8

TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **ZTA 1404-0002** Zoning Text Amendment to Title 11, Chapter 5 to propose standards for Administrative Site Plan reviews. This zoning text amendment would be effective across all Zones in Clearfield City.

RECOMMENDATION

1. Hold Public Hearing as noticed, and close or continue public hearing to a date specific meeting.
2. Consider information provided by staff.
3. Provide direction and next steps for staff on language desired by the Planning Commission.

ANALYSIS

Clearfield City Code 11-5 Site Plan Review regulates the review and approvals of all Site Plans within the City. The purpose for Site Plan Review is stated as follows:

11-5-1 Purpose

The purpose and intent of site plan review is to assure that the general appearance of buildings and structures and the improvement of land shall contribute to the stability of land values, the protection of investments, the attractiveness of the neighborhood and the general welfare of the community. It is not the purpose of this chapter that design should be so rigidly controlled so as to stifle creativity or individual expression, or that substantial additional expense be incurred; rather, it is the intent of this chapter that any controls exercised be the minimum necessary to achieve the objectives as stated above. (Ord. 2009-21, 11-24-2009)

Site Plan review is required for: 1) new development except single-family detached dwellings, and 2) exterior modifications to existing structures or sites including, but not limited to, adding equipment, landscaping, or parking. City Code 11-5-3 Application Review Procedure lays out twelve specific criteria to be considered when Staff performs a Site Plan Review prior to sending a recommendation to the Planning Commission. Following the criteria in the code helps lead to predictable reviews and recommendations.

The review body for all Site Plans is the Planning Commission. While the requirement to bring all Site Plans to the Planning Commission has helped drive quality developments, it can become a time burden on the Planning Commission to review very minor items that are required based on the current code language. Also, from the applicant's perspective waiting for the Planning Commission to review what seems to be a very minor or insignificant project can be frustrating.

Proposed Changes

Staff is proposing a change to the Site Plan Review section of the City Code to allow for Administrative Site Plan Reviews for minor site plans, or those that have a limited impact burden on city infrastructure and neighboring developments. There are a number of existing code examples to pull from for Administrative Site Plan Review language. Clearfield City has the benefit of having a very well defined review procedure codified that would be the backbone for Administrative Site Plan Reviews, but would allow applicants to move forward on minor projects and site changes much faster, and without the time burden of waiting for Planning Commission meetings once per month. Decisions of the Zoning Administrator issued on Administrative Site Plan Reviews could be subject to appeal to the Planning Commission.

Alternate City Code Analysis

Salt Lake City, UT:

21A.58.020: AUTHORITY:

Site plan review shall be required pursuant to the provisions of this chapter for uses as specified in section [21A.58.030](#) of this chapter before zoning certificates, building permits or certificates of occupancy may be issued.

A. The zoning administrator shall approve site plans upon consideration of all comments received from city departments. The zoning administrator shall be assisted in administering the site plan review process by the development review team (DRT).

B. The zoning administrator may waive the requirements for site plan review for additions to existing buildings, structures, or uses if, in the zoning administrator's opinion, such additions do not substantially impact adjacent properties. (Ord. 26-95 § 2(29-2), 1995)

21A.58.050: DEVELOPMENT REVIEW TEAM (DRT):

The zoning administrator shall be assisted in conducting site plan review by the development review team (DRT).

A. Membership: The development review team shall consist of a designated representative from each of the city departments or department divisions, as necessary, including, but not limited to, the following:

1. Department of community and economic development;
2. Department of public services;
3. Police department;
4. Fire department;
5. Department of public utilities

B. Coordination Of Review: The zoning administrator, or the zoning administrator's designee, shall serve as the chair of the development review team and shall coordinate its review of proposals. (Ord. 38-08, 2008: Ord. 6-04 § 17, 2004: Ord. 26-95 § 2(29-5), 1995)

Fernley, NV:

25.010.C The Following projects are subject to minor design review:

- 1) Expansions of multi-family residential, institutional, commercial or industrial buildings that do not include additional access from state highways or approvals from state or federal agencies;
- 2) Changes in use requiring additional parking, where the proposed use will not cause increased impacts on existing infrastructure and public services, as determined by the director, and the use is proposed in existing structures;
- 3) Exterior remodeling (other than routine repair and maintenance) affecting building design, location of utilities or mechanical equipment;

Gilbert, AZ:

B. Administrative Design Review. Administrative design review shall be conducted by the Director. The Director may refer any application for administrative design review to the Design Review Board...

1. Scope of Administrative Design Review Authority. The Director shall conduct administrative design review of applications for:

- a. Additions of 1,000 square feet or less to an existing or approved building;
- b. Minor revisions to approved Final Design Review plans that meet the standards of the Zoning Code, will not expand, intensify, or substantially change any approved site plan, landscape plan, or structure, and are consistent with the intent of the original approval;
- c. Changes to colors and materials in an existing or approved project that do not substantially change the appearance of the site or its structure;
- f. Locations of outdoor retail sales and merchandise displays not designated on a Final Design Review plan

Proposed Ordinance Changes/Additions

Staff would propose to following additions and amendments to Title 11, Chapter 5 Site Plan Review as indicated below:

Chapter 5
SITE PLAN REVIEW (**AMENDED LANGUAGE**)

11-5-1: PURPOSE:

11-5-2: PROCEDURES:

11-5-3: APPLICATION REVIEW PROCEDURE:

11-5-4: ISSUANCE OF PERMIT:

11-5-5: EXPIRATION OF APPROVAL; EXTENSION:

11-5-6: APPEAL:

11-5-1: PURPOSE:

The purpose and intent of site plan review is to assure that the general appearance of buildings and structures and the improvement of land shall contribute to the stability of land values, the protection of investments, the attractiveness of the neighborhood and the general welfare of the community. It is not the purpose of this chapter that design should be so rigidly controlled so as to stifle creativity or individual expression, or that substantial additional expense be incurred; rather, it is the intent of this chapter that any controls exercised be the minimum necessary to achieve the objectives as stated above. (Ord. 2009-21, 11-24-2009)

11-5-2: PROCEDURES:

A. Review Required: Site plan review shall be required for all of the following:

1. All proposed new development except single-family detached dwellings.
2. Exterior modifications to existing structures or sites, except single-family detached dwellings. This includes, but is not limited to, adding equipment, landscaping or parking.

B. Application: Application for site plan review shall be made in writing by the property owner or their certified agent on forms prepared by the community development department. The planning and zoning administrator shall review the site plan application when it is submitted to see that all information and items required by this title are included in the application. The planning and zoning administrator shall not [perform an Administrative Site Plan Review, or](#) place any site plan on the planning commission agenda until all items required have been submitted or are omitted for good cause.

C. Contents Of Plan: Applications for site plan review shall be accompanied by three (3) full size (24 inch x 36 inch) and five (5) half size (11 inch x 17 inch) paper copies of site development plans and/or architectural drawings, and one electronic copy in a format approved by the community development department. All plans shall be drawn to a standard scale (not smaller than 1 inch = 30 feet) and stamped by a licensed landscape architect or civil engineer, and shall contain the following:

1. The building lot and dimensions.
2. Existing building locations.
3. Proposed building locations.
4. Existing trees and shrubbery.

5. Proposed landscaping and fencing.
6. Vehicular and pedestrian access and circulation.
7. Off street parking facilities.
8. Location and width of abutting streets.
9. Existing and proposed utilities.
10. Architectural drawings at a scale no smaller than one-eighth inch equals one foot ($\frac{1}{8}'' = 1'$), sketches or perspectives of exterior elevations, structures, signs and indication of types of materials to be used. Said elevations or renderings must be sufficiently complete to show building heights and rooflines, exterior finish materials, the location and height of any walls, signs, light standards, openings in the facade, and the general architectural character of the building.
11. A full description of the proposed development with respect to type of use, density, height, construction, square footage, and unusual utility demands (including water needs).
12. Vicinity map and north arrow.
13. Location of existing and proposed streetlights (including style and height).
14. The following statistical information shall also be provided:
 - a. Gross acreage of total project and acreage of phases (if applicable).
 - b. Square footage of all individual buildings (with square feet of intended uses in each building).
 - c. Building coverage (percent of overall site).
 - d. Number of parking spaces required (with ratios).
 - e. Number of parking spaces provided.
 - f. Open space (percent of overall site).
 - g. Current zoning of property.
 - h. Type of construction.
15. Two (2) copies of a preliminary grading and drainage plan (stamped by a licensed engineer) showing existing and proposed contours at two foot (2') intervals. The existing contours shall extend a minimum of twenty five feet (25') beyond the property line. The plan shall also include any watercourse, storm drain pipe sizes, slopes and elevations, floodplains, unique natural features, natural hazards, proposed building finished floor elevation, etc.

16. Any other information deemed necessary by the city.

D. Fee: The application for site plan review shall be accompanied by the appropriate fee, as specified from time to time by the city council in the fee schedule. (Ord. 2009-21, 11-24-2009)

11-5-3: APPLICATION REVIEW PROCEDURE:

A. Planning Commission Land Use Authority Review: The planning commission Land Use Authority shall review all site plan applications, and shall determine if the proposed site development and architectural plans are consistent with this chapter and with the purposes and objectives of this title. The planning commission Land Use Authority shall approve, disapprove or approve subject to compliance with such modifications or requirements as may be deemed necessary to carry out the purposes of this chapter. (Ord. 2010-08, 6-22-2010)

B. Administrative Site Plan Review: The Land Use Authority shall review all Site Plans eligible for administrative review. Administrative Site Plan reviews are subject to the Review Considerations as outlined in 11-5-3C.

Site Plans eligible for Administrative Review:

1. Additions of 1,000 square feet or less than 10% of gross area of an existing building
2. Expansions of multi-family residential, institutional, commercial, or industrial buildings that do not include additional access from state highways or approvals from state or federal agencies
3. Minor revisions to Planning Commission approved site plans that meet the standards of the zoning code, will not expand, intensify, or substantially change any approved site plan, landscape plan, or structure, and are consistent with the intent of the original approval
4. Exterior remodeling that affects color and materials, building design, location of utilities or other mechanical equipment within an existing or approved project that does not substantially change the appearance of the site or its structure
5. Changes in use requiring additional parking, where the proposed use will not cause increased impacts on existing infrastructure and public services, as determined by the Zoning Administrator, and the use is proposed in existing structures.

CB. Review Considerations: The planning commission Land Use Authority shall consider the following matters and others when applicable in their review of site plan applications:

1. Traffic: The effect of the site development plan on traffic conditions on abutting streets.
2. Vehicle; Pedestrian: The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.
3. Off Street Parking: Compliance of off street parking facilities with chapter 14 of this title.

4. Loading And Unloading Facilities: The location, arrangement and dimensions of truck loading and unloading facilities.
5. Surfacing And Lighting; Parking: The surfacing and lighting of off street parking.
6. Screen Planting: The location, height and materials, of walls, fences, hedges and screen planting.
7. Landscaping: The layout and appropriateness of landscaping.
8. Drainage: The effect of the site development plan on city stormwater drainage systems.
9. Utility: The effect of the site development plan on city utility systems.
10. Building Locations: Consideration of building locations on the site, elevations and relation to surrounding areas.
11. Exterior Design: Consideration of exterior design in relation to adjoining structures and area character to assure compatibility with other structures in the neighborhood, existing or intended.
12. Signs: Compliance of signs with [chapter 15](#) of this title and particular consideration to the location of signs upon the site, their effect upon parking, ingress and egress, the effects upon neighboring properties and the general harmony of signs with the character of the neighborhood, existing or intended.

[DC](#). Staff Review: The building official, city engineer, and planning and zoning administrator shall review site plan applications and supporting materials prior to the application being considered by the [planning commission](#) [Land Use Authority](#). The building official, city engineer, and planning and zoning administrator shall provide ~~the planning commission with~~ a written recommendation for [all the](#) site plan reviews. (Ord. 2009-21, 11-24-2009)

11-5-4: ISSUANCE OF PERMIT:

A. Compliance Required: A building permit shall not be issued for any building or structure until the provisions of this chapter have been complied with. Any building permit issued shall ensure that development is undertaken in conformity to the approved site plan.

B. Landscaping And Recreation Facility Guarantee: The installation of all landscaping and recreation facilities shall be guaranteed in accordance with the provisions with section [11-13-23](#) of this title. (Ord. 2009-21, 11-24-2009)

11-5-5: EXPIRATION OF APPROVAL; EXTENSION:

Failure to obtain a building permit for an approved site plan within twelve (12) months of the date of approval by the [Land Use Authority](#) ~~planning commission~~ shall result in the expiration of said approval. The [Land Use Authority](#) ~~planning commission~~ may grant an extension for good cause shown for up to an additional six (6) months after the original date of approval. Applications for extension must be submitted to the community development department in writing prior to the expiration of the original permit. The application must describe the reason for

the extension, and shall be accompanied by the fee set forth in the city's fee schedule. (Ord. 2010-08, 6-22-2010)

11-5-6: APPEAL:  

All appeals to the provisions of this chapter shall be made in accordance with section [11-1-12](#) of this title. (Ord. 2009-21, 11-24-2009)

Master Plan

Clearfield City Master Plan states in the Community Vision, “7. Ensure that new development is of exceptional quality and expresses attractive architectural and site design standards consistent with its particular use and location.” In addition to the Community Vision, the Land Use Guidelines in Clearfield City Master Plan talk about community identity and “the relationship of planned land uses which should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.” The Land Use Guidelines go on to state “development approval should be tied to construction of culinary water, sewer, storm drainage, and circulation systems.

The Site Plan review process is an implementation arm of these specific General Plan items. Administrative Site Plan reviews will be required to follow the same procedure as the current approval system, with the major change being that the Zoning Administrator can render decision more quickly and efficiently and without the added time burden of waiting for an upcoming Planning Commission meeting. Staff does not see any conflict between language in the Clearfield City Master Plan, and the zoning text amendment being considered.

Public Comment

No public comment has been received to date.

FINDINGS

Zoning Ordinance Text Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff’s evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	As indicated in the staff analysis above, staff does not see a conflict between current Master Plan language and the ability to perform Administrative Site Plan reviews. So long as Administrative Site Plan reviews are subject to the same review considerations as Planning Commission decisions.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	No conditions are being recommended for this ordinance change.

ATTACHMENTS

1. Table 11.1 Land Use and Appeal Authority

TABLE 11.1 LAND USE AND APPEAL AUTHORITY

LAND USE APPLICATION	LAND USE AUTHORITY		APPEAL AUTHORITY			
	ADVISORY BODY	LAND USE AUTHORITY	1ST APPEAL		2ND APPEAL	
			DAYS TO APPEAL**	BODY	DAYS TO APPEAL***	BODY
General Plan or Map Amendment	Planning Commission	City Council	30	District Court	N/A	None
Land Use Ordinance or Map Amendment	Planning Commission	City Council	30	District Court	N/A	None
Subdivision Ordinance or Amendment	Planning Commission	City Council	30	District Court	N/A	None
Development Agreement	Planning Commission	City Council	30	District Court	N/A	None
Project Concept Plan*	Staff	Planning Commission	N/A	None	N/A	None
Site Plan	Staff	Planning Commission	10	City Council	30	District Court
Preliminary Subdivision Plat	Staff	Planning Commission	10	City Council	30	District Court
Final Subdivision Plat	Planning Commission	City Council	30	District Court	N/A	None
Conditional Use	Staff	Planning Commission	10	City Council	30	District Court
Minor Site Plan	N/A	Staff		Planning Commission		
Sign Permit	N/A	Staff	10	Planning Commission	30	District Court
Lot Split	Staff	Planning Commission	10	City Council	30	District Court
Lot Line Adjustment	Staff	Planning Commission	10	City Council	30	District Court
Amendment of Approved Subdivision Plat:						
Preliminary	Staff	Planning Commission	10	City Council	30	District Court
Final	Planning Commission	City Council	30	District Court	N/A	None
Variance	Staff	N/A	N/A	Planning Commission	30	District Court
Street or Alley Vacation	Staff	City Council	30	District Court	N/A	None
Annexations	Staff	City Council	30	District Court	N/A	None
Administrative Approvals**	N/A	Staff	10	Planning Commission	30	District Court

Any appeal of a City Council decision shall be to the District Court.

In such cases where the appellant may choose either the City Council or District Court as the Appeal Body, the appeal must be filed in ten (10) days if to the Council, and thirty (30) days if to the District Court.

*Optional application, no decision rendered.

**Administrative approvals include interpretations of the land use ordinance, etc.

***Calendar days from the time of written notification by the City of formal action on the application, or approval of the minutes of the meeting in which the action was taken, whichever occurs first.



Planning Commission

STAFF REPORT

AGENDA ITEM

#9

TO: Planning Commission

FROM: Scott A. Hess, MPA
Development Services Manager
scott.hess@clearfieldcity.org (801) 525-2785

MEETING DATE: May 7, 2014

SUBJECT: Public Hearing, Discussion and Possible Action on **ZTA 1404-0003** Zoning Text Amendment to Title 11, Chapter 14 to propose standards for gravel parking areas within residential zones. This zoning text amendment would be effective across all Zones in Clearfield City.

RECOMMENDATION

1. Hold Public Hearing as noticed, and close or continue public hearing to a date specific meeting.
2. Consider information provided by staff.
3. Provide direction and next steps for staff on language desired by the Planning Commission.

ANALYSIS

Background

November 2009 Clearfield City Code (Reference Ordinance) changed to require all off street parking to be on an impermeable surface to be effective January 1, 2015. In early 2014, Clearfield City published a notice within the City Newsletter reminding residents about the gravel parking ordinance change. This Newsletter article generated a significant public response. Clearfield City Council requested staff to consider alternatives that were not such a financial burden on the residents of Clearfield City, and that would allow gravel parking surfaces in some form to remain in the Clearfield City Code.

An important consideration for the Planning Commission in amending the gravel parking ordinance is doing it in such a way that it still protects the City against harmful impacts of poorly maintained gravel parking areas. The City has an aging storm water infrastructure system that is sensitive to foreign material entering through inlets in gutters. In addition to that concern, the general maintenance of gravel driveways needs to be considered from an aesthetic standpoint. The City has done a significant amount of work over many years to help promote beautification and high quality development of the City. Any ordinance change needs to be careful to continue to promote the values of the community and the goals the City has set for itself.

Alternate City Code Analysis

In order to consider what language might be appropriate for Clearfield City, staff analyzed several ordinances from other cities. Parking on gravel or non-impervious surfaces is not allowed in many cities across Utah. However, Staff was able to find a few references to use as examples for how the Code might be updated and changed. Below are those results.

Washington City, UT 9-16-8A

A. Surfacing: All driveway approaches and parking spaces required by this chapter shall be surfaced with an asphaltic or portland cement or other hard surfacing pavement material approved by the planning commission. All other lot area intended for vehicle storage of any kind shall be covered with a minimum of six inches (6") of compacted road base material, and shall be kept in a dust free condition. The planning commission may require hard surfacing of any vehicle storage area. The parking area shall be so graded as to dispose of all surface water. If such water is to be carried to adjacent streets, it shall be piped under sidewalks. (Ord. 96-07, 2-28-1996)

West Valley City, UT 7-9-115(3)

(3) All off-street parking areas for single family dwelling or duplex lots shall meet the following standards:

- a. All parking and maneuvering areas, in addition to the minimum required, shall be paved and permanently maintained with a hard-surface, or gravel.
- b. Whenever gravel is used for parking and maneuvering in a residential zone, the gravel must be a minimum of four inches deep, compacted, free of grass and weeds, and contained with durable borders.
- c. For the purposes of this Section, a hard-surface shall only include concrete, asphalt, brick pavers and stone pavers.
- d. Hard surfaced parking strips with a minimum width of two feet (2') each may be used for parking and maneuvering areas instead of a solid driveway. Landscaping, as defined in Section 7-1-103, must be installed and maintained in a healthy condition between the parking strips. For the purposes of the determining the hard surface percentage in the front yard for item e below, the landscaped space between the parking strips shall be included in the hard surface percentage.
- e. In order to allow double driveways, and to allow hard-surface access to the rear yard, up to, but not more than, 40 percent of a front yard may be covered with a hard-surface. Lots with duplexes, twin home lots, cul-de-sac lots, or lots on major streets needing circular driveways may increase the hard-surface percent to 50 percent.

Davis County, UT 15-08-590

E. Construction. Every parcel of land hereafter used as a public parking area shall be approved as follows:

1. Surfacing. Every off-street parking, loading and driveway area shall be paved with asphalt or concrete, except for single-family development on individual lots.

Proposed Ordinance Changes

In order to satisfy the request of the City Council and to move this item forward, the following ordinance changes are proposed.

1. Remove 11-14-5 B2 stating that gravel or crushed rock will no longer be permitted after January 1, 2015.
2. Add provision as follows: “Whenever gravel or crushed rock is used for parking in a residential zone, the gravel must be a minimum of four inches deep, compacted, placed atop a weed barrier, free of grass and weeds, and contained with durable borders.”
3. Add provision as follows: “All main residential driveway approaches and parking spaces required by this Title shall be surfaced with an asphaltic or portland cement or other hard surfacing pavement material.”
4. Add provision as follows: “All new parking surfaces developed within the City must be permitted and inspected.

Master Plan

The Goals and Policies of the Land Use Element of the Master Plan relate to the ordinance amendment being proposed. Specifically Goal 4, “Revitalize Deteriorating Neighborhoods and Commercial Districts.” Implementation Measure 2 and 3 state that Clearfield City should create ordinances that allow and encourage infill and redevelopment, and the City should continue to prioritize code enforcement and property maintenance throughout the city.

Gravel parking areas within residential zones can be aesthetically pleasing, and can be nuisance free, but that depends on how the gravel or crushed rock was installed and how it is maintained. The ordinance needs to be explicit in keeping these areas maintained, weed free, and fully contained on the parcel where they have been installed. As long as the ordinance can do that, then this code change can meet the goals of the Master Plan.

Public Comment

No public comment has been received to date.

FINDINGS

Zoning Ordinance Text Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff’s evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	As indicated in the staff analysis above, staff feels that any amendment to the residential surfacing requirements needs to be explicit and specific in order to meet the goals of the Master Plan. The ordinance can be shown to meet the goals and intent of the Master Plan through strict code enforcement and promoting the installation of high-quality accessory gravel parking areas within residential areas.
2)	Changed conditions make the proposed amendment necessary to	The recent public outcry due to the impending deadline of the surface requirement changing has created a condition where the elected officials have asked Staff to

	fulfill the purposes of this Title.	consider an amendment to the surface parking regulations.
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ATTACHMENTS

None provided for this item.



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