

Clearfield City Council Work Session

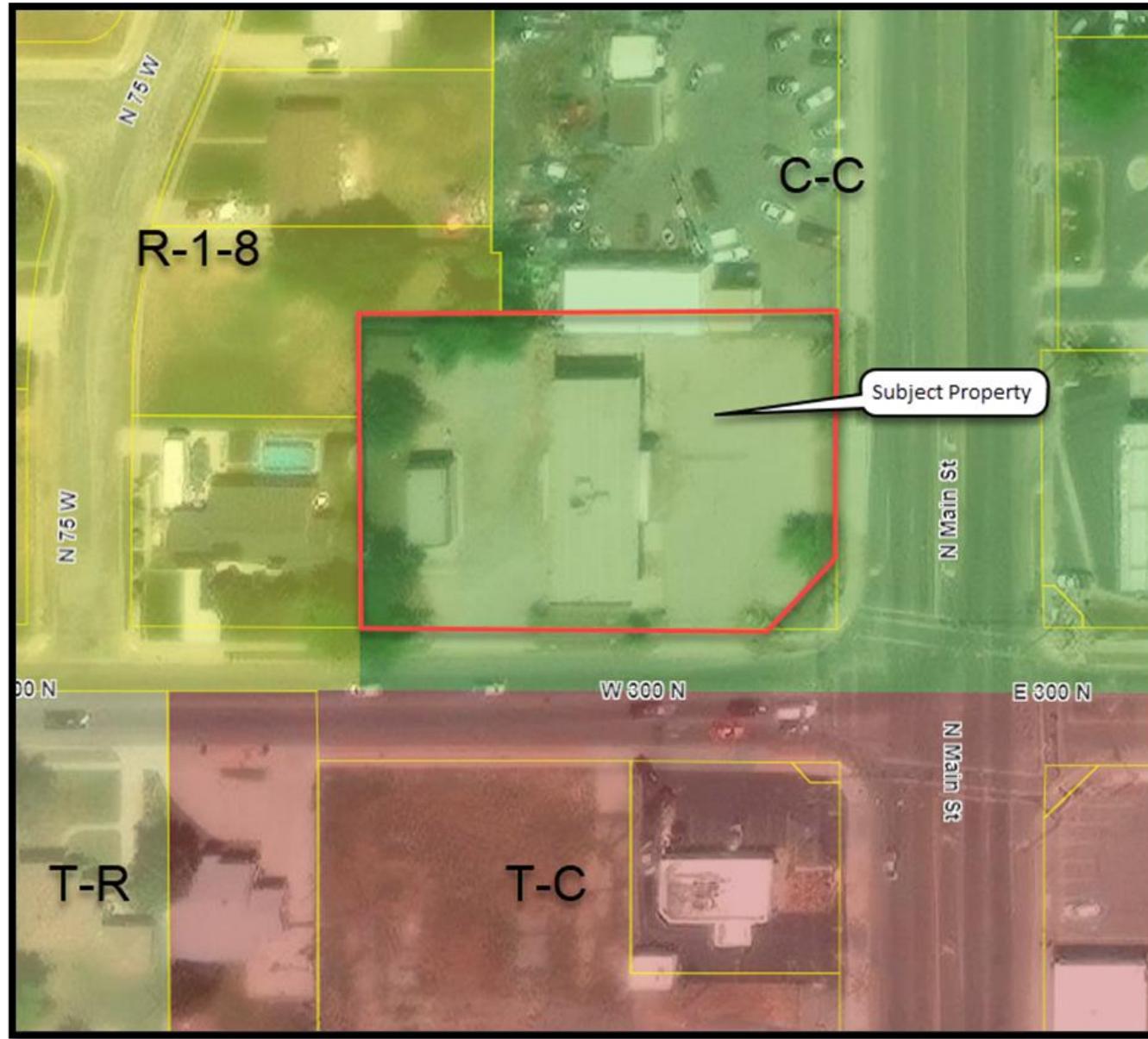
October 8th, 2024





20 WEST 300 NORTH
DEVELOPMENT AGREEMENT
Development Agreement
DA 2024-0506

Aerial Image & Zoning





Background

- *Restrictive Deed recorded against property in May 2011.*
 - *Petroleum-related Restrictions & Environmental Matters.*
 - *20 Year term on deed.*
 - *Limitation on work that can be done without full approval from BP Products.*
 - *Full cost and burden then on current property owner.*
- *Usage of existing site requires a development agreement to modify code standards from the FBC.*
- *All new activity at the site will need to comply with FBC because the legal nonconforming use has been discontinued.*

Site Plan

AS-SURVEYED PARCEL CONTAINS:
33,369.70 SQ. FT. OR 0.766 ACRES

14-071-0046
GRB UNLIMITED LLC
SPECIAL WARRANTY DEED
ENTRY 2808584

LOT 2
14-447-0002
MATHESON, ALVA LEON

ARK SUBDIVISION
2366034

LOT 1
4-447-0001
BAILEY, ROBERT W & DIANA M

RAND VIEW
SIGHT

NEW DOUBLE ACORN
STREET LIGHT

S89°37'20" E 336.003' (R/M TIE)

NEW DOUBLE ACORN
STREET LIGHT

FOUND & ACCEPTED (4520.94)

BRASS PLUT +/-0.12' FROM EXTENDED PROPERTY LINE
ASPHALT
S CAP)

GAS LINE (VERIFY)

EX. WOOD FENCE LINE
N 00°04'00"E 148.703'

10' SETBACK

GRASS & LANDSCAPING

EX. FENCE LINE

EXISTING WOOD FENCE LINE

10' SETBACK

GRASS & LANDSCAPING

EX. FENCE LINE

10' SETBACK</

Grading & Drainage Plan

AS-SURVEYED PARCEL CONTAINS:
33,369.70 SQ. FT. OR 0.766 ACRES

LOT 2
14-447-0002
MATHESON, ALVA LEON

A graphic scale with markings at 0, 10, 20, and 40. The scale is labeled "GRAPHIC SCALE" at the top and "(IN FEET)" at the bottom. Below that, it says "1 INCH = 20 FT.".

CLEARFIELD HOLT PARK SUBDIVISION
ENTRY NO. 2366034
NEW 1' W
TOP OF E

LOT 1
14-447-0001
GAILEY, ROBERT W & DIANA

SE CORNER GRAND VIEW
ACRES SUBMISSION
(NOT FOUND)

S89°37'20"E 336.003' (R/M TE)

SOUTH QUARTER CORNER
SECTION 35, T5N, R2W
SLB&M (FOUND BRASS CAP)

FOUND & ACCEPTED (4520.94)
BRASS PLUT +/-0.12° FROM EXTENDED PROPERTY LINE

300 NORTH STREET - PUBLIC RIGHT OF WAY

14-071-0046
GRB UNLIMITED LLC
SPECIAL WARRANTY DEED
ENTRY 2808584

LESS & EXCEPTING
PARCEL FROM QCD
ENTRY 1900706
BK/PG 3357/66

MAIN STREET - PUBLIC RIGHT OF WAY

Staff Recommendation

Staff recommends that the Planning Commission forward a recommendation of **DENIAL** of DA 2024-0506, to the City Council for the proposed development agreement for the property located at 20 West 300 North (TIN: 14-530-0002). This recommendation is based upon the following findings:

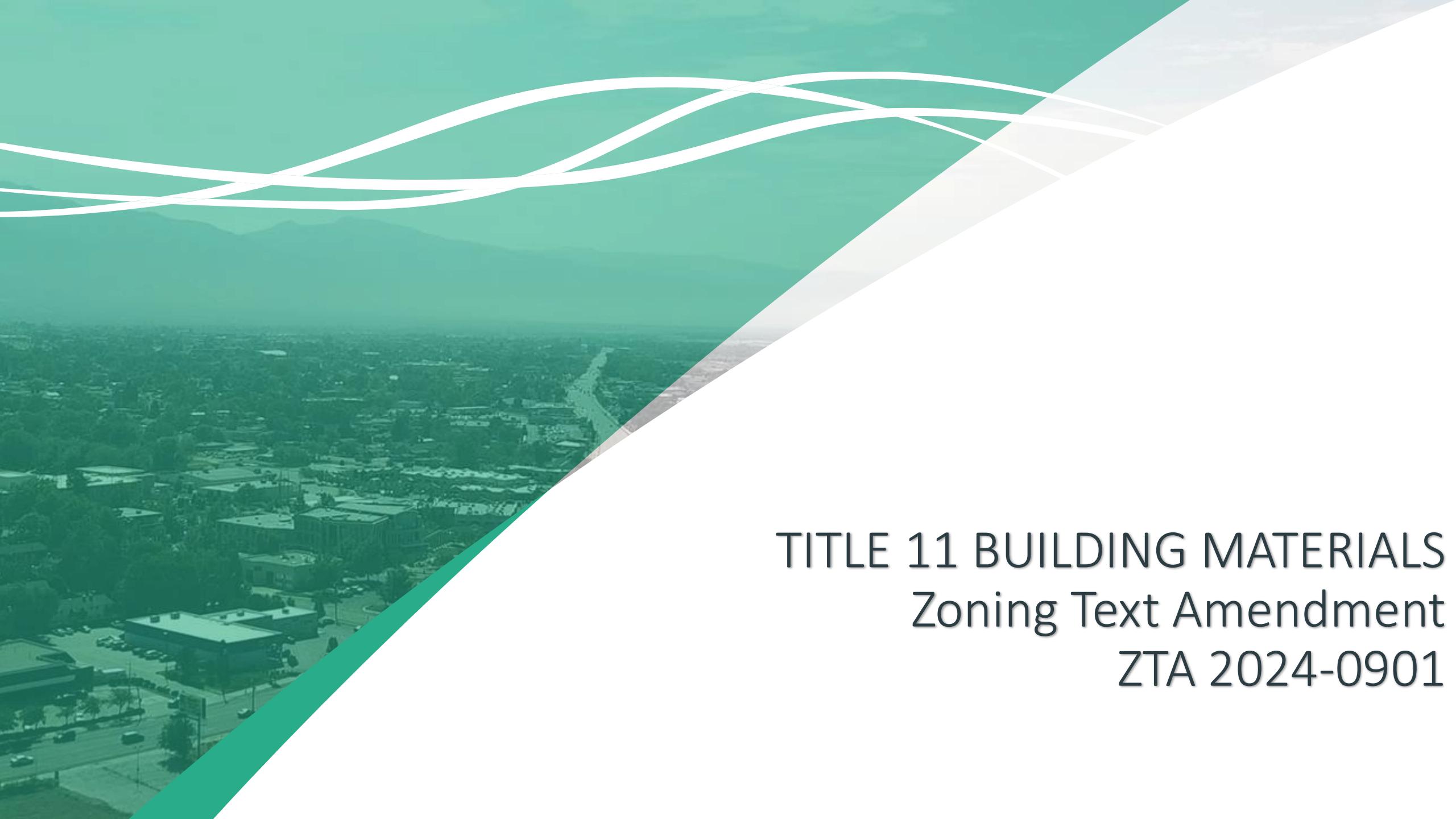
1. The proposed development agreement is inconsistent with the development standards and process of the Downtown Clearfield Form-Based Code.
2. The proposed development agreement does not include all of the needed modifications from the Downtown Clearfield Form-Based Code to facilitate the intended use.

Planning Commission Recommendation

On October 2nd, 2024, the Planning Commission forwarded a recommendation of **DENIAL** of **DA 2024-0506**, to the City Council for the proposed development agreement for the property located at 20 West 300 North (TIN: 14-530-0002). This recommendation was done on a 4-3 vote and was based upon the following findings, with the addition of 3 & 4 by the :

1. The proposed development agreement is inconsistent with the development standards and process of the Downtown Clearfield Form-Based Code.
2. The proposed development agreement does not include all of the needed modifications from the Downtown Clearfield Form-Based Code to facilitate the intended use.
3. Concerns with the potential liability that the city could be subject to with the approval of a development agreement prior to approval granted by BP Products for the site work.
4. There is a lack of guarantee that the private improvements will be completed whether or not additional environmental issues are discovered.





TITLE 11 BUILDING MATERIALS

Zoning Text Amendment

ZTA 2024-0901



Background

- Title 11 is the Land Use Ordinance for Clearfield City and includes regulations for all areas outside of the Downtown Form Based Code Area
- Regulations include design standards that address building materials, specific to each zone
- The zones generally include a list of permitted materials
 - The list is relatively small
 - Depending on the zone, sometimes materials like brick or stone are required on the street facing façade of the building
- There has been a lot of innovation in design and quality of building materials with new technologies
- Intent for amendment is to be responsive to material advancements and provide flexibility to builders while enhancing the look and character of the community
- Structure of amendment is to list non-permitted materials and leave permitted materials open

Proposed Amendments – Title 11 Building Materials

(C-1 Zone) 11-11A-12: Other Requirements

D. Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, or~~
~~are vinyl siding, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and~~
~~sheet metal.~~

~~2. Vinyl siding shall not be permitted on the front elevation of a main building.~~

~~3. 2.~~ 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.

~~4. 3.~~ Any ~~front~~ building elevation ~~or elevation~~ facing a street or right of way shall include at least ~~two~~
~~(2) one (1)~~ of the following: brick, ~~stucco~~, stone, or rock.

E. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

F. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

G. Design Standards: All new site development or construction in the C-1 commercial zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-36, 11-24-2009; amd. Ord. 2022-06, 2-22-2022)

Proposed Amendments – Title 11 Building Materials

(C-2 Zone) 11-11B-12: Other Requirements

D. Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, or~~
~~are vinyl siding, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and~~
~~sheet metal.~~
- ~~2. Vinyl siding shall not be permitted on the front elevation of a main building.~~
- ~~3. 2.~~ 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.
- ~~4. 3.~~ Any ~~front~~ building elevation ~~or elevation~~ facing a street or right of way shall include at least ~~two~~
~~(2) one (1)~~ of the following: brick, ~~stucco~~, stone, or rock.

E. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

F. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

G. Design Standards: All new site development or construction in the C-1 commercial zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-36, 11-24-2009; amd. Ord. 2022-06, 2-22-2022)

Proposed Amendments – Title 11 Building Materials

(R-2 Zone) 11-9D-11: Other Requirements

E. Multiple-Family Dwelling Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, wood, or fiber cement board~~ are vinyl siding, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and sheet metal.
2. ~~Vinyl siding shall not be a permitted exterior building material for multiple family dwellings.~~
3. 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.
4. Any front building elevation ~~or elevation~~ facing a street or right of way shall include at least ~~two~~ ~~(2)~~ one (1) of the following: brick, ~~stucco~~, stone, or rock.

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

H. Design Standards: All new site development or construction in the R-2 residential zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-29, 11-24-2009; ~~amd.~~ Ord. 2022-06, 2-22-2022; Ord. 2022-07, 4-12-2022)

Proposed Amendments – Title 11 Building Materials

(R-3 Zone) 11-9E-13: Other Requirements

E. Multiple-Family Dwelling Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, wood, or fiber cement board~~ are vinyl siding, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and sheet metal.
2. ~~Vinyl siding shall not be a permitted exterior building material for multiple family dwellings.~~
3. 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.
4. Any front building elevation ~~or elevation~~ facing a street or right of way shall include at least ~~two~~ ~~(2)~~ one (1) of the following: brick, ~~stucco~~, stone, or rock.

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

H. Design Standards: All new site development or construction in the R-2 residential zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-29, 11-24-2009; ~~amd.~~ Ord. 2022-06, 2-22-2022; Ord. 2022-07, 4-12-2022)

Proposed Amendments – Title 11 Building Materials

(B-1 Zone) 11-10-11: Other Requirements

D. Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, or~~ are vinyl siding-, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and sheet metal.

~~2. Vinyl siding shall not be permitted on the front elevation of a main building.~~

~~3. 2.~~ 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.

~~4. 3.~~ Any **front** building elevation **or elevation** facing a street or right of way shall include at least ~~two~~ ~~(2)~~ one (1) of the following: brick, ~~stucco~~, stone, or rock.

E. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

F. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

G. Design Standards: All new site development or construction in the B-1 buffer zone shall incorporate the appropriate design standards described in chapter 18 of this title.

Proposed Amendments – Title 11 Building Materials

(P-F Zone) 11-10-11: Other Requirements

D. Exterior Building Materials:

1. Non-Permitted exterior building materials for main buildings ~~shall be brick, stucco, stone, rock, or~~ are vinyl siding, aluminum siding, fiber cement panels, unfinished poured concrete, rusted metal, and sheet metal.

~~2. Vinyl siding shall not be permitted on the front elevation of a main building.~~

~~3.~~ 2. 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.

~~4.~~ 3. Any **front** building elevation **or elevation** facing a street or right of way shall include at least ~~two~~ ~~(2)~~ one (1) of the following: brick, ~~stucco~~, stone, or rock.

E. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

Proposed Amendments – Title 11 Building Materials

(CHAPTER 18 DESIGN STANDARDS) 11-18-5: Commercial Building Design Standards

F3. All projects shall submit a sample board containing actual samples of all exterior surface materials, including roofing materials, in all the colors that will be used. No photos shall be permitted.

(CHAPTER 18 DESIGN STANDARDS) 11-18-7: Industrial Building Design Standards

E5. All projects shall submit a sample board containing actual samples of all exterior surface materials, including roofing materials, in all the colors that will be used.

(Re-number remaining)

Staff Recommendation; Findings & Conclusion

Staff recommends that the Planning Commission forward a recommendation of APPROVAL for ZTA 2024-0901 to the City Council, a zoning text amendment request by Clearfield City to amend building materials standards from Title 11 of the Clearfield City Code. This recommendation is based upon the information and findings outlined in the staff report and the following conclusions.

1. The Clearfield City Land Use Ordinance should be continually evaluated to address local and market needs identified through code implementation and plan reviews.
2. The proposed amendment recognizes ongoing advancements in building construction materials and the ways they can be used to provide a high quality and long-lasting product.



Planning Commission Recommendation

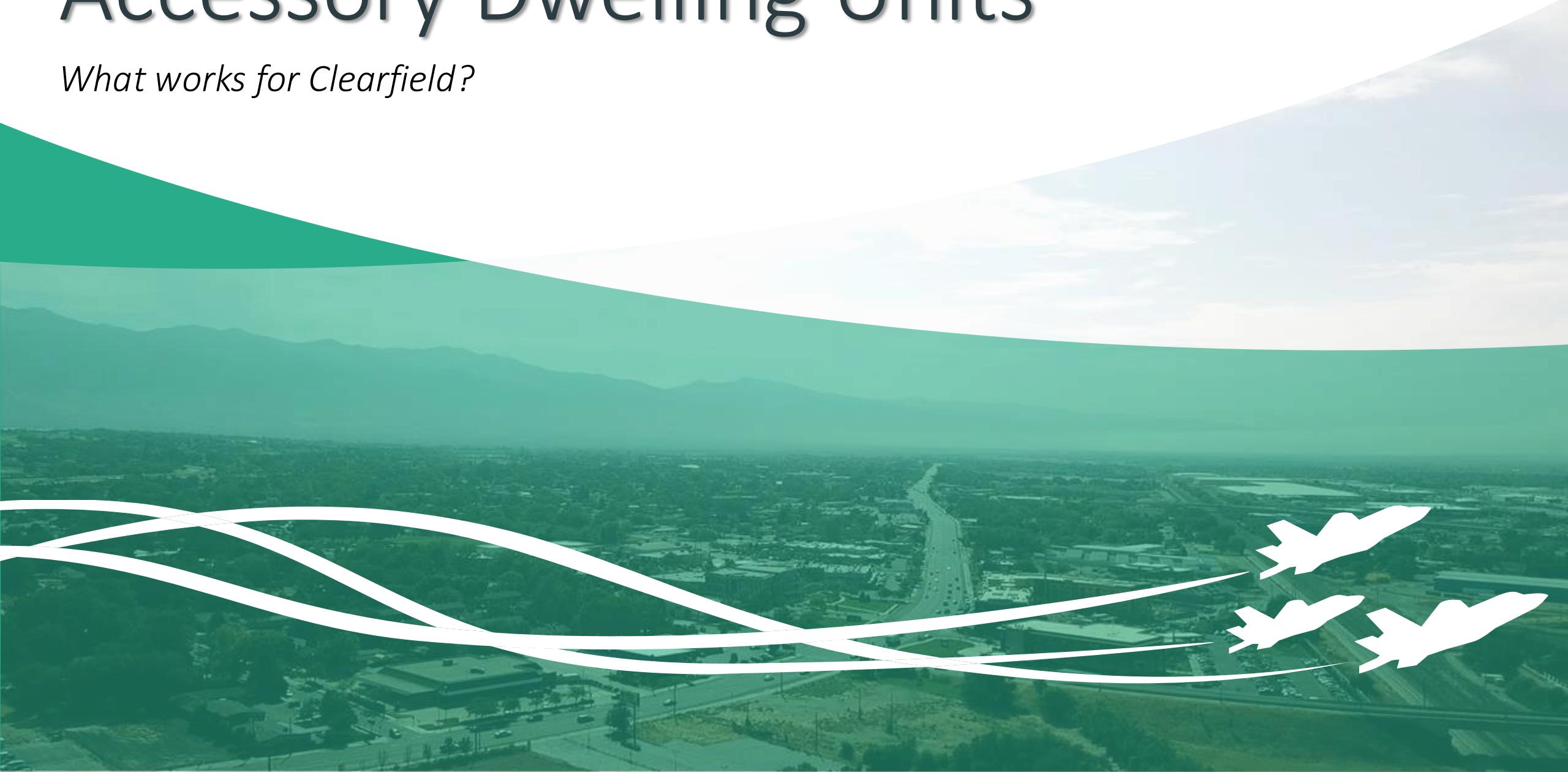
On October 2nd, 2024, the Planning Commission forwarded a recommendation of **APPROVAL** for **ZTA 2024-0901** to the City Council, a zoning text amendment request by Clearfield City to amend building materials standards from Title 11 of the Clearfield City Code. This recommendation for approval was unanimous and was based upon the information and findings outlined in the staff report and the following conclusions.

1. The Clearfield City Land Use Ordinance should be continually evaluated to address local and market needs identified through code implementation and plan reviews.
2. The proposed amendment recognizes ongoing advancements in building construction materials and the ways they can be used to provide a high quality and long-lasting product.



Accessory Dwelling Units

What works for Clearfield?





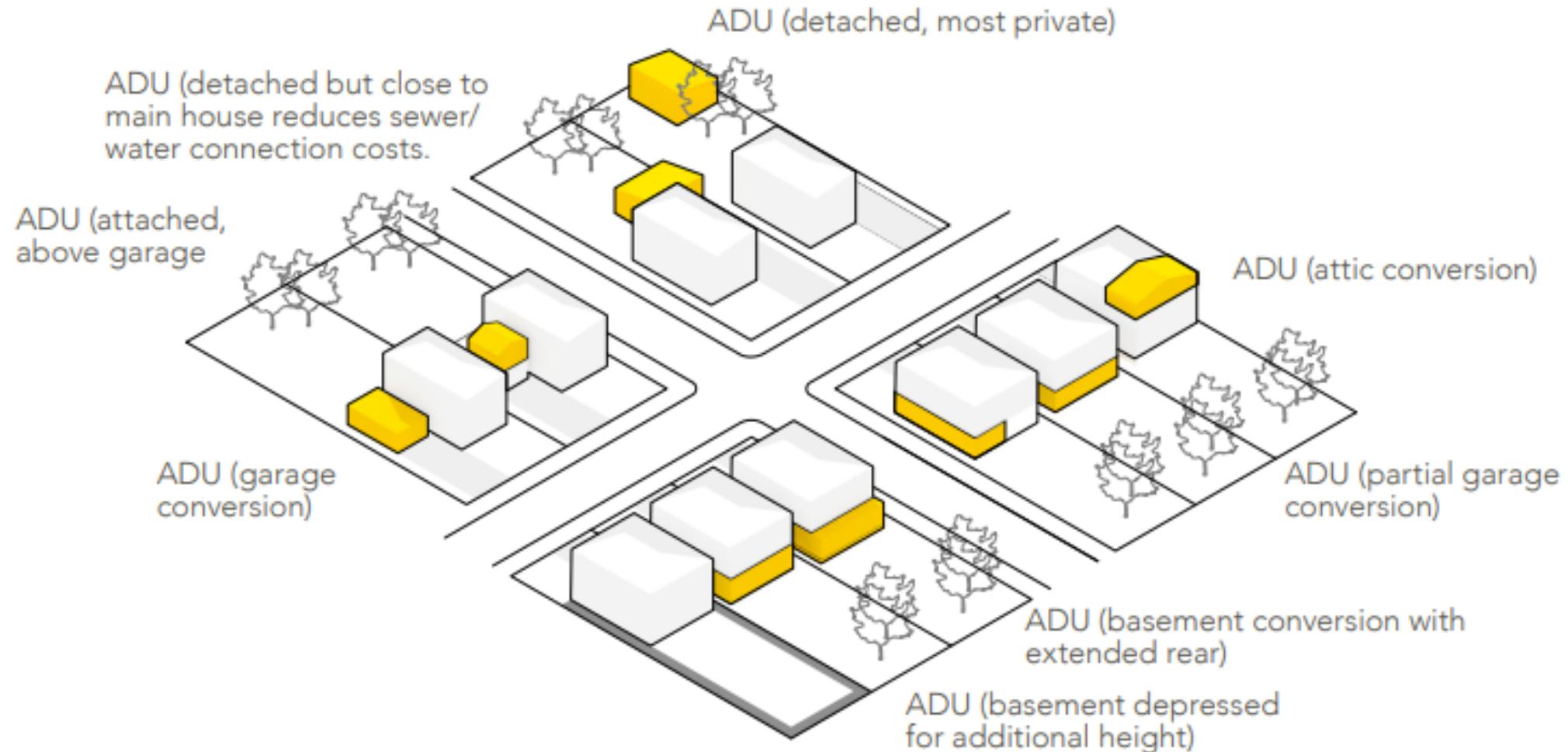
Updates Needed

- *Internal Accessory Dwelling Units permitted in Clearfield since September 2021.*
- *Updates to State Code in 2023.*
- *Modifications Needed*
 - *Prohibited from regulating:*
 - *Size in relation to primary dwelling;*
 - *Total lot size*;*
 - *Street frontage;*
 - *Internal connectivity.*

*Can prohibit IADUs on lots 6,000 SF or less.



Accessory Dwelling Unit Types



Internal or Attached



Detached





Clearfield City

- *6,000 SF or less*
- *ADU size of 50% or less of primary residence (Need to remove)*
- *Separate living areas defined & required.*
 - *Eating, Sleeping, & Full Bathroom*
- *Owner occupancy*



Syracuse City

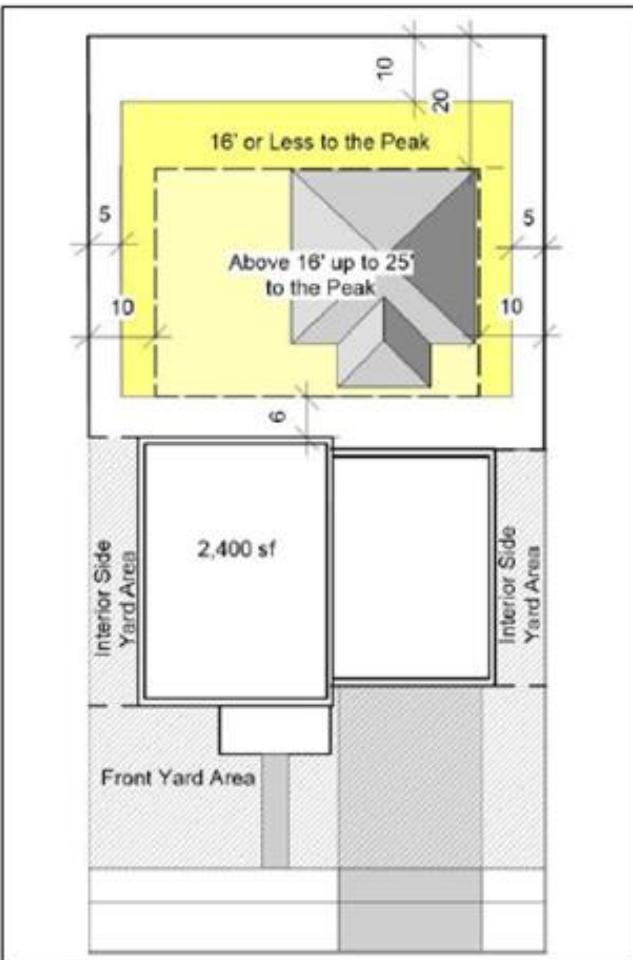
- Owner occupied with two exceptions.
 - Leave of absence of 3 yrs or less for qualified purpose.
 - Owner in hospital but not in retirement community.
- No size limit for IADUs; 10,000 SF or greater for detached.
- No separate utility connection for IADUs; separate connection allowed for detached ADUs.
 - *Two utility accounts for all ADUs
- Similar ADU size limitations.
- Parking based on bedroom count.



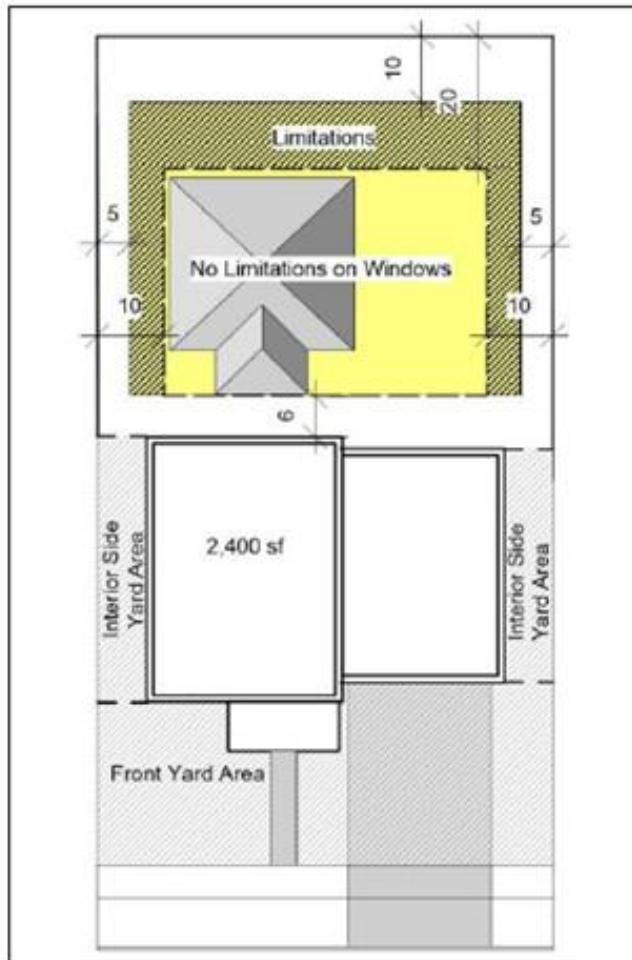
Layton City

- *Owner occupancy requirements similar to Syracuse City.*
- *6,000 SF for detached ADUs.*
- *Allow single and two-story detached ADUs with different limitations.*
- *Only 1 additional parking space.*
- *Interior access required, but not allowed by State Code.*

Detached ADU Buildable Areas and Limitations

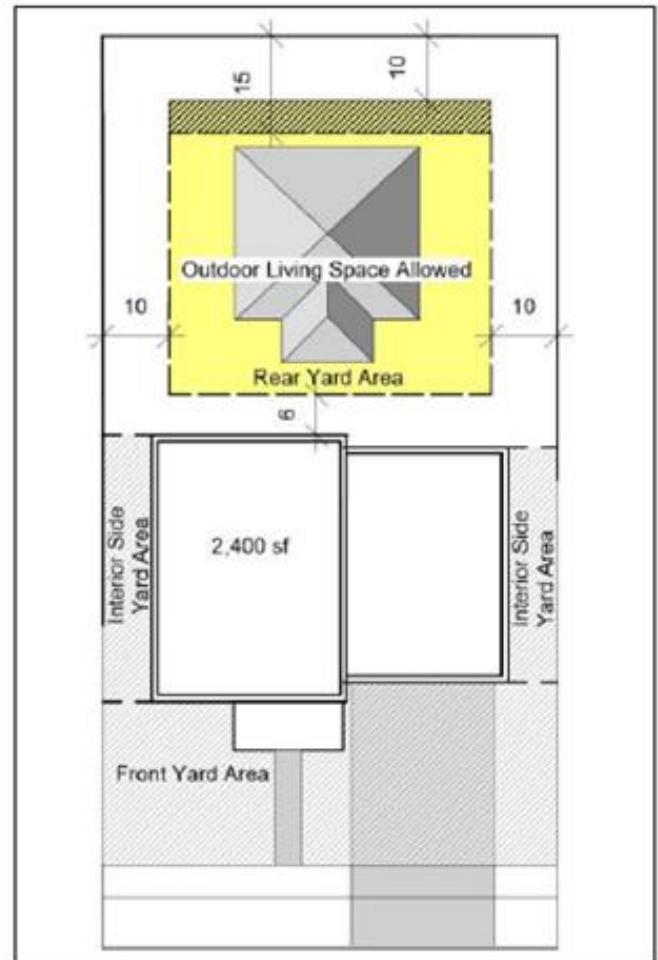


Single-Story vs. Two Story ADU Buildable Area



Window Limitations

Windows limited to skylights, clerestory, or obscured glass if closer than 10' of side yard or 20' of rear yard



Outdoor Living Space

Outdoor Living Space must be 10' from the side yard or rear yard. Balconies, decks or similar above 4 feet from finished grade must be setback 15' from the rear property line.

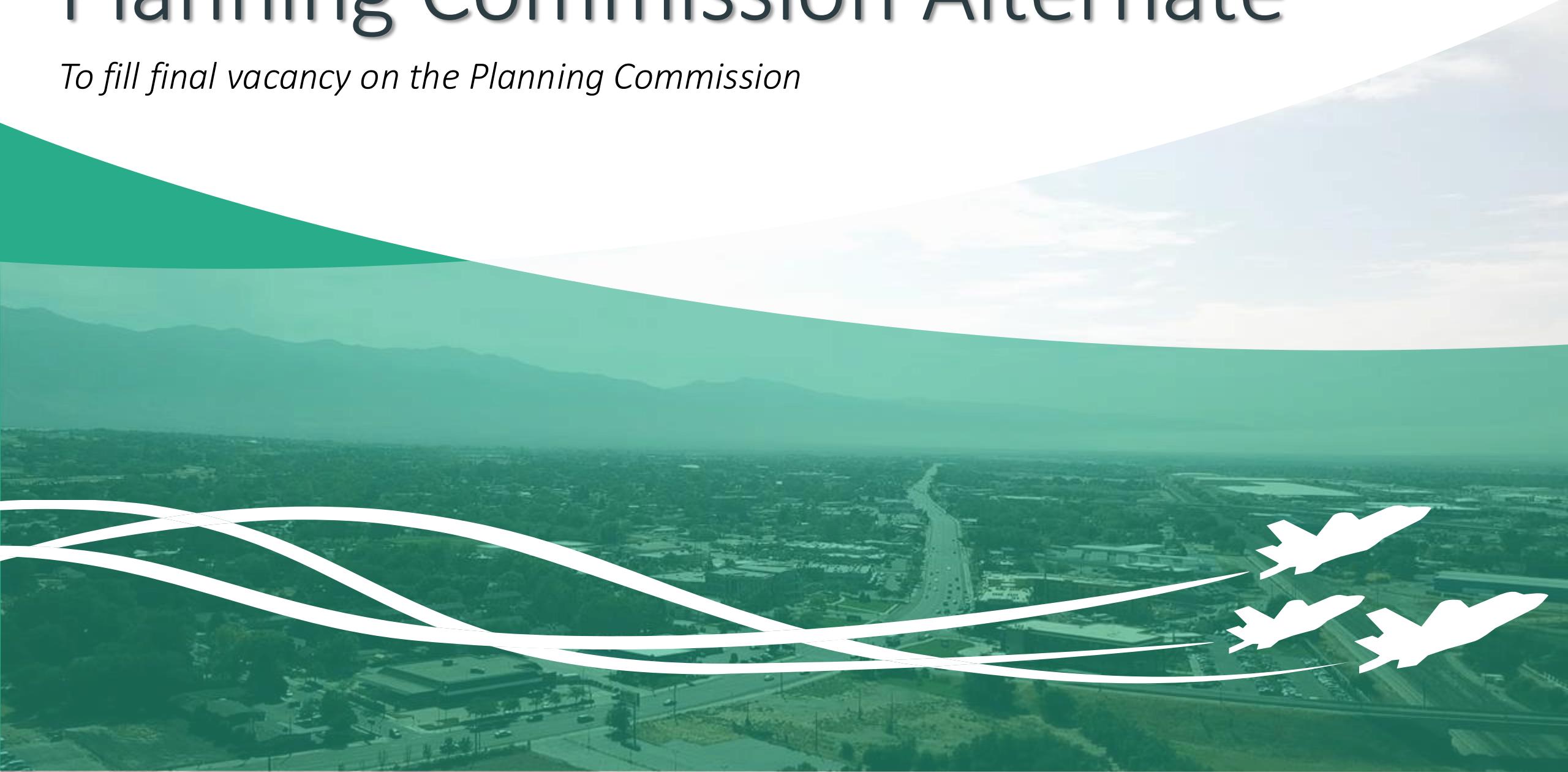
A large, semi-transparent image of an aerial view of a city, showing a highway, buildings, and green spaces, occupies the left side of the slide. The image is partially covered by a white diagonal bar on the right side.

Murray City

- Owner occupancy required.
- 10,000 SF for detached ADUs.
- Similar size limitations to Syracuse.
- 1 additional space. 3 total for primary dwelling and ADU.
 - State Code says no more than 4, so they could require more.
- Utilities or impact fees, exterior design, separate living areas, and method for addressing not specified.

Planning Commission Alternate

To fill final vacancy on the Planning Commission



Alternate Candidates

- *Kent Bush*
- *Elaine Nelson*
- *Nick Dragon*