



Council Policy Session

10.25.16

Accessory Building Regulations ZTA 1609-0004

Amended Plat (Condo) FSP 1609-0001

Amendment Plat FSP 1609-0002

Downtown Small Area Plan Discussion

ZTA 1609-0004 Accessory Building Regulations

Discussion Context:

► History:

- Clearfield's setbacks were changed in 2009.
 - Minutes from those meetings did not capture the reasoning for the change, other than it was the will of the Council that such change should occur.
- June 2016
 - Concerns were raised by private citizen about the installation of an accessory building in their rear yard.
 - Staff met with the citizen and explained the ordinance and options for addressing the issue.
 - Citizen attended and made public comment at Council meeting on June 14.
 - Council directed staff to review relevant information and provide a recommendation for changes to the Code.
- Planning commission public comments:
 - Lot coverage regulation should not be reduced, but should be held the same or increased.
 - Height of accessory building should be at least 18 feet to the midpoint, this the regulation imposed by an adjacent municipality.
 - Minimum setback should be no less than 2 feet.

Current Regulations

▶ **Clearfield City Code 11-9(A, B, C) -5:**

- ▶ *Accessory Buildings: No accessory building shall be located in the required front yard area. The minimum distance between accessory buildings and main building, or other accessory buildings, shall be six feet (6') at the closest points.*
- ▶ *Accessory buildings up to ten feet (10') in height shall be located at least two feet (2') away from any side or rear property line.*
- ▶ *Accessory buildings between ten feet (10') and twenty feet (20') in height shall be located at least eight feet (8') from any side or rear property line. (Ord. 2009-26, 11-24-2009)*

▶ **Clearfield City Code 11-9(A,B,C)-8**

- ▶ *Lot coverage by all buildings, including main and accessory buildings, shall not be more than forty percent (40%) of the lot or parcel area.*
- ▶ *The combined footprint of all accessory buildings shall not exceed fifty percent (50%) of the footprint of the main building. (Ord. 2009-26, 11-24-2009)*

▶ **Clearfield City Code 11-9(A,B,C)-11**

- ▶ *Accessory buildings shall be built with a finished, all weather exterior material. Detached garages and carports shall be finished to match the exterior of the main building.*

Proposed Changes & Recommendation

▶ Proposed Ordinance changes and additions:

▶ Regulations for under 200 SF and over 200 SF.

▶ Height:

- ▶ Height measurement for roofs, other roof flat roofs shall be measured in a formulaic fashion.
 - ▶ Typical roof styles are hipped, gable or gambrel.
- ▶ Regardless of size accessory building height shall be measured from the midpoint of the roof and allow up to fifteen (15) feet and is required to be no less than two (2) feet from any rear and side property lines
- ▶ Building will be stepped back one (1) foot from side and rear lines, for each foot over fifteen (15) feet
- ▶ Max. 20 feet height for any building, as measured from the midpoint (or similar) of the structure.

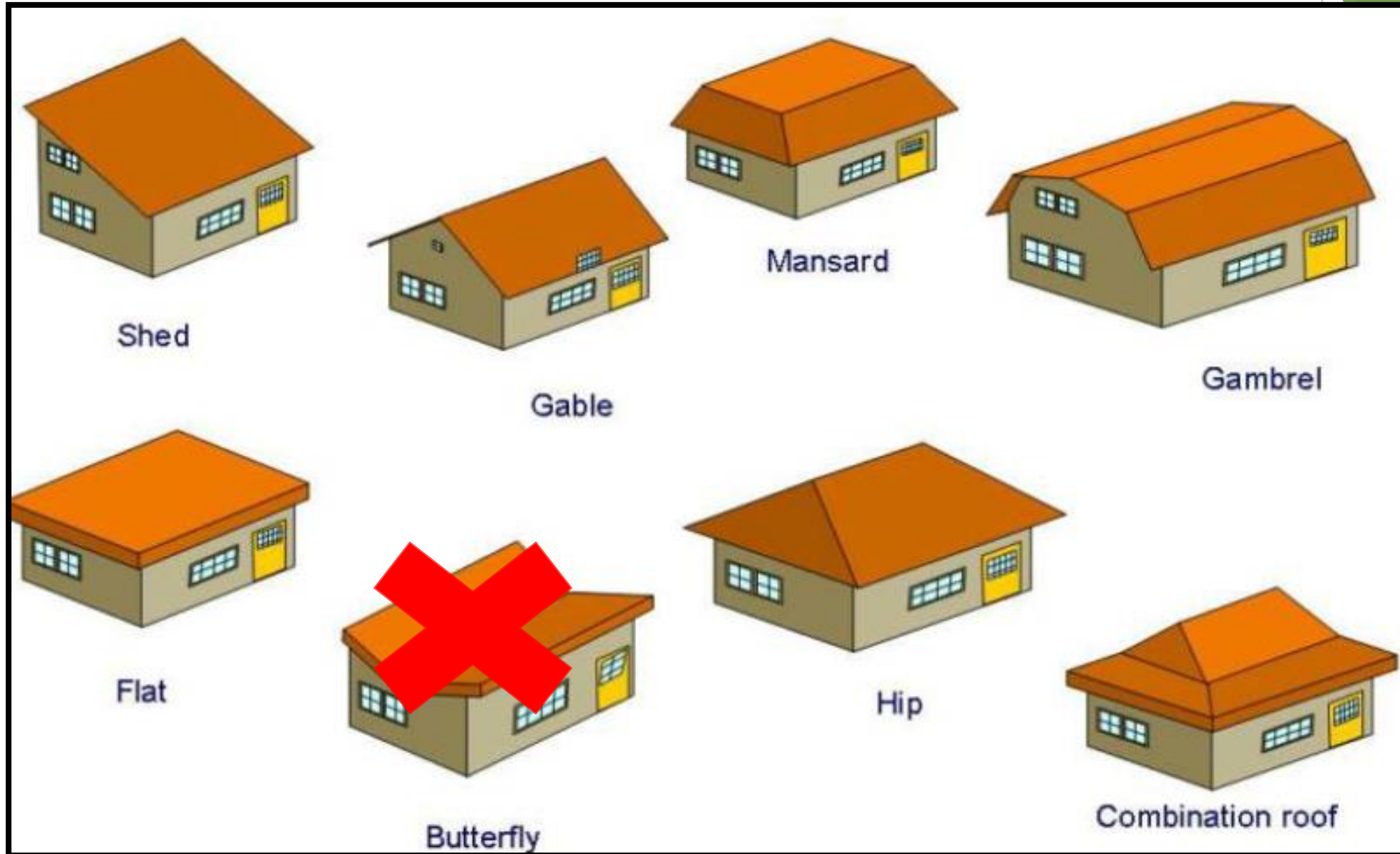
▶ Other Requirements

- ▶ No storm water runoff is permissible from accessory building onto adjacent properties
- ▶ Lot coverage by all buildings, including main and accessory buildings, shall not be more than **thirty-five (35%) percent** of the lot or parcel area.
- ▶ The combined footprint of all accessory buildings shall not exceed **forty (40%) percent** of the footprint of the main building. (Ord. 2009-26, 11-24-2009)

▶ Planning Commission Recommendation

- ▶ Move to approve **ZTA 1609-0004**, Zoning Text Amendments and corrections specific to the proposed changes of the title for accessory building regulations in all R-1 zoning districts, based on the findings and discussion in the Staff Report.

Roof Styles

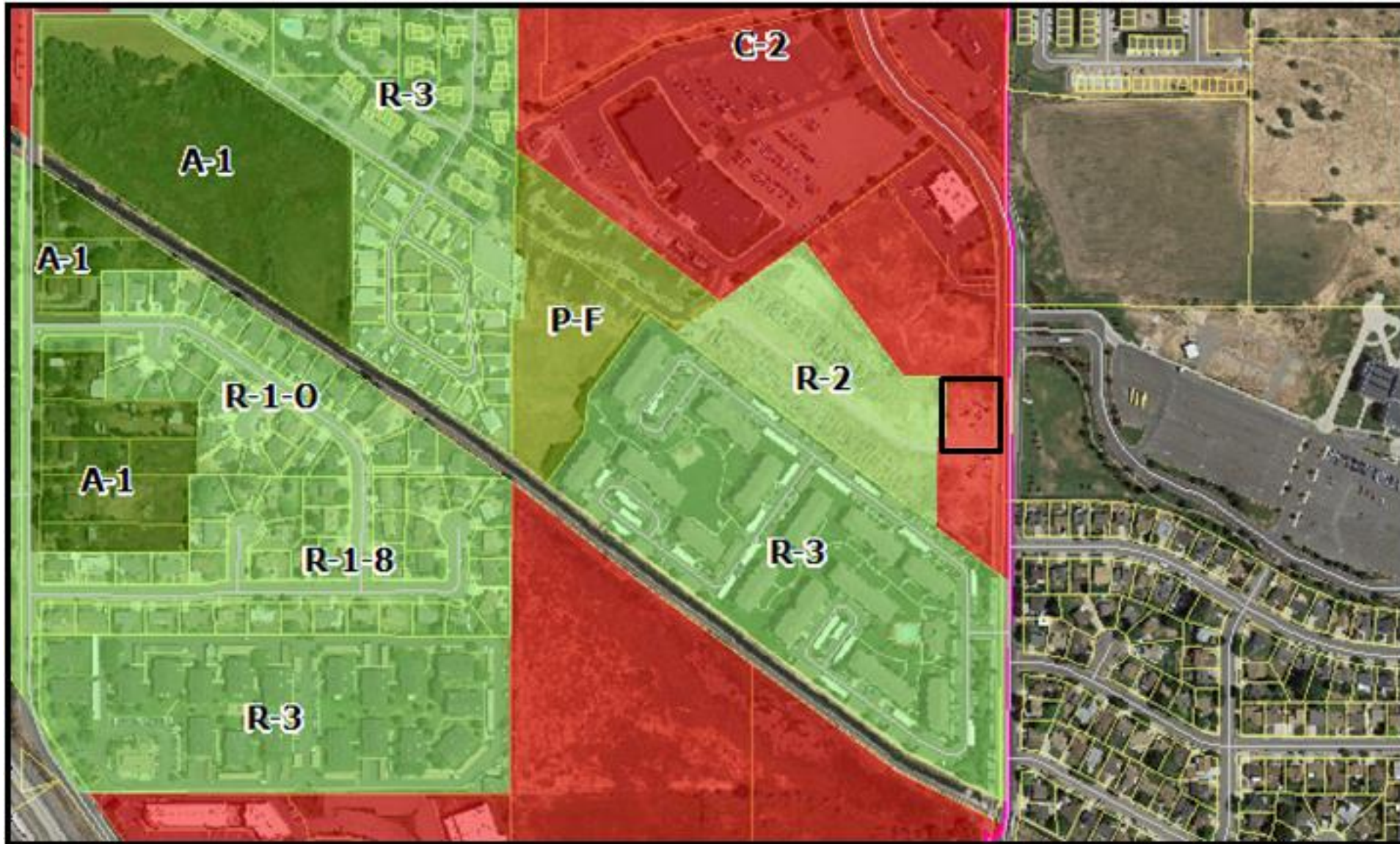


Council Discussion Summary

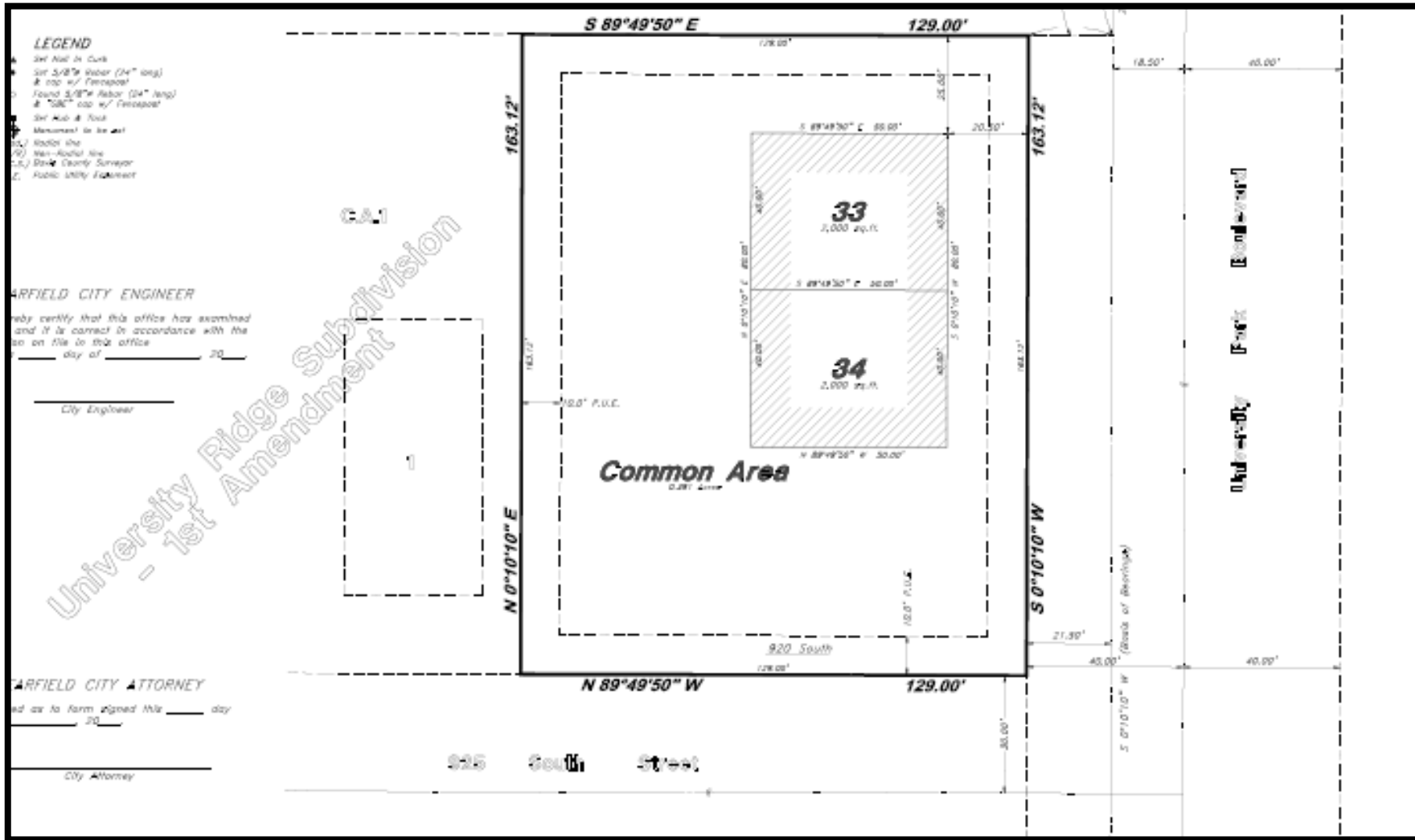
- ▶ The following is summary from Council Discussion:
 - ▶ Accessory building shall be no less than 2 feet from a side or rear property line
 - ▶ Accessory building shall be no taller than 10 feet when placed 2 feet from the property line.
 - ▶ Every one foot from the property line will allow for a two foot increase in height
 - ▶ Max. height for any accessory building shall be 20 feet or the height of the main building, whichever is less (max distance from property lines)
 - ▶ Lot and Parcel coverage primary structure percentages to remain and not to be reduced
 - ▶ Accessory building 200 SF or larger will required to be consistent with the main building, i.e. architecture and design materials.

Amended Plat(Condo) FSP 1609-0001

Project Location:



Proposed Plat:



Discussion

- ▶ General Plan and zoning:
 - ▶ The parcels are General Planned and zoned Commercial. The uses and buildings surrounding this site are consistent with the C-2 commercial zoning. The development of a building with individually owned units is consistent with the General Plan and the zoning.
- ▶ Plat review and approval:
 - ▶ Since this property has been previously subdivided and exists in an approved subdivision, it will require an amendment to the subdivision to accomplish the proposal. The condominium plat proposes two (2) separate units or lots, and the delineation of shared common area for the parking lot and landscaping, and portions around the building. The proposal meets engineering standards, with a few minor items to be addressed. Condominium plats also require the review and approval of the building official as the creation of condominiums must meet specific building code standards. The building official has reviewed the site plan, and will require additional documents to insure buildings are constructed in accordance with current building codes for this type of building.
- ▶ CC&Rs (Codes, Covenants and Restrictions)
 - ▶ The CC&R's is a private contract between the property owners' association and the individual condominium owners; the City is not a party to them. City staff will review the document to insure there are no violation or provisions inconsistent with State Statute.


Recommendations & Conditions

► Recommendation:

- Move to approve, as conditioned **FSP 1609-0001** a request by John Hansen, for a Final Subdivision Plat approval to amend the University Ridge Subdivision plat to create a Medical Office Condominium building located at 920 S. 2000 E. (TIN: 09-409-0033), based on the discussion and findings in the Staff Report.

► Conditions of Approval

- The final condominium plat shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated August 5, 2016, prior to recordation.
- Final review of the private covenants and restriction documents shall be completed by the City Attorney and any comments generated be appropriately addressed, prior to recordation of the associated documents and of the plat.
- The private covenants and restrictions required (pursuant to 11-13-24 of the City Land Use Ordinance), any amendment, and any instrument affecting the property or any unit therein, shall be approved by the city attorney, planning commission, and city council, and shall be recorded with the county recorder.

The background features abstract, overlapping green geometric shapes, primarily triangles and polygons, in various shades of green, creating a modern, layered effect.

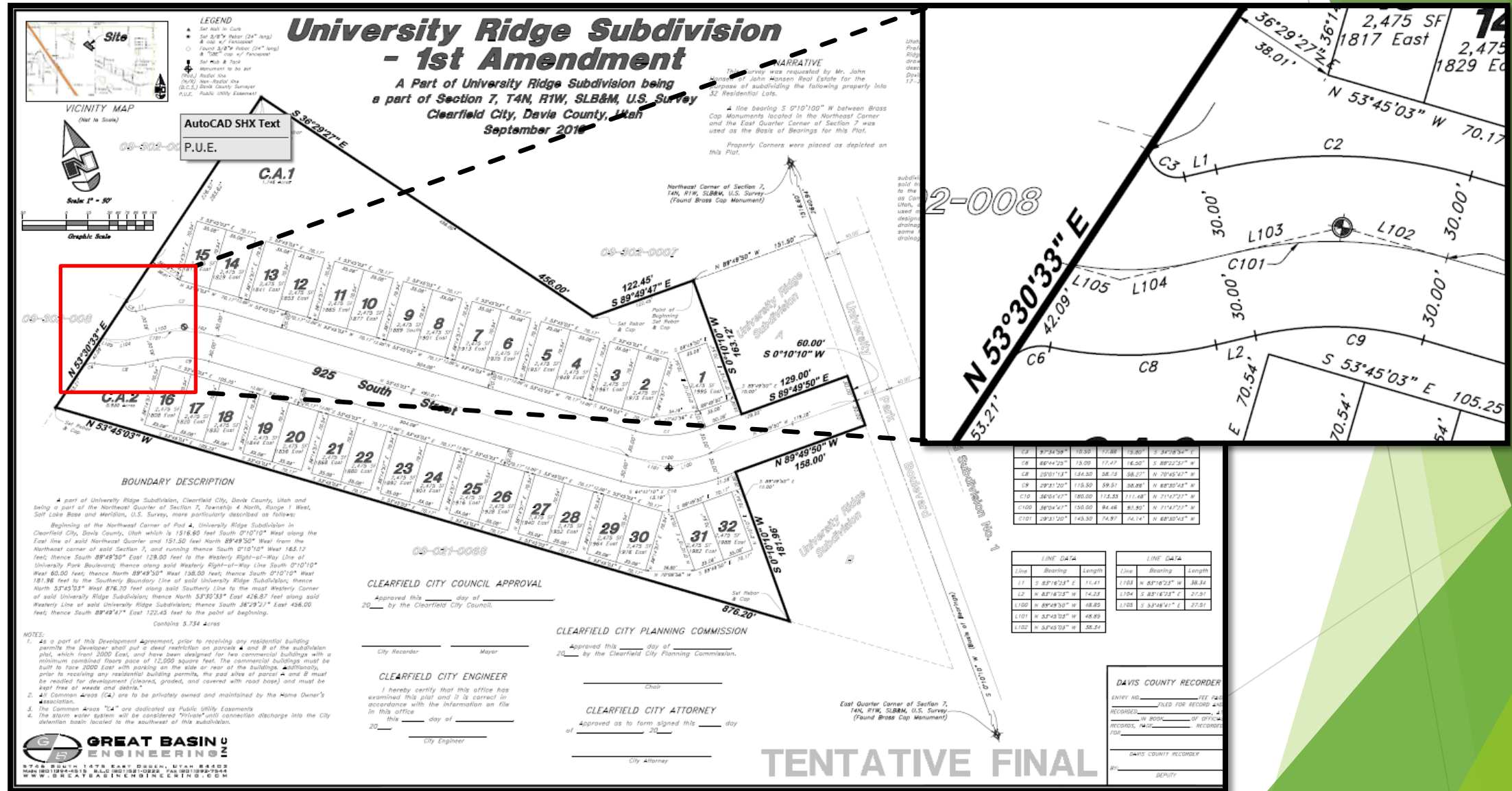
Amended Sub. Plat (Street Alignment) FSP 1608-0002

Project Location:



University Ridge Subdivision**University Ridge Subdivision****University Ridge Subdivision**

Proposed Plat:



Discussion

► Overview

- The University Ridge subdivision plat in the spring of this year.
- Mr. Hansen has been working to develop the residential portion of the subdivision and has made application for Lot A of the commercial portion.
- Recently a need has been identified for the roadway to continue through the property to provide a connection on the west side of the development.
- Previous agreements had preserved the potential connection of this area with the parking lot and street to the west.
- Application has been made for the removal of the cul-de-sac for the new alignment for the roadway connection.
- This plat amendment and road connection is consistent with the Clearfield City General Plan by allowing for this east/west connection. This request is specific to the road way and the only change in this instance will impact the through connection from the University Ridge Subdivision to the parking lot to the west.

► General Plan and zoning:

- The current subdivision meets the mixed use criteria and was allowed to be approved with the inclusion of the east/west access easement across the property; the project will meet the intent of the General Plan. Zoning requirements have been met. Regulations for the land use and enforcement of codes approved and adopted in the Development Agreement that was approved with the original subdivision request.

► Agency review and approval:

- All reviewing agencies have recommended approval of the new alignment and street connection. Drainage for the new roadway design has been considered and addressed, as well as appropriate access for emergency vehicles.

Recommendations & Conditions

► Recommendation:

- Move to approve, as conditioned **FSP 1609-0002** a request by John Hansen, for a Final Subdivision Plat approval to amend the University Ridge Subdivision plat for a change to the street alignment and removal of the cul-de-sac, located at 938 S. 2000 E. (TIN: 09-409-0001), based on the discussion and findings in the Staff Report.

► Conditions of Approval

- A final clean copy of the Final Subdivision Plat needs to be filed with the Planning Department, with all changes and redlines corrected from Planning, Public Works, and Engineering.
- The Construction Documents submitted for building permits shall be in substantial conformance with the documents submitted for this amendment to the Final Subdivision Plat, FSP 1609-0002; however, they will also include and address the following:
 - The final engineering design (construction drawings) submitted for site improvements shall meet City standards and be to the satisfaction of the City Engineer.
- Plat approval is subject to North Davis County Fire District review and approval.
- 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.

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Downtown Clearfield Small Area Plan

Recommendation

► Recommendation

- Move to **recommend approval of *Downtown Clearfield Small Area Plan***, a request by Clearfield City Staff, to be included as an exhibit to the General Plan for the City. This amendment would be effective within the General Plan, a document guiding the development of Clearfield City as a whole.