

CLEARFIELD PLANNING COMMISSION MEETING

January 4, 2017

7:00 P.M. - Regular Session

PRESIDING: Kathryn Murray Vice-Chair

PRESENT: Ron Jones Commissioner
Robert Browning Commissioner
Michael Millard Commissioner
Brady Jugler Commissioner
Michael Britton Commissioner
Steve Parkinson Alternate Commissioner
Chris Uccardi Alternate Commissioner
Mallory Baudry Alternate Commissioner

ABSENT: Tim Roper Council Liaison

STAFF PRESENT: Stuart Williams City Attorney
JJ Allen Assistant City Manager
Spencer Brimley Development Services Manager
Christine Horrocks Building Permits Specialist

VISITORS: Sonja Green, Ron Green, Nefi Garcia, Scott Carter, Vicki Carter, Taylor Klobberdauz, Steve Scoville, Payden McRoberts

The Pledge of Allegiance was led by Vice Chair Murray.

APPROVAL OF MINUTES FROM DECEMBER 7, 2016 PLANNING COMMISSION MEETING

Commissioner Jones moved to approve the minutes of the December 7, 2016 meeting as written. Seconded by Commissioner Millard. The motion carried on the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Jugler, Uccardi and Baudry. Voting NO: None.

ELECTION OF PLANNING COMMISSION CHAIR AND VICE CHAIR

Commissioner Millard nominated Commissioner Murray for Chair. Seconded by Commissioner Jones. Commissioner Murray nominated Commissioner Jugler for Chair. Seconded by Commissioner Baudry. Commissioner Parkinson moved to close the nominations. Seconded by Commissioner Jones.

Commissioner Jugler was elected Chair on the following vote: Voting for Commissioner Jugler: Commissioners Jones, Jugler, Baudry and Murray. Voting for Commissioner Murray: Commissioners Millard, Parkinson and Uccardi.

Commissioner Parkinson nominated Commissioner Murray for Vice Chair. Seconded by Commissioner Millard. There were no further nominations. **Commissioner Parkinson moved to close the nominations. Seconded by Commissioner Jones.**

Commissioner Murray was elected Vice Chair upon the following vote: Voting for Commissioner Murray: Commissioners Jones, Millard, Parkinson, Jugler, Uccardi, and Baudry.

Commissioner Roper took his place as the newly elected Chair.

APPROVAL OF THE 2017 PLANNING COMMISSION MEETING SCHEDULE

Commissioner Parkinson moved to approve the 2017 Planning Commission meeting schedule as presented. Seconded by Commission Uccardi. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

PUBLIC HEARING ON CUP 1610-0001, A REQUEST BY JEREMY WITTE, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE REPAIR SHOP LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS APPROXIMATELY 0.44 ACRES IN SIZE AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

The public hearing was continued from the December 7, 2016 meeting.

Chair Jugler asked for public comment.

There was no public comment.

Commissioner Murray moved to close the public hearing at 7:09 p.m. Seconded by Commissioner Jones. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

PUBLIC HEARING ON CUP 1611-0002, A REQUEST BY NEFI GARCIA ON BEHALF OF VERIZON WIRELESS, FOR A CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATIONS TOWER CONSISTING OF AN ANTENNA MOUNTED TO A MONOPOLE WITH AN EQUIPMENT SHED AND GENERATOR PROPOSED TO BE LOCATED ON SITE. THE ZONING ON THE PROPERTY IS A-1 (AGRICULTURAL) AND LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 WEST (TIN: 12-026-0011). THE PROPERTY IS APPROXIMATELY 0.57 ACRES IN SIZE.

Chair Jugler declared the public hearing open at 7:10 p.m.

There was no public comment.

Commissioner Uccardi moved to close the public hearing at 7:11 p.m. Seconded by Commissioner Murray. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

PUBLIC HEARING ON CUP 1611-0003, A REQUEST BY RALPH GREEN ON BEHALF OF GREEN'S OFF ROAD, FOR A CONDITIONAL USE PERMIT TO OBTAIN A HOME OCCUPATION BUSINESS LICENSE, WITHIN A HOME GARAGE. THE PROPERTY IS LOCATED AT 674 EAST 300 SOUTH (TIN: 12-013-0009). THE PARCEL IS APPROXIMATELY 0.17 ACRES IN SIZE AND IS LOCATED IN AN R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

Chair Jugler declared the public hearing open at 7:12 p.m.

PUBLIC COMMENT:

Spencer Brimley read a letter from Lois Kennedy which stated that building off road vehicles belonged in an industrial area and she didn't want industrial work in her residential zone.

Commissioner Jones moved to close the public hearing at 7:14 p.m. Seconded by Commissioner Murray. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON CUP 1610-0001, A REQUEST BY JEREMY WITTE, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE REPAIR SHOP, LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS APPROXIMATELY 0.44 ACRES IN SIZE AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley, Development Services Manager, said the Conditional Use Permit (CUP) was for an automobile repair shop. He said Mr. Witte was developing two parcels and the site plans would be discussed individually. Mr. Brimley said the purpose of the CUP was to mitigate potential impacts. An oil/water separator was required to ensure safety of the City's infrastructure. He said outdoor storage had been an issue for prior automobile repair businesses but the applicant did not request any outdoor storage. Mr. Brimley said there was a fenced area to be used for the queuing of vehicles and could also be used for storage of vehicles awaiting repair. The fencing provided screening for vehicles left on site overnight. Mr. Brimley said there was a shared parking agreement which allowed parking in parking stalls west of the property. The conditions of approval were reviewed and staff recommended approval of the CUP as conditioned.

Commissioner Murray asked Mr. Witte about the fencing and the dumpsters on the property. Mr. Witte said the site would be enclosed with vinyl fencing. He said there would be a dumpster for use with the automotive repair business but there was a dump trailer for the other business. Commissioner Murray asked about the exterior materials of the building. Mr. Witte said there would be a three foot rock wainscoting with hardie board.

APPROVAL OF CUP 1610-0001, A REQUEST BY JEREMY WITTE, FOR A CONDITIONAL USE PERMIT FOR AN AUTOMOTIVE REPAIR SHOP LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS APPROXIMATELY 0.44 ACRES IN SIZE AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Parkinson moved to approve CUP 1610-0001, a request by Jeremy Witte, for a Conditional Use permit for an automotive repair shop located at approximately 405 North 1000 West (TIN: 14-248-0001), based on the discussion and findings in the Staff Report with the following conditions:

- 1) **This Conditional Use Permit is granted to Cutting Edge Automotive Repair, and is for an automobile repair business located at 405 North 1000 West.**
- 2) **An approved oil/water separator must be installed and maintained by the applicant. The oil/water separator must be reviewed and approved by Public Works prior to any onsite automobile repairs.**
- 3) **Absolutely no automotive repair services shall be conducted outside of the building's service bays.**
- 4) **Except for vehicles awaiting repair there shall be no vehicles stored outside overnight. Keeping of inoperable vehicles overnight inside the building is acceptable.**
 - a. **A vehicle kept on site for repair shall not be allowed to remain, for a period exceeding ten (10) days.**
- 5) **Location of outdoor storage of vehicle parts, wheels, or other items must be reviewed and approved by the Planning Commission.**
- 6) **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.**
- 7) **No motor vehicle sales are permitted with this approval. No advertisement for motor vehicle sales will be permitted on the property.**
- 8) **Keeping of hazardous liquids and rags used to clean up spills shall be kept in accordance with North Davis Fire District's standards. Storage of any chemicals shall be inspected and approved by North Davis Fire District.**

Seconded by Commissioner Jones. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON SP 1610-0001, A REQUEST BY JEREMY WITTE, FOR A SITE PLAN APPROVAL FOR AN AUTOMOTIVE REPAIR SHOP LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS APPROXIMATELY 0.44 ACRES IN SIZE AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley said the site plan approval was also required for the automotive repair business. He said as discussed the exterior would have rock wainscoting and hardie board. Staff requested an ADA parking space be added along with the parking that was shared with the shopping center. He said the applicant's proposal exceeded the 10 percent landscaping requirement with 16

percent. The fencing would be included around the southern boundary of the site for separation from the business to the south. Mr. Brimley said staff recommended approval and reviewed the conditions of approval. Commissioner Parkinson asked what the color of the fence would be. Mr. Witte said the vinyl fence would be white.

APPROVAL OF SP 1610-0001, A REQUEST BY JEREMY WITTE, SITE PLAN FOR AN AUTOMOTIVE REPAIR SHOP LOCATED AT APPROXIMATELY 405 NORTH 1000 WEST (TIN: 14-248-0001). THE PROPERTY IS APPROXIMATELY 0.44 ACRES IN SIZE AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Jones moved to approve SP 1610-0001, a request by Jeremy Witte, Site Plan for an automotive repair shop located at approximately 405 North 1000 West (TIN: 14-248-0001), based on the discussion and findings in the Staff Report with the following conditions:

- 1) **The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1610-0001; however, they will also include and address the following:**
 - a. **The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.**
 - b. **The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.**
 - c. **The final building plans shall meet the minimum standards for building materials as established in the C-2 Zone. The final building plans should be in conformance with Title 11, Chapter 18 - Design Guidelines of the Clearfield City Code. The building shall include three (3) foot wainscot around its base.**
 - d. **The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9 x 20. Any cross access or shared parking agreement for the use shall to be submitted and approved prior to final approval.**
 - e. **Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and signage shall be provided and incorporated on the site.**
 - f. **New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.**
 - g. **A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.**
- 2) **Proposed signage must meet City Code, Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.**
- 3) **The exterior of the building must meet minimum requirements for the C-2 (Commercial) zone (11-11B) as well as Chapter 18 Design Standards (11-18) of the Clearfield City Code. This includes but is not limited to the exterior material and colors for the building.**

- 4) **A garbage dumpster shall be provided and screened from public view. Use of a shared dumpster, on the property directly south is supported by staff.**
- 5) **Site Plan approval is subject to North Davis Fire District review and approval.**
- 6) **Site Plan approval is subject to Engineer review and approval.**
- 7) **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 Uccardi. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON SP 1609-0007, A REQUEST BY JEREMY WITTE, FOR SITE PLAN APPROVAL FOR A RETAIL BUILDING FOR DECKING SALES LOCATED AT APPROXIMATELY 385 NORTH 1000 WEST (TIN: 14-248-0002). THE PROPERTY IS APPROXIMATELY 0.43 ACRES IN SIZE AND IS LOCATED IN A C-2 ZONING DISTRICT.

Spencer Brimley said the request was for a retail sales office for Utah Deck King. The building was similar to the building to the north and landscaping exceeded the required 10 percent. A dumpster was not included on the site but a dump trailer would be used and garbage would be removed on a regular basis. Mr. Brimley said vinyl fencing was provided for security. There would be an accessible ADA parking stall with additional shared parking. He said staff recommended approval of the site plan as conditioned.

APPROVAL OF SP 1609-0007, A REQUEST BY JEREMY WITTE, SITE PLAN FOR A RETAIL BUILDING FOR DECKING SALES LOCATED AT APPROXIMATELY 385 NORTH 1000 WEST (TIN: 14-248-0002). THE PROPERTY IS APPROXIMATELY 0.43 ACRES IN SIZE AND IS LOCATED IN A C-2 ZONING DISTRICT.

Commissioner Murray moved to approve as conditioned SP 1609-007, a request by Jeremy Witte, Site Plan for a retail building for decking sales located at approximately 385 North 1000 West (TIN: 14-248-0002), based on discussion and findings in the staff report with the following conditions:

- 1) **The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1609-0007; however, they will also include and address the following:**
 - a. **The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.**
 - b. **The final building plans submitted shall meet building safety standards and be to the satisfaction of the City Building Official.**
 - c. **The final building plans shall meet the minimum standards for building materials as established in the C-2 Zone. The final building plans should be in substantial conformance with Title 11, Chapter 18 Design Guidelines of the Clearfield City Code.**

- d. **The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9x20. Any cross access or shared parking agreement for the use shall to be submitted and approved prior to final approval.**
 - e. **Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and signage shall be provided and incorporated on the site.**
 - f. **New lighting for the site, either parking lot or exterior to the building shall be shown on the construction documents and meet City Code.**
 - g. **A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23.**
- 2) **Proposed signage must meet City Code Title 11, Chapter 15 standards. Signs are not included as part of this Site Plan approval. Separate review and approval will be required.**
 - 3) **The exterior of the building must meet minimums of the C-2 Commercial zone and Chapter 18 Design Guidelines of the City Code. This includes but is not limited to changing the exterior material from steel to those listed as permitted in the C-2 zone. The façade articulation on the east facing wall must meet Title 11, Chapter 18 Design Guidelines of the Clearfield City Code and be provided to break up long blank walls.**
 - 4) **A garbage dumpster shall be provided and screened for the site**
 - 5) **Site Plan approval is subject to North Davis Fire District review and approval.**
 - 6) **Site Plan approval is subject to Engineer review and approval.**
 - 7) **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 Millard. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON CUP 1611-0002, A REQUEST BY NEFI GARCIA ON BEHALF OF VERIZON WIRELESS, FOR A CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATIONS TOWER CONSISTING OF AN ANTENNA MOUNTED TO A MONOPOLE WITH AN EQUIPMENT SHED AND GENERATOR PROPOSED TO BE LOCATED ON SITE. THE ZONING ON THE PROPERTY IS A-1 (AGRICULTURAL) AND LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 WEST (TIN: 12-026-0011). THE PROPERTY IS APPROXIMATELY 0.57 ACRES IN SIZE.

Spencer Brimley said the request was for a wireless communications tower for Verizon in an A-1 (Agricultural) zone. The Future Land Use map of the General Plan showed the area as industrial. He said the tower was 76 feet high with the closest residential structure over 90 feet away. He said existing towers in the area were at capacity and there was a need for additional towers in the area. Trees and shrubs existed on the site and the facility would be screened with a fence. Mr. Brimley reviewed the conditions of approval. Staff recommended approval as conditioned.

Commissioner Murray referred to condition of approval number two and said normally chain link fence was not allowed but wireless communications towers were excluded. The fence slats would require barbed wire on top of fence for security. Mr. Brimley read from City Code § 11-13-9 j, He said because of the location on the property the trees and vegetation would screen the base area. Verizon Wireless requested the fence not be a solid fence for security purposes. Mr. Brimley said the chain link fence would be adequate to meet the needs of the identified location.

Nefi Garcia said additional landscaping would not be provided at this time. He said the request was for chain link and barbed wire would be placed on top.

APPROVAL OF CUP 1611-0002, A REQUEST BY NEFI GARCIA ON BEHALF OF VERIZON WIRELESS, A CONDITIONAL USE PERMIT FOR A WIRELESS COMMUNICATIONS TOWER CONSISTING OF AN ANTENNA MOUNTED TO A MONOPOLE WITH AN EQUIPMENT SHED AND GENERATOR PROPOSED TO BE LOCATED ON SITE. THE ZONING ON THE PROPERTY IS A-1 (AGRICULTURAL) AND LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 WEST (TIN: 12-026-0011). THE PROPERTY IS APPROXIMATELY 0.57 ACRES IN SIZE

Commissioner Parkinson moved to approve as conditioned CUP 1611-0002, a request by Nefi Garcia on behalf of Verizon Wireless, a Conditional Use Permit for a wireless communications tower consisting of an antenna mounted to a monopole with an equipment shed and generator, located at approximately 700 South and 1000 West (TIN: 12-026-0011), based on the findings and discussion in the Staff Report with the following conditions:

- 1) **This Conditional Use Permit is for a monopole wireless communication tower and a ground lease area of 880 square feet located at 1000 West 700 South. Submitted Construction Documents shall be in conformance with the plans submitted for CUP-SP 1611-0002.**
- 2) **Screening should be provided for the entire perimeter of ground lease equipment, including equipment and area that is currently on the site. Screening may be in the form of increased landscaping and vegetation, fence slats, or another screening fencing material.**
- 3) **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 Murray. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON SP 1611-0002, A REQUEST BY NEFI GARCIA ON BEHALF OF VERIZON WIRELESS, SITE PLAN FOR A WIRELESS COMMUNICATIONS TOWER CONSISTING OF AN ANTENNA MOUNTED TO A MONOPOLE WITH AN EQUIPMENT SHED AND GENERATOR PROPOSED TO BE LOCATED ON SITE. THE ZONING ON THE PROPERTY IS A-1 (AGRICULTURAL) AND LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 WEST (TIN: 12-026-0011). THE PROPERTY IS APPROXIMATELY 0.57 ACRES IN SIZE.

Spencer Brimley said the site plan was for the shed and generator area at the base of the tower. The biggest issue was fencing and there was no need for additional landscaping due to existing vegetation on the site.

APPROVAL OF SP 1611-0002, A REQUEST BY NEFI GARCIA ON BEHALF OF VERIZON WIRELESS, SITE PLAN FOR A WIRELESS COMMUNICATIONS TOWER CONSISTING OF AN ANTENNA MOUNTED TO A MONOPOLE WITH AN EQUIPMENT SHED AND GENERATOR PROPOSED TO BE LOCATED ON SITE. THE ZONING ON THE PROPERTY IS A-1 (AGRICULTURAL) AND LOCATED AT APPROXIMATELY 700 SOUTH AND 1000 WEST (TIN: 12-026-0011). THE PROPERTY IS APPROXIMATELY 0.57 ACRES IN SIZE.

Commissioner Parkinson moved to approve as conditioned SP 1611-0002, a request by Nefi Garcia on behalf of Verizon Wireless, Site Plan approval for a wireless communications tower consisting of an antenna mounted to a monopole with an equipment shed and generator located at approximately 700 South and 1000 West (TIN: 12-026-0011), based on the findings and discussion in the Staff Report with the following conditions:

- 1) **The approval of Site Plan 1611-0002 is subject to approval of a Conditional Use Permit 1611-0002 for a wireless communications facility at approximately 700 S and 1000 W (TIN: 12-026-0011).**
- 2) **Fencing shall be provided for the entire perimeter of the ground lease equipment, and on the site. Fencing around the facility shall consist of similar colors and materials so as to blend with the other buildings located on the site.**
- 3) **Architectural design and building materials must be in compliance with City Land Use Ordinances, design guidelines and must be compatible with surrounding structures in the area.**
- 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 Uccardi. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON CUP 1611-0003, A REQUEST BY RALPH GREEN ON BEHALF OF GREEN'S OFF ROAD, FOR A CONDITIONAL USE PERMIT TO OBTAIN A HOME OCCUPATION BUSINESS LICENSE, WITHIN A HOME GARAGE. THE PROPERTY IS LOCATED AT 674 EAST 300 SOUTH (TIN: 12-013-0009). THE PARCEL IS APPROXIMATELY 0.17 ACRES IN SIZE AND IS LOCATED IN AN R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

Spencer Brimley said a neighbor had concerns that the business was an industrial use in a residential area, however, Mr. Green was not fabricating off road vehicles but was constructing roll cages for a side by side or an ATV. He said the operation was contained within the garage and additional approval would be required if additional area was used. Mr. Brimley reviewed the conditions of approval and stated staff recommended approval as conditioned.

Commissioner Murray asked the applicant, Ronald Green, what was involved in making the roll cages. Mr. Green said he purchased tubing and then the tube was bent and welded. He said powder coating was done in Ogden. Commissioner Murray said she saw a tarp and no garage door when she visited the site earlier. Mr. Green said there was a working garage door which was down most of the time and the tarp was only temporary. Commissioner Baudry asked how many vehicles were parked outside because the garage was being used for the business. Mr. Green said he owned three vehicles that were parked outside.

APPROVAL OF CUP 1611-0003, A REQUEST BY RALPH GREEN ON BEHALF OF GREEN'S OFF ROAD, FOR A CONDITIONAL USE PERMIT TO OBTAIN A HOME OCCUPATION BUSINESS LICENSE, WITHIN A HOME GARAGE. THE PROPERTY IS LOCATED AT 674 EAST 300 SOUTH (TIN: 12-013-0009). THE PARCEL IS APPROXIMATELY 0.17 ACRES IN SIZE AND IS LOCATED IN AN R-1-8 (SINGLE FAMILY RESIDENTIAL) ZONING DISTRICT.

Commissioner Uccardi moved to approve as conditioned, CUP 1611-0003, a request by Ronald Green on behalf of Green's Off Road, for a Conditional Use Permit to obtain a Home Occupation Business License, within a home garage. The property is located at 674 East and 300 South (TIN: 12-013-0009), based on the findings and discussion in the Staff Report with the following conditions:

- 1) **This Conditional Use Permit is for a home occupation for Green's Off Road to use the home's attached garage located at 674 East 300 South (TIN:12-013-0009).**
- 2) **No more than one nonresident may be employed on the premises, at any time.**
- 3) **The home occupation shall not physically change the dwelling to the extent that it would alter the residential character of the neighborhood in which it is located.**
- 4) **Use shall not unreasonably disturb the peace and quiet of the neighborhood by reason of signage, color, design, materials, construction, lighting, sound, noises or vibrations.**
- 5) **The home occupation shall be conducted wholly within the primary structure on the premises as a permitted use and shall not exceed twenty-five percent (25%) of the total finished floor area of the primary structure.**

- 6) **Inventory and supplies for the home occupation shall not occupy more than fifty percent (50%) of the usable area.**
- 7) **There shall be no external display of goods, wares or merchandise upon the premises.**
- 8) **No sign or advertising shall be displayed on the premises other than signs permitted in residential zones in accordance with Clearfield City Code § 11-15.**
- 9) **The home occupation shall not generate vehicular traffic significantly in excess of that which is normally generated by a residential use. The home occupation shall not generate frequent deliveries by large vehicles.**
- 10) **All vehicles of customers or residents must be parked in authorized portions of the lot upon which the home occupation is located.**
- 11) **There shall be complete conformity with the currently adopted building code, fire code, plumbing code, mechanical code, national electrical code and Davis County and state health codes, and to all state and city ordinances.**
- 12) **The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare or other hazards to safety and health, which are emitted and may be discernable beyond the premises. The home occupation shall not create a hazard by using or storing flammable, explosive or other dangerous materials in quantities that exceed those which may normally be found in a residence, or by keeping, raising or storing animals which are capable of inflicting harm or discomfort, or endangering the health and safety of any person or property.**
- 13) **The home occupation shall not create a demand for municipal or utility service or community facilities in excess of those usually and customarily provided for residential use.**
- 14) **The home occupation shall not involve the installation on the exterior of the dwelling of special equipment and/or fixtures or plumbing or electrical wiring for such special fixtures or equipment which are not ordinarily or customarily used in a dwelling.**
- 15) **The business shall operate only between the hours of 8:00 AM and 8:00 PM.**
- 16) **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 Jones. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON FSP 1611-0004, A REQUEST BY SCOTT CARTER, FOR AN AMENDMENT TO THE LEGEND HILLS SUBDIVISION PHASE 3 AMENDED, LOT 306 (SECURITY TITLE OFFICE BUILDING), FOR AN ADJUSTMENT TO THE NORTHWEST PROPERTY LINE LOCATED AT 1795 EAST 1450 SOUTH (TIN: 09-377-0306). THE PROPERTY IS APPROXIMATELY 0.56 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley said the request was to amend the Legend Hills Subdivision Phase 3 Amended Plat and required recommendation from the Planning Commission to the City Council to finalize

the amendment to an existing subdivision. He reviewed the conditions of approval.

RECOMMENDATION ON FSP 1611-0004, A REQUEST BY SCOTT CARTER, FOR AN AMENDMENT TO THE LEGEND HILLS SUBDIVISION PHASE 3 AMENDED, LOT 306 (SECURITY TITLE OFFICE BUILDING), FOR AN ADJUSTMENT TO THE NORTHWEST PROPERTY LINE LOCATED AT 1795 EAST 1450 SOUTH (TIN: 09-377-0306). THE PROPERTY IS APPROXIMATELY 0.56 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Murray moved to recommend, to the City Council approval, as conditioned, FSP 1611-0004, a request by Scott Carter, to amend the Legend Hills Subdivision Phase 3 Amended, Lot 306 (Security Title Office Building), and create a 0.526 acre parcel of land, based on findings and discussion in the staff report with the following conditions:

- 1) **The applicant shall correct the Plat to include all red-lines from Planning, Engineering, and Public Works Departments, including but not limited to necessary easements and other call-outs as required.**
- 2) **Applicant will be required to develop the site in compliance with Clearfield City Code and the land use approval provided to the applicant for SP 1611-0004.**
- 3) **The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to curb and gutter, sidewalk, landscaping park strip improvements, driveways, etc.**
- 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 Millard. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ON SP 1611-0004 A REQUEST BY SCOTT CARTER ON BEHALF OF SECURITY TITLE, FOR A SITE PLAN APPROVAL OF A COMMERCIAL OFFICE BUILDING LOCATED AT 1795 EAST 1450 SOUTH (TIN: 09-377-0306). THE PROPERTY IS APPROXIMATELY 0.526 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Spencer Brimley reviewed the site layout and said the building was on the west with the parking on the east of the property. The exterior materials of the building would be stucco and glass. He said access was sufficient with adequate parking. The intent was for Security Title to occupy a portion of the building and the remainder would be occupied by another tenant. Mr. Brimley said 30 percent landscaping exceeded the required 10 percent. Staff recommended approval with conditions as listed.

Commissioner Parkinson asked if the storage shed would be of similar material as the main building. Mr. Brimley said it would.

Scott Carter said the building would be moved three feet because of the location of a light pole.

APPROVAL OF SP 1611-0004 A REQUEST BY SCOTT CARTER ON BEHALF OF SECURITY TITLE, SITE PLAN FOR A COMMERCIAL OFFICE BUILDING, LOCATED AT 1795 EAST 1450 SOUTH (TIN: 09-377-0306). THE PROPERTY IS APPROXIMATELY 0.526 ACRES AND IS LOCATED IN A C-2 (COMMERCIAL) ZONING DISTRICT.

Commissioner Jones moved to approve as conditioned SP 1611-0004 a request by Scott Carter on behalf of Security Title, Site Plan for a commercial office building located at 1795 East 1450 South (TIN: 09-377-0306), based on findings and discussion in the staff report with the following conditions:

- 1) **The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted in this Site Plan approval, SP 1611-0004; however, they will also include and address the following:**
 - a. **The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.**
 - b. **The final building plans submitted shall meet building standards and be to the satisfaction of the City Building Official.**
 - c. **The final building plans shall meet the minimum standards for building materials as established in the C-2 Zone. The final building plans shall meet all requirements for design standards and guidelines in conformance with Title 11, Chapter 18 Design Standards of the Clearfield City Code.**
 - d. **The appropriate number of parking stalls shall be delineated and designed for the site and shown on submitted construction drawings. An adequate number of stalls must meet ADA standards. Parking Stalls must be 9x20 (180 SF). The back-up area on the north side of the parking lot must be deeper to accommodate vehicles turning around.**
 - e. **Site circulation must be designed in such a manner that on site traffic flow is not impeded. Adequate paved markings and/or signage shall be provided and incorporated on the site.**
 - f. **New lighting for the site, either parking lot or exterior to the building, shall be shown on the construction documents and shall meet City Code.**
 - g. **A minimum of 10 percent landscaping shall be provided and meet the minimum standards set forth in City Code § 11-13-23 as well as those outlined § 11-18-4(D).**
 - i. **Applicant will be required to install landscape per approved plan or post bond for future improvements to be installed before certificate of occupancy can be issued.**
- 2) **The garbage dumpster must be screened from any residential area or public right of way. Colors and material shall match that of the main building.**
- 3) **Site Plan review fee along with final plans and application must be provided to North Davis Fire District for review and approval.**
- 4) **Signs are not included as part of this Site Plan approval. Separate review and approval will be required 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 Millard. The motion carried upon the following vote: Voting AYE: Commissioners Jones, Millard, Parkinson, Murray, Uccardi, Baudry. Voting NO: None.

DISCUSSION ITEMS

Spencer Brimley said the Clearfield Station project was progressing and the City was working with Davis County and UTA (Utah Transit Authority) to bring a large user to the site for light manufacturing. He said the plan that had been adopted would most likely be changed with new planning and development for the site.

TRAINING

The training video was not available and would be shown at a future meeting.

STAFF REPORTS

Spencer Brimley said ordinance changes would be discussed by the Planning Commission during the current year. He said work was being done on the final documents for the form based code funding from Wasatch Front Regional Council that was due later in the month.

PLANNING COMMISSIONERS' MINUTE

Commissioner Jones – nothing

Commissioner Millard – said he expected Chair Jugler to come through with refreshments.

Commissioner Parkinson – nothing

Commissioner Murray – thanked the commissioners for their vote of confidence in the nomination of her for Chair, but she was glad to be Vice Chair.

Commissioner Uccardi – congratulated Chair Jugler.

Commissioner Baudry – congratulated Chair Jugler and wished all a Happy New Year.

Chair Jugler – appreciated the vote of the commission. Let's make 2017 all it should be.

There being no further business to come before the Planning Commission, **Commissioner Uccardi moved to adjourn at 8:10 P.M. Seconded by Commissioner Murray.**