



Planning Commission Agenda

2267 North 1500 West Clinton City, UT 84015

April 18, 2024

6:00 pm

I. Call to Order

- a. Invocation or Thought
- b. Pledge
- c. Welcome New Planning Commission Members
- d. Roll Call
- e. Declaration of Conflicts

II. Business:

1. **Public Hearing:** Review and action on a request by Phil Holland/HG 2000 LLC for preliminary and final plat approval for Clinton Exchange Subdivision, a five lot commercial subdivision consisting of approximately 10.26 acres located at approximately 935 North and 2000 West (Parcel No. 14-053-0139), which lies in the PZ zoning district.

III. Other Business

- a. Approval of March 7, 2024 Meeting Minutes
- b. Director's Report
- c. Commission Report

IV. Adjourn

The order of agenda items may be changed or times accelerated.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL CITY MEETINGS

If you attend this meeting and, due to a disability, will need assistance in understanding or participating, then please notify the Community Development Department at (801) 614-0740 prior to the meeting and we will seek to provide assistance.

CLINTON CITY

PLANNING COMMISSION AGENDA ITEM

<p>SUBJECT: Public Hearing - Review and action on a request by Phil Holland/HG 2000 LLC for preliminary and final plat approval for Clinton Exchange Subdivision, a five lot commercial subdivision consisting of approximately 10.26 acres located at approximately 935 North and 2000 West (Parcel No. 14-053-0139), which lies in the PZ zoning district.</p>	<p>AGENDA ITEM:</p> <p style="font-size: 2em; font-weight: bold;">1</p>
<p>PETITIONER: Phil Holland – HG 2000 LLC</p> <p>SUBMITTED BY: Peter Matson, Community Development</p>	<p>MEETING DATE:</p> <p>April 18, 2024</p>
<p>RECOMMENDATION: To approve Clinton Exchange Preliminary/Final Plat subject to the conditions of approval listed in this report.</p>	<p>ROLL CALL VOTE:</p> <p style="font-size: 1.5em; font-weight: bold;">YES</p>
<p>ORDINANCE REFERENCES: Subdivision Ordinance Section 26-3; City Engineering Standards and Specifications; and Zoning Ordinance Chapter 28 Performance Zone (PZ)</p>	
<p>BACKGROUND:</p> <p>This five-lot commercial subdivision is located at approximately 935 North 2000 West. This 10.26-acre property is located on the west side of 2000 West near the common border between Clinton and West Point and directly south of the High Country green house/nursery at 1071 North. The property is located in the PZ zone, which is the main commercial zone along the 2000 West corridor. The property is bisected by 935 West, which is a public street connecting Fenway Estates Phase 5 to 2000 West. The 2000 West frontage is broken up by two residential lots that are not part of the plat at 881 North (0.37 acres) and 1021 North (0.76 acres).</p> <p>The 935 North street connection is a standard 60-foot city right-of-way with curb, gutter and sidewalk on both sides. This street connection was planned with the overall plat for Fenway Estates. It provides important access for the surrounding neighborhood to the west and north for improved overall connectivity for residents.</p> <p>The lot sizes and configuration conform to the zoning and subdivision code regulations. The attached plat will ultimately be recorded so the individual lots can be marketed and sold for development. The attached civil plan set includes an overall utility plan, plan and profile utility sections for the public street (935 North) and for the 30-foot wide private utility/access easement servicing lots 1, 2 and 3, and a plan and profile detail for the proposed detention basin on the western edge of lots 4 and 5.</p> <p>As a five-lot subdivision with no phasing, the review by the Commission is for approval of both the preliminary and final plat. In addition, to be consistent with State law the Commission is the final approval body for this preliminary/final plat, whereas previously this would have been a recommendation to the City Council.</p> <p>City staff has been in pre-application discussions with Tractor Supply Company as the proposed use on Lot 2. It's anticipated they will submit for site plan review shortly after the plat is approved and ready to record.</p>	

CONDITIONS OF APPROVAL:

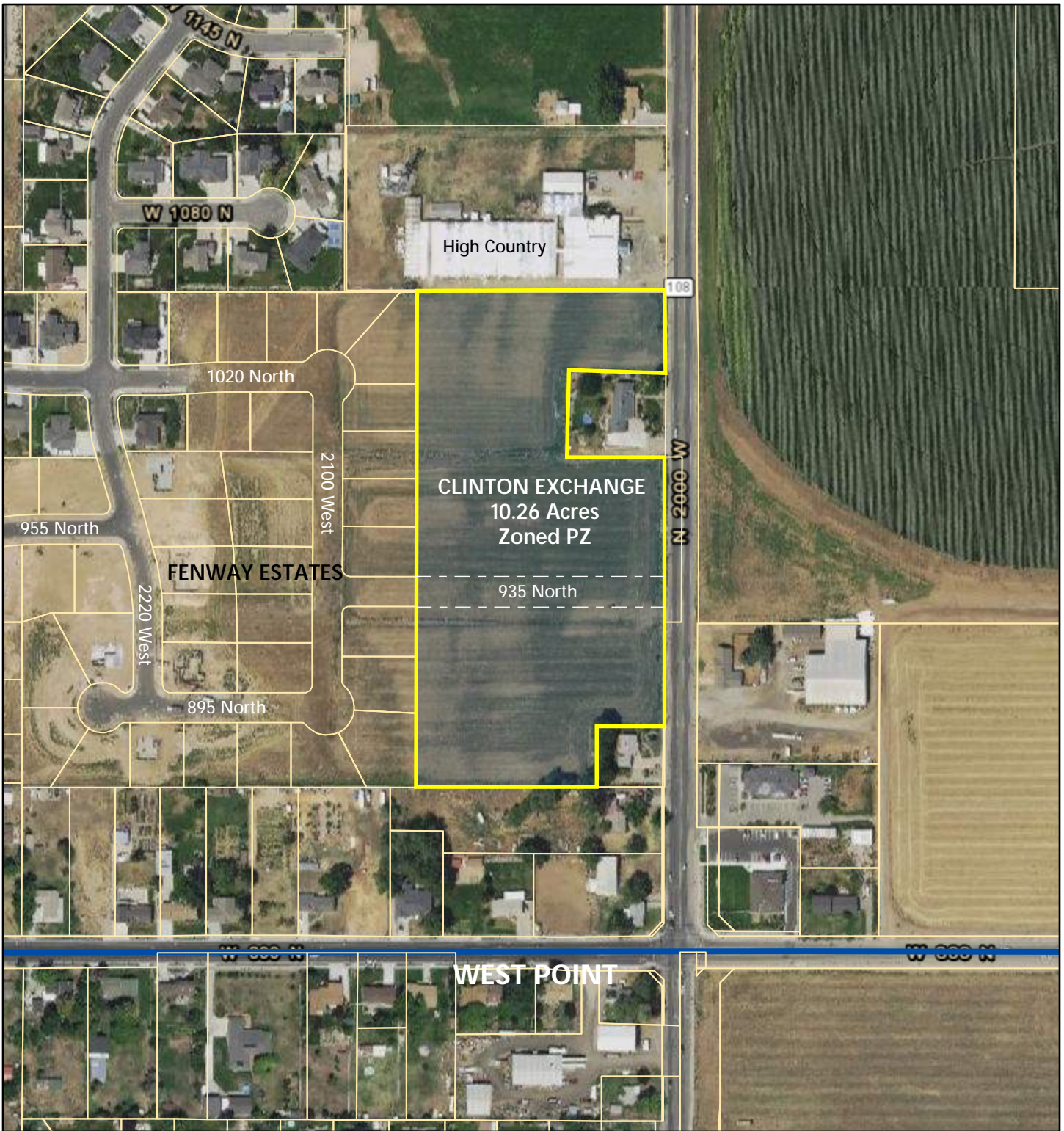
As with all commercial and residential final plat approvals, the following standard conditions shall apply:

- 1) All comments related to the plat and civil plans shall be corrected and reviewed by the City before the final plat is presented for signatures.
- 2) Final Plat approval is subject to review and final approval by Davis-Weber County Canal Companies (DWCCC).
- 3) A preconstruction meeting shall not be scheduled until all required changes have been made to the Final Plat and Improvements Drawings, the required number of copies provided to the City, and the plans are stamped approved by the City.
- 4) Plat shall not be recorded until a Subdivider's Improvement Agreement and Subdivider's Escrow Agreement have been completed and executed to ensure the completion of the improvements in this development.
- 5) It is the developer/contractor's responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and development requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement, the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.
- 6) The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from the Public Works Department. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by representative(s) of Public Works.
- 7) It is the developer/contractor's responsibility to ensure adequate dust, trash and weed control practices are observed while any of the lots are under their control.
- 8) Prior to Conditional Acceptance by the City, the Subdivider shall clear any construction debris from lots within the subdivision, except lots with buildings under construction, and level vacant lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all vacant lots will be mowed for weed control.

ATTACHMENTS:

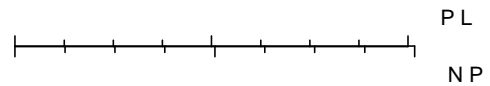
- 1) Location Map
- 2) Clinton Exchange Commercial Subdivision Plat
- 3) Clinton Exchange Subdivision Civil Plan Set

CLINTON EXCHANGE COMMERCIAL SUBDIVISION



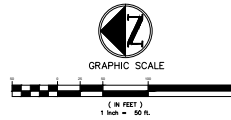
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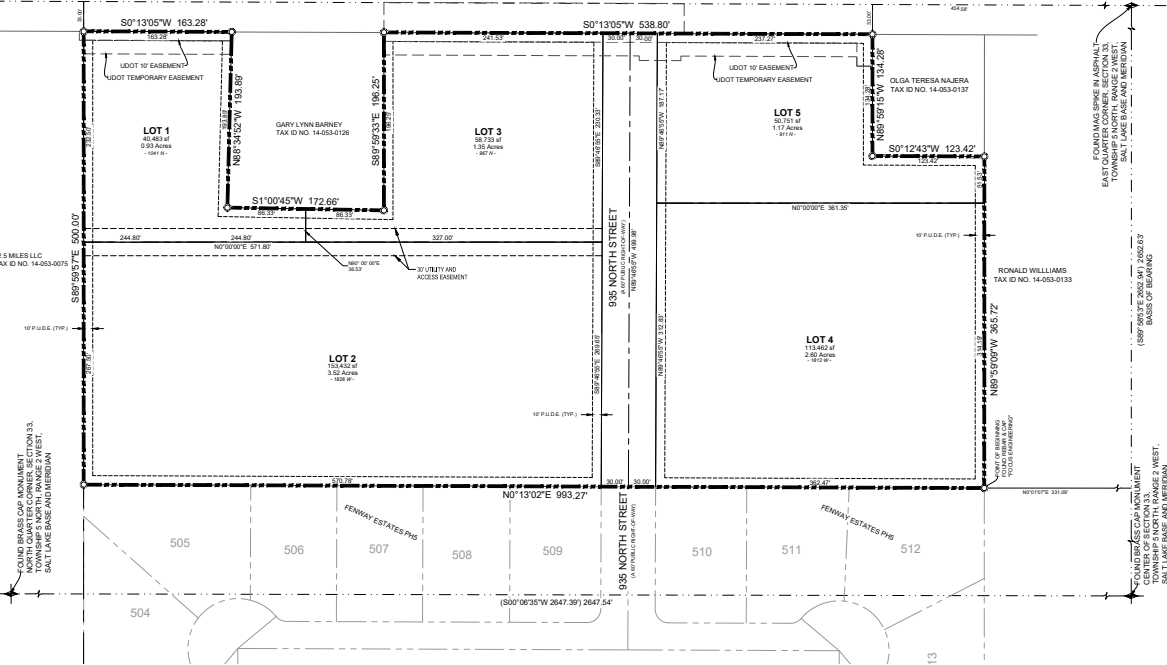


CLINTON EXCHANGE COMMERCIAL SUBDIVISION

LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 5 NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN



2000 WEST STREET (SR-108)
AS SHOWN ON RECORD MAP



SURVEYOR'S CERTIFICATE:
MICHAEL L. WANGEMANN, LICENSE NO. 461156
DATE: _____
A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SE/EAST CORNER OF HWY 89/124 EAST, RECORDED IN BOOK 831 AT PAGE 84 IN THE DAVID COUNTY RECORDER'S OFFICE, SAID POINT BEING S97°57'P EAST ALONG THE QUARTER SECTION 33, A DISTANCE OF 98.27 FEET; THENCE SOUTH 87°13'P EAST ALONG THE NORTH RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH 0°13'P EAST ALONG THE EAST LINE OF SAID PROPERTY PHASE 3, A DISTANCE OF 98.27 FEET; THENCE SOUTH 87°13'P EAST 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF SR-108 (2000 WEST STREET); THENCE SOUTH 02°13'20\"

OWNERS DEDICATION:
WE, THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THIS PLAT, AND NAME SAID TRACT:
CLINTON EXCHANGE COMMERCIAL SUBDIVISION
AND DO HEREBY DEDICATE, GRANT AND CONVEY TO CLINTON CITY, DAVID COUNTY, UTAH, ALL THOSE PARTS AND PORTIONS OF SAID TRACTS OF LAND DESIGNATED FOR PUBLIC ROADS, THE SAME TO BE USED AS PUBLIC UTILITY AND DRAINAGE EASEMENTS, WITHIN OUR AREA, AND TO BE MAINTAINED FOREVER AS SUCH. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE WARRANT AND DEFEND AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DESCRIBED TRACTS WHICH WILL INTERFERE WITH THE CITY USE, MAINTENANCE AND OPERATION OF THE STREETS.
IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, A.D. 20____.

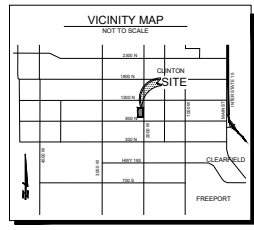
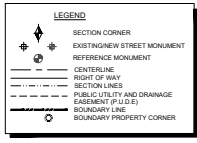
BASIS OF BEARING
THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED USING FOUND BRASS CAP MONUMENT AT THE SOUTHWEST CORNER AND THE CENTER OF SECTION 33, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

NOTES FOR COMMON AREA CROSS EASEMENTS:
1. ALL LOTS SHALL BE BURDENED BY A PREFERRED, NONEXCLUSIVE ACCESS EASEMENT FOR VEHICULAR AND PEDESTRIAN INGRESS AND EGRESS ON, OVER AND ACROSS THESE AREAS DESIGNED FOR SUCH USE.
2. THESE COMMON ROADSWAYS AND SIDEWALKS ARE NOT TO BE BLOCKED OR IMPEDED OR LOCATED AT ANYTIME.

CORPORATE ACKNOWLEDGEMENT:
ON THIS _____ DAY OF _____ IN THE YEAR 20____ PERSONALLY APPEARED BEFORE ME _____ WHOSE IDENTITY IS PERSONALLY KNOWN TO ME OR WHOSE POSITION ON THE BASIS OF SATISFACTORY EVIDENCE AND WHO BY ME DULY SWEARAFFIRMED, DID SAY THAT HE/SHE IS THE _____ OF _____ OF _____ AND THAT SAID DOCUMENT WAS SIGNED BY HE/HER IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BYLAWS OR RESOLUTION OF ITS BOARD OF DIRECTORS AND I, _____ ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.
WITNESS MY HAND AND OFFICIAL SEAL.
(NOTARY SIGNATURE)

CITY ENGINEER'S APPROVAL APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE CLINTON CITY ENGINEER.	CITY ATTORNEY APPROVAL APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE CLINTON CITY ATTORNEY.
CITY ENGINEER	CITY ATTORNEY
PLANNING COMMISSION APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE CLINTON CITY PLANNING AND ZONING COMMISSION.	CITY COUNCIL ACCEPTANCE APPROVED THIS _____ DAY OF _____, A.D. 20____ BY THE CLINTON CITY COUNCIL.
CHAIRMAN	CITY RECORDER

DAVIS COUNTY RECORDER
ENTRY NO. _____ FEE PAGE _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____
AT _____ IN BOOK _____ PAGE _____
BY: _____ DEPUTY RECORDER



CIVIL PLAN SET

CLINTON EXCHANGE COMMERCIAL SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER OF SECTION 33,
TOWNSHIP 5 NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
CLINTON CITY, UTAH



DEVELOPER:
THE HOLLAND GROUP
1082 WEST DUTCH LANE
KAYSVILLE, UTAH 84024
PHIL HOLLAND
801-668-1565

ENGINEERING:
MCFARLAND ENGINEERING
260 EAST 350 SOUTH
KAYSVILLE, UTAH 84037
SCOTT MCFARLAND, PE
801-726-8787

DRAWING INDEX

DRAWING TITLE	SHEET NO.	REV
COVER SHEET	C1	
GENERAL NOTES	GN1	
OVERALL SITE PLAN	SP1	
PLAN AND PROFILES	PP1-PP4	
DETAIL SHEET	DT1-DT2	
SUBDIVISION PLAT		

NO.	DATE	REVISION

DRAWINGS NOT TO SCALE IF RATIO DOES NOT INDICATE RATIO

CLINTON EXCHANGE BACKBONE
COVER SHEET
CLINTON CITY, DAVIS COUNTY, UTAH

MEASUREMENTS MADE BY: _____
 DATE: _____

MEASUREMENTS MADE BY: _____
DATE: _____

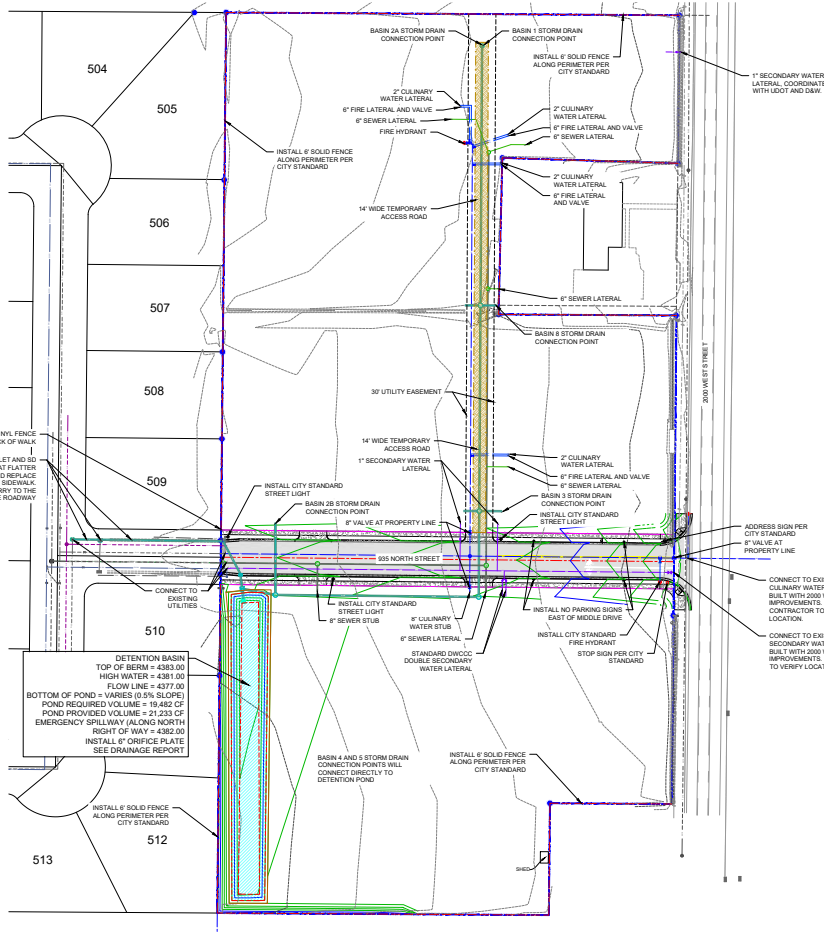


CHECKED BY: _____
 DRAWN BY: _____
 PROJECT NO.: _____
 DATE: _____

SHEET:
C1

VICINITY MAP
NTS

SUBDIVISION UTILITY PLAN



SECONDARY WATER NOTES

1. CULINARY WATER SEWER SHALL BE INSTALLED BY THE DEVELOPER (PIT INSTALLED) AND THE METERS AND AMV WILL BE COVERED BY A METERPILE AS DOW SHALL PROVIDE AND INSTALL LETTERS MARKS LATER AT THE TIME OF SERVICE. THE METERPILE WATER SEWER SHALL BE 18" RCP CLASS III STORM DRAIN TO CLINTON CITY TO MEET THEIR WATER REACTION ONCE QUANTIFIED (ALL DEVELOPED AT ONCE, OR WILL NEED TO VERIFY PER LOT AS THEY DEVELOP).

SEWER NOTES

1. ALL CONSTRUCTION SHALL COMPLY WITH NORTH DAVIS SEWER DISTRICT DESIGN STANDARD AND CONSTRUCTION SPECIFICATIONS.
2. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW SEWER LINES.
3. FIVE FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.
4. CONTRACTOR SHALL VERIFY SEWER LATERAL DEPTH AND SET FOUNDATION ELEVATION TO PROVIDE ADEQUATE FALL INTO SEWER LATERAL. SHALLOW SEWER DEPTHS EXIST.
5. ALL 8" SEWER LATERALS SHALL HAVE A MINIMUM SLOPE OF 2%.

UTILITY NOTES

1. ALL CONSTRUCTION SHALL BE ACCORDING TO CLINTON CITY STANDARDS AND REQUIREMENTS.
2. PROVIDE MINIMUM CLEAR SEPARATION BETWEEN ALL PIPING OF 12".
3. CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING UTILITIES BEFORE STAKING OR CONSTRUCTING ANY NEW UTILITIES.
4. FOUR FEET OF COVER IS REQUIRED OVER ALL CULINARY WATER LINES.
5. THE LENGTH OF PIPE SHOWN IN THE PROFILE VIEW IS THE PLAN VIEW LENGTH (2D) MEASURED FROM CENTER OF MANHOLE TO CENTER OF MANHOLE. THE SLOPE IS CALCULATED BASED ON THE 2D LENGTH.
6. CONTRACTOR SHALL COORDINATE WITH DRY UTILITY COMPANIES PRIOR TO CONSTRUCTION OF ROADWAYS FOR LOCATION AND QUANTITIES OF SLEEVES REQUIRED TO CROSS EXISTING UTILITY CONSTRUCTION.
7. ALL SECONDARY WATER SHALL COMPLY WITH IRRIGATION COMPANY STANDARDS AND SPECIFICATIONS.
8. IRRIGATION COMPANY SHOULD BE INVITED TO A PRE-CONSTRUCTION MEETING AND NOTIFIED PRIOR TO THE INSTALLATION OF IMPROVEMENTS. ALL FEES AND WATER IMPROVEMENTS WILL NEED TO BE PAID AND MET BEFORE SERVICE IS AVAILABLE.

GRADING NOTES

1. ALL TERRACEWORK SHALL BE IN ACCORDANCE WITH GEOTECHNICAL REPORT.
2. IT IS INTENDED THAT THE FRONT YARDS OF ALL LOTS DRAIN TO THE RIGHT OF WAY.

LEGEND	
	OVERALL PROPERTY BOUNDARY CENTERLINE
	8" PVC C900 DR-14 WATER LINE
	EXISTING 8" WATER LINE
	8" PVC SDR 35 SEWER LINE
	EXISTING 8" SEWER LINE
	8" PVC C900 DR-14 SECONDARY WATER LINE
	EXISTING 8" SECONDARY WATER LINE
	18" RCP CLASS III STORM DRAIN LINE
	EXISTING 18" STORM DRAIN LINE
	4' or 5' Ø MANHOLE
	CITY STANDARD FIRE HYDRANT
	8" WATER/SECONDARY WATER VALVE INLET BASIN

NO.	DATE	REVISION

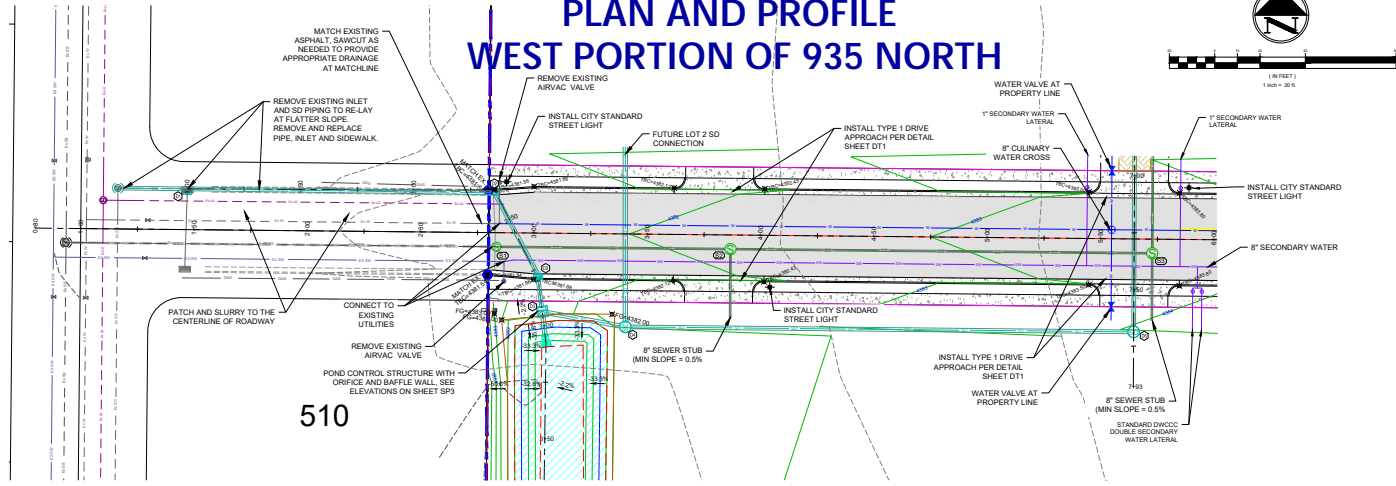


CLINTON EXCHANGE BACKBONE
SITE AND UTILITY PLAN
CLINTON CITY, DAVIS COUNTY, UTAH



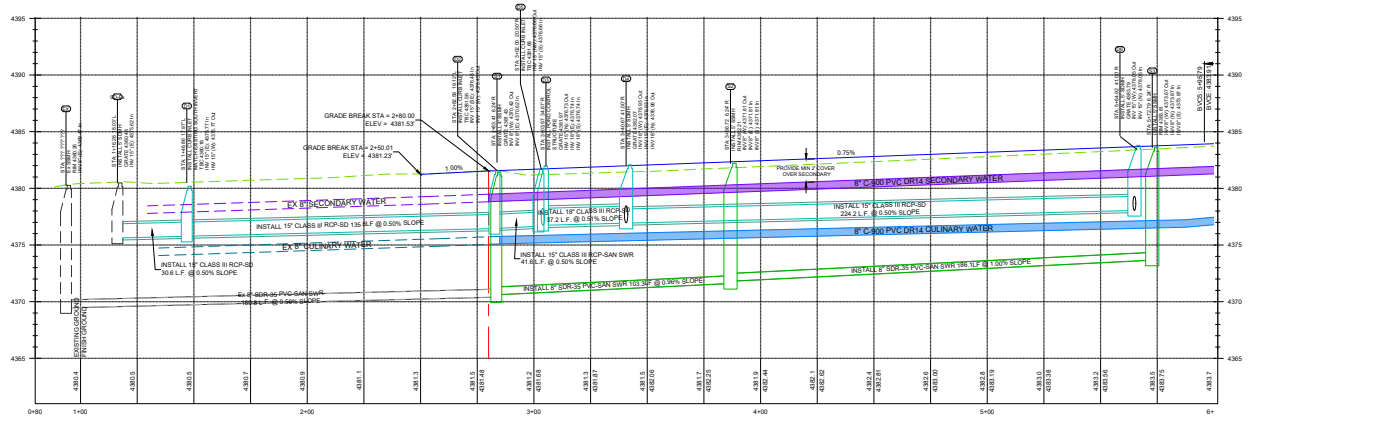
SHEET: SP1

PLAN AND PROFILE WEST PORTION OF 935 NORTH



510

935 NORTH STREET
(80' RIGHT OF WAY)
STA 0+80 TO STA 6+00



NO.	DATE	REVISION



CLINTON EXCHANGE BACKBONE
PLAN AND PROFILE
CLINTON CITY, DAVIS COUNTY, UTAH




DRAWN	MB
CHECKED	MB
PROJECT	1718
DATE	08/24

SHEET:
PP1

C:\Users\jordan.wy\Documents - Clinton Exchange Backbone\CD-Base\Drawings\Construction\main.dwg, 08/24/2024, 9:20 AM

LEGEND

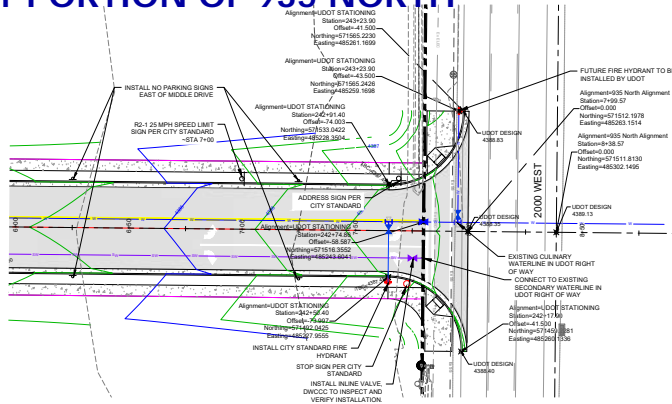
- OVERALL PROPERTY BOUNDARY
- CENTERLINE
- 8" PVC C900 DR-14 WATER LINE
- EXISTING 8" WATER LINE
- 8" PVC 30K S5 SEWER LINE
- EXISTING 8" SEWER LINE
- 8" PVC C900 DR-14 SECONDARY WATER
- EXISTING 8" SECONDARY WATERLINE
- 18" RCP CLASS III STORM DRAIN LINE
- EXISTING 15" STORM DRAIN LINE
- 4" or 6" MANHOLE
- CITY STANDARD FIRE HYDRANT
- 8" WATER/SECONDARY WATER VALVE
- INLET BASIN



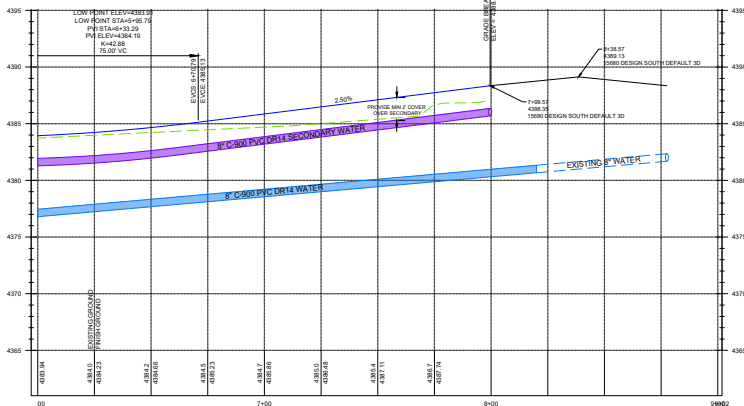
PLAN AND PROFILE EAST PORTION OF 935 NORTH

NOTE TO CONTRACTOR

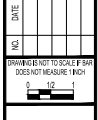
2000 WEST WAS UNDER CONSTRUCTION AT THE TIME OF THESE DRAWINGS. MULTIPLE ATTEMPTS WERE MADE TO COORDINATE WITH UDOT AND THERE SUB CONSULTANTS TO COORDINATE THIS INTERSECTION AND UTILITY CONNECTIONS. DEVELOPER IS INTENDING TO HIRE UDOT CONTRACTOR TO CONSTRUCT INTERSECTION. UDOT PROVIDES DRAWINGS WITH NON STANDARD COORDINATE SYSTEM AND MEA DID ITS BEST TO MATCH OR INTERPOLATE UDOT POINTS. CONTRACT TO VERIFY ALL SURVEY STAKING PRIOR TO PERFORMING ANY WORK. CONTACT ENGINEER IMMEDIATELY IF DESIGN FOUND TO BE DIFFERENT THAN UDOT DESIGN. THESE DRAWINGS ARE DESIGNED TO BE ABLE TO ADJUST THE CENTERLINE BETWEEN STATIONS 6+50 TO 8+00 TO TIE INTO UDOT AS NEEDED.



935 NORTH STREET (8' RIGHT OF WAY) STA 6+00 TO STA 8+00



NO.	DATE	REVISION



CLINTON EXCHANGE BACKBONE
PLAN AND PROFILE
CLINTON CITY, DAVIS COUNTY, UTAH

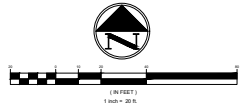
MEASUREMENTS
MEASUREMENTS
MEASUREMENTS



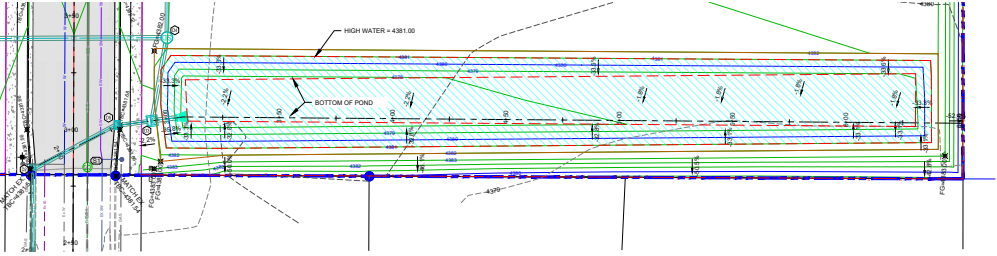
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CHECKED	ME
DATE	08/24

SHEET:
PP2

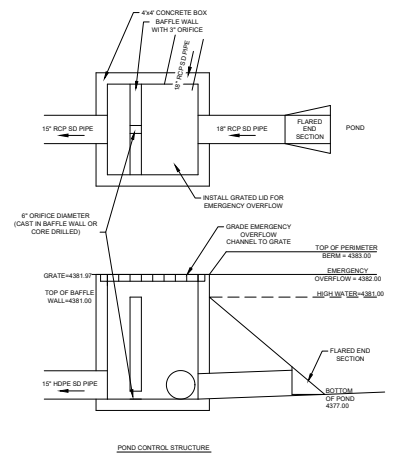
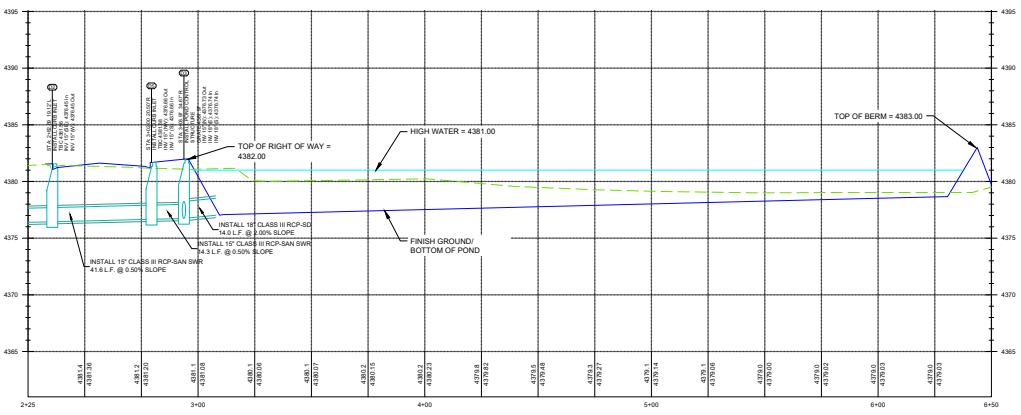
PLAN AND PROFILE ON-SITE DETENTION BASIN



LEGEND	
	OVERALL PROPERTY BOUNDARY
	CENTERLINE
	8" PVC C900 DR-14 WATER LINE
	EXISTING 8" WATER LINE
	8" PVC C900 DR-14 SEWER LINE
	EXISTING 8" SEWER LINE
	8" PVC C900 DR-14 SECONDARY WATER
	EXISTING 8" SECONDARY WATER LINE
	18" RCP CLASS III STORM DRAIN LINE
	EXISTING 15" STORM DRAIN LINE
	4' or 5' Ø MANHOLE
	CITY STANDARD FIRE HYDRANT
	8" WATER/SECONDARY WATER VALVE
	INLET BASIN



DETENTION INLET/OUTLET
STA 1+50 TO STA 3+50



NO.	DATE	REVISION



CLINTON EXCHANGE BACKBONE
PLAN AND PROFILE
CLINTON CITY, DAVIS COUNTY, UTAH

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE: [Date]

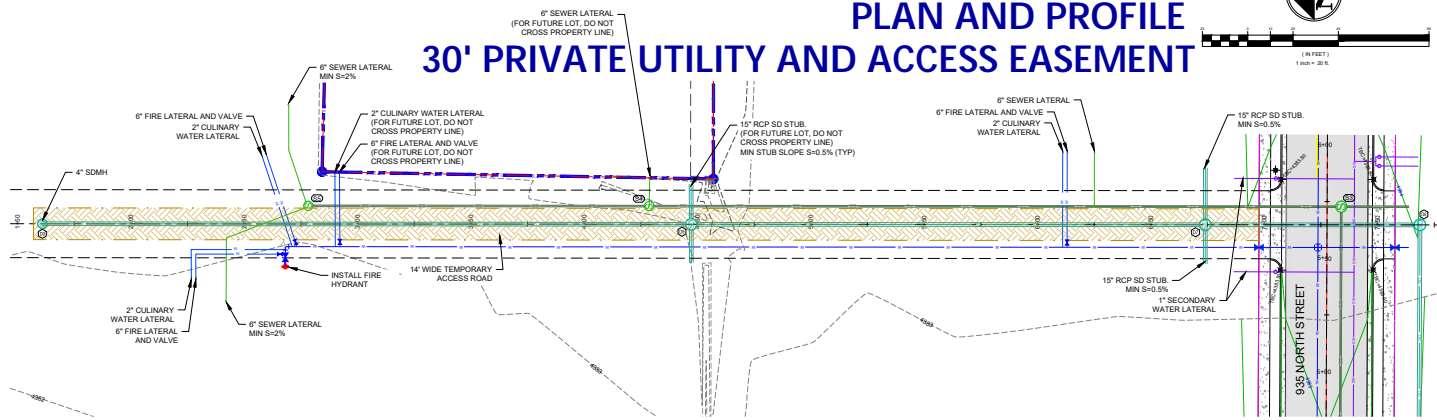


DESIGN	SPN
CHECK	SPN
DATE	08/2018

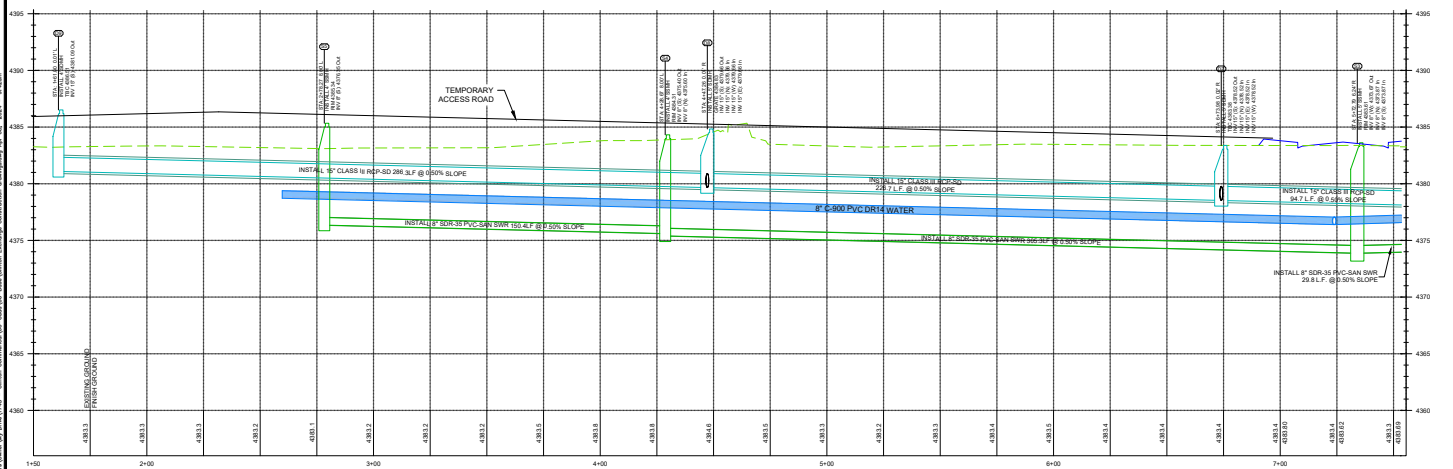
SHEET:
PP3

PLAN AND PROFILE

30' PRIVATE UTILITY AND ACCESS EASEMENT



UTILITY BACKBONE CORRIDOR
30' UTILITY AND ACCESS EASEMENT
(STA. 1+50 TO STA. 7+50)



NO.	DATE	REVISION



CLINTON EXCHANGE BACKBONE
PLAN AND PROFILE
CLINTON CITY, DAVIS COUNTY, UTAH



DESIGN	DB
DRAWN	DB
PROJECT	1718
DATE	08/24

SHEET:
PP4

C:\Users\David.Wy\OneDrive - Clinton Exchange Backbone\Projects\Clinton Exchange Backbone\Drawings\PP4_08_2024 - 8.dwg



2267 N 1500 W
Clinton UT 84015

Planning Commission Members

Jolene Cressall

J. Stark

Dan Evans

Mark Gregersen

Dave Jones

Chad Hansen

Date of Meeting	March 7, 2024	Call to Order	6:08 pm.
Staff Present	Community Development Director Peter Matson and Lisa Titensor recorded the minutes.		
Attendees	Marie Dougherty		
Prayer or Thought	Commissioner Evans		
Pledge	There was not a flag present		
Roll Call/Attendance	Present were: Jolene Cressall, Dan Evans, Mark Gregersen was excused at 7:00 pm, Dave Jones, J. Stark, Chad Hansen		
Declaration of Conflicts	There were none.		
1. DISCUSSION ITEM ONLY: REVIEW OF POSSIBLE AMENDMENTS TO THE SUBDIVISION ORDINANCE (TITLE 26) IN ACCORDANCE WITH UTAH STATE LAW REGARDING THE SUBDIVISION REVIEW AND APPROVAL PROCESS.			
Petitioner	Peter Matson, Community Development		
Discussion	<p>SB 174 and HB 406 from the 2023 General Legislative Session require all local governments to, among other things, modify their subdivision ordinances to comply with the process described in the statute. More specifically, the proposed changes are intended to meet the requirements of Utah Code Annotated Title 10, Chapter 9a, Part 6 Section 508 and Section 604.</p> <p>PROPOSED CHANGES FOR CONSIDERATION:</p> <ul style="list-style-type: none"> ▪ Local governments must designate an administrative land use authority (<i>may be planning commission for preliminary review, cannot be planning commission for final review</i>). ▪ All subdivision approval must conform to a two-step administrative process as outlined below. <ul style="list-style-type: none"> • Preliminary subdivision application review <ul style="list-style-type: none"> ○ The administrative land use authority (<i>municipal staff or planning commissioners</i>) must review the subdivision application within 15 business days of receiving a complete application. ○ The administrative land use authority may receive public comment and conduct one public hearing. ○ If the application complies with applicable local regulations, it shall be approved and proceed to the second step. • Final subdivision application review <ul style="list-style-type: none"> ○ Local governments must complete a review of applications at this stage within 20 days. ○ Local governments may perform up to four review cycles on a given 		

	<p>application.</p> <ul style="list-style-type: none"> ○ A review cycle is not considered complete until the applicant has adequately addressed all redlines identified by the municipality. ○ Local governments may only add new redlines after the first review cycle in response to changes made by the applicant or if a correction is necessary to protect public health or safety, or to enforce state or federal law. ○ If the subdivision application complies with the requirements of the Utah Land Use Development and Management Act (LUDMA), applicable local ordinances, and the preliminary subdivision approval granted, the local government shall approve the application. <ul style="list-style-type: none"> ● Staff is working on the specific text modifications to the Subdivision ordinance, which will be the subject of an upcoming public hearing where the Commission will be tasked with preparing a recommendation to the City Council. The Subdivision Ordinance Update Audit Checklist is provided in the staff report as background information. <p>The Planning Commission discussed the subdivision ordinance and potential amendments.</p>
<p>PLANNING COMMISSION TRAINING: A PRIMER ON PUBLIC MEETINGS FOR PLANNING COMMISSIONERS (VIDEO)</p>	
<p>Petitioner</p>	<p>Peter Matson, Community Development</p>
<p>Discussion</p>	<p>Mr. Matson provided a training video from a recent multi-city planning commissioner training session held in Utah County. The presenter is Wilf Sommerkorn. Wilf has 40+ years of experience with planning commissions from a variety of cities and counties across the Wasatch Front. This part of the session covers basic aspects of a planning commission meeting with specifics regarding the role of the commission and important guidelines and laws we need to follow.</p>
<p><i>Commissioner Stark moved to approve the minutes of January 16, 2024 Planning Commission Meeting. Commissioner Evans seconded the motion. Voting is as follows: Commissioners Cressall, Hansen, Jones, Evans and Stark voted in favor.</i></p>	
<p>OTHER ISSUES</p>	<ul style="list-style-type: none"> ● There were none.
<p>DIRECTORS REPORT</p>	<ul style="list-style-type: none"> ● CD Director Matson gave an update on Ordinance 24-01Z and Resolution 20-23.
<p>ADJOURNMENT</p>	<p><i>Commissioner Evans moved to adjourn. Commissioner Hansen seconded the motion. Commissioners Cressall, Gregersen, Evans, Olson and Stark voted in favor. The meeting adjourned at 9:00 pm.</i></p>

Reviewed and Approved by the Clinton City Planning Commission on this 2nd day of April, 2024
 /s/Lisa Titensor, Clinton City Recorder



SB174 Compliance Subdivision Ordinance Update Audit Checklist

Do we have to update our Subdivision Ordinance?

Yes, State Law changes effective May 4, 2023 but, in a sense, not a lot. Subdivisions are administrative in nature (e.g. there is no discretion – if they meet your ordinances, they get approved). Most of the changes simply reinforced the administrative nature of subdivisions. See new LUDMA [Section 604.1](#). This new law only applies to subdivisions for 1 or 2 family dwellings and townhomes, but it could be useful to generalize this for all subdivisions.

Step One: Check your current ordinance to see what you may need to modify or update.
Look for these items.

- 1. Review and Update your process. Designate an administrative land use authority.**
Make sure you have designated in your subdivision ordinance an “administrative land use authority” for preliminary plats. This can be staff or planning commission or a subset of the Planning Commission. This is a local policy decision to make.
Some options to consider: a) preliminary plat can be reviewed by staff, b) the planning commission can review in a public meeting, or a public hearing. If you choose to hold a public hearing please consider what the hearing will add to this administrative fact based process.
Reminder: The Final plat **cannot** be reviewed by Council or Planning Commission (for small towns it could be a subset of the PC). Staff, if you have staff, could manage (and be designated in the ordinance) to be the administrative land use authority to take the process of final subdivision review through the recording process. Then the Mayor signs the final plat, which also dedicates any potential streets.

2. **Remove any mandates for a concept plan review.** In the new law concept plan review cannot be mandated. It can be optional, strongly encouraged and agreed to by the applicant. Since these are administrative approvals, they have no regulatory value. It can be incorporated into the preliminary plat as part of that process but call it something else. Again an applicant may request a pre-application meeting but it **cannot** be mandated.
3. **Define a Complete Application.** Make sure you have clearly defined what a “complete” application is with checklists for both planning and engineering.

Step Two. Review process timing issues.

Reminder: Under the new law, Preliminary and final plats review are the only “steps” allowed within the new subdivision process. Here are the steps to make sure your updated ordinance reflect.

1. **Initial review of preliminary plat.** To be completed within **15 business days** of receiving a **Complete Application**. As mentioned above it is important to assure you have everything required for review before it moves forward in the process.
2. **Review of final plat.** To be completed within **20 days** of receiving the complete application,
3. **Capped Review Cycle.** There is now a maximum of 4 review cycles permitted for final review only. So in between the Preliminary approval and final approval only four revisions are permitted.
4. **Agreed upon changes.** The Applicant must respond to required changes. If he/she disagrees with those issues, those must be committed in writing.
5. **Lot line adjustments.** Changes were made in HB406 and SB174. The lot line adjustment changes removed the requirement to record an amendment plat.

Step Three. Review engineering standards

1. **Codified Engineering standards.** As a reminder from prior law, every municipality needs to provide clear engineering standards and these need to be adopted by the City, Town or County with a public hearing at the Planning Commission and final adoption by the legislative body.

2. **Bonding for Private Landscaping.** In another companion bill HB406 [Section 10-9a-604.5](#) new provisions were added in regards to bonding. As of May 2023 Bonding for landscaping on private property is **not** allowed. Update your enforcement processes to include any fines, liens, and when you go to court for any unmet obligations. Update the bonding language. Under assurances can only be accomplished for public infrastructure .
3. **New road standards.** In HB406 [Section 10-9a-508. Exactions](#) new residential roadway standards were adopted. Municipalities that require road widths greater than 32' for residential roads (defined as residential use and 25 mph roads) should review those ordinances for compliance with these new standards. Wider can be allowed under certain conditions.

Step Three. Add the new appeal process

Reminder: SB 174 creates two distinct appeal processes after the four review cycles have been exhausted and 20 days have passed. You will need to add this appeal process to your subdivision ordinance.

1. For disputes relating to public improvement or engineering standards, the municipality shall assemble a three-person panel meeting within 10 days of receiving a request from the applicant.
2. For all other disputes, the municipality shall refer the question to the designated appeal authority at the applicant's request.
 - The panel of experts includes:
 - One licensed engineer designated by the municipality.
 - One licensed engineer designated by the land use applicant.
 - One licensed engineer, agreed upon, and designated by the two designated engineers.

Members appointed to the panel may not have an interest in the application in question. The applicant must pay 50% of the total cost of the panel and the municipality's published appeal fee. The municipality pays the other 50%. The panel's decision is final, unless the municipality or applicant petition for district court review within 30 days after the final written decision is issued.