

PUBLIC COMMENT:

None

Commissioner Roper moved to close the public hearing at 7:05 p.m. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard and Parkinson. Voting NO: None.

PUBLIC HEARING ON ZTA 1511-0005: A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO THE PROPOSED CHANGES OF THE TITLE OF “DIRECTOR OF COMMUNITY DEVELOPMENT” TO “PLANNING AND ZONING ADMINISTRATOR” AND THE REMOVAL OF THE TERM “COMMUNITY DEVELOPMENT DEPARTMENT,” TO BE REPLACED WITH “CITY” OR “BUILDING OFFICIAL,” WITHIN TITLE 11 LAND USE, CHAPTERS 1, 2, 4, 5, 6, 11, 13, AND 14. ALSO IN ADDITION, TO THE MINOR CHANGES PROPOSED ABOVE, THIS ZONING TEXT AMENDMENT WILL CONSIDER THE REMOVAL OF THE CITY COUNCIL AS THE APPEAL AUTHORITY IN SPECIFIC INSTANCES, SUPPLEMENTAL REGULATIONS FOR OUTDOOR STORAGE AS WELL AS REGULATIONS FOR PARKING LOT LANDSCAPE TO BE CONSISTENT WITH RECENT CHANGES TO PARKING AREA AND PARKING LOT REQUIREMENTS. THESE CHANGES WOULD BE EFFECTIVE ACROSS ALL APPLICABLE PARCELS OF PROPERTY AND ZONES WITHIN CLEARFIELD CITY

Chair Peterson declared the public hearing open at 7:06 p.m.

PUBLIC COMMENT:

Joe Barber, Attorney with Nelson Christensen Hollingsworth and Williams representing Con Wilcox, said a written objection was emailed earlier in the day. Mr. Barber said the objection was the restriction created for the City to determine the highest and best use for a property. He said the change allowed outdoor storage only as an ancillary use with a permitted use. Mr. Barber said some property under the power corridor zoned M-1 would not in the foreseeable future have a permitted use. He said with the proposed change the property under the power lines would not have the option to be used as outdoor storage. Mr. Barber said there was residential growth in the City and some of the lots were smaller and an area was needed to store recreational vehicles when there wasn't adequate space on the residential property. He recommended outdoor storage be kept as a conditional use in the M-1 zone and have additional requirements imposed to alleviate the concerns.

Chair Peterson said the Commission did not have time to review the email sent earlier by Mr. Barber. The commissioners were given time to read the email.

Commissioner Murray moved to close the public hearing at 7:12 p.m. Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard and Parkinson. Voting NO: None.

PUBLIC HEARING ON FSP 1511-0004, A REQUEST BY CON WILCOX, TO AMEND THE WILCOX FARMS SUBDIVISION PLAT, LOT 26, LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE PROPERTY IS APPROXIMATELY 3.61 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT

Chair Peterson declared the public hearing open at 7:13 p.m.

PUBLIC COMMENT:

None

Commissioner Roper moved to close the public hearing at 7:14 p.m. Seconded by Commissioner Murray. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard and Parkinson. Voting NO: None.

DISCUSSION ON CUP-1511-0003, A REQUEST BY SAMANTHA HANSON ON BEHALF OF VALLEY BEHAVIORAL HEALTH, FOR CONDITIONAL USE APPROVAL FOR THE HIGHLAND SPRINGS SPECIALTY CLINIC, A BEHAVIOR, DRUG, OR ALCOHOL TREATMENT FACILITY, LOCATED AT 1785 EAST 1450 SOUTH SUITES 300 & 310 (TIN: 09-377-0303). THE PROPERTY IS APPROXIMATELY 2.26 ACRES IN SIZE AND IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Spencer Brimley, Development Services Manager, said the request was for Highland Springs Specialty Clinic which was a commercial component of Valley Mental Health. He said the office was proposed to be located in Legend Hills where the site was developed and there was adequate parking. He said staff recommended approval as conditioned. He read the conditions of approval.

Susan Mitchell, Clinical Director of Highland Springs Specialty Clinic, said they did not treat any Medicaid people, the homeless, or substance abuse people that needed a high level care. She said they were mainly a behavioral health treatment center with therapist and doctors. She said all treatment was outpatient services. Samantha Hanson was also present with Highland Springs. Chair Peterson asked if they had court ordered patients. Ms. Mitchell said they did not have court ordered patients or patients with a sex-offender history. She said the primary diagnosis at the clinic was anxiety and secondary was depression. She said they did treat people with alcohol and drug problems but not patients with a high level of care.

Chair Peterson reviewed the conditions of approval.

Commissioner Jugler entered at 7:20 p.m.

APPROVAL OF CUP-1511-0003, A REQUEST BY SAMANTHA HANSON ON BEHALF OF VALLEY BEHAVIORAL HEALTH, FOR CONDITIONAL USE APPROVAL FOR THE HIGHLAND SPRINGS SPECIALTY CLINIC, A BEHAVIOR, DRUG, OR ALCOHOL TREATMENT FACILITY, LOCATED AT 1785 EAST 1450 SOUTH SUITES 300 & 310 (TIN: 09-377-0303). THE PROPERTY IS APPROXIMATELY 2.26 ACRES IN SIZE AND IS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Millard moved to approve as conditioned, CUP-1511-0003, a request by Samantha Hanson on behalf of Highland Springs Specialty Clinic, for Conditional Use approval for a behavior, drug, or alcohol treatment facility, located at 1785 East 1450 South suites 300 & 310 (TIN: 09-377-0303), based on the findings and discussion in the Staff Report with the following conditions:

- 1) **This Conditional Use Permit is for the Highland Springs Specialty Clinic a Behavioral, Drug, and Alcohol Treatment Facility located at 1785 East 1450 South suites 300 & 310.**
 - a. **The Highland Springs Specialty Clinic, shall operate during the hours of 8 AM to 7 PM Monday – Friday and 9 AM to Noon on Saturday.**
 - b. **The facility shall not provide 24 hour treatment or services to clients.**
 - c. **The facility shall not provide overnight stays, or be staffed overnight.**
- 2) **The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.**

Seconded by Commissioner Parkinson. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard, Jugler and Parkinson. Voting NO: None.

DISCUSSION ON ZTA 1511-0005: A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO THE PROPOSED CHANGES OF THE TITLE OF “DIRECTOR OF COMMUNITY DEVELOPMENT” TO “PLANNING AND ZONING ADMINISTRATOR” AND THE REMOVAL OF THE TERM “COMMUNITY DEVELOPMENT DEPARTMENT,” TO BE REPLACED WITH “CITY” OR “BUILDING OFFICIAL,” WITHIN TITLE 11 LAND USE, CHAPTERS 1, 2, 4, 5, 6, 11, 13, AND 14. ALSO IN ADDITION, TO THE MINOR CHANGES PROPOSED ABOVE, THIS ZONING TEXT AMENDMENT WILL CONSIDER THE REMOVAL OF THE CITY COUNCIL AS THE APPEAL AUTHORITY IN SPECIFIC INSTANCES, SUPPLEMENTAL REGULATIONS FOR OUTDOOR STORAGE AS WELL AS REGULATIONS FOR PARKING LOT LANDSCAPE TO BE CONSISTENT WITH RECENT CHANGES TO PARKING AREA AND PARKING LOT REQUIREMENTS. THESE CHANGES WOULD BE EFFECTIVE ACROSS ALL APPLICABLE PARCELS OF PROPERTY AND ZONES WITHIN CLEARFIELD CITY

Spencer Brimley said the proposed changes to City Code, Title 11, Chapters 1, 2, 4, 5 and 6 provided clarity in organizational language and title changes for Community Development Director and Community Development Department. He said changes to the land use table removed the City Council as the Land Use Authority on certain land use applications. He said

City Code, Title 11, Chapter 11D amended the M-1 zone and removed outdoor storage as a primary use with a conditional use permit.

Mr. Brimley said storage facilities were removed as a permitted use in the City several years prior. He said typically the outdoor storage of recreational vehicles was part of an outdoor storage facility. He read from City Code § 11-13-12: “Outdoor storage’ is hereby defined as the commercial storage or keeping of building materials, equipment, fuels, vehicles, goods, commodities or raw materials outside of a building or structure. In addition to requirements found elsewhere in this code and laws of the state of Utah, all outdoor storage shall meet the following requirements: ...” He said the amendment stated outdoor storage was only an accessory use in the M-1 and C-2 zones.

Commissioner Parkinson asked if a retail store could have outdoor storage as an accessory use for business and asked if storage units were allowed. Mr. Brimley said yes, the retail store could have outdoor storage and no, storage facilities were removed from the ordinance several years ago. He asked if property that fronted a major corridor in the City would have a highest and best use as outdoor storage and what economic benefit was there for the City. Mr. Brimley said Syracuse City was considering the creation of park space under the power corridor and it could connect to Clearfield City. Commissioner Parkinson said it was his opinion that it was more appropriate as an accessory use rather than a primary use.

Chair Peterson asked if there were any concerns with the housekeeping items. The commissioners did not have any concerns. Commissioner Millard was concerned that people would not move to Clearfield if there wasn't a place to park their recreational vehicles with the small residential setbacks. He understood the problem with unsightly outdoor storage, but he was concerned that RV storage was being prohibited.

Commissioner Browning asked what problem was being fixed. Mr. Brimley said the concern was with economic space being utilized for outdoor storage when there might be a higher and better use for the property. He said the intent was to allow for outdoor storage to continue; however, a primary use on the property would be required

Chair Peterson said there were properties zoned M-1 along major corridors in the City and the current outdoor storage ordinance allowed outdoor storage to stand as a primary use. She asked if outdoor storage was acceptable as a primary business. Chair Peterson said it might be possible to define RV storage and break it out from other outdoor storage. She said outdoor storage needed to be an accessory use and not a stand-alone business. She reminded the commissioners that the zoning text amendment affected all properties zoned M-1 and C-2. Chair Peterson said additional changes might need to be made in the future to the ordinance.

Mr. Brimley said the M-1 zone was the only zone affected and outdoor storage was being added to the C-2 zone as a secondary use. He said it wasn't a reduction but an expansion of the use. He said it was easier and more predictable to apply the ordinance generally. Commissioner Murray asked to have the definition of outdoor storage read again. Mr. Brimley read the definition. Commissioner Murray said the definition referred to commercial and not individual

RV storage. She said it was not desirable to have areas where there was debris and her opinion was that an RV was not debris. She said it wasn't the same when speaking of commercial outdoor storage and RV storage. Commissioner Murray said every time outdoor storage was allowed to be the main business the City had been burned. She said outdoor storage had been discussed for several years.

Chair Peterson asked the commissioners for their opinion to the change in the ordinance for outdoor storage. Commissioners Jugler, Parkinson, Millard, Roper and Browning wanted more discussion on the topic. Commissioner Murray said it was fine the way it was written.

Mr. Brimley reminded the commissioners that the decision made at the meeting was a recommendation to the City Council and the decision was made by the Council. He asked what part of the proposal needed to be addressed. He wasn't clear about how it would negatively impact the City. Commissioner Browning said there were different forms of outdoor storage and the ordinance eliminated a class of use that was available before. Commissioner Roper said it was too restrictive. Commissioner Millard said his only concern was with RV storage. Commissioner Parkinson was concerned with junk and debris but not RV storage. Commissioner Jugler said it might be possible to consider allowing RV storage as a primary use but no other types of outdoor storage. He said there were potentially unintended consequences.

Mr. Brimley said there were changes to City Code, Title 11, Chapter 14 which made the requirements for parking lot landscaping consistent with the recent changes to the parking lot ordinance which allowed reduced stalls in certain circumstances. The change allowed the planters size to match that of the stall.

Mr. Brimley said the last amendment was to City Code § 11-13-23 which stated: "the bond or escrow account shall be posted or established prior to the issuance of a certificate of occupancy for the site" not the building permit.

RECOMMENDATION FOR ZTA 1511-0005: A REQUEST BY CLEARFIELD CITY STAFF FOR ZONING TEXT AMENDMENTS AND CORRECTIONS SPECIFIC TO THE PROPOSED CHANGES OF THE TITLE OF “DIRECTOR OF COMMUNITY DEVELOPMENT” TO “PLANNING AND ZONING ADMINISTRATOR” AND THE REMOVAL OF THE TERM “COMMUNITY DEVELOPMENT DEPARTMENT,” TO BE REPLACED WITH “CITY” OR “BUILDING OFFICIAL,” WITHIN TITLE 11 LAND USE, CHAPTERS 1, 2, 4, 5, 6, 11, 13, AND 14. ALSO IN ADDITION, TO THE MINOR CHANGES PROPOSED ABOVE, THIS ZONING TEXT AMENDMENT WILL CONSIDER THE REMOVAL OF THE CITY COUNCIL AS THE APPEAL AUTHORITY IN SPECIFIC INSTANCES, SUPPLEMENTAL REGULATIONS FOR OUTDOOR STORAGE AS WELL AS REGULATIONS FOR PARKING LOT LANDSCAPE TO BE CONSISTENT WITH RECENT CHANGES TO PARKING AREA AND PARKING LOT REQUIREMENTS. THESE CHANGES WOULD BE EFFECTIVE ACROSS ALL APPLICABLE PARCELS OF PROPERTY AND ZONES WITHIN CLEARFIELD CITY

Commissioner Browning moved to recommend approval of ZTA 1511-0005 to the City Council, Zoning Text Amendments and corrections within Title 11 Land Use Chapters 1, 2, 4, 5, 6, 11, 13 and 14 with the exception of removing outdoor storage as a primary use with a conditional use permit in the M-1 zone pending further clarification of outdoor storage businesses such as RV or other potential stand-alone businesses. Seconded by Commissioner Jugler. The motion carried on the following vote: Voting AYE: Commissioners Roper, Browning, Millard, Jugler and Parkinson. Voting NO: Commissioner Murray.

DISCUSSION ON FSP 1511-0004: A REQUEST BY CON WILCOX TO AMEND THE WILCOX FARMS SUBDIVISION PLAT, LOT 26, LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE PROPERTY IS APPROXIMATELY 3.61 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT

Spencer Brimley said the request for an amendment to the Wilcox Farms Subdivision plat created two lots for future development. One lot was proposed to have multi-family housing and the second lot would have an expansion of a daycare. He said there was a condition of approval to meet the requirements as outlined in a letter from North Davis Fire District in reference to the cul-de-sac which stated, “the diameter of the cul-de-sac must be 96 feet curb face to curb face.” Mr. Brimley said there was a discrepancy with Clearfield City Code and fire code. He said the applicant’s engineer was working with the City and North Davis Fire District to resolve the issue.

Mr. Brimley said lot 25 would be approximately 1.215 acres and lot 26 would be approximately 1.880 acres. He said lot 26 would be considered for a rezone from C-2 to R-3. A site plan would be required for both lots. He said staff recommended approval with the four conditions of approval as outlined.

Con Wilcox, property owner, said the subdivision amendment was the next step from the direction given in previous meetings. He said the daycare was preparing to submit for expansion. He said he looked forward to other businesses in the area.

Commissioner Parkinson asked about the cul-de-sac dimension. Mr. Brimley said the City had standards for development of cul-de-sacs but the 2012 International Fire Code has also been adopted which regulated the cul-de-sac dimension.

RECOMMENDATION OF FSP 1511-0004: A REQUEST BY CON WILCOX TO AMEND THE WILCOX FARMS SUBDIVISION PLAT, LOT 26, LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014). THE PROPERTY IS APPROXIMATELY 3.61 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT

Commissioner Jugler moved to recommend approval as conditioned FSP 1511-0004 to the City Council, a request by Con Wilcox to amend the Wilcox Farms Subdivision Plat, Lot 26, located at 850 West 1600 South, based on findings and discussion in the staff report with the following conditions:

- 1) **The final engineering design (Improvement Plans) are set forth in a letter dated November 13, 2015, and shall be met to the satisfaction of the City Engineer.**
- 2) **North Davis fire District approval required as set forth in the letter dated November 17, 2015.**
- 3) **Pursuant to the Subdivision Ordinance § 12-4-5(D), an estimate of public improvements (as outlined in § 12-4-6 of the Clearfield City Code), 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 obtaining any permits being issued for the properties (as outlined in § 12-8-4 of the Clearfield City Code).**
- 4) **The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.**

Seconded by Commissioner Roper. The motion carried on the following vote: Voting AYE: Commissioners Murray, Roper, Browning, Millard, Jugler and Parkinson. Voting NO: None.

STAFF REPORTS

Spencer Brimley said at the January meeting a new Chair and Vice Chair would be elected and he outlined the regulations for the election. He said farewell to Chair Peterson and thanked her for her service on the Planning Commission. He said City Council appointed Brady Jugler as a regular member of the Planning Commission. Mr. Brimley introduced the intern, Payden McRoberts. He said he was skilled in GIS and was working on sign inventory.

PLANNING COMMISSIONERS' MINUTE

Commissioner Jugler – thanked City Council for his appointment as a regular member. He wished everyone a Merry Christmas and a fun and safe holiday. He thanked Chair Peterson and Councilmember LeBaron.

Commissioner Parkinson – Merry Christmas.

Commissioner Millard – Merry Christmas and thanked Chair Peterson for her service.

Commissioner Roper – thanked Chair Peterson for her time on the Commission. He wished Councilmember LeBaron good luck. And he wished all a Merry Christmas.

Commissioner Murray – gave a treat to Chair Peterson and said she would be missed. She gave Councilmember LeBaron a bottle of water because he didn't eat treats. She wished all the commissioners Merry Christmas.

Commissioner Browning – said Happy Holidays and Merry Christmas.

Councilmember LeBaron – said the four years went by fast. He said the Planning Commission was a great organization. He said he was fortunate to have served six years on the City Council. He was happy for the new elected officials.

Stuart Williams – said he was happy to be in attendance.

Chair Peterson – welcomed Commissioner Jugler as member and Payden McRoberts as the intern. She said it had been a good six years for her service on the Planning Commission after working with Vision 2020. She said she could now speak the language. She thanked each commissioner for his/her contributions to the City.

There being no further business to come before the Planning Commission, **Commissioner Murray moved to adjourn at 8:18 p.m. Seconded by Commissioner Millard.**