

CLINTON CITY PLANNING COMMISSION MINUTES

Commissioner Tony Thompson
Commissioner Allen Labrecque
Commissioner Dave Coombs
Commissioner Jolene Cressall
Commissioner Jeff Ritchie
Commissioner Bob Buckles

Mayor L. Mitch Adams, City Council Representative

Planning Commission Meeting	June 17, 2014	Call to Order: 7:07 P.M.	2267 N 1500 W Clinton UT 84015
Staff Present	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
Public Present	W. Frank Weiler, Art & Karen Ballif, Jed Nilson, Jon Kent Draayer, Maxwell Hunter, JC Aland		
Pledge of Allegiance	Commissioner Cressall		
Invocation or Thought	Commissioner Thompson		
Roll Call & Attendance	Mayor Adams was excused.		
Declarations of Conflict	There were none.		
City Council Report	Mr. Vinzant reported on the June 10, 2014 City Council Meeting as recorded in the minutes.		
Approval of Minutes	Commissioner Cressall moved to approve the minutes of the May 20, 2014 Planning Commission Meeting as written. Commissioner Buckles seconded the motion. All those present voted in favor of the motion.		
7:10 P.M. REVIEW AND ACTION UPON A REQUEST FROM BRUCE NILSON, NILSON HOMES, FOR PRELIMINARY PLAT APPROVAL OF COUNTRY COVE ESTATES, A RESIDENTIAL SUBDIVISION, LOCATED AT APPROXIMATELY 2501 WEST 1725 NORTH.			
Discussion	<p>Maxwell Hunter was present representing Bruce Nilson. He presented the Planning Commission with some drawings of the elevations.</p> <p>Mr. Vinzant identified that the irrigation ditch will need to be evaluated and approved by public works. The utilities will require a 20' easement. Public Works is researching the issue. They are considering cutting irrigation off at 1300 North. There is a piece of property that is landlocked and needs to be dealt with.</p> <p>He further explained:</p> <ul style="list-style-type: none"> • The developer has requested the preliminary plat be processed simultaneously with the final plat. • This is possible because there will only be one phase to this subdivision. • The preliminary plat has been reviewed and returned to the developer for corrections. • Comments related to the preliminary plat will need to be corrected on the final plat. <p>Mr. Vinzant stated staff recommends approval of the preliminary plat with the condition that staff's comments are complied with.</p>		
Public Comment	Commissioner Thompson opened the public hearing at 7:20 p.m. and asked for public comment; there was none, therefore he closed the public hearing at 7:21 p.m.		
CONCLUSION	Commissioner Cressall moved to approve the Preliminary Plat of Country Cove Estates located at approx. 2501 W 1725 N with the condition that staff's comments are complied with. Commissioner Labrecque seconded the motion. Voting by roll is as follows: Commissioner Buckles, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Thompson, aye.		
7:25 P.M. RESOLUTION 11-14 REVIEW AND ACTION UPON A REQUEST FROM BRUCE NILSON, NILSON HOMES, FOR A RECOMMENDATION TO THE CITY COUNCIL FOR FINAL PLAT APPROVAL OF COUNTRY COVE ESTATES, A RESIDENTIAL SUBDIVISION, LOCATED AT APPROXIMATELY 2501 NORTH 1725 WEST.			
Discussion	<p>Maxwell Hunter representing Nilson Homes addressed the Planning Commission to report that Nilson Homes has made the requested modifications to the plat.</p> <p>Mr. Vinzant reported:</p>		

Staff is reviewing the engineering. The Plat has been corrected. The easement has been changed to 20' on the plat. Zoning wise, this request complies, but subdivision wise it does not because it will create a landlocked lot. There are some engineering issues that remain. The irrigation line still needs to be addressed. He reviewed the following proposed resolution prepared for the City Council. He clarified the resolution requires compliance with the comments of staff.

- Subdivision meets the requirements and intent of the Patio Home Zone (infill) as intended in the General Plan and established in Chapter 22 of the Zoning Ordinance.
- Corrective requirements outlined by Staff shall be accomplished prior to presentation to the City Council.
- Proposed development does not detract from the surrounding neighborhoods. As part of the street sign package no parking signs will be required to be placed on the north side of 2050 North.
- CC&R's shall be established for the subdivision and a professionally managed homeowners association shall be developed. Homeowners shall be made responsible for maintaining parkstrip landscaping by the association. If the parkstrip landscaping is not maintained by the homeowner the association shall be responsible and backcharge the homeowner.
- As part of the sign package acquired through the City the developer will provide a sign at entrances to the subdivision stating that the subdivision has a homeowners association that is responsible for common area and other amenities within the subdivision. The sign shall significantly read:

NOTICE

Country Cove Subdivision has a homeowners association with recorded Protective Conditions, Covenants and Restrictions (CC&R's). The homeowners association is responsible for requirements outlined in the CC&R's and requires a monthly payment by all homeowners within the subdivision to the association. A copy of the CC&R's can be obtained from the Davis County Recorder's Office.

- At the time that conditional acceptance is requested for any phase all unbuilt lots in that phase will be graded smooth and all construction debris is to be removed. This will aid in the control of weeds and prevent the gathering of garbage on vacant lots within the subdivision.
- It is the developer/contractor's responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and the 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.
- 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 Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.
- It is the developer/contractor's responsibility to insure adequate dust and trash control practices are observed during all phases of construction.
- The developer is to present and comply with an erosion control plan.

The staff report identified the following:

- The preliminary plat has been reviewed, returned to the developer for modifications and returned to the City for PC consideration.
- Preliminary comments are provided with the Preliminary Plat
- Review the final plat submitted
 - Average Lot Size: 8,939'
 - Minimum Lot Size: 6,300'
 - Minimum Frontage: 60'

	<p>o No corner lots</p> <p>The Planning Commission discussed the land lock issue. Mr. Vinzant said he recommends tabling the issue to have the issues identified dealt with before sending it before the City Council.</p>
<p>Public Comment</p>	<p>Commissioner Thompson opened the public hearing at 7:34 p.m.</p> <p>Jed Nilson stated the plat was altered and the property that will become landlocked will be deeded to the current property owners directly behind it; lots 1 – 6 will get a little more land.</p> <p>Mr. Vinzant clarified there is a pipe that is not in a public utility drainage easement, the city cannot maintain it without a recorded easement.</p> <p>Kent Draayer said he will retain his property on the north south boundary line on the extreme east. The drain pipe will be deeded to the City.</p> <p>Karen Balliff stated that Nilson Homes has agreed to restore the property to the original state after the utilities have been installed. She would like the .6 acres deeded back to her and her brother.</p> <p>Commissioner Thompson clarified that according to City ordinances, an amended plat will need to be submitted so that a land locked parcel is not being created by approving the plat.</p> <p>Mr. Nilson asked the Planning Commission to consider approving the plat with the condition that the changes requested are completed.</p> <p>The majority of the Planning Commission was in favor of approving the plat and allowing staff to follow through with the land lock issue and utility easement for the drainage pipe in an effort to prevent further delay of the development.</p> <p>Commissioner Thompson asked for additional public comment, there was none, therefore he closed the public hearing at 7:51 p.m.</p> <p>Lot 102 addressed in a Minor Subdivision Plat on Draayer Meadows Phase 5</p>
<p>CONCLUSION</p>	<p>Commissioner Cressall moved to forward Resolution 11-14 onto the City Council with the recommendation for Final Plat Approval of Country Cove Estates, a residential subdivision, located at approximately 2501 North 1725 West with the changes and corrections outlined by staff. Commissioner Coombs seconded the motion. Voting by roll call is as follows: Commissioner Buckles, aye; Commissioner Coombs, aye; Commissioner Cressall, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Thompson, aye.</p>
<p>7:50 P.M. – ORDINANCE 14-04Z REVIEW AND ACTION UPON A RECOMMENDED CHANGE TO THE CLINTON CITY ZONING ORDINANCE, § 28-3-12(1) ESTABLISHING STANDARDS FOR ABOVE GROUND STORAGE OF FLAMMABLE, COMBUSTIBLE LIQUIDS AT GOLF COURSES ALONG WITH OTHER MINOR CORRECTIONS IN VARIOUS SECTIONS TO CLARIFY INTENT OF THE CODE.</p>	
<p>Discussion</p>	<p>Mr. Vinzant reviewed the following proposed changes to Chapter 28 with the Planning Commission:</p> <p>Chapter 2 Definitions: “Accessory Building, Residential” means a building constructed within a residential subdivision (R-1 zones) shall be constructed of materials complementary in color comparable to the primary building on the lot and buildings on surrounding lots.</p> <p>“Animal Unit (Agricultural & Residential)” 170 means the keeping of not more than the below-stated number of domestic animals: (1) One head of: horse or cow; or (2) Three head of: pig or sheep; or (3) Five head of the following small, non-carnivorous animals: rabbits, hamsters, or other similar small animals.</p> <p>“Garage, Private” means an enclosed space or accessory building for the storage of one or more motor vehicles. A garage with an exterior width of less than 20 feet shall be designated as a single garage. A garage with an exterior width of 20 feet or greater shall be designated as a double</p>

garage. For the purpose of these regulations a private garage will fall into one of three (3) categories:

TABLE 3.12.1	A-1	A-E	MP-1	CP-2	Temporary Construction Site Storage
Class I Liquid Allowed	Yes ^{a,c}	Yes ^d	Yes	Yes	Yes ^c
Class II & III Liquid Allowed	Yes ^{a,c}	Yes ^d	Yes	Yes	Yes ^c
Distance From Combustibles	50 Feet	50 Feet	50 Foot	50 Foot	50 Foot
Distance From Property Line	50 Feet	50 Feet	50 Foot	50 Foot	50 Foot
Drainage and containment Tanks	Yes ^b	Yes ^b	Yes ^b	Yes ^b	Yes ^b
Permit From Fire Department	Yes	Yes	Yes	Yes	Yes
^a In A-1 Zone, will not be allowed on lots smaller than 2 acres. ^b The volumetric capacity of the containment area shall not be less than required by the fire code. ^c Gravity Fill tank, not to exceed 1,100 gallon tanks. ^d In A-E Zone, will only be allowed in golf courses or similar recreational areas with a minimum of 100 acres.					

§ 28-3-15 Additional Standards Amend

(3) The Dwelling shall have a minimum two car garage, (minimum 20' x 20') attached to or detached from the primary structure. ~~If a two car garage is not constructed side lot set back requirements on one side of the dwelling shall be increased proportionally to the width of any garage constructed, i.e. if a 12' wide earport or garage is constructed the side lot setback shall be increased 8' on the same side as the carport or garage to facilitate construction in the future. If an enclosed garage is not constructed the dwelling must provided a minimum of 120 square feet of enclosed storage, with a minimum height of six feet, located in a garage area or in an accessory storage structure. Such garage and/or storage structure shall conform to all applicable building codes.~~

§ 28-3-25(2) Garage Accessory Delete

~~(v) Garages Accessory shall compliment the color scheme and utilize the same building materials~~

~~as the existing dwelling. Street view of the structure shall be similar in the use of materials, brick, rock, etc., as the residence on the lot. Sides and rear of the structure may utilize less primary materials, siding, stucco, etc., found on the residence. Equality of materials and colors shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.~~

Replace With

(v) Garage Accessory shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.

Add

(vi) It shall have a hard surface drive from the street to the garage unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.

§ 28-3-25(4) Accessory Building

Delete

~~(e) Accessory Buildings shall compliment the color scheme and utilize the same building materials as the existing dwelling. Street view of the structure shall be similar in the use of materials, brick, rock, etc., as the residence on the lot. Sides and rear of the structure may utilize less primary materials, siding, stucco, etc., found on the residence. Equality of materials and colors shall be determined by the planning staff at the time of plans review. Allowances may be made when considering the availability of materials due to the age of the original structure.~~

~~(f) Accessory Buildings located in a yard surrounded by a solid or privacy fence shall compliment the color scheme and utilize the same building materials as the existing dwelling. Significance of materials and colors shall be determined by the planning staff at the time of plans review.~~

~~Allowances may be made when considering the availability of materials due to the age of the original structure.~~

Replace With

(e) Accessory Buildings shall compliment the color scheme of the existing dwelling. Significance of colors shall be determined by the planning staff at the time of plans review.

§ 28-3-25(5) Accessory Building Large Lot

Delete Entire Section

§ 28-3-25(8)(e) Carport Accessory

Add

(vi) It shall have a hard surface drive from the street to the carport unless the structure is behind a 6-foot solid fence with gates then the hard surface shall extend from the street to behind the fence gates.

§ 28-4-4 Parking Space for All Residential Dwelling Units.

Amend

In all residential zones, in accordance with other sections of this chapter, there shall be provided in a private garage, or in a hard surface area properly located, sufficient space for the parking of automobiles for each unit. If two (2) or more parking spaces are required the parking spaces must be side-by-side. For a new buildings or structures, additional units, or for the enlargement or increase in capacity, floor area, or guest rooms of an existing main building or structure, there shall be the following minimum number of permanently maintained parking spaces on the same lot with the main building as follows:

(6) Dwellings: In all zones there shall be provided:

Type of Unit	Number of Enclosed Spaces	Other Parking Spaces
Single Family	2 ^a	
Two Family	4	
Three Family	6	2
Four Family	8	2

^a See notes in 28-14 of this ordinance for additional requirements

§ 28-12-3 Conditional Uses.

Amend

- (9) Municipal Wells, Reservoirs, and Storage Tanks for water.
- (10) Above ground fuel storage tank.

§ 28-13-3 Conditional Uses.

Amend

- (5) Municipal Wells, Reservoirs, and Storage Tanks for water.
- (6) Above ground fuel storage tank.

§ 28-14 Table 14.2

Amend

17 Municipal Wells, Reservoirs, and Storage Tanks for water.

§ 28-19-29

Table 19.29.2 Development Standards			Conventional Subdivision	Performance Subdivision
1.	Minimum Lot Frontage	Interior Width	65	None
		Corner Width	65	None

2.	Minimum Yard Setbacks (feet)	1.	Front	Main street	35	35	
				Other street	20	20	
		2.	Side		Interior lot	8/10	20
					Facing major street	35	35
					Facing other street	20	20
					Accessory Building	8/10 ^b	8 ^b
		3.	Rear	Main building	25	25	
				Accessory Building	3 ^c	3 ^c	
		3.	Building Height	Minimum stories		1	1
				Maximum stories		2.5	3
Maximum feet				35 ^d	35 ^d		
4.	Building First Floor Area (sq. ft.)	Dwelling unit minimum		850	800		
		Accessory building maximum (total area)		850	None		
5.	Impervious Surface Ratio			25%	25%		

^a Applies to building rather than individual units

^b EXCEPTION: ≥ 10' from the rear of main building and ≥ 18' from dwelling on adjacent lot; 3' from building wall 1' from nearest point of building.

^c EXCEPTION: Corner lots, rears on side yard of adjacent lot; Interior lots, rears on side yard of adjacent corner lot, 25'

^d Accessory Building: 6' minimum, 1 story max, ≤ to main building on lot

Public Comment

Commissioner Thompson opened the public hearing at 8:33 p.m.

Frank Wyler expressed concern regarding above ground storage tanks in the AE Zone, that tanks can be placed 50 feet from a residential property. He asked the Planning Commission to vote not to allow.

Mr Vinzant explained that the Fire Code specifies the distances.

JC Aland, Manager of Cranefield Golf Course commented the zone was made for the golf course. He explained the tanks that will be installed are a new design that is stronger and better than old tanks. The intent is to make the tanks as aesthetically pleasing as possible. He presented the Planning Commission with some pictures of what the new tanks look like.

Frank Wyler commented the Fire Department sets the distance they need for their purposes which is not necessarily what meets both the residents and golf courses purposes. He clarified his concern is combustibleness, aesthetics and the distance they are placed to residential properties.

The Planning Commission agreed they would like to have the Fire Chief present to address some of their concerns.

9:10 p.m. Mr. Wyler commented

Changes identified in SR 14-04Z

Commissioner Thompson closed the public hearing at 9:33 p.m.

CONCLUSION

Commissioner Buckles moved to table Ordinance 14-04Z amending sections of the Clinton City Zoning Ordinance to the July 1, 2014 Planning Commission meeting with a public hearing and the recommendation for review by the Fire Chief of Table 3.12.1 and to discuss above ground storage tanks further. Commissioner Labrecque seconded the motion. All voted in favor of the motion.

8:15 P.M. - REVIEW AND ACTION UPON A REQUEST FROM JAMES ALAND, CRANE FIELD GOLF COURSE, FOR A CONDITIONAL USE PERMIT TO ESTABLISH AN ABOVE GROUND STORAGE AREA FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS, GAS AND DIESEL FUEL.

Discussion

Mr. Vinzant reviewed the following as identified in the staff report:

- This property is in the AE Zone
- The need for a conditional use permit is in question, however Chapter 3, § 28-3-12, states that above ground

	<p>fuel storage tanks are allowed in the A-1, MP-1 and CP-2 zone and in specific instances the PZ zone but not the AE zone. However, Chapter 13, § 28-13-3(5), indicates that “Water Wells, Reservoir, and Storage tanks” are a Conditional Use.</p> <p>He explained his recommendation is going ahead with this Conditional Use Permit with one Condition. Obtaining a permit from the Fire Department. The Fire Department enforces the Fire Code and if the use is permitted in the Zoning Ordinance then the Fire Code will regulate the use.</p>
Public Comment	<p>Commissioner Thompson opened the public hearing at 9:47 p.m. He recommended tabling the issue to the July 1, 2014 Planning Commission meeting.</p> <p>JC Aland commented his family owns the golf course, construction is on going; they appreciate City staff. The Fire Chief is asking them to move forward and they intend to meet the requirements.</p> <p>Commissioner Thompson clarified the public hearing will remain open until the July 1, 2014 Planning Commission meeting.</p>
CONCLUSION	<p>Commissioner Coombs moved to table this issue to the July 1, 2014 Planning Commission meeting with the public hearing to remain open. Commissioner Buckles seconded the motion. All voted in favor of the motion.</p>
WORK SESSION	
Discussion	<p>Mr. Vinzant asked the Planning Commission to continue with their homework.</p> <p>They were in consensus to keep sign ordinance as is.</p> <p>Mr. Vinzant said due to the issues currently before the Planning Commission, a meeting with local business owners will take place in the near future.</p> <p>He identified there are three subdivisions in the works.</p> <p>There will be no further discussion on regulating apiaries.</p>
ISSUES & CONCERNS	<p>There were none.</p>
ADJOURNMENT	<p>Commissioner Coombs moved to adjourn the meeting. Commissioner Cressall seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 10:01 p.m.</p>