

CLEARFIELD PLANNING COMMISSION MEETING

May 8, 2019

6:30 P.M. – Work Session

- 5 PRESIDING: Brady Jugler Chair
- 7 PRESENT: Kathryn Murray Commissioner
- 8 Robert Browning Commissioner
- 9 Ruth Jones Commissioner
- 10 Nicole Bigelow Commissioner
- 11 Brett McAllister Commissioner
- 12 Chris Uccardi Commissioner
- 13 David Bloomfield Alternate Commissioner
- 14 Eden Bush Youth Ambassador
- 16 ABSENT: Jacoby Marsten Alternate Commissioner
- 18 STAFF PRESENT: Brie Brass Assistant City Attorney
- 19 Brad McIlrath Senior Planner
- 20 Nick Porter Management Intern
- 21 Brooke Limoges Customer Service Rep

VISITORS:

Chair Jugler called the meeting to order at 6:30 p.m.

DISCUSSION OF ZTA 1903-0017, A ZONING TEXT AMENDMENT BY CLEARFIELD CITY TO AMEND CITY CODE § 11-15-8F, THE BILLBOARD REGULATIONS OF THE SIGN ORDINANCE. THE PURPOSE OF THE AMENDMENTS WAS TO PROVIDE ADDITIONAL BUFFERING, LOCATION AND DESIGN STANDARDS FOR EXISTING AND RELOCATED BILLBOARDS WITHIN THE CITY

- Resident wanted a 1000-foot barrier between billboard and a residential zone.
- Staff was recommending an amendment to the land use ordinance to help relocate billboards to the Interstate, provide a buffer to the residential zones, prohibit digital billboards and to decide how billboards should be lit.
- Upward lighting could cause light pollution, which blocks the natural environment.
- Push for cities to direct light downward to preserve the dark sky.
- Downward lighting would create a risk for disturbing neighborhoods.
- No requirements from the State on how the billboards were lit.
- Relocation of billboards would be impossible if a 1000-foot barrier was enforced.
- The billboard being located near 200 South would be within 200 feet of a residential area and would be legal, non-conforming, due to being adopted under the old statute.

- 1 • Code currently did not allow new billboards in the City, only relocation of existing
- 2 billboards.
- 3 • State Code was more flexible on billboard standards; the City could be more restrictive.
- 4 • There were three possible spots that billboards could be relocated along the freeway
- 5 corridor.
- 6 • State Code addressed the issue of natural disasters which allowed destroyed billboards to
- 7 be reconstructed in the same location.
- 8 • Any light that obstructed a driver's views should be required to be adjusted.
- 9

10 DISCUSSION OF RZN 1903-0018, A ZONING MAP AMENDMENT REQUEST BY KYLE
 11 WEAVER TO REZONE THE PROPERTY LOCATED AT 90 WEST 200 SOUTH. (TIN: 12-
 12 020-0062)FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-1-6 (SINGLE FAMILY
 13 RESIDENTIAL)

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- 15 • The previous request to rezone the property to R-3 had been denied.
- 16 • Changes to the General Plan and the City Code allowed a rezone to R-1-6.
- 17 • Lots would be 6000 square feet.
- 18 • Concern that homes would be smaller and classified as moderate income. Lot size was
- 19 smaller, not necessarily the home.
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21 DISCUSSION OF SP 1903-0016, AN AMENDED SITE PLAN REQUEST BY HAVID
 22 JANVERSAN TO ADD A DRIVE-THRU LANE AND ASSOCIATED SITE PLAN CHANGES
 23 FOR THE PROPOSED CLEARFIELD PLAZA COMMERCIAL/RETAIL CENTER
 24 LOCATED AT 150 EAST 1700 SOUTH (TIN: 12-077-0018)

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- 26 • One more tree was needed to meet the landscaping standard.
- 27 • Parking lots would be connected for greater access for customers.
- 28 • The ordinance encouraged but did not require the parking lots to be connected.
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30 Chair Jugler moved to adjourn at 6:57 P.M.

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CLEARFIELD PLANNING COMMISSION MEETING

May 8, 2019

7:00 P.M. - Regular Session

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- 5 **PRESIDING:** Brady Jugler Chair
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- 7 **PRESENT:** Kathryn Murray Commissioner
- 8 Robert Browning Commissioner
- 9 Ruth Jones Commissioner
- 10 Nicole Bigelow Commissioner
- 11 Brett McAllister Commissioner
- 12 Chris Uccardi Commissioner
- 13 David Bloomfield Alternate Commissioner
- 14 Eden Bush Youth Ambassador
- 15
- 16 **ABSENT:** Jacoby Marston Alternate Commissioner
- 17
- 18 **STAFF PRESENT:** Brie Brass Assistant City Attorney
- 19 Brad McIlrath Senior Planner
- 20 Nick Porter Management Intern
- 21 Brooke Limoges Customer Service Rep
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23 **VISITORS:** Kirt Nalder, Kyle Weaver, Koral Vasquez, Hamid Janversan

24 The Pledge of Allegiance was led by Chair Jugler

25 APPROVAL OF PLANNING COMMISSION MEETING MINUTES

26 No minutes were presented for consideration.

27 Chair Jugler read the Planning Commission Chair statement.

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31 PUBLIC HEARING, DISCUSSION AND APPROVAL OF ZTA 1903-0017, A ZONING TEXT
32 AMENDMENT BY CLEARFIELD CITY TO AMEND CITY CODE § 11-15-8F, THE
33 BILLBOARD REGULATIONS OF THE SIGN ORDINANCE. THE PURPOSE OF THE
34 AMENDMENTS WAS TO PROVIDE ADDITIONAL BUFFERING, LOCATION AND
35 DESIGN STANDARDS FOR EXISTING AND RELOCATED BILLBOARDS WITHIN THE
36 CITY.
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39 The public hearing was declared open at 7:04 p.m.

40 Nick Porter, Management Intern, presented the following facts:

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- 43 • A billboard was recently relocated next to a residential neighborhood on 200 South.
- 44 • It was allowed because of existing standards that required it in a commercial area and the
- 45 storage units were commercially zoned.

- 1 • Staff worked with nonprofit Scenic Utah and residents to improve standards.
- 2 • Staff researched other municipal codes for applicable standards.
- 3 • Relocation of billboards would provide incentive to increase the size of the sign.
- 4 • Billboards would not be able to be relocated in the City if the spacing standard was
- 5 changed.
- 6 • Statistics from Scenic Utah showed digital billboards caused more distractions to drivers.

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8 Staff recommended approval with the conditions that were reviewed.

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10 Questions from the Planning Commission:

- 11 • The Commission asked if Scenic Utah had an opinion on billboards that were lit. Mr.
- 12 McIlrath responded that billboards shining downward help to prevent light pollution
- 13 which was a preference of Scenic Utah. Lights shining downward on the billboard could
- 14 cause indirect lighting to residential and commercial areas. Lights shining upward could
- 15 detract from the natural beauty of the sky and reflect light upward.
- 16 • The Commission asked if the lighting requirement could be addressed as part of the
- 17 consideration to approve the recommended changes. Mr. Porter responded that changes
- 18 could be made. Mr. McIlrath mentioned that the wording could be changed to set a
- 19 standard for future relocations.

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21 PUBLIC COMMENT

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23 There were no public comments.

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25 The public meeting was closed at 7:14 p.m.

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27 Comments from the Planning Commission:

- 28 • Priority on the decision about lighting should benefit the City and its residents before
- 29 Scenic Utah.
- 30 • Standards on lighting should be set.
- 31 • If a billboard was facing the freeway, the light reflecting in the residential area should be
- 32 minimal.
- 33 • Downward lighting could provide a hazard to drivers on the freeway.
- 34 • Traditional lighting would be reflected upward.
- 35 • Standard should be set to reduce the impact to the residents and establish guidelines.
- 36 • Distance between billboard and sky was greater than the billboard and ground. Upward
- 37 lighting would be less impactful to residents.
- 38 • The relocation of the billboard was an improvement to downtown.
- 39 • Chair Jugler informed Alternate Commissioner Bloomfield that he could only provide
- 40 comment as a resident.
- 41 • Change in wording to regulate lighting would protect residential neighborhoods.

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1 Commissioner Jones moved to approve as conditioned, ZTA 1903-0017, a zoning text
2 amendment by Clearfield City to amend City Code § 11-15-8F, the billboard regulations of
3 the sign ordinance. The recommendation was based on the findings and discussions in the
4 Staff Report with the following revised language:

5 F. Billboards: No new billboards shall be permitted after the effective date hereof.
6 Existing billboards shall comply with the following regulations:

7 1. Location: Billboards shall be allowed only on commercial parcels adjacent to the
8 Interstate I-15 right of way and Legend Hills Drive. Billboards shall be oriented for
9 freeway viewing and shall be located within one hundred fifty feet (150') of the
10 nearest freeway lane.

11 2. Size, Height And Spacing: Billboards shall be regulated as follows:

12 a. Size: Maximum area of one face of a sign (whether single or double faced)
13 shall be six hundred seventy five (675) square feet. Pursuant to Utah State
14 Code section 10-9a-513(2)(b)(v)(B), a relocated billboard shall not be
15 permitted to have a sign face greater than the sign face on the billboard
16 before the billboard’s relocation. A noninterstate billboard that is being
17 relocated to an approved location along the interstate may install a sign face
18 to the maximum area of six hundred seventy five (675) square feet as allowed
19 by this title.

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21 *(This proposed standards needs further vetting with the State Property Rights*
22 *Ombudsman and legal counsel to see if this is legal according to State Code*
23 *standards. The intent is to encourage the relocation of noninterstate billboards*
24 *to the interstate. Without providing some type of incentive, the signs will likely*
25 *never be moved.)*

26
27 b. Height: Maximum height of billboards shall be forty five feet (45') above
28 the grade of the traveled way of the interstate.

29 c. Spacing: No billboard shall be erected within five hundred feet (500') of
30 another billboard on the same side of the street, or of an Interstate I-15
31 interchange.

32 d. Residential spacing: No billboards after the effective date of this ordinance
33 shall be erected within five hundred feet (500') of any residentially zoned
34 property on the same side of the interstate.

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36 *(Jeff Baker proposed 1,000 feet, however after analyzing the locations where*
37 *billboards can be located along Interstate 15, this distance would not allow for*
38 *the relocation of more billboards along the interstate. There are approximately*
39 *7 billboards that are not located along the interstate. We should encourage the*
40 *relocation of noninterstate billboards to the interstate.)*

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42 3. Sign Construction: All billboards shall be of a monopole construction.

43 4. Illumination: Billboards shall be illuminated with lighting fixtures that direct light

upward onto the advertising message to reduce the amount of reflection on adjacent properties. Lighting from the base of the advertising message area or any area downward is prohibited.

5. Digital/electronic message billboards: Digital and or electronic message center billboards are prohibited.

6. Conditional Use Permit: Billboards shall require a conditional use permit, to be obtained in accordance with the provisions of [chapter 4](#) of this title.

Seconded by Commissioner Uccardi. The motion carried on the following vote: Voting AYE: Commissioners Browning, Murray, Jones, Bigelow, McAllister and Uccardi. Voting NO: None.

PUBLIC HEARING, DISCUSSION AND APPROVAL OF RZN 1903-0018, A ZONING MAP AMENDMENT REQUEST BY KYLE WEAVER TO REZONE THE PROPERTY LOCATED AT 90 WEST 200 SOUTH. (TIN: 12-020-0062) FROM R-1-8 (SINGLE FAMILY RESIDENTIAL) TO R-1-6 (SINGLE FAMILY RESIDENTIAL)

The public hearing was declared open at 7:34 p.m.

Brad McIlrath presented the following background information:

- The property was designated as Residential in General Plan.
- The General Plan was recently amended to allow the R-1-6 zone.
- The adjacent Wedgewood Estates No. 2 Subdivision had average lot sizes of 5,168 square feet.
- The request was supported by General Plan and current policy to approve low density residential outside of the downtown corridor.
- The rezone request las year for R-3 was denied. Applicant and property owner decided to submit a subsequent request for the R-1-6 zone.
- The subdivision concept and access to utilities would need to be finalized.

Staff recommended approval with the conditions that were reviewed.

PUBLIC COMMENT

There were no public comments.

The public hearing was closed at 7:38 p.m.

Commissioner Uccardi moved to recommend to the City Council approval of RZN 1903-0018 as conditioned, a zoning map amendment request by Kyle Weaver to rezone the subject property from R-1-8 (Single Family Residential) to R-1-6 (Single Family Residential) at the property located at 90 West 200 South. The recommendation was based on the findings and discussions in the Staff Report with the following conditions:

- 1) **The R-1-6 zone for this area will provide a gradual land use transition from the single-family residential to the northwest and the higher density residential to the east in the downtown corridor.**

- 2) **The proposed zoning map amendment is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.**
- 3) **The rezone of this property to R-1-6 and development in accordance with those standards is consistent with the character and design of the adjacent Wedgewood Estates No. 2 Subdivision.**
- 4) **The proposed zoning map amendment and future development of this area as residential will support Hamblin Park to the west.**

Seconded by Commissioner Jones. The motion carried on the following vote: Voting AYE: Commissioners Browning, Murray, Jones, Bigelow, McAllister and Uccardi. Voting NO: None.

DISCUSSION AND APPROVAL OF SP 1903-0016, AN AMENDED SITE PLAN REQUEST BY HAVID JANVERSAN TO ADD A DRIVE-THRU LANE AND ASSOCIATED SITE PLAN CHANGES FOR THE PROPOSED CLEARFIELD PLAZA COMMERCIAL/RETAIL CENTER LOCATED AT 150 EAST 1700 SOUTH. (TIN: 12-077-0018)

Brad McIlrath presented the following facts:

- Approved by Planning Commission in September 2018.
- Five (5) unit 7,107 square foot commercial/retail center.
- Two (2) restaurant spaces on each end.
- Addition of twelve foot (12') wide drive-thru for west restaurant unit.
- UDOT review and approval of access required. Potential cross-access with property to west.
- Location of building changed to have better access, would benefit both properties.
- Pedestrian access had been addressed.
- Landscape islands were required to have one tree each with shrubs on bottom. One more tree was required to meet the landscaping standard.
- Design standard requirements had been met by the developer.

Staff recommended approval with the conditions that were reviewed.

Questions from the Planning Commission:

- The Commission asked if the change was being made for a potential suitor or was it meant to attract a restaurant. Mr. McIlrath responded that no specific tenants had been identified but the plan was to provide an attractive market for a restaurant.

Hamid Janversan presented the following points of discussion:

- No potential tenants had been identified yet.
- An extra tree would be added.

Commissioner Jones moved to approve as conditioned, SP 1903-0016, an amended site plan request by Hamid Janversan to add a drive-thru lane and associated site plan changes for the proposed Clearfield Plaza commercial/retail center at the property located at 150 East 1700 South. The recommendation was based on the findings and discussions in the Staff Report with the following conditions:

- 1 1) The project shall comply with all applicable development standards of the C-2
- 2 zone.
- 3 2) The project shall comply with the minimum landscaping standards outlined in
- 4 this report and as required by the Land Use Ordinance which includes but is not
- 5 limited to the following:
- 6 a. A deciduous tree shall be planted in each parking island with shrubbery
- 7 and approved ground cover.
- 8 b. The dumpster enclosure shall be constructed of the same materials as the
- 9 building or approved masonry. The gates for the enclosure shall be
- 10 constructed of a material that fully screens the dumpsters from the
- 11 Antelope Drive frontage. Chain link with slats is not allowed by Code.
- 12 3) The applicant shall obtain a UDOT site access and review for the proposed
- 13 development and implement any requirements of that approval.
- 14 4) If executed between the adjacent property owner to the west, a shared access
- 15 agreement shall be recorded on both properties for future reference and record
- 16 keeping.
- 17 5) The project shall provide decorative site lighting and comply with CPTED
- 18 lighting and design standards as outlined in Chapter 18 of the Clearfield City
- 19 Land Use Ordinance.
- 20 6) The applicant shall obtain a building permit and the project shall comply with all
- 21 applicable building code standards.
- 22 7) The project shall comply with all applicable fire code standards and obtain North
- 23 Davis Fire District approval prior to the issuance of final land use approval.
- 24 8) The project shall comply with engineering standards / requirements and obtain
- 25 approval prior to the issuance of final Land Use approval.

26 **Seconded by Commissioner Murray. The motion carried on the following vote: Voting**
 27 **AYE: Commissioners Browning, Murray, Jones, Bigelow, McAllister and Uccardi. Voting**
 28 **NO: None.**

30 STAFF DISCUSSION

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 32 Mr. McIlrath thanked the commissioners for attending the City Council work session. There
 33 could be an Open Public Meetings Act training in the next few months, which would likely be a
 34 joint session with the City Council.

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 36 Jacoby Marston was appointed as an alternate commissioner by the mayor. He would start
 37 attending meetings in June.

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 39 The Planning Commission meeting scheduled for May 22, 2019 had been cancelled. He stated
 40 that notices would be posted to inform the public.

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 42 PLANNING COMMISSIONERS' MINUTE

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 44 Youth Ambassador Bush – Nothing

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 46 Commissioner McAllister – Nothing

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1 Commissioner Uccardi – Nothing

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3 Commissioner Murray – Nothing

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5 Commissioner Browning googled “clamor” in Utah and found information about Clearfield City.

6 Found information about “bus bench” in Clearfield.

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8 Commissioner Jones – Nothing

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10 Commissioner Bigelow – Nothing

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12 Chair Jugler thanked staff and welcomed Mr. Porter as an intern. Thanked Commissioner

13 McAllister and Alternate Commissioner Bloomfield.

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16 There being no further business to come before the Planning Commission, **Commissioner**

17 **Uccardi moved to adjourn at 7:50 P.M. Seconded by Commissioner Murray.**

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