



Planning Commission Agenda

2267 North 1500 West Clinton City, UT 84015

February 6, 2025

6:00 pm

Call to Order

1. Invocation or Thought
2. Pledge
3. Roll Call
4. Declaration of Conflicts

Business

1. Election of Planning Commission Chair and Vice Chair.
2. Review and possible action on amendments to the Planning Commission Rules of Procedure.
3. **Public Hearing:** Review and possible action by Albion Development Partners LLC for preliminary plat approval for Greenfield Landing PRD, a 107-lot planned residential subdivision consisting of 16.72 acres located at approximately 2404 North 2000 West (Parcel #s 13-051-0062, 13-051-0018, 13-051-0021, 13-051-0060, 13-051-0030, and 13-051-0027), which lies in the R-M/PRD zoning district.
4. **Public Hearing (continued):** Review and possible action on text amendments to Title 28, Clinton City Zoning Ordinance, regarding Internal Accessory Dwelling Units (ADUs) (Section 28-3-7) providing clarification regarding attached ADUs and adding regulations for Detached Accessory Dwelling Units including minimum lot size, setbacks and review and approval procedures – Ordinance 25-012.

Other Business

1. Approval of January 2, 2025 Meeting Minutes
2. Director's Report
3. Commission Report

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 ITEM

SUBJECT: <u>Election of Chair and Vice-Chair:</u> The Planning Commission Rules of Procedure indicate that the Commission, at the beginning of each calendar year, shall elect by a majority vote, a Chair and Vice-Chair.	AGENDA ITEM: 1
PETITIONER: Peter Matson, Community Development	MEETING DATE: February 6, 2025
RECOMMENDATION: Move to elect a Chair and Vice-Chair	ROLL CALL VOTE: NO
ORDINANCE REFERENCES: Clinton City Planning Commission Rules of Procedure	
BACKGROUND: <ol style="list-style-type: none">(1) The duties of the Chair and Vice-Chair are outlined in the Rules of Procedure Chapter 1. In general, the Chair presides and conducts the meetings.(2) The Vice-Chair, during the absence of the Chair, performs all the duties and functions of the Chairperson.	
ATTACHMENTS: (A) Planning Commission Rules of Procedure – Page 1.	

Clinton City Planning Commission
Rules of Procedures

Chapter 1.	Organization
Chapter 2.	Rights and Duties of Members
Chapter 3.	Meetings
Chapter 4.	Procedures –
Chapter 5.	Amendment
Chapter 6.	Recording of Rules

Chapter 1 Organization.

- (1) Appointment of Chairperson and Vice-Chairperson
- (2) Commission Staff

(1) Appointment of Chairperson and Vice-Chairperson

The Commission, at its first regular meeting in December, shall elect by majority vote, a Chairperson and Vice-Chairperson. Said officers shall serve one year (January 1 to December 31).

(a) The Chairperson to preside at Commission Meetings.

The Chairperson shall preside at all meetings of the Commission and shall give the general direction for the meetings.

(b) Duties of the Chairperson.

(i) To take the Chair precisely on the day and at the hour for which the meeting of the Commission has been called, or to which the Commission may have adjourned, and immediately to call the Commission to order, and proceed with the order of business.

(ii) To announce the business before the Commission in the order in which it is to be acted upon.

(iii) To receive and submit in the proper manner all motions and propositions presented by the members of the Commission.

(iv) To put to vote all questions which are properly moved or which necessarily arise in the course of proceedings and to announce the results thereof.

(v) To inform the Commission when necessary, or when referred to for that purpose, on any point of order or practice

(vi) It shall be the general duty of the Chairperson of the Commission to authenticate by signature when necessary, or when directed by the Commission all of the acts and proceedings of the Commission.

(vii) To maintain order at the meetings of the

Commission.

(viii) To present, each December, an annual report to the Mayor and City Council covering the actions of the Commission.

(c) Duties of the Vice-Chairperson.

The Vice-Chairperson, during the absence of the Chairperson, shall have and perform all the duties and functions of the Chairperson

(d) Temporary Chairperson.

In the event of the absence of or disability of both the Chairperson and the Vice-Chairperson, the Commission shall elect a temporary Chairperson to serve until the Chairperson or Vice-Chairperson so absent or disabled shall return or the disability shall be removed, as the case may be. In such event, the temporary Chairperson shall have all powers to perform the functions and duties herein assigned to the Chairperson of the Commission.

(2) Commission Staff

(a) Community Development Director

The Community Development Director of Clinton, as appointed by the City Manager, shall serve as staff to the Planning Commission. The staff member shall have the following duties:

(i) Within four (4) days, unless approved by the Chairperson, of each regularly scheduled Commission meeting, supply each member of the Commission sufficient materials and documents to advise the Commission members of the issues to be discussed at the meeting.

(ii) To recommend courses of actions in congruence with applicable Clinton City Ordinances.

(iii) To present reports and materials to Commission members with regard to the City's best interest.

(iv) To present staff reports, recommendations and comments on any item of business as it is put before the Commission by the Chairperson

(v) To clarify or explain any point of business as requested by the Chairperson.

(vi) To call special meetings as deemed necessary with the approval of the Chairman and/or majority of the Commission.

(b) Secretary

The Community Development Director shall appoint an individual to act as secretary for the Commission. The secretary shall have the following duties:

(i) To give notice of all Commission meetings as

CLINTON CITY

PLANNING COMMISSION ITEM

SUBJECT: <u>Review of Planning Commission Rules of Procedure.</u> The Planning Commission Rules of Procedure outline the organization of the commission, rights and duties of members, meetings, and procedures.	AGENDA ITEM: 2
PETITIONER: Peter Matson, Community Development	MEETING DATE: February 6, 2025
RECOMMENDATION: Move to direct staff to provide 14 day notice to the Commission regarding proposed amendments to the Rules of Procedure.	ROLL CALL VOTE: NO
ORDINANCE REFERENCES: Clinton City Planning Commission Rules of Procedure	
BACKGROUND: The Planning Commission Rules of Procedure are attached for your review. The document is organized as follows: (1) Chapter 1 – Organization of the Commission (2) Chapter 2 – Rights and Duties of Members (3) Chapter 3 – Meetings (4) Chapter 4 – Procedures (5) Chapter 5 – Amendment (6) Chapter 6 – Recording of Rules Please review and become familiar with this document. Staff recommends the Commission review Chapter 1 relative to City Code Title 2 (Administration), Chapter 8 (Planning Commission). The Rules of Procedure indicate that the Chair and Vice-Chair are to be elected at the first meeting in December of each year for the following year. City Code indicates this is to take place during the first meeting in January. Staff recommends the commission consider to change this to the first meeting in February of each year to allow the mayor (or newly elected mayor) to make appointments and reappointments in January with the commissioners in place for the February meeting. Staff would like the Commission to also discuss the option for the elected Chair and Vice-Chair to serve a second consecutive term up to two (2) years. Although meetings are scheduled twice a month, it is not uncommon for upwards to half of the meetings each year to be cancelled so the Chair and Vice-Chair are only in place for +-12 meetings per year. The Rules of Procedure may be amended by the commission only after at least 14 days written notice of the amendment proposal is received by each member of the Commission. This agenda item serves as such notice so any changes can officially take place in March.	
ATTACHMENTS: (A) Draft Changes - Planning Commission Rules of Procedure	

**CLINTON CITY PLANNING COMMISSION
RULES OF PROCEDURES**

CHAPTER 1 - ORGANIZATION.

- a) Appointment of ChairpersonChair and Vice-ChairpersonChair. The Commission, at its first regular meeting in DecemberFebruary, shall elect by majority vote, a Chairperson and Vice-Chairperson. Said officers shall serve one year (JanuaryFebruary 1 to December January 31). The Commission shall have the option to elect the same Chair and Vice-Chair to serve a second consecutive term.
 - i) The Chairperson to preside at Commission Meetings. The ChairpersonChair shall preside at all meetings of the Commission and shall give the general direction for the meetings.
 - ii) Duties of the ChairpersonChair.
 - (1) To take the Chair precisely on the day and at the hour for which the meeting of the Commission has been called, or to which the Commission may have adjourned, and immediately to call the Commission to order, and proceed with the order of business.
 - (2) To announce the business before the Commission in the order in which it is to be acted upon.
 - (3) To receive and submit in the proper manner all motions and propositions presented by the members of the Commission.
 - (4) To put to vote all questions which are properly moved or which necessarily arise in the course of proceedings and to announce the results thereof.
 - (5) To inform the Commission when necessary, or when referred to for that purpose, on any point of order or practice
 - (6) It shall be the general duty of the Chairperson of the Commission to authenticate by his signature when necessary, or when directed by the Commission all of the acts and proceedings of the Commission.
 - (7) To maintain order at the meetings of the Commission.
 - (8) To present, each December, an annual report to the Mayor and City Council covering the actions of the Commission.
 - iii) Duties of the Vice-ChairpersonChair. The Vice-ChairpersonChair, during the absence of the ChairpersonChair, shall have and perform all the duties and functions of the ChairpersonChair.
 - iv) Temporary ChairpersonChair. In the event of the absence of or disability of both the ChairpersonChair and the Vice-ChairpersonChair, the Commission shall elect a temporary ChairpersonChair to serve until the ChairpersonChair or Vice-ChairpersonChair so absent or disabled shall return or the disability shall be

removed, as the case may be. In such event, the temporary ChairpersonChair shall have all powers to perform the functions and duties herein assigned to the ChairpersonChair of the Commission.

b) Commission Staff

- i) Community Development Director. The Community Development Director of Clinton, as appointed by the City Manager, shall serve as staff to the Planning Commission. The staff member shall have the following duties:
 - (1) Within four (4) days, unless approved by the ChairpersonChair, of each regularly scheduled Commission meeting, supply each member of the Commission sufficient materials and documents to advise the Commission members of the issues to be discussed at the meeting.
 - (2) To recommend courses of actions in congruence with applicable Clinton City Ordinances.
 - (3) To present reports and materials to Commission members with regard to the City's best interest.
 - (4) To present staff reports, recommendations and comments on any item of business as it is put before the Commission by the ChairpersonChair
 - (5) To clarify or explain any point of business as requested by the ChairpersonChair.
 - (6) To call special meetings as deemed necessary with the approval of the Chairman and/or majority of the Commission.
- ii) Secretary. The Community Development Director shall appoint an individual to act as secretary for the Commission. The secretary shall have the following duties:
 - (1) To give notice of all Commission meetings as hereinafter provided.
 - (2) To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.
 - (3) To perform such other duties as may be required by these rules.
 - (4) To take, transcribe, and maintain minutes and records of the Commission.
 - (5) To attend every session of the Commission, to take roll and record the same, to read all communication, resolution and other papers which are ordered to be read by the ChairpersonChair of the meeting, and to receive and bring to the attention of the Commission all messages and other communications from other sources.

CHAPTER 2 - RIGHTS AND DUTIES OF MEMBERS.

a) **Addressing Members.** Commission members shall be addressed as "Commissioner"

- b) **Preparation.** Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings.
- c) **Members shall attend meetings.** Every member of the Commission shall attend the sessions of the Commission unless duly excused or necessarily prevented. Any member desiring to be excused shall notify the staff member or secretary. The staff member shall call the same to the attention of the ChairpersonChair during the scheduled meeting. Two unexcused absences shall result in mandatory referral, by the ChairpersonChair, to the Mayor for membership review.
- d) At the discretion of the ChairpersonChair, a Commissioner may be permitted to attend a meeting by electronic means (e.g. teleconference, telephone, etc.) when warranted and properly noticed.
- e) **Conflict of Interest.** Any member of the Commission who shall feel that he or any other member of the Commission has an actual, apparent, or reasonably foreseeable conflict of interest on any matter that is on the Commission agenda shall explain the apparent conflict to the Commission. The Commission shall then vote to decide whether the requested disqualification is justified. If it is decided that there is a conflict of interest, the person shall not participate in the discussion and voting of the matter, nor attempt to use his or her influence with the Commission before, during or after the meeting.
 - i) There may be a conflict of interest if there are personal, familial, or financial ties between the Planning Commissioner and a proponent or opponent of any item of business.
 - ii) A Planning Commissioner may appear before the Commission through his employment as an advocate or agent for a proponent only after disqualification on the subject matter.
 - iii) A Planning Commissioner must not sell or offer to sell services or solicit prospective clients or employment by stating an ability to influence decisions.
 - iv) A Planning Commissioner must not use the power of his office to seek or obtain a special advantage that is not in the public interest, or that provides him with any fiduciary gain, nor any special advantage that is not a matter of public knowledge.
- f) **Explaining Vote.** After any vote is taken, any member of the Commission desiring to explain his or her vote shall be allowed an opportunity to do so.
- g) **Not to Vote Unless Present.** No member of the Commission shall be permitted to vote on any question unless he or she shall be present when the vote is taken and when the result is announced. No member shall give his or her proxy to any person whomsoever. A Commissioner, who is attending the meeting by electronic means with proper notification, may be permitted to vote on any question, and is deemed present for the purposes of this paragraph.

CHAPTER 3 - MEETINGS.

- a) **Place.** All meetings of the Commission shall be held in the City Council Chambers of the Municipal Building, Clinton, Utah, or at such other place in Clinton City as the Commission may designate. A meeting having been convened at the place designated may be adjourned by the Commission to any other place within Clinton City for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place.
- b) **Regular Meetings – Time for Notice.** Regular meetings of the Commission shall typically be held at 7:006:00 p.m. on the first ~~and third~~ Tuesday~~Thursday~~ of each month. Scheduled Commission Meeting dates will be published annually.
 - i) At the discretion of the Chairperson~~Chair~~, additional meetings, field trips, or work sessions may be held at other appropriate times.
- c) **Special Meetings – Rehearings.** The staff member shall give notice of the time and purpose of every special meeting of the Commission at least two (2) days prior to such meeting. Such notice shall be delivered to each member of the Commission personally, by e-mail, or may be given by telephone to the member of the Commission. Such notice may also be given by United States Mail directed to the member of the Commission to be notified at his or her residence and mailed not less than four (4) days prior to the time fixed for such special meeting.
 - i) It is specifically provided, however, that any member may in writing waive prior notice of the time, place, and purpose of such meeting and such waiver, if made, shall be noted on the minutes of the meeting by any member of the Commission, and shall be deemed to be waiver of prior notice of the time and purpose thereof.
- d) **Meetings – Matter Considered.** All items on the agenda will be considered at the meeting for which the agenda was prepared. Items discussed, but not fully acted upon may be tabled by the Commission to a later time and date. The time and date must be announced during the meeting when it is tabled. A public hearing need not be re-advertised if a decision is tabled to a later date.
 - i) Requests for continuance of matters scheduled for a particular agenda shall be filed with the Community Development Director by Wednesday at Noon preceding the Tuesday meeting so that the printed agenda will reflect the requested continuance.
 - ii) No appeal or application shall be considered unless the meeting is open to the public.
- e) **Quorum.** Four (4) members of the Commission shall constitute a quorum thereof for the transaction of all business, except where unanimous consent of all members present is required. Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted. Except as otherwise specifically provided in the rules, a majority vote of the Commission members present at a meeting shall be required and shall be sufficient to transact any business before the Commission.

- f) **Work Sessions.** Work sessions may be held as part of a Commission meeting, as a joint meeting with the City Council, or called in the same manner as a special meeting in order for the Commission to discuss matters at greater length or to obtain additional background information. The Commission shall take no vote during such work session, except to give directions to Staff regarding the presentation of options for future consideration.
- g) **Open Meetings Law.** All meetings of the Planning Commission shall be noticed in conformance with the requirements of the Open and Public Meetings Law of the State of Utah.
- h) **Length of Meeting.** At 10:009:00 p.m. the Planning Commission will finish the item presently being considered, and no additional items will be heard after that time, unless a motion is made by a member of the Commission and approved by a majority of those present requesting to continue the agenda. All items remaining to be heard will be forwarded to the next agenda for consideration.

CHAPTER 4 - PROCEDURES.

- a) **Agendas**
 - i) Agenda for Meetings. Staff, with the approval of the ChairpersonChair, shall prepare a written agenda for each meeting. At the ChairpersonChair's discretion the order of the items may be changed at the meeting.
 - ii) The following procedure will normally be observed; however, it may be rearranged by the ChairpersonChair for individual items if necessary for the expeditious conduct of business.
 - iii) Roll Call._At all meetings before proceeding to business, the roll of the Commission members shall be taken and the names of those present and those absent shall be entered and recorded.
 - iv) Other Agenda Items. The following items should be included in the agenda to be considered by the Commission:
 - (1) Old business
 - (2) New business
 - (3) Approval of prior meeting minutes
 - (4) City Council Report/Director's Report
 - (5) Commission Report
- b) **Order and Decorum**
 - i) Order of Consideration of Items.
 - (1) Public Hearings
 - (a) ChairpersonChair introduces item.
 - (b) The petitioner makes statements of presentation.

- (i) The Commission may ask questions of the petitioner.
- (c) The staff makes presentations and recommendations.
 - (i) The Commission may ask questions regarding the staff presentation.
- (d) The ChairpersonChair opens the public hearing.
- (e) Any members of the public in attendance who would like to speak may make a presentation consistent with provisions established in Section 4(2)(c) *Conduct of Persons Before Commission*.
- (f) Petitioner makes rebuttal of any points not previously covered.
- (g) Commission asks any questions it may have of staff.
- (h) The ChairpersonChair closes the Public Hearing, except when a public hearing requires a continuance as made upon such that this first requires a motion and vote of approval by the Commission.
- (i) Commission discusses the item before them amongst themselves making whatever comments they feel are pertinent. After the discussion, a motion is made and voted upon.

(2) Discussion Items, Work sessions or other items.

- (a) ChairpersonChair introduces item.
- (b) The petitioner makes statements of presentation.
- (c) The Commission may ask questions of the petitioner.
- (d) The staff makes presentations and recommendations.
- (e) The Commission may ask questions regarding the staff presentation.
- (f) Petitioner makes rebuttal of any points not previously covered.
- (g) Commission asks any questions it may have of staff.
- (h) Commission discusses the item before them amongst themselves making whatever comments they feel are pertinent. After the discussion, if agendized as an action item a motion may be made and voted upon.

(3) Time Limits. The Chair may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.

(4) Conduct of Persons before the Commission.

- (a) Persons making presentations or providing comments to the Planning Commission shall address the Commission from the podium or microphone and not from the audience, shall provide their name and address for the record, shall address all comments to the Planning Commission, and may not directly question or interrogate other persons in the audience.
- (b) No demonstrations, clapping, or "boozing" of speakers shall be permitted. If such distractive actions are taking place, the Chair may excuse those involved from the room of the meeting or building, if necessary.
- (c) Persons desiring to address, make oral requests and communications from

the audience may be required to sign a "list to present" roster prior to an agenda item. When called forward by the Chair, the speakers shall give their name and address for the record. They will be allowed up to three minutes to make their presentation. All remarks and questions shall be addressed to the Chair and not to any individual Commission Member, staff member or other person. No person shall enter into any discussion without being recognized by the Chair.

c) **Motions**

- i) Making a Motion. Upon review of the full public record on a request and due deliberation among the members of the Planning Commission, any Commissioner but the Chair, may make or second a motion and must be directed to the **ChairpersonChair**. The motion shall include not only the direction of the motion, but shall also include the recitation of specific findings of fact supporting such motion. A second shall be required for each motion citing compatible findings. Other members of the Commission may support the motion adding compatible findings. A motion shall die in the absence of a second.
- ii) Withdrawing a Motion. After a motion is restated by the **ChairpersonChair** or read by the secretary, it shall be deemed in the possession of the Commission, but may be withdrawn at any time before division or amendment by the unanimous consent of the Commission.
- iii) Motions in Order During Debate. When a question is under debate, no motion shall be received except:
 - (1) To fix the time to adjourn.
 - (2) To adjourn.
 - (3) To continue or table.
 - (4) To amend.
 - (5) To substitute.
 - (6) To take a break (recess).
- iv) Motion to Adjourn Always in Order – Exceptions. A motion to adjourn shall always be in order except when the Commission is voting, and except when a previous motion to adjourn having been defeated, no intervening business has been transacted; but this rule shall not authorize any member to move for adjournment when another member has the floor.
- v) Motion must be Germane. No motion or proposition on a subject different from that under consideration is in order and no such motion or proposition shall be admitted under color of amendments
- vi) Questions Not Debatable. Motions to adjourn, to take a recess, or to continue shall be decided without debate, and all incidental questions or order arising after any such motion is made and pending decision thereon shall be decided without debate.

d) Reconsideration

- i) Who May Move to Reconsider. If a proposition shall fail to pass on account of not having received a majority vote, any member of the Commission having voted in the negative shall have the right to move for a reconsideration of such proposition. If a proposition shall pass by a majority vote, any member having voted in the affirmative shall have the right to move for a reconsideration of such proposition.
- ii) Vote Required For Reconsideration. Upon a motion to reconsider the vote on any matter, a majority of all the members of the Commission present shall be required to reconsider the same.
- iii) Time For Motion to Reconsider. When a question has been decided by the Commission, any member voting with the prevailing side may move for reconsideration thereof, or give notice that he or she will make such a motion within the time prescribed by the rules. In the event notice of intention to move for reconsideration is given, no further proceedings shall be had on the proposition in question until the motion for reconsideration is made and determined or until the time for making such a motion has lapsed. No motion for reconsideration shall be made, unless made before the adjournment of the meeting of the Commission at which the original motion was taken. Such motion shall take precedence over all other motions and questions, except a motion to adjourn.

e) Debate

- i) Interruptions and Questions. No member of the Commission shall interrupt or question another in debate without obtaining his or her consent, having first addressed the ChairpersonChair.

f) Amendments

- i) Substitution Motions. All so-called substitution motions and resolutions shall be considered as amendments only and shall be subject to the rules relating thereto.
- ii) Amendments Must Be Germane. All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance
- iii) Tabling Amendment Not to Prejudice Motion. An amendment may be tabled without prejudice to the main motion or question. When an amendment proposed to any pending measure shall be laid on the table, such action shall not carry with it or prejudice such measure.
- iv) Order of Action. If any amendment be offered, the question shall be first upon the amendment.

g) Voting

- i) Commission Member Required to Vote, Late Voting. No member may abstain from voting unless there is a conflict of interest. A member entering the chamber after the question is put and before it is decided, may have the question stated, record his or her vote and be counted.

- ii) Tie Vote. If a motion for approval of any matter before the Commission receives an equal number of votes in the affirmative and in the negative, and a subsequent motion on the matter is either not made or cannot achieve a majority vote, the matter before the Commission shall be deemed to be denied. Every effort will be made by the Commission to resolve tie votes. The option of continuing an item with the possibility that an odd number of Commissioners would be at a subsequent meeting may be considered.
- iii) Procedure of Final Passage of Ordinance Amendments and Rezone Petitions. The vote upon the final passage of amendments to the Zoning and Subdivision Ordinances, amendments to the Master Plan and Rezone Petitions shall be voted upon by ayes and nays given by members on such roll call shall be called by the secretary in the rotation, except that the ChairpersonChair shall be last.
 - (1) In recording votes on roll call the secretary shall record and report those absent or not voting. The ChairpersonChair shall announce the result.
- iv) Procedure of Final Passage of Other Business. The vote, upon the passage of all other business shall be made by signifying a yea or nay upon the request of the ChairpersonChair. A call for those voting yea will be made first by the ChairpersonChair followed by a call for those voting nay. The ChairpersonChair shall announce the result.
- v) Voting or Changing Vote After Decision Announced. When a vote is taken on roll call on any question, no member shall be permitted to vote or to change his or her vote after a decision is announced by the Chair.
- vi) Changing Vote Before Decision Announced. On any such vote, any member may change his or her vote before the Chair has announced the decision of the question.

h) Suspension of Rules

- i) Suspension or Alteration of Rules. No standing rules of the Commission shall be altered, amended, suspended or rescinded without the vote of a majority of all members of the Commission.

CHAPTER 5 - AMENDMENTS.

- a) **Procedure For Amendment.** These rules of procedure may be amended at any meeting of the Commission held after not less than fourteen (14) days written notice of the proposal to amend the rules has been received by the members of the Commission. A majority vote is required to amend these rules of procedure.

CHAPTER 6 - RECORDING OF RULES.

- a) **Recording – Copies to be Furnished.** These rules and all subsequent amendments thereto shall be recorded by the Commission Secretary in the book kept for the recording of such business, and the Commission Secretary shall furnish to each member of the Commission a copy thereof in form convenient for reference.

CLINTON CITY

PLANNING COMMISSION AGENDA ITEM

SUBJECT: Review and action on request by Albion Development Partners LLC for preliminary plat and PRD plan approval for Greenfield Landing PRD, a 161-lot (75 townhomes and 37 lots) planned residential development consisting of approximately 12.06 acres located at approximately 2420 North and 2000 West (Parcel Nos. 13-051-0027, pt. 13-051-0060, 13-051-0030, pt. 13-051-0021, and pt. 13-051-0062), which lies in the R-M/PRD zoning district.	AGENDA ITEM: 3
PETITIONER: Derek Terry and Garrett Sealy, Albion Development Partners LLC SUBMITTED BY: Peter Matson, Community Development	MEETING DATE: February 6, 2025
RECOMMENDATION: To approve the preliminary plat and PRD plan for Greenfield Landing PRD subject to the recommended conditions of approval.	ROLL CALL VOTE: YES
ORDINANCE REFERENCES: Subdivision Ordinance (Title 26); City Engineering Standards and Specifications; and Zoning Ordinance Chapter 28-07 Planned Residential Development (PRD); Summers Development Agreement	
BACKGROUND: The Greenfield Landing PRD preliminary plan is situated on 12.06 acres zoned R-M/PRD (Multi-Family Residential/Planned Residential Development) – see ATTACHMENT A . The zoning for this property was approved by the City Council in July 2024. The preliminary plan includes a total of 112 lots/units – 75 townhomes and 37 single-family lots. The overall residential density is 9.29 units per acre.	
DISCUSSION: The subdivision layout (ATTACHMENT B) is very similar to the concept plan that was approved with the rezone. ATTACHMENT C represents the staff-approved plan set for your review and approval. The Planning Commission is the land use authority for preliminary plats and PRD plans and city staff will review and approve the final plat and plans.	
The proposed preliminary plan and associated details are consistent with the PRD ordinance. The density is below 10 units/acre accordingly, design review committee review and recommendations are not required. The open space percentages, amenities and housing designs are consistent with the provisions of the PRD ordinance as are the setbacks, building separation, driveway depth and lot sizes. The city engineer, public works and fire dept. staff agree that the preliminary site, utility and grading plans are appropriate. (ATTACHMENT C).	
The landscape plan (ATTACHMENT D) shows the overall site and a legend indicating the various ground cover materials, plant materials, trees, and shrubs all consistent with the standards in the PRD and water efficient landscape standards. The landscape plan is very detailed with specific designs for the main open space area and the areas at the end of and between the townhome buildings. Turf grass is reserved for active recreation areas. The surface area of the dog park is crusher fines – small particles of crushed rock to reduce water use. Soft fall mulch – an engineered wood fiber ground cover - will be used on the playground area. Qualified base open space for this development is 0.92 acres or 7.60%, meets the minimum 7.50% requirement.	
Site amenities include a solid vinyl perimeter fence with a wood-like appearance substantially similar to the photos of ATTACHMENT E . ATTACHMENT F shows the proposed playground structure for the play area, and park bench example for the pickleball court and play area.	
ATTACHMENT G includes several color elevation examples of the proposed single-family homes. ATTACHMENT H shows two townhome building elevation drawings – a farmhouse concept with gable-	

covered front entries and roof, and a prairie concept with a lower roof pitch and a hipped roof. The proposed single-family and townhome architecture is consistent with the PRD design guidelines.

RECOMMENDATION: Final PRD plat/plan approval by city staff will require the applicant to submit final exterior design for all building types, detailed specifications of amenities (pickle ball courts, tot lot play structure, park benches and dog park) and fully executable CCRs.

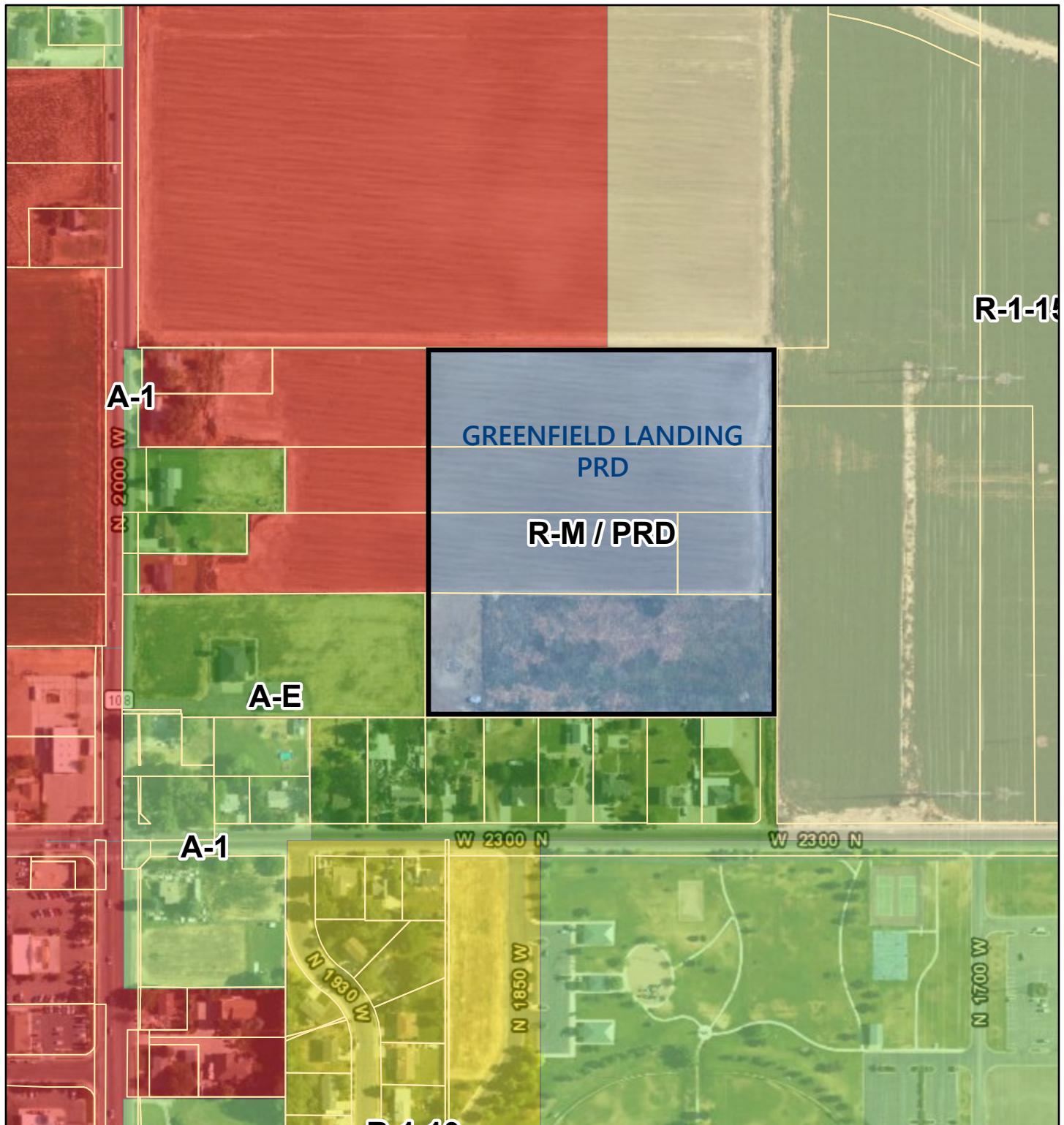
At 9.29 units per acre, this development requires a density bonus of 16% above the base 8.0 units per acres prescribed in the PRD ordinance. Density bonus points in the categories of *Recreation and Site Amenities, Fencing and Exterior Building Materials* easily exceed 16% through the provision of the pickleball court, dog park, playground, benches, vinyl fence with wood texture and masonry building materials.

As part of the preliminary plat review, staff discussed with the applicant the possible need for a public street extension and connection through the northeast corner of the site to the adjacent residentially zoned property to the north. The two property owners are working through the details of a possible agreement but have yet to solidify the details. Additionally, the access to 2300 North at the southeast corner of the site requires the applicant to secure land or easement through Pacificorp (RMP) property for the eastern half of the right-of-way. Staff recommends approval of the preliminary plat and PRD plan based on the understanding that the access/connection through the northeast corner of the site be incorporated into the design of the final plat and construction plans, and that easement or land be secured for the eastern half of the public street connection to 2300 North.

ATTACHMENTS:

- A) Location/Zoning Map
- B) Greenfield Landing Preliminary Plat/Site Plan
- C) Greenfield Landing Preliminary PRD plan set
- D) Greenfield Landing Landscape Plan and Details
- E) Fencing
- F) Site Amenities
- G) Single-Family Color Elevation Examples
- H) Townhome Elevation Drawings

ATTACHMENT A - ZONING MAP



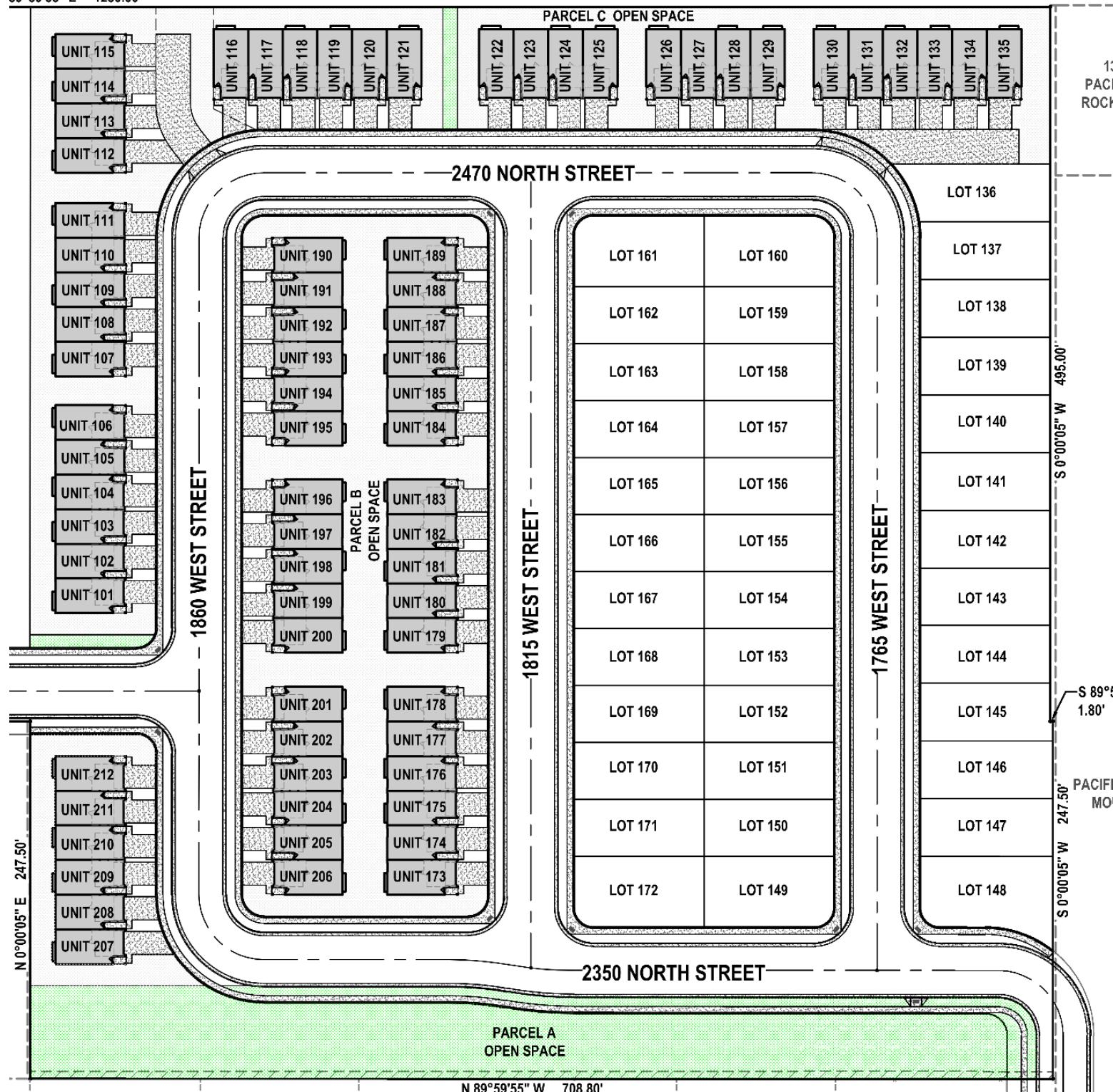
1:4,514

0 0.03 0.06 0.11 mi
0 0.04 0.09 0.18 km

- Parcels:** Yellow outline.
- A-E:** Green square.
- PZ:** Red square.
- R-1-10:** Yellow square.
- R-1-15:** Light yellow square.
- City Boundary:** Blue line.
- Zoning:**
 - A-1:** Green square.
 - R-M / PRD:** Blue square.
 - Greenfield Landing PRD:** Blue square.

ATTACHMENT B - PRELIMINARY PLAT/SITE PLAN

89°59'55" E 1280.00'



PARCEL A
OPEN SPACE

N 89°59'55" W 708.80'

ATTACHMENT C



CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

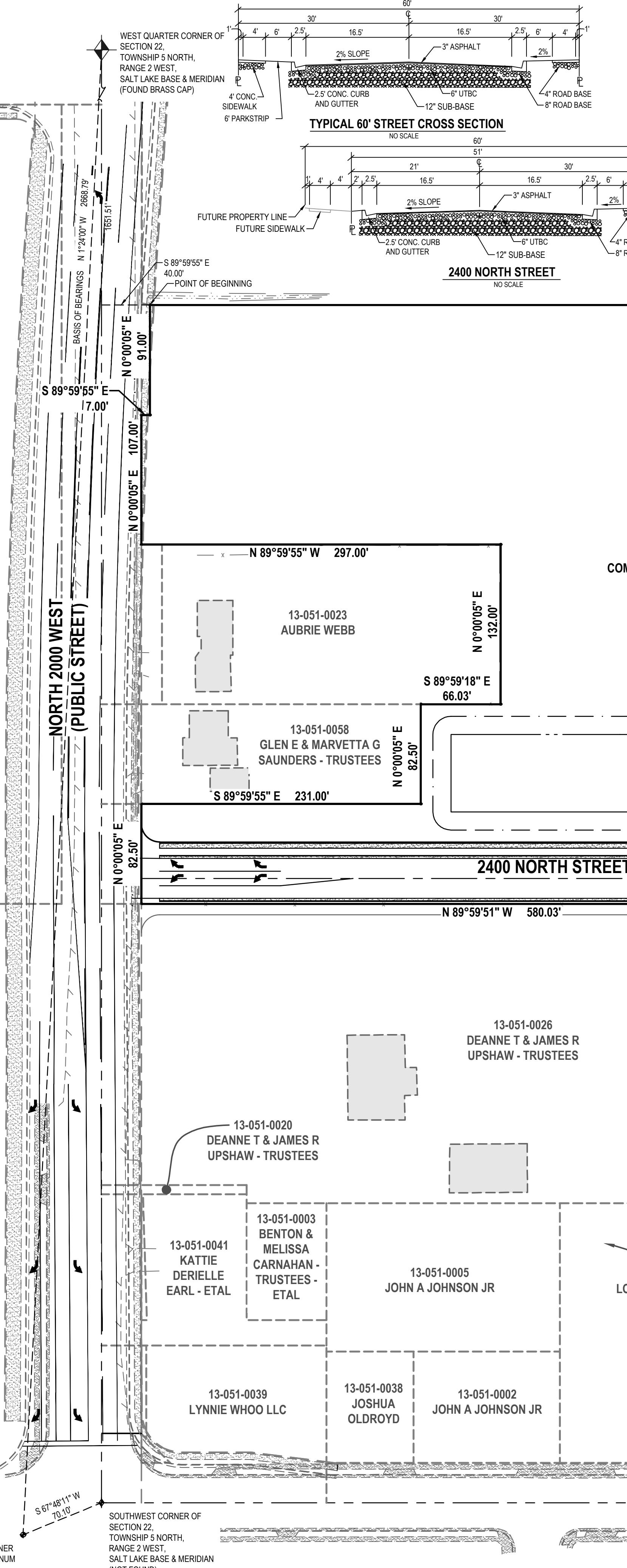
BENCHMARK

EAST QUARTER CORNER OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 2 WEST
SALT LAKE BASE AND MERIDIAN
ELEV = 4313.43'

UDOT NOTES

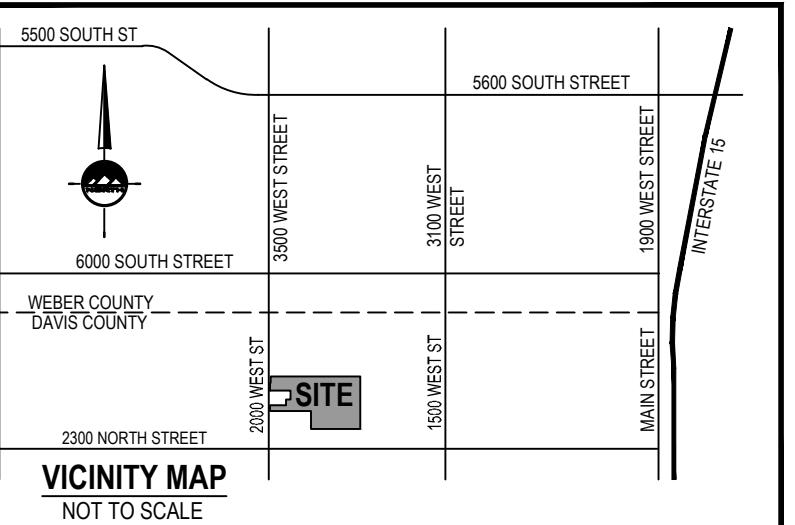
- ALL CONSTRUCTION WITHIN THE UDOT RIGHT-OF-WAY SHALL CONFORM TO THE MOST CURRENT UDOT STANDARD (INCLUDING SUPPLEMENTAL) DRAWINGS AND SPECIFICATIONS.
- THE CONTRACTOR IS TO OBTAIN AN ENCREMANT PERMIT OFFICE PRIOR TO COMMENCING WORK WITHIN UDOT RIGHT-OF-WAY. WORKING HOUR LIMITATIONS WILL BE LISTED IN THE LIMITATIONS SECTION OF THE ENCREMANT PERMIT.
- UDOT RESERVES THE RIGHT, AT ITS OPTION, TO INSTALL A RAISED MEDIAN ISLAND OR RESTRICT THE ACCESS TO A RIGHT-IN OR RIGHT-OUT AT ANY TIME.
- OWNER, DEVELOPER, AND CONTRACTOR ARE RESPONSIBLE FOR ANY DAMAGES DIRECTLY OR INDIRECTLY WITHIN THE UDOT RIGHT-OF-WAY AS A RESULT OF DEVELOPMENT ACTIVITIES.
- OWNER, DEVELOPER, AND/OR CONTRACTOR IS REQUIRED TO HIRE AN INDEPENDENT COMPANY FOR ALL TESTING WITHIN THE UDOT RIGHT-OF-WAY.
- ALL SIGNS INSTALLED ON THE UDOT RIGHT-OF-WAY MUST BE HIGH INTENSITY GRADE (TYPE XI SHEETING) WITH A 3 SLIP BASE. INSTALL ALL SIGNS PER UDOT SN SERIES STANDARD DRAWINGS.
- COMPLY WITH THE REQUIREMENTS OF UTAH CODE 17-23-14 (DISTURBED CORNERS - COUNTY SURVEYOR TO BE NOTIFIED - COORDINATION WITH CERTAIN STATE AGENCIES).
- FOR ASPHALT CONSTRUCTION WITHIN THE UDOT ROW MATCH EXISTING OR ANTIPLICATED EXISTING OR 8 PG GRADE 60-34 ASPHALT BINDER, 1/2 INCH NOMINAL MAX. 7/8-11/16 CYLINDRICAL PER UDOT STANDARD SPECIFICATION 02741; OVER 10 INCHES UNTREATED BASE COURSE (UTBC) PER UDOT SPECIFICATION 02721; OVER 12 INCHES GRANULAR BORROW (GB) PER UDOT SPECIFICATION 02605 (WHICHEVER IS GREATER). PROVIDE DOCUMENTATION OF COMPACTION FROM A UDOT-QUALIFIED LABORATORY.
- USE THE FOLLOWING METHOD OF SEALING THE PAVEMENT: MICRO-SURFACING PER UDOT STANDARD SPECIFICATION 02735 REQUIRED FOR THIS ROADWAY ON AT LEAST ALL NEW PAVEMENT PLACED WITHIN UDOT RIGHT-OF-WAY.

ALAN JACK & JAMES D &
JAMES DEE PATTERSON



LEGEND

STREET MONUMENT	X FENCE	W PROPOSED CULINARY WATER LINE
WATER METER	sd EXISTING STORM DRAIN LINE	sw EXISTING SECONDARY WATER LINE
WATER VALVE	PROPOSED STORM DRAIN LINE	PROPOSED SECONDARY WATER LINE
FIRE HYDRANT	ss EXISTING SANITARY SEWER	PROPOSED SANITARY SEWER LINE
SECONDARY WATER VALVE	Existing Edge of Asphalt	Proposed Edge of Asphalt
SANITARY SEWER MANHOLE	Existing Culinary Water Line	Existing Secondary Water Line
STORM DRAIN CLEAN OUT BOX	Existing Overhead Power Line	Cut Line
STORM DRAIN CATCH BASIN	Existing Contours	
UTILITY POLE		
STREET LIGHT		
EXISTING EDGE OF ASPHALT		
PROPOSED EDGE OF ASPHALT		



LAND USE TABLE	
UNIT TYPE	QUANTITY
TOTAL TOWNHOME UNITS	75
SINGLE FAMILY UNITS	37
TOTAL LOTS / UNITS	112
TOTAL PROJECT AREA*	525,393 sq.ft. / 12.06 acres
TOTAL PROJECT DENSITY	9.29 UNITS / ACRE
OPEN SPACE	40,037 sq.ft. / 0.92 acres
OPEN SPACE PERCENTAGE	7.6 %
COMMERCIAL AREA	198,580 sq.ft.
PUBLIC STREET	29,626 sq.ft.
OVERALL PROJECT AREA	753,599 sq.ft. / 17.3 acres
*TOTAL PROJECT AREA DOES NOT INCLUDE COMMERCIAL AREA	

BOUNDARY DESCRIPTION
A parcel of land situated in the Southwest Quarter of Section 22, Township 5 North, Range 2 West, Salt Lake Base and Meridian, said parcel also located in Clinton City, Davis County, Utah. Being more particularly described as follows:

Beginning at a point which bears North 00°00'23" East 990.00 feet along the Section Line and South 89°59'55" East 40.00 feet from the West Quarter Corner of said Section 22 (NAD83 bearing is North 00°20'40" East between the Southwest and West Quarter Corner of Section 22 per the Davis County Township Reference Plat) and running thence:

South 00°00'05" West 490.00 feet;

South 89°59'55" East 1.80 feet;

South 00°00'05" West 247.50 feet;

Thence North 89°59'55" West 1280.00 feet to and along the westerly boundary line of the Pacificorp DBA Rocky Mountain Power property;

Thence along the westerly boundary line of the Pacificorp DBA

Rocky Mountain Power properties the following three (3) courses:

1. South 00°00'05" West 490.00 feet;

2. South 89°59'55" East 1.80 feet;

3. South 00°00'05" West 247.50 feet;

Thence North 89°59'55" West 708.80 feet to and along the northerly boundary line of the TS Subdivision Phases 4, 3, and 2, and along the northerly boundary line of the Carter property and Lot 3 of the Roskelley Subdivision;

Thence North 00°00'05" East 247.50 feet;

Thence North 89°59'51" West 580.03 feet to the easterly

right-of-way line of North 2000 West Street;

Thence North 00°00'05" East 82.50 feet along said right-of-way line;

Thence South 89°59'55" East 231.00 feet;

Thence South 89°59'18" East 66.03 feet;

Thence North 00°00'05" East 132.00 feet;

Thence North 89°59'55" West 297.00 feet to the easterly

right-of-way line of North 2000 West Street;

Thence North 00°00'05" East 107.00 feet along said right-of-way

line;

Thence South 89°59'55" East 7.00 feet;

Thence North 00°00'05" East 91.00 feet to the Point of Beginning.

Contains: 753,599 square feet or 17.300 acres.

10234838-2202
01-16-2025
STATE OF UTAH
JAMES D. SHAW, PLS.

NO. DATE FOR REVIEW

PRELIMINARY
OVERALL
SITE PLAN

PROJECT NUMBER 13542
PRINT DATE 2025-01-16
PROJECT MANAGER TS
DESIGNED BY TS

C-100



THE STANDARD IN ENGINEERING

LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.547.1100

SANDY
Phone: 801.255.0529

TOOLE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

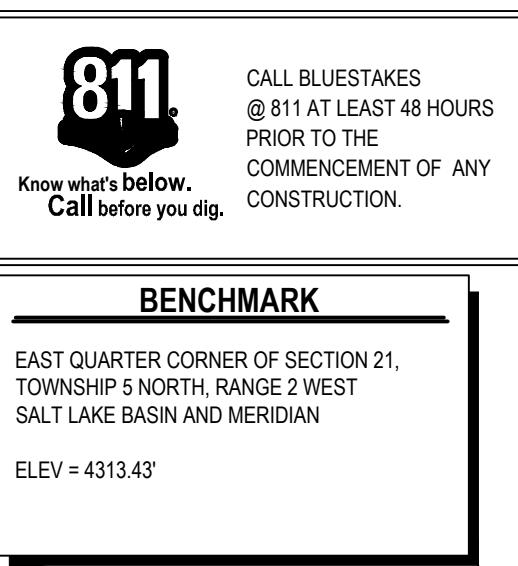
RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
ALISON DEVELOPMENT PARTNERS, LLC
1263 8TH BARTON DRIVE
KAYSVILLE, UTAH 84037
CONTACT:
DEREK TERRY
PHONE: 435.668.6844

GREENFIELD PLAT - NOT TO BE RECORDED
2408 NORTH 2000 WEST
CLINTON, UTAH 84015





CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

EAST QUARTER CORNER OF SECTION
TOWNSHIP 5 NORTH, RANGE 2 WEST
SALT LAKE BASIN AND MERIDIAN

ELEV = 4313.43'

13-049-0040
PROPERTY RESERVE INC

13-051-0054
PROPERTY RESERVE INC

13-051-0054
PROPERTY RESERVE INC

573.00'

COMMERCIAL AREA

NORTH 2000 WEST
(PUBLIC STREET)

13-051-0023
AUBRIE WEBB

13-051-0058
GLEN E & MARVETTA G
SAUNDERS - TRUSTEES

2400 NORTH STREET

16.65'

65.85'

DEDICATED LEFT TURN LANE

DEDICATED RIGHT TURN LANE

565.03'

51.0'

FUTURE SIDEWALK BY OTHERS

13-051-0026
DEANNE T & JAMES R
UPSHAW - TRUSTEES

13-051-0020
DEANNE T & JAMES R
UPSHAW - TRUSTEES

13-051-0041
KATTIE DERIELLE
EARL - ETAL

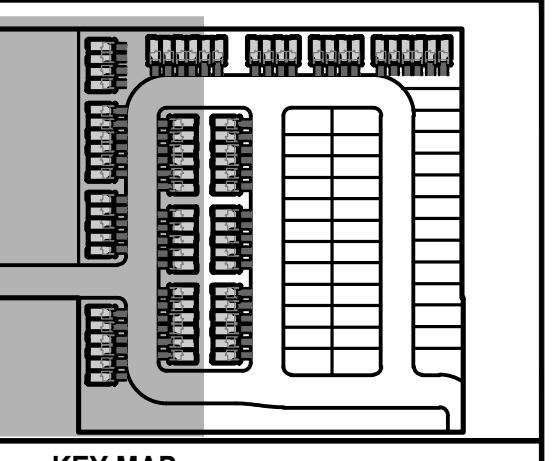
13-051-0003
BENTON & MELISSA
CARNAHAN -
TRUSTEES - ETAL

13-051-0005
JOHN A JOHNSON JR

LOT 1

This site plan illustrates the layout of TS Subdivision Phase 2, Lot 2. The plan shows two main parcels, A and B, with various building units and open spaces. Key features include:

- PARCEL A OPEN SPACE:** Located at the bottom, with dimensions of 128.75' wide by 38.14' deep.
- PARCEL B OPEN SPACE:** Located in the center, with dimensions of 455.01' wide by 23.5' deep.
- STREETS:** 1860 WEST STREET (vertical) and 2470 NORTH (horizontal).
- ROAD NUMBERS:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13.
- LOT NUMBERS:** 1, 2, 3.
- UNIT NUMBERS:** 101 through 121, 187 through 195, 196 through 206, 210 through 214, and 217 through 221.
- Dimensions:** Building widths range from 15.0' to 21.5', and building depths range from 30.9' to 444.00'. Street widths range from 23.5' to 60.0'.
- Other Labels:** SEE DRAWING C-102, SEE DRAWING 13-051-0029, LYNN B & DENISE A CARTER, TS SUBDIVISION PHASE 2 LOT 2.



KEY MAP
NOT TO SCALE

AL NOTES

WORK TO COMPLY WITH THE GOVERNING AGENCY'S
ARDS AND SPECIFICATIONS.

PROVEMENTS MUST COMPLY WITH ADA STANDARDS
ECOMMENDATIONS.

INDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE
IAL, COLOR, FINISH, AND SCORE PATTERNS
IGHOUT SITE.

EMENT MARKINGS SHALL CONFORM TO THE
T EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM
C CONTROL DEVICES).

RFACE IMPROVEMENTS DISTURBED BY
RDUCTION SHALL BE RESTORED OR REPLACED,
OD TREES AND DECORATIVE SHRUBS, SOD,
S, WALLS AND STRUCTURES, WHETHER OR NOT
ARE SPECIFICALLY SHOWN ON THE CONTRACT
MENTS.

Y ENGINEER OF ANY DISCREPANCIES IN DESIGN OR
IC BEFORE PLACING CONCRETE OR ASPHALT.

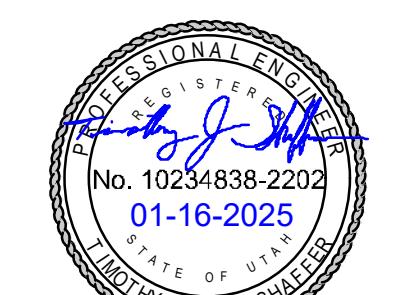
TYPE OF WORK:

1. INSTALL AND/OR CONSTRUCT THE FOLLOWING PER
SPECIFICATIONS GIVEN OR REFERENCED, THE DETAILS
AND/OR AS SHOWN ON THE CONSTRUCTION
DRAWINGS.

- ATCH EXISTING IMPROVEMENTS
- SPHALT PAVEMENT PER GEOTECHNICAL REPORT
- " STANDARD CURB AND GUTTER PER CLINTON CITY STANDARDS AND SPECIFICATIONS
- DEWALK PER CLINTON CITY STANDARDS AND SPECIFICATIONS
- NDICAP ACCESS RAMP WITH DETECTABLE WARNING SURFACE PER CLINTON CITY STANDARDS AND SPECIFICATIONS
- URVEY MONUMENT PER CLINTON CITY STANDARDS AND SPECIFICATIONS
- WOW STORAGE AREA
- TREET SIGN
- TOP SIGN
- MPH SPEED LIMIT SIGN
- TREET LIGHT
- RE HYDRANT
- UBRIC UTILITY AND DRAINAGE EASEMENT

GREENFIELD LANDING
PRELIMINARY PLAT - NOT TO BE RECORDED

2408 NORTH 2000 WEST
CLINTON, UTAH 84015



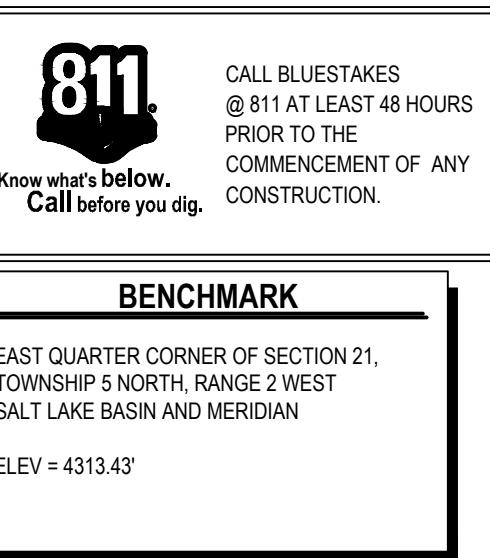
PRELIMINARY SITE PLAN

PROJECT NUMBER
13542

TS

C-101

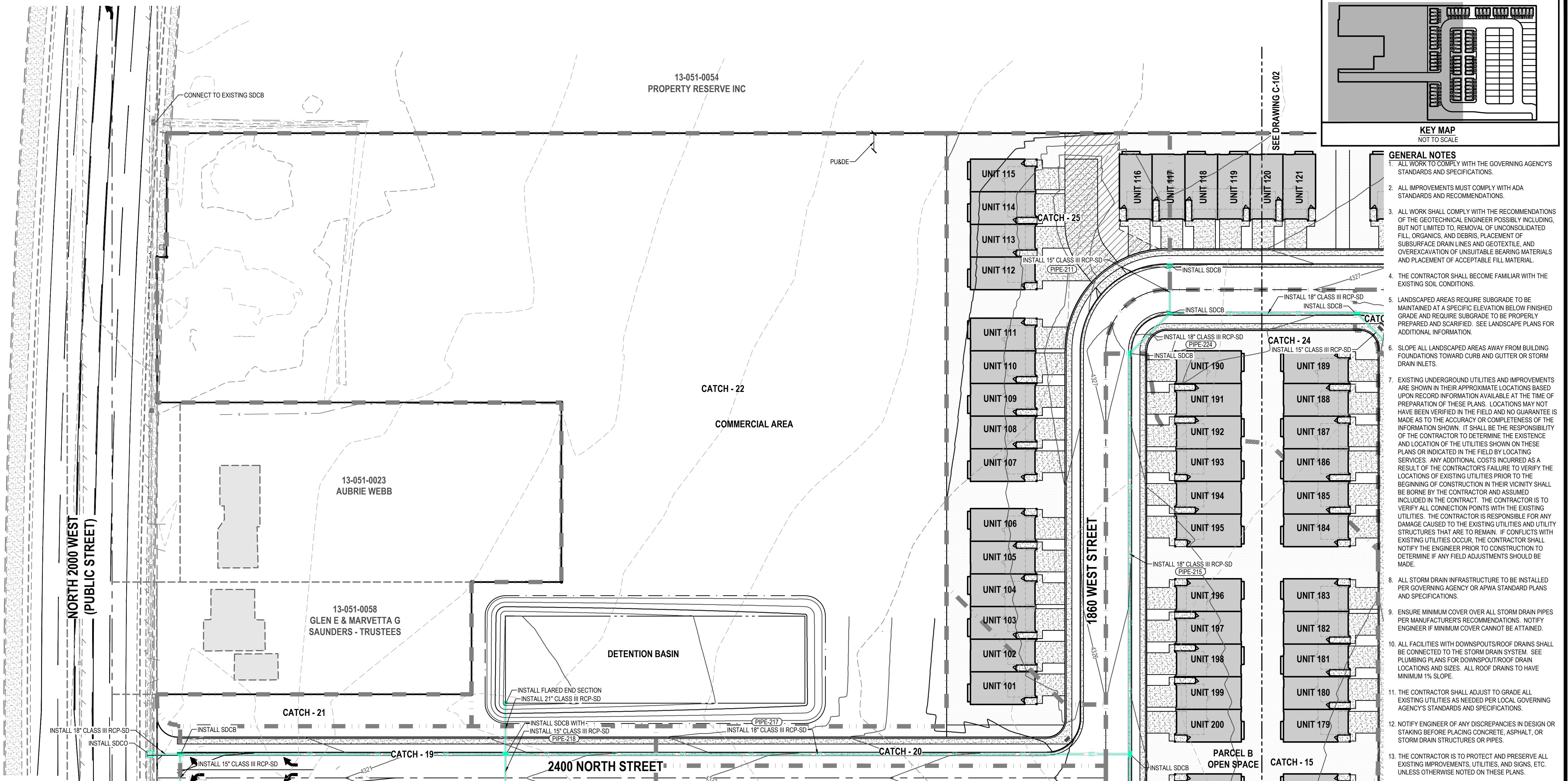
C-101



BENCHMARK

EAST QUARTER CORNER OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 2 WEST
SALT LAKE BASIN AND MERIDIAN
ELEV = 4313.43'

13-049-0040
PROPERTY RESERVE INC



Detention Calculations (100-year storm)

Time (min)	i(in/hr)	Cumulative Runoff to Basin (c.f.)	Net Allowed Basin** Discharge (c.f.s)	Required Storage (c.f.)
5	6.74	16,421	752	15,669
10	5.13	24,996	1,504	23,493
15	4.24	30,990	2,255	28,734
30	2.85	41,660	4,511	37,150
60	1.77	51,747	9,021	42,725
120	0.98	57,301	18,043	39,259
180	0.67	58,763	27,064	31,694
360	0.37	65,253	54,128	11,125
720	0.23	79,637	10,259	69,378
1440	0.13	88,406	216,510	(28,102)
2880	0.07	103,038	433,020	(331,933)

Required Detention: 42,725
Provided Detention: 46,704

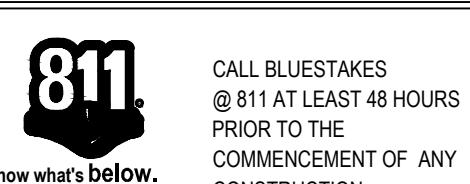
13-051-0026
DEANNE T & JAMES R
UPSHAW - TRUSTEES

Pipe Design (10-year storm)

Mannings N (ADS) 0.011
Mannings N (RCP) 0.013

Time of Concentration 15 min
Rainfall Intensity I 2.13 in/hr
Mannings N 0.013

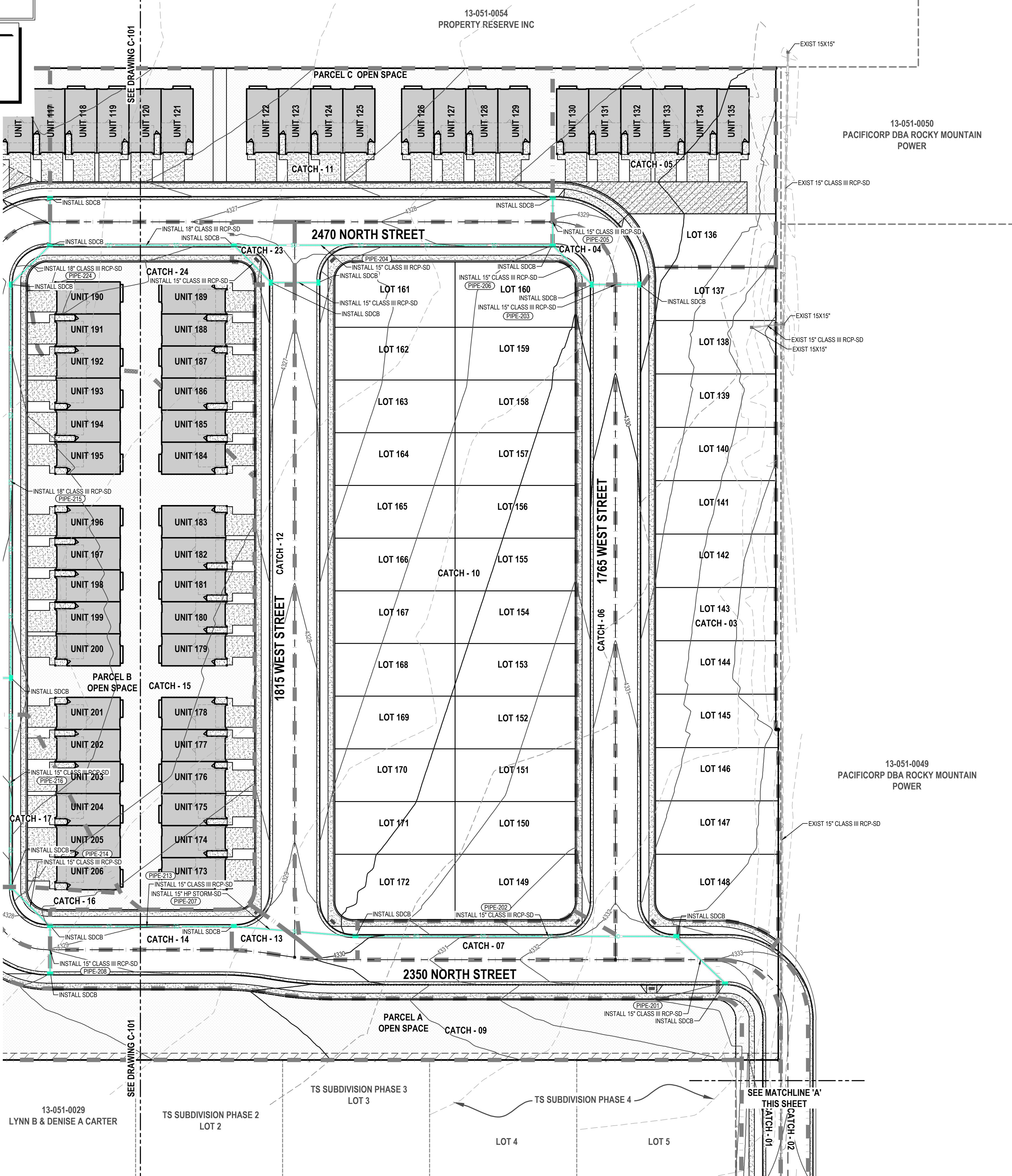
Pipe Pipe-201 Pipe-202 Pipe-203 Pipe-204 Pipe-205 Pipe-206 Pipe-207 Pipe-208 Pipe-209 Pipe-210 Pipe-211 Pipe-212 Pipe-213 Pipe-214 Pipe-215 Pipe-216 Pipe-217 Pipe-218 Pipe-219 Pipe-220 Pipe-221 Pipe-222 Pipe-223 Pipe-224 Pipe-225 Pipe-226 Pipe-227 Pipe-228 Pipe-229 Pipe-230 Pipe-231 Pipe-232 Pipe-233 Pipe-234 Pipe-235 Pipe-236 Pipe-237 Pipe-238 Pipe-239 Pipe-240 Pipe-241 Pipe-242 Pipe-243 Pipe-244 Pipe-245 Pipe-246 Pipe-247 Pipe-248 Pipe-249 Pipe-250 Pipe-251 Pipe-252 Pipe-253 Pipe-254 Pipe-255 Pipe-256 Pipe-257 Pipe-258 Pipe-259 Pipe-260 Pipe-261 Pipe-262 Pipe-263 Pipe-264 Pipe-265 Pipe-266 Pipe-267 Pipe-268 Pipe-269 Pipe-270 Pipe-271 Pipe-272 Pipe-273 Pipe-274 Pipe-275 Pipe-276 Pipe-277 Pipe-278 Pipe-279 Pipe-280 Pipe-281 Pipe-282 Pipe-283 Pipe-284 Pipe-285 Pipe-286 Pipe-287 Pipe-288 Pipe-289 Pipe-290 Pipe-291 Pipe-292 Pipe-293 Pipe-294 Pipe-295 Pipe-296 Pipe-297 Pipe-298 Pipe-299 Pipe-299 Pipe-300 Pipe-301 Pipe-302 Pipe-303 Pipe-304 Pipe-305 Pipe-306 Pipe-307 Pipe-308 Pipe-309 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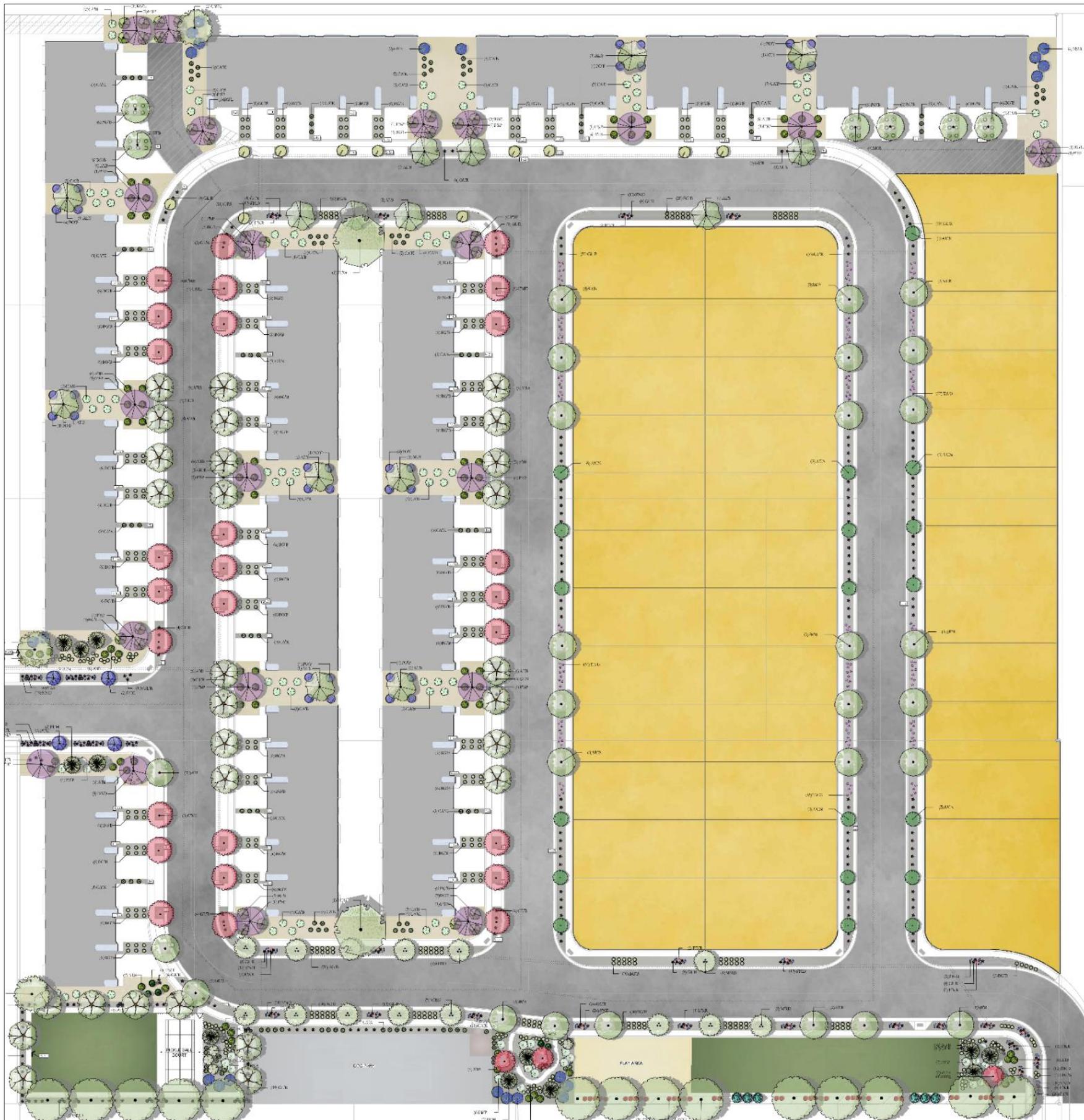
CALL BLUESTAKES
@ 811 AT LEAST 48 HOURS
PRIOR TO THE
COMMENCEMENT OF ANY
CONSTRUCTION.

BENCHMARK

EAST QUARTER CORNER OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 2 WEST
SALT LAKE BASIN AND MERIDIAN
ELEV = 4313.43'

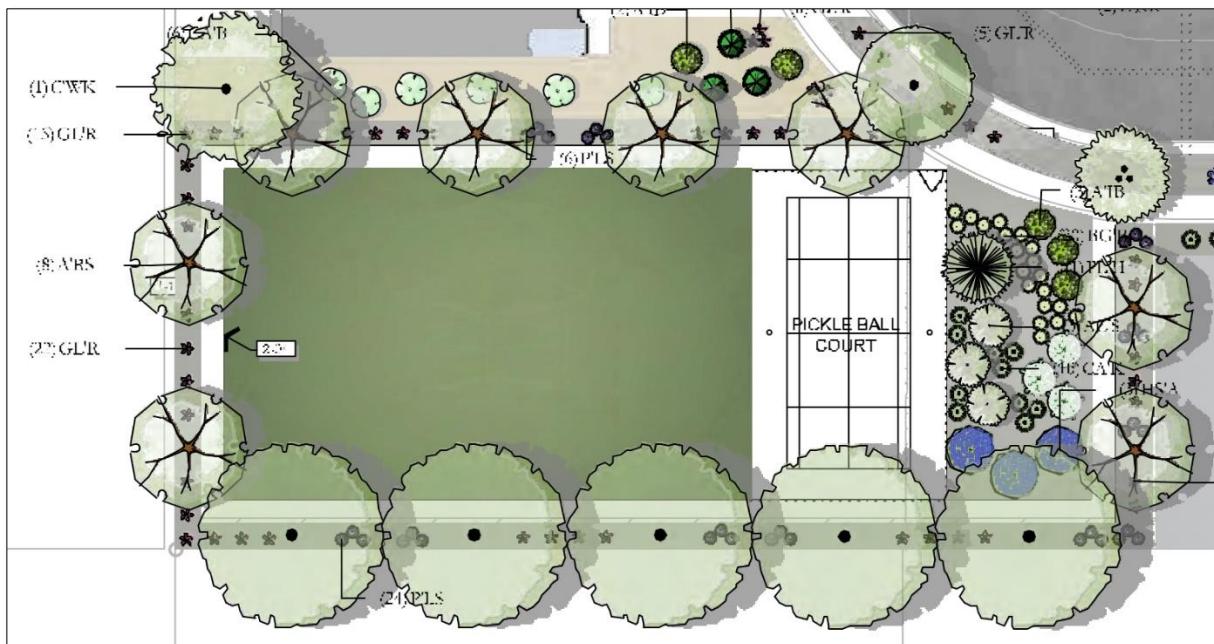


ATTACHMENT D - LANDSCAPE PLAN & LEGEND

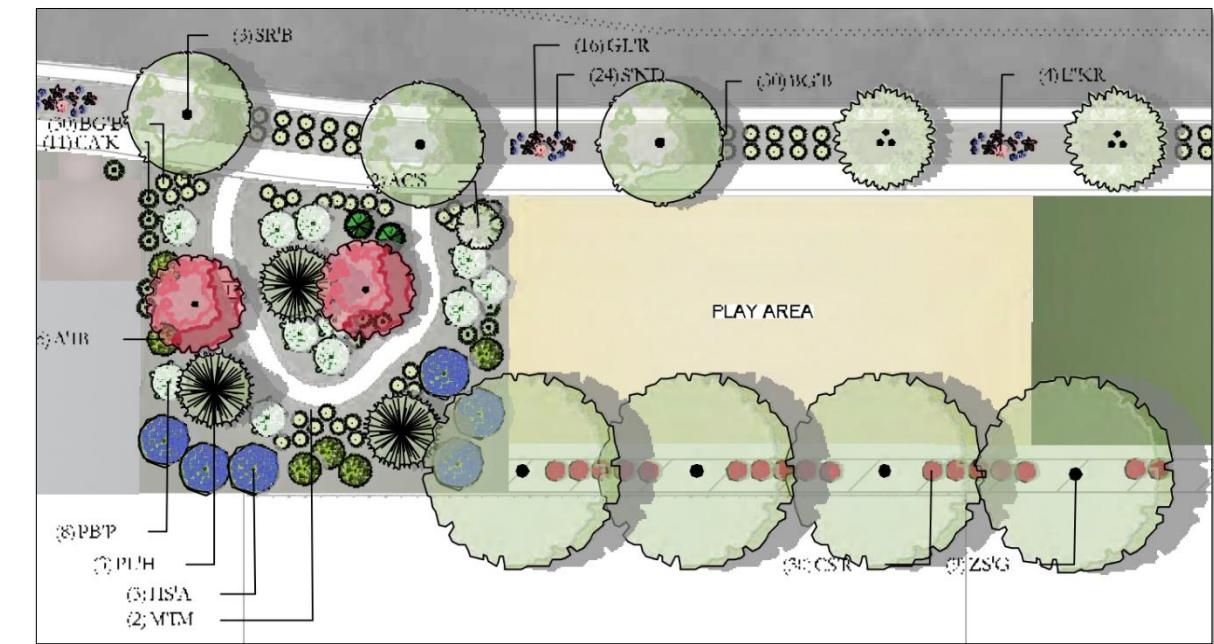


SYMBOL	CODE	DESCRIPTION	QTY	SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE			
1 LANDSCAPE													
	1-01	SODDED LAWN AREA LAWN AREAS SHALL BE SOD. NEW TURF AREAS TO BE SODDED WITH DROUGHT TOLERANT KENTUCKY BLUE GRASS OR APPROVED EQUAL. SEE SOD LANDSCAPE NOTES FOR FURTHER INFORMATION. SHEET LP-101.	11,353 sf		JSM	6	Juniperus scopulorum 'Moonglow' Moonglow Juniper	B & B	6'				
	1-04	1" MINUS TAN CRUSHED ROCK SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 3" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	32,097 sf		PLH	12	Pinus leucodermis 'Heidezelt' Boscan Pine	B & B	6'-7'				
	1-15	1" MINUS GREY CRUSHED ROCK SUBMIT SAMPLES FOR LANDSCAPE ARCHITECT AND OWNER APPROVAL. PROVIDE 3" DEPTH OF ROCK MULCH TOP DRESSING. SEE INORGANIC MULCH LANDSCAPE NOTES FOR ADDITIONAL INFORMATION. SHEET LP-101.	40,335 sf		PMT	5	Pinus mugo 'Tannenbaum' Tannenbaum Mugo Pine	B & B	5'-6'				
	1-26	4" PEA GRAVEL	7,526 sf	DECIDUOUS TREES									
	2-01	BOULDERS-DECORATIVE 3 FOOT ROUND. SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501.	17		ARS	28	Acer ginnala 'Ruby Slippers' Ruby Slippers Amur Maple	20 gal.	1.5" Cal				
	2-02	BOULDERS-DECORATIVE 5 FOOT ROUND. SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501.	6		ACN	19	Acer platanoides 'Columnare' Columnar Norway Maple	B & B	2" Cal				
	2-04	6" CONCRETE MOW CURB SEE DETAIL SHEET FOR ADDITIONAL INFORMATION. SHEET LP-501.	732 lf		ACS	4	Amelanchier canadensis 'Sprizet' Spring Goey® Canadian Serviceberry	20 gal.	1.25" Cal				
	2-05	5" DEEP STEEL EDGING. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.	233 lf		ALS	15	Amelanchier lachnei 'JFS Arb'™ Spring Honey Serviceberry	B & B	2" Cal				
	2-07	PLAYGROUND SURFACE SOF-FAI. ENGINEERED WOOD FIBER. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.	111 cy		CRS	11	Cercis canadensis 'The Rising Sun'™ Eastern Redbud	20 gal.	1.75" Cal				
	2-10	BELGARD PAVERS COLOR BY OWNER CHOICE. INSTALL AS PER MANUFACTURERS SPECIFICATIONS	248 sf		CME	27	Cercis canadensis 'Midnight Express'™ Eastern Redbud	20 gal.	1.5" Cal				
	2-11	FENCE	269 lf		CWK	3	Crataegus viridis 'Winter King' Winter King Hawthorn	20 gal.	1.5" Cal				
2 HARDSCAPE													
	2-01	BOULDERS-DECORATIVE 3 FOOT ROUND. SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501.	17		MTM	3	Malus x 'Indian Magic' Indian Magic Crabapple	20 gal.	1.5" Cal				
	2-02	BOULDERS-DECORATIVE 5 FOOT ROUND. SUBMIT COLOR SAMPLES FOR ARCHITECT AND OWNER APPROVAL. SEE PLACEMENT INSTRUCTIONS ON DETAIL SHEET LP-501.	6		M'RD	14	Malus x 'JFS KW139MN' Ruby Days® Crabapple	15 gal	1" Cal				
	2-04	6" CONCRETE MOW CURB SEE DETAIL SHEET FOR ADDITIONAL INFORMATION. SHEET LP-501.	732 lf		PCC	4	Prunus cerasifera 'Crispiflora' Crimson Pointe™ Purple-leaf Plum	20 gal.	1.5" Cal				
	2-05	5" DEEP STEEL EDGING. INSTALL AS PER MANUFACTURERS SPECIFICATIONS.	233 lf		PSP	21	Prunus x virginiana 'P002S'™ Sucker Punch Chokeberry	B & B	2" Cal				
	2-10	BELGARD PAVERS COLOR BY OWNER CHOICE. INSTALL AS PER MANUFACTURERS SPECIFICATIONS	248 sf		SRB	33	Syringa reticulata 'Balmei' Snowflake Tree Lilac	B & B	2" Cal				
	2-11	FENCE	269 lf		TCG	2	Tilia cordata 'Greenspire' Greenspire Littleleaf Linden	B & B	2" Cal				
PERENNIALS													
	EKR	23	Echinacea x 'NECHKR'	1 gal		AIB	77	Aronia melanocarpa 'Morion' Iroquois Beauty™ Black Chokeberry	2 gal				
	GLR	344	Gaillardia 'Rosy Jane'	1 gal		CA'B	75	Cornus alba 'Ballaloo'™ Ivory Halo Dogwood	5 gal				
	HSD	5	Hemerocallis x 'Stella de Oro'	1 gal		CSR	36	Cytisus scoparius 'SNCNSD97' Sister Rosie® Scotch Broom	3 gal				
	PLS	45	Petalostis x 'Little Spin'	1 gal		HS'A	21	Ilex crenata 'DVPAzzetti'™ Azurii Blue Satin Holly	5 gal				
	SND	187	Salvia nemorosa 'New Dimension Blue'	1 gal		POF	32	Physocarpus opulifolius 'LMNHarrell'™ Fireside Ninebark	5 gal				
	TAG	162	Teucrium chamaedrys 'Creeping Germander'	4" pot		PPP	25	Prunus pensylvanica 'Pawnee Butes' Pawnee Butes Sand Cherry	5 gal				
SYMBOL													
DECIDUOUS SHRUBS													
	AIB	77	Aronia melanocarpa 'Morion'			CA'B	75	Cornus alba 'Ballaloo'™ Ivory Halo Dogwood	5 gal				
	CSR	36	Cytisus scoparius 'SNCNSD97'			HS'A	21	Ilex crenata 'DVPAzzetti'™ Azurii Blue Satin Holly	5 gal				
	POF	32	Ilex crenata 'DVPAzzetti'™			PPP	25	Physocarpus opulifolius 'LMNHarrell'™ Fireside Ninebark	5 gal				
	PPP	25	Prunus pensylvanica 'Pawnee Butes'			RG'L	35	Rhus aromatica 'Gro-Low'	5 gal				
GRASSES													
	BG'B	545	Boazeloua gracilis 'Blonde Ambition'			CA'K	120	Boazeloua gracilis 'Blonde Ambition' Blonde Ambition Blue Grama	1 gal				
	CA'K	120	Calamagrostis x acutiflora 'Karl Foerster'			EH'C	1	Calamagrostis x acutiflora 'Karl Foerster'	1 gal				

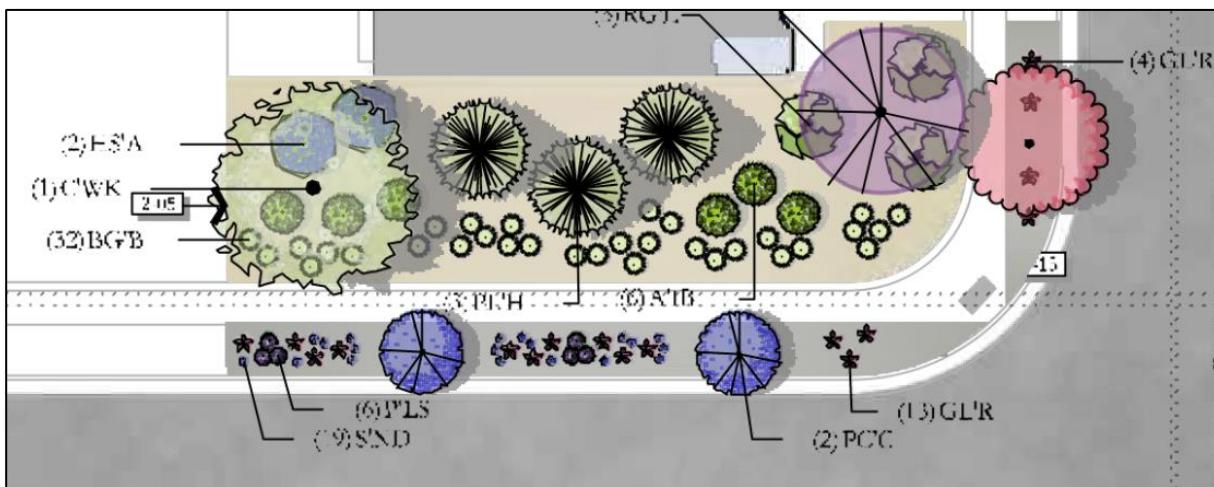
ATTACHMENT - LANDSCAPE PLAN DETAILS



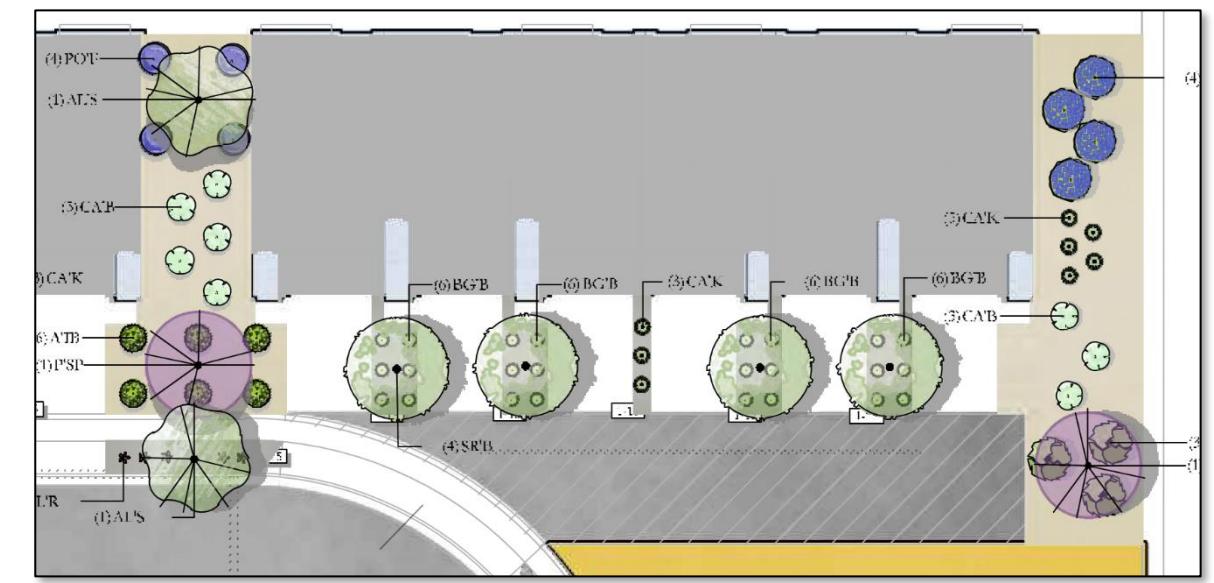
PICKLE BALL COURT/GRASS AREA



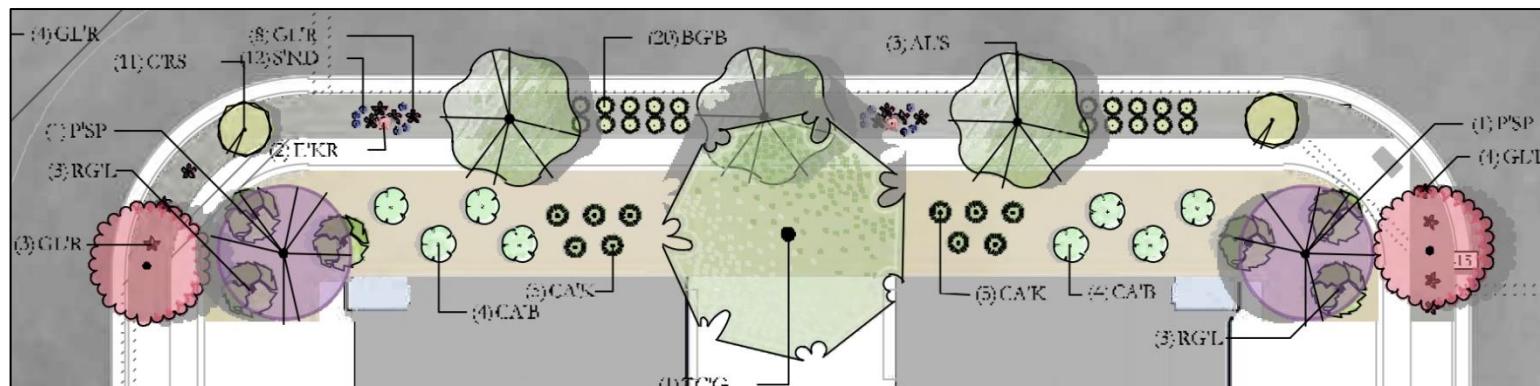
PLAY AREA



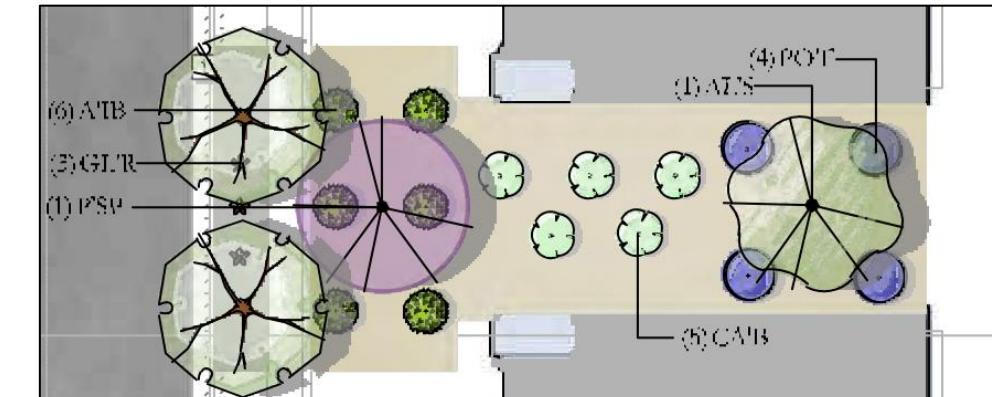
CORNER TOWNHOME LANDSCAPE DETAIL



FRONT TOWNHOME LANDSCAPE DETAIL



CORNER TOWNHOME LANDSCAPE DETAIL



BETWEEN TOWNHOME LANDSCAPE DETAIL

ATTACHMENT E - FENCING



ATTACHMENT E - SITE AMENITIES



ATTACHMENT G - SINGLE FAMILY HOME ELEVATIONS



ATTACHMENT G - SINGLE FAMILY HOME ELEVATIONS



ATTACHMENT G - SINGLE FAMILY HOME ELEVATIONS



ATTACHMENT H - TOWNHOME ELEVATIONS



CLINTON CITY

PLANNING COMMISSION AGENDA ITEM

SUBJECT: <i>Public Hearing</i> (continued) – Review and action on text amendments to the Clinton City Zoning Ordinance for Internal Accessory Dwelling Units (IADUs) as prescribed by recently updated State law.	AGENDA ITEM: 4
PETITIONER: Peter Matson, Community Development	MEETING DATE: February 6, 2025
RECOMMENDATION: Recommend the City Council adopt Ordinance 25-01Z amending various chapters of the Zoning Ordinance regarding internal, attached and detached accessory dwelling units (ADUs).	ROLL CALL VOTE: YES
ORDINANCE REFERENCES: Title 28 (Zoning), Chapter 2 – Definitions, Chapter 3 – Regulations, and Chapters 12-14 and 19 – Zoning Districts	
BACKGROUND: The attached ordinance amends (ATTACHMENT A) the provisions for internal accessory dwelling units by clarifying regulations of internal/attached and detached ADUs. The proposed amendments are presented as exhibits to Ordinance 25-01Z. <i>Exhibit A</i> provides updated definitions for the various types of ADUs, <i>Exhibit B</i> provides the proposed modifications to Section 28-3-27 which outlines the purpose of ADUs, where ADUs are permitted, the approval process and development standards for each ADU type. This Section also includes a new setback table for each type of ADU. <i>Exhibit C</i> shows the list of Conditional Uses in the A-1 and A-E zone with “Attached and Detached ADUs” added to each subsection. <i>Exhibit D</i> includes Table 14-2 which lists the various land uses allowed in the residential zones with the addition of attached and detached ADUs highlighted.	
ATTACHMENT B is a series of setback graphics to help visualize the proposed setbacks and how the various limitations affect the placement of detached ADUs in the rear yard area.	
ATTACHMENTS:	
A) Ordinance 25-01Z <ul style="list-style-type: none">· Exhibit A – Ch. 28-2 Definitions· Exhibit B – Section 28-3-27 ADU Regulations· Exhibit C – A-1/A-E Zone Conditional Uses· Exhibit D – Table 14-2 Residential Zones Permitted/Conditional Uses	
B) ADU Setback Graphics	

ATTACHMENT A

ORDINANCE NO. 25-01Z

ZONING TEXT CHANGE

AN ORDINANCE AMENDING CHAPTERS 2, 3, 12, 13, 14 AND 19 OF TITLE 28, CLINTON CITY ZONING ORDINANCE, REGARDING INTERNAL, ATTACHED AND DETACHED ACCESSORY DWELLING UNITS

WHEREAS, Clinton City has established an ordinance regulating zoning within the City; and

WHEREAS, Clinton City desires to update the zoning ordinance to allow residents options for the construction of accessory dwelling units; and

WHEREAS, The Clinton City Planning Commission and City Council have convened public hearings and have determined that changes are needed in this ordinance to promote the health, safety, and general welfare of the citizens.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON CITY, DAVIS COUNTY, STATE OF UTAH:

SECTION 1. **Enactment**

Title 28, Chapter 2 Definitions shall be amended by adding the definitions as described in Exhibit A, which is attached hereto.

SECTION 2. **Enactment**

Title 28, Section 28-3-27 shall be amended by the text amendments described in Exhibit B, which is attached hereto.

SECTION 3. **Enactment**

Title 28, Chapters 12 and 13 A-1 and A-E Zones – Conditional Uses.

SECTION 4. **Enactment**

Title 28, Chapter 14 Single-Family Residential, Table 14.2 shall be amended by land use categories for attached and detached accessory dwelling units (ADUs) as described in Exhibit C, which is attached hereto.

SECTION 5. **Planning Commission Action**

Reviewed in a public hearing the 2nd day of January 2025, by the Clinton City Planning Commission and recommended for approval with specific modifications through a motion passed by a majority of the members of the Commission based on the findings that the proposed changes do not adversely affect the effectiveness of the Ordinance and are consistent with the intent of the General Plan.

SECTION 6. **Severability.** In the event that any provision of this Ordinance is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION 7. **Effective date.** This ordinance shall be recorded and become effective upon the date of posting indicated below.

PASSED AND ORDERED RECORDED AND POSTED by the Council of Clinton City, Utah, this _____ day of _____ 2025.

BRANDON STANGER
MAYOR

ATTEST:

LISA TITENSOR
CITY RECORDER

Posted: _____

EXHIBIT A

Title 28 Zoning Chapter 28-2 Definitions

...

"Dwelling Unit" means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, structure, or vegetation.

"Dwelling Unit, Accessory." An accessory Dwelling Unit, or ADU, is a dwelling unit that contains its own kitchen, bedroom(s), and bathroom facilities, is subordinate to a primary dwelling unit, and is located on the same lot/parcel as the primary dwelling unit.

"Dwelling Unit, Attached Accessory". An attached accessory dwelling unit is an addition to the primary residence that creates a separate living space that can be accessed from the inside of the primary dwelling and may have a separate exterior entrance.

Dwelling Unit, Detached Accessory". A stand-alone structure that includes an ADU separate from the primary dwelling. A detached ADU can be built as an entirely separate unit or constructed as part of an existing accessory structure, such as a detached garage. It can only be within the side yard or rear yard area of the primary dwelling.

...

"Dwelling Unit, Internal Accessory" or "IADU" means a residential dwelling unit created within a primary dwelling unit, within the footprint of the primary dwelling unit at the time the IADU is created, and for the purpose of offering a long-term rental of 30 days or longer.

EXHIBIT B

28-3-27 – ~~Internal~~ Accessory Dwelling Units ~~s~~ Standards.

1) Internal accessory Purpose and Intent.

~~1)~~a) Accessory dwelling units ("ADUs") in single-family residential zones are an important tool in the overall housing goals and needs of the city and allow for alternative and flexible housing options ~~in-on~~ owner-occupied single-family ~~residences~~~~lots~~. The purposes of the ~~IADU~~ standards for ADUs of this chapter are to:

- ~~(a)~~(i) Preserve and enhance life safety standards required for residential occupancy through the creation of a regulatory process for ~~internal~~ ADUs;
- ~~(b)~~(ii) Provide housing options for individuals and families in all stages of life and/or with ~~moderatea moderate~~ income that might otherwise have difficulty finding adequate housing within the city;
- ~~(c)~~(iii) Provide opportunities to offset rising housing costs and promote reinvestment in existing single-family residential zones;
- ~~(d)~~(iv) Preserve the character of single-family neighborhoods through adequate standards governing ~~internal~~ ADUs; and
- ~~(e)~~(v) Internal ADUs shall Ecomply with UTAH CODE ANN. 10-9a-530, which designates internal ADUs as permitted uses in all single-family residential zones and imposes limitations on the extent that municipalities may regulate internal ADUs.

(2) ADUs - Where permitted.

- (a) Internal ADUs are permitted in primary dwellings under owner occupancy on lots containing ~~more than~~ 6,000 square feet or more located in the city's R-1 (single-family), A (agricultural), and ~~on~~ existing single-family ~~lots-homes~~ in the PZ (performance) zones, subject to the approval process detailed in this chapter.
- (b) Internal, attached and detached ADUs are prohibited ~~on any lot containing 6,000 or fewer square feet or on lots~~ where the primary dwelling is served by a failing septic tank. Internal, attached and detached ADUs in eligible areas shall be allowed as permitted uses.
- (c) Attached and detached ADUs are permitted on lots under owner occupancy containing more than 10,000 square feet or more located in the city's R-1 (single-family), A (agricultural), and on existing single-family lots in the PZ (performance) zones, subject to approval process detailed in this chapter of a conditional use permit from the Planning Commission.

(3) ADU - Approval process. The approval process for ~~internal~~ ADUs in the city is as follows:

- (a) Permitted use internal ADUs may, and attached and detached ADUs that have conditional use permit approval from the Planning Commission, are be allowed as a permitted use upon completion and to proceed with the filing of an internal ADU

~~application formbuilding permit application; payment of all applicable fees; completion of a satisfactory property inspection; the city's receipt of the completed, signed affidavit required by this chapter; issuance of any necessary building permits; and compliance with all other applicable requirements of this chapter.~~

(b) The ADU permit application shall include the following:

- (i) Documentation that demonstrates the property is owner occupied;
- (ii) A to-scale site plan showing all buildings on the lot, required off-street parking, and floor plans of all buildings associated with the proposed ADU. Such plans may be conceptual but shall provide reasonable detail and specifications for full understanding of the proposed ADU;
- (iii) Payment of applicable inspection fees;
- (iv) Completion of a satisfactory property/building inspection; and
- (a) Issuance of necessary building permits.

(b)(c) Permits for ~~internal~~ compliant ADUs may be renewed annually upon a satisfactory property inspection and payment of an administrative renewal fee. A portion of a principal dwelling unit with the characteristics of a separate dwelling unit but not occupied by a second family is exempt from obtaining an ~~internal~~ ADU permit and from paying the yearly renewal fee upon completion and recordation of an exemption form provided by the city. ~~Internal~~ ADUs shall comply with all other applicable building permit, zoning code, fire code and building code requirements.

(e)(d) Upon approval and issuance of a building permit for an ~~internal~~ ADU, the city shall record a notice in the office of the county recorder that shall include:

- (i) a description of the primary dwelling;
- (ii) ~~for an internal or attached ADU~~, a statement that the primary dwelling contains an ~~internal~~ accessory dwelling unit; ~~and~~
- (iii) ~~for a detached ADU, a statement that the lot contains a detached accessory dwelling unit; and~~
- (iv) a statement that the ~~internal~~ accessory dwelling unit may only be used in accordance with the city's land use regulations.
- (v) The city shall, upon recording the notice, deliver a copy of the notice to the owner of the ~~internal~~ ADU.

(4) ADU Development standards.

(a) The property's record owner (including titleholders and contract purchasers) must occupy either the primary dwelling unit or the approved ~~internal~~ ADU as such owner's permanent residence and at no time receive rent for the owner-occupied unit. An application for an ~~internal~~ ADU permit shall include evidence of owner occupancy in the form of the affidavit required by Section 5 of this Chapter and such other verification(s) as the city reasonably may require.

(b) Owner occupancy for a dwelling with an accessory dwelling unit shall not be required when:

- (i) The owner cannot live in the dwelling because of a bona fide temporary absence of three years or less for a temporary job assignment, sabbatical, or voluntary service;
- (ii) The owner was living in the dwelling immediately prior to leaving for the temporary job assignment, sabbatical, or voluntary service; and
- (a)(iii) The owner intends to make the dwelling his/her primary place of residence upon returning from the temporary job assignment, sabbatical, or voluntary service.

(b)(c) Internal ADUs shall not be used as short-term rentals.

(c)(d) Only one internal ADU may be created per lot or property.

(d)(e) The design and size of the internal ADU shall conform to all current applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When a new internal ADU is proposed in or attached to an existing home, the entire internal ADU shall be brought up to all minimum standards, as inspected and approved by city staff.

(e)(f) The installation of separate utility meters for an internal ADU is prohibited.

(f)(g) Each internal ADU shall require one off-street parking space in addition to required parking for the primary dwelling unit. In no case shall fewer than three total off-street parking stalls be provided for any property with an internal ADU. The additional required parking space shall not be located behind or in front of the required parking spaces for the primary dwelling (i.e., tandem parking is prohibited) and shall be located on a drivable surface.

(g)(h) Any parking spaces contained within a garage or carport shall be replaced if an internal ADU is created within the garage or carport.

(h)(i) Each internal or attached ADU shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.

(i)(j) An internal ADUs shall maintain the same address as the primary dwelling with the addition of "Unit B".

(j)(k) Internal ADUs shall not be permitted within a mobile home or within a mobile home community.

(l) An internal ADUs may not be created within a mobile home as defined in UTAH CODE ANN. 57-16-3, as amended.

(k)(m) ADUs shall adhere to all standards of the underlying zoning district with regards to lot coverage and maximum hard surface ratios.

(l) An internal ADU shall not be permitted on a property with a failing septic tank.

(m) Detached ADUs are prohibited in any zone in the city.

Table 3.27.1 DETACHED ADU SETBACKS

<u>REQUIREMENTS</u>	<u>INTERNAL ADU</u>	<u>ATTACHED ADU</u>	<u>DETACHED ADU</u>	
			<u>DETACHED ADU</u> <u>Single Story</u>	<u>DETACHED ADU</u> <u>2-Story</u>
<u>LOCATION</u>	<u>Part of Primary Dwelling</u>	<u>Attached to Primary Dwelling</u>	<u>Rear Yard Area</u>	<u>Rear Yard Area</u>
<u>MAXIMUM HEIGHT LIMIT^{1 & 2}</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>	<u>16' to Roof Peak</u>	<u>25' to Roof Peak</u>
<u>MINIMUM SIDE SETBACKS³</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>	<u>5 feet</u>	<u>10 feet</u>
<u>MINIMUM CORNER SIDE SETBACKS</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>
<u>MINIMUM REAR SETBACKS</u>	<u>Same as Primary Dwelling</u>	<u>Same as Primary Dwelling</u>	<u>10 feet</u>	<u>20 feet</u>
<u>MINIMUM DISTANCE FROM HOME</u>	<u>No Restriction</u>	<u>No Restriction</u>	<u>10 feet</u>	<u>10 feet</u>
<u>WINDOWS⁴</u>	<u>No Restriction</u>	<u>No Restriction</u>	<u>Restricted</u>	<u>Restricted</u>
<u>OUTDOOR LIVING SPACE SETBACK⁵</u>	<u>No Restriction</u>	<u>No Restriction</u>	<u>10 feet</u>	<u>10 feet</u>
<u>ENTRANCE</u>	<u>Side or Rear</u>	<u>Side or Rear</u>	<u>Front, Side, Rear</u>	<u>Front, Side, Rear</u>
<u>SIZE LIMIT⁶</u>	<u>No Limitation</u>	<u>50% up to 1,200 sf⁶</u>	<u>50% up to 1,200 sf⁶</u>	<u>50% up to 1,200 sf⁶</u>

1. In no case shall a detached ADU exceed the height of the primary dwelling measured at the peak of the roof.
2. Minimum roof pitch shall be 4:12; maximum roof pitch shall be 12:12.
3. Landings in side yards shall be set back 10' from side property lines for detached ADUs.
4. Skylights, clerestory, or obscured glass must be used if the ADU is located closer than 10' to the side property line and closer than 20' to the rear property line.
5. Outdoor living space shall not be allowed within 10' of a side or rear property line. Balconies, decks or similar built 4' above finished grade shall be set back 15' from the rear property line. Setbacks for balconies, decks or similar shall be measured from the fascia.
6. 50% of the primary dwelling unit's livable space is counted (parking and non-habitable storage areas shall not be counted for ADUs and primary dwellings).

(5) Affidavit.

(a) All applications for internal ADU permits shall include a notarized affidavit, signed by the record owner of the property, that includes a description of the primary dwelling unit; a statement an acknowledgement that the primary dwelling unit contains an internal accessory dwelling unit; and a statement that the internal ADU may only be used in accordance with the city's land use regulations. Change in ownership of the primary

dwelling shall not require any additional zoning approval but shall require an updated ~~internal~~ ADU permit, site inspection (if applicable), and signed affidavit.

(6) Inspection.

- (a) Prior to approval of an ~~internal~~ ADU permit, all required building permits shall be completed by the applicant and inspected by the city's building official to verify compliance with all applicable city standards.
- (b) If no additional work is proposed or required to ready an ~~internal~~ ADU for occupancy, the applicant shall submit a minimum-fee building permit application, accompanied by an inspection by the city's building official, to ensure compliance with all applicable standards.

(7) Termination.

- (a) If the primary dwelling's record owner changes and is not accompanied by a new ~~internal~~ ADU application, or if the primary dwelling's record owner is no longer permanently residing in the primary dwelling, then the ~~internal~~ ADU shall be immediately vacated and shall no longer be used as an ~~internal~~ ADU. The city may revoke, or may choose to deny license renewal, to any property with unresolved violations of this code arising from or related to operation of an ~~internal~~ ADU. The city may also hold a lien against a property that contains an ~~internal~~ ADU that violated this chapter pursuant to the procedures detailed in UTAH CODE ANN. 10-9a-530(5), as amended.

EXHIBIT B

28-3-27 –Accessory Dwelling Unit Standards.

1) Purpose and Intent.

- a) Accessory dwelling units ("ADUs") in single-family residential zones are an important tool in the overall housing goals and needs of the city and allow for alternative and flexible housing options on owner-occupied single-family lots. The purposes of the standards for ADUs of this chapter are to:
 - (i) Preserve and enhance life safety standards required for residential occupancy through the creation of a regulatory process for ADUs;
 - (ii) Provide housing options for individuals and families in all stages of life and/or with a moderate income that might otherwise have difficulty finding adequate housing within the city;
 - (iii) Provide opportunities to offset rising housing costs and promote reinvestment in existing single-family residential zones;
 - (iv) Preserve the character of single-family neighborhoods through adequate standards governing ADUs; and
 - (v) Internal ADUs shall comply with UTAH CODE ANN. 10-9a-530, which designates internal ADUs as permitted uses in all single-family residential zones and imposes limitations on the extent that municipalities may regulate internal ADUs.

(2) ADUs - Where permitted.

- (a) Internal ADUs are permitted in primary dwellings under owner occupancy on lots containing 6,000 square feet or more located in the city's R-1 (single-family), A (agricultural), and existing single-family homes in the PZ (performance) zones, subject to the approval process detailed in this chapter.
- (b) Internal, attached and detached ADUs are prohibited where the primary dwelling is served by a failing septic tank. Internal, attached and detached ADUs in eligible areas shall be allowed as permitted uses.
- (c) Attached and detached ADUs are permitted on lots under owner occupancy containing 10,000 square feet or more located in the city's R-1 (single-family), A (agricultural), and on existing single-family lots in the PZ (performance) zones, subject to approval of a conditional use permit from the Planning Commission.

(3) ADU - Approval process. The approval process for ADUs in the city is as follows:

- (a) Permitted use internal ADUs, and attached and detached ADUs that have conditional use permit approval from the Planning Commission, are allowed to proceed with the filing of an ADU building permit application.;
- (b) The ADU permit application shall include the following:
 - (i) Documentation that demonstrates the property is owner occupied;

- (ii) A to-scale site plan showing all buildings on the lot, required off-street parking, and floor plans of all buildings associated with the proposed ADU. Such plans may be conceptual but shall provide reasonable detail and specifications for full understanding of the proposed ADU;
- (iii) Payment of applicable inspection fees;
- (iv) Completion of a satisfactory property/building inspection; and
- (c) Issuance of necessary building permits. Permits for compliant ADUs may be renewed annually upon a satisfactory property inspection and payment of an administrative renewal fee. A portion of a principal dwelling unit with the characteristics of a separate dwelling unit but not occupied by a second family is exempt from obtaining an ADU permit and from paying the yearly renewal fee upon completion and recordation of an exemption form provided by the city. ADUs shall comply with all other applicable building permit, zoning code, fire code and building code requirements.
- (d) Upon approval and issuance of a building permit for an ADU, the city shall record a notice in the office of the county recorder that shall include:
 - (i) a description of the primary dwelling;
 - (ii) for an internal or attached ADU, a statement that the primary dwelling contains an accessory dwelling unit;
 - (iii) for a detached ADU, a statement that the lot contains a detached accessory dwelling unit; and
 - (iv) a statement that the accessory dwelling unit may only be used in accordance with the city's land use regulations.
 - (v) The city shall, upon recording the notice, deliver a copy of the notice to the owner of the ADU.

(4) ADU Development standards.

- (a) The property's record owner (including titleholders and contract purchasers) must occupy either the primary dwelling unit or the approved ADU as such owner's permanent residence and at no time receive rent for the owner-occupied unit. An application for an ADU permit shall include evidence of owner occupancy in the form of the affidavit required by Section 5 of this Chapter and such other verification(s) as the city reasonably may require.
- (b) Owner occupancy for a dwelling with an accessory dwelling unit shall not be required when:
 - (i) The owner cannot live in the dwelling because of a bona fide temporary absence of three years or less for a temporary job assignment, sabbatical, or voluntary service;
 - (ii) The owner was living in the dwelling immediately prior to leaving for the temporary job assignment, sabbatical, or voluntary service; and
 - (iii) The owner intends to make the dwelling his/her primary place of residence upon returning from the temporary job assignment, sabbatical, or voluntary service.
- (c) ADUs shall not be used as short-term rentals.

- (d) Only one ADU may be created per lot or property.
- (e) The design and size of the ADU shall conform to all current applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When a new ADU is proposed in or attached to an existing home, the entire ADU shall be brought up to all minimum standards, as inspected and approved by city staff.
- (f) The installation of separate utility meters for an ADU is prohibited.
- (g) Each ADU shall require one off-street parking space in addition to required parking for the primary dwelling unit. In no case shall fewer than three total off-street parking stalls be provided for any property with an ADU. The additional required parking space shall not be located behind or in front of the required parking spaces for the primary dwelling (i.e., tandem parking is prohibited) and shall be located on a drivable surface.
- (h) Any parking spaces contained within a garage or carport shall be replaced if an ADU is created within the garage or carport.
- (i) Each internal or attached ADU shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
- (j) ADUs shall maintain the same address as the primary dwelling with the addition of "Unit B".
- (k) ADUs shall not be permitted within a mobile home or within a mobile home community.
- (l) ADUs may not be created within a mobile home as defined in UTAH CODE ANN. 57-16-3, as amended.
- (m) ADUs shall adhere to all standards of the underlying zoning district with regards to lot coverage and maximum hard surface ratios.

Table 3.27.1 DETACHED ADU SETBACKS

REQUIREMENTS	INTERNAL ADU	ATTACHED ADU	DETACHED ADU	
			DETACHED ADU Single Story	DETACHED ADU 2-Story
LOCATION	Part of Primary Dwelling	Attached to Primary Dwelling	Rear Yard Area	Rear Yard Area
MAXIMUM HEIGHT LIMIT ^{1 & 2}	Same as Primary Dwelling	Same as Primary Dwelling	16' to Roof Peak	25' to Roof Peak
MINIMUM SIDE SETBACKS ³	Same as Primary Dwelling	Same as Primary Dwelling	5 feet	10 feet
MINIMUM CORNER SIDE SETBACKS	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling
MINIMUM REAR SETBACKS	Same as Primary Dwelling	Same as Primary Dwelling	10 feet	20 feet

MINIMUM DISTANCE FROM HOME	No Restriction	No Restriction	10 feet	10 feet
WINDOWS ⁴	No Restriction	No Restriction	Restricted	Restricted
OUTDOOR LIVING SPACE SETBACK ⁵	No Restriction	No Restriction	10 feet	10 feet
ENTRANCE	Side or Rear	Side or Rear	Front, Side, Rear	Front, Side, Rear
SIZE LIMIT ⁶	No Limitation	50% up to 1,200 sf ⁶	50% up to 1,200 sf ⁶	50% up to 1,200 sf ⁶

1. In no case shall a detached ADU exceed the height of the primary dwelling measured at the peak of the roof.
2. Minimum roof pitch shall be 4:12; maximum roof pitch shall be 12:12.
3. Landings in side yards shall be set back 10' from side property lines for detached ADUs.
4. Skylights, clerestory, or obscured glass must be used if the ADU is located closer than 10' to the side property line and closer than 20' to the rear property line.
5. Outdoor living space shall not be allowed within 10' of a side or rear property line. Balconies, decks or similar built 4' above finished grade shall be set back 15' from the rear property line. Setbacks for balconies, decks or similar shall be measured from the fascia.
6. 50% of the primary dwelling unit's livable space is counted (parking and non-habitable storage areas shall not be counted for ADUs and primary dwellings).

(5) Affidavit.

- (a) All applications for ADU permits shall include a notarized affidavit, signed by the record owner of the property, that includes a description of the primary dwelling unit; an acknowledgement that the primary dwelling unit contains an accessory dwelling unit; and a statement that the ADU may only be used in accordance with the city's land use regulations. Change in ownership of the primary dwelling shall not require any additional zoning approval but shall require an updated ADU permit, site inspection (if applicable), and signed affidavit.

(6) Inspection.

- (a) Prior to approval of an ADU permit, all required building permits shall be completed by the applicant and inspected by the city's building official to verify compliance with all applicable city standards.
- (b) If no additional work is proposed or required to ready an ADU for occupancy, the applicant shall submit a minimum-fee building permit application, accompanied by an inspection by the city's building official, to ensure compliance with all applicable standards.

(7) Termination.

- (a) If the primary dwelling's record owner changes and is not accompanied by a new ADU application, or if the primary dwelling's record owner is no longer permanently residing in the primary dwelling, then the ADU shall be immediately vacated and shall no longer be used as an ADU. The city may revoke, or may choose to deny license renewal, to any property with unresolved violations of this code arising from or related to operation of an ADU. The city may also hold a lien against a property that contains an ADU that violated this chapter pursuant to the procedures detailed in UTAH CODE ANN. 10-9a-530(5), as amended.

EXHIBIT C
A-1/A-E ZONES Conditional Uses

Chapter 28-12 Agricultural Zone (A-1)

...

28-12-3 Conditional Uses

1. Animal Hospital or Clinic in a fully enclosed building, including farm animals.
2. Dog Kennel.
3. Cattery.
4. Golf Course.
5. Private Recreation Clubs.
6. Private stables; public stables on a minimum of 5 acres of land; privately owned and operated recreational uses, grounds and facilities not operated as a business and to which no admission charge is made.
7. Public Utility Substations.
8. Bed and Breakfast.
9. Municipal Wells, Reservoir, or Storage Tanks for water.
10. Above ground fuel storage tank
11. Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title incidental to an approved conditional use and approved during site plan review.
12. Attached and Detached Accessory Dwelling Units.

...

EXHIBIT C
A-1/A-E ZONES Conditional Uses

Chapter 28-13 Agricultural Estate Zone (A-E)

...

28-13-3 Conditional Uses

1. Animal
2. Golf Course
3. Public Utility Substation
4. Bed and Breakfast
5. Municipal Wells, Reservoir, and Storage Tanks for water.
6. Above ground fuel storage tank.
7. Garages, Accessory Buildings, Sheds, and Carports, as defined in this Title, incidental to an approved conditional use and approved during site plan review.
8. Attached and Detached Accessory Dwelling Units.

...

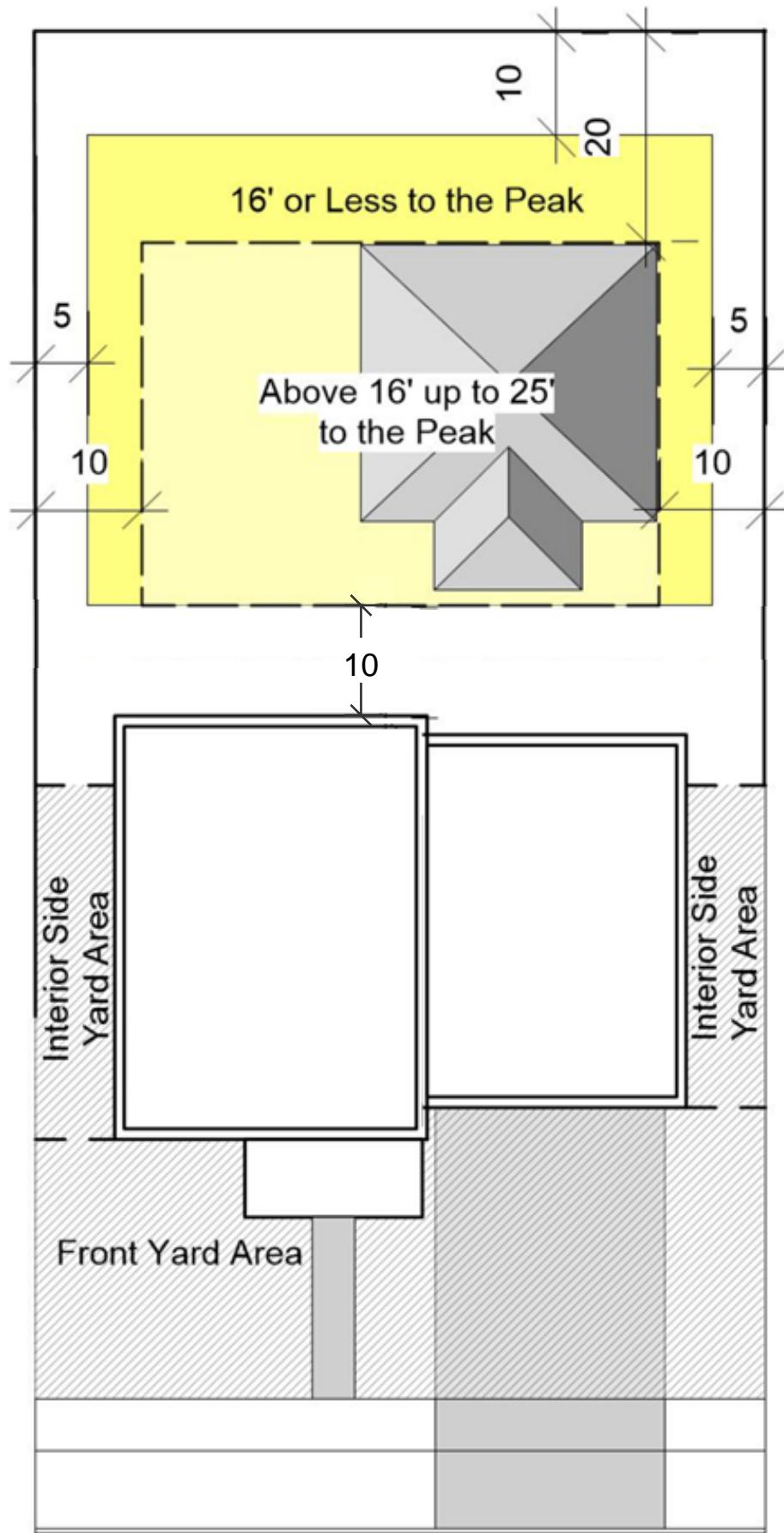
Clinton City Zoning Ordinance
Residential, Single-Family

Title 28
Chapter 14

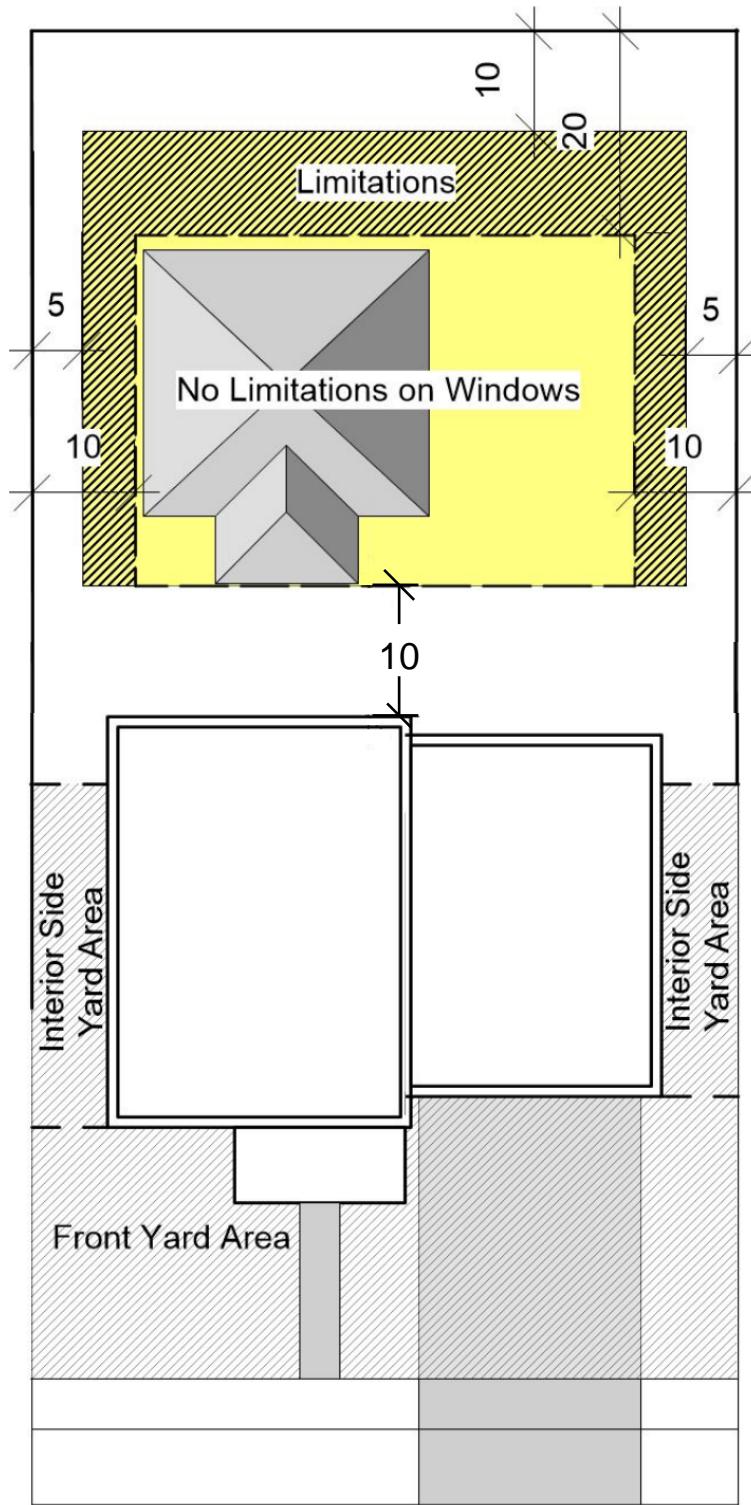
TABLE 14.2		RESIDENTIAL ZONES					
USES		R-1-6	R-1-8	R-1-8a ²⁵	R-1-9 21, 24	R-1-10	R-1-15 ⁵²
		P = Permitted	C = Conditional	N = Not Permitted	A = Accessory ¹³⁴		
1.	Agriculture	P	P	P	P	P	P
2.	Single Family Dwelling						
1.	Site-built ⁵²	P	P	P	P	P	P
2.	Modular Structures ⁵²	P	P	P	P	P	P
3.	Manufactured Housing ⁵²	P	P	P	P	P	P
4.	Camper Trailer	N	N	N	N	N	N
5.	Mobile Home	N	N	N	N	N	N
3.	Household Pets	P	P	P	P	P	P
4.	Garages, accessory buildings, sheds, carports and uses customarily incidental to any permitted use. ^{169, 199}	P	P	P	P	P	P
5.	Public Building: public park, public recreation grounds and associated buildings.	P	P	P	P	P	P
6.	Raising, pasturing, and maintaining of not more than the following animal and fowl units for family food production or pleasure: 1 animal unit and 1 fowl unit for each one acre in the lot up to a maximum of 5 animal and 2 fowl units.	P	P	P	P	P	N
7.	Residential Chickens (see § 28-2-2) Permitted only on lots 10,000 square feet and larger. (All chickens are registered at City) ^{170, 208}	P	P	P	P	P	P
8.	Family Day Care Center ²⁶	A	A	A	A	A	A
9.	Home Business ¹⁷⁹	P	P	P	P	P	P
10.	Golf Course	C	C	C	C	C	C
11.	Churches, Synagogues, and Temples ¹⁸²	P	P	P	P	P	P
12.	Educational Institution (Elementary and Secondary, including associated grounds and athletic and other facilities) ¹⁸²	P	P	P	P	P	P
13.	Internal Accessory Dwelling Unit	P	P	P	P	P	P
<u>14.</u>	<u>Attached and Detached Accessory Dwelling Unit</u>	C	C	C	C	C	C
<u>1415.</u>	Public utility substation	C	C	C	C	C	C
<u>1516.</u>	Handicapped Residential Facilities IAW Utah Code § 10-9-610 through §10-9-604. ¹³⁴	P	P	P	P	P	P
<u>1617.</u>	Residential Facilities for Elderly IAW Utah Code § 1-9-501 through §10-9-504. ¹³⁴	P	P	P	P	P	P
<u>1718.</u>	Municipal Water Wells, Reservoir, or Storage Tanks for water	C	C	C	C	C	C
<u>1819.</u>	Kennels, Private or Commercial	N	N	N	N	N	N
<u>1920.</u>	Garage and Yard Sales ¹⁷⁹	P	P	P	P	P	P
<u>2021.</u>	Cemetery	P	P	P	P	P	P
<u>2122.</u>	Sign – One nameplate or identification sign in accordance with the Clinton City Sign Ordinance ¹⁸²	P	P	P	P	P	P
<u>2223.</u>	Bed and Breakfast ¹⁸²	P	P	P	P	P	P
<u>2324.</u>	Temporary residences renting by the day or week ¹⁸²	P	P	P	P	P	P
<u>2425.</u>	Temporary on-site storage containers for emergency construction or repair of residences, with the following stipulations: ¹⁸²	P	P	P	P	P	P
	a. Must be placed on a hard surface						
	b. Can only be present for 3 months out of a 12-month period						
<u>2526.</u>	Garages, accessory buildings, carports uses customarily incidental to any non-residential use. ^{169, 199}	Structures will be evaluated along with application for primary use when evaluating a site plan as established in §28-3-10					

SINGLE-STORY & TWO-STORY DETACHED ADU ATTACHMENT B

BUILDABLE AREA

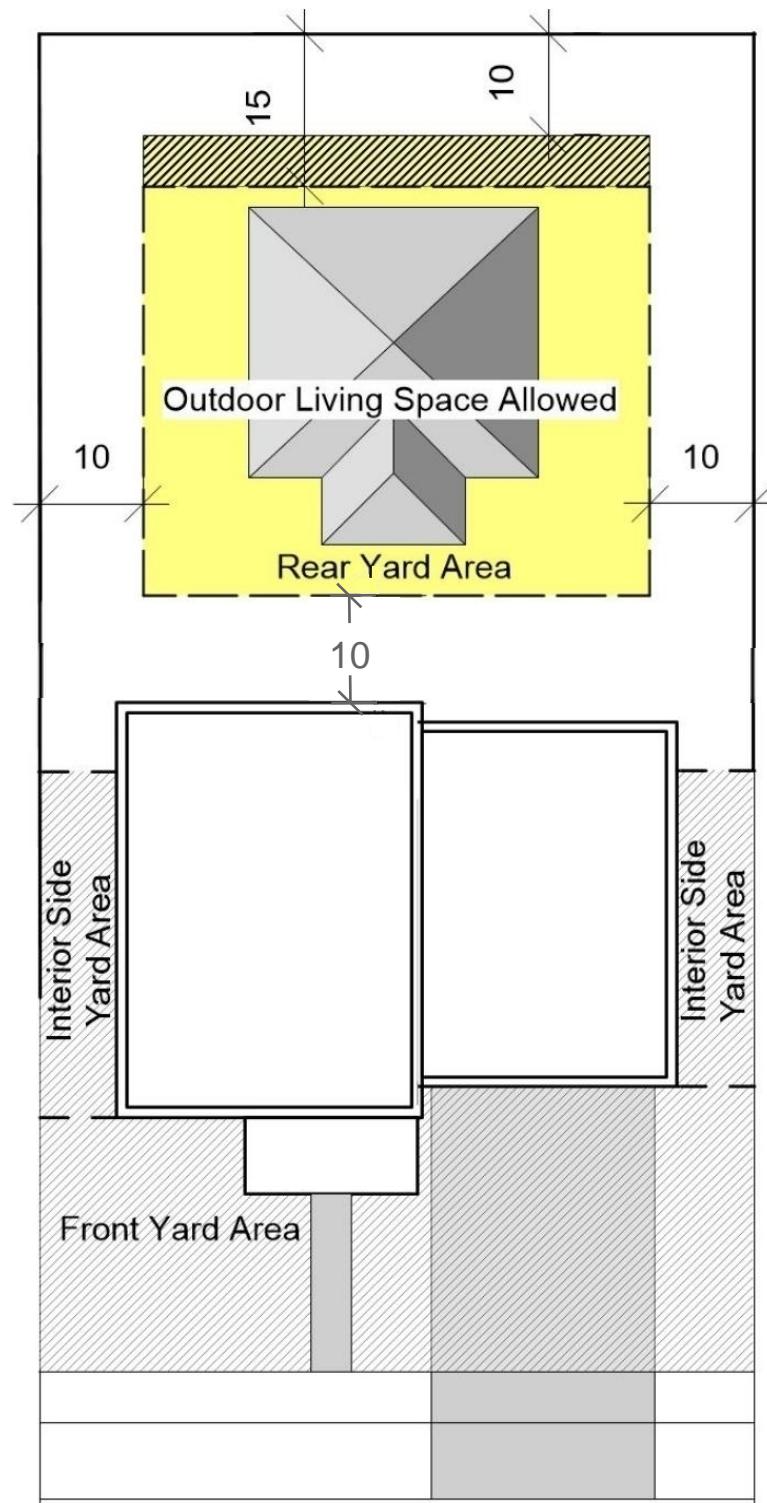


SINGLE-STORY & TWO-STORY DETACHED ADU WINDOW LIMITATIONS



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

OUTDOOR LIVING SPACE



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



2267 N 1500 W
Clinton UT 84015

Planning Commission Members

Jolene Cressall

Dan Evans

Mark Gregersen

Dave Jones

Chad Hansen

Jennifer Christensen

Date of Meeting	January 2, 2025	Call to Order	6:04 pm.
Staff Present	Community Development Director Peter Matson and Becky Smith recorded the minutes.		
Attendees			
Prayer or Thought	Commissioner Jones		
Pledge	Commissioner Hansen		
Roll Call/Attendance	Present were: Commissioners Jolene Cressall, Dan Evans, Mark Gregersen, Chad Hansen, and Dave Jones. Commissioner Christensen was absent		
Declaration of Conflicts	None		
SUMMITTED BY:	Peter Matson, Community Development Director		
DISCUSSION	<p><u>AGENDA ITEM 1</u></p> <p>Public Hearing: Review and possible action on text amendments to Title 26, Clinton City Subdivision Ordinance including updates to be compliant with provisions of State law regarding the subdivision review and approval process, designation of land use authority for preliminary and final plats, and various updates to improve the clarity and readability of the ordinance – Ordinance 25-01.</p> <p>Due to recent State law changes, a review and assessment is necessary for updating the City's Subdivision Ordinance. The proposed amendments and updates primarily aim to clarify the administrative nature of the subdivision review and approval process, particularly for single or two-family dwellings and townhomes. The goal is to align the City's Subdivision Ordinance with the provisions of SB 174 from the 2023 legislative session, ensuring a streamlined administrative review and approval process with clear guidelines. The proposed updates include sections that strictly adhere to State law, without discretionary flexibility. While State law only requires changes for single or two-family dwellings and townhomes,</p>		

the existing code and proposed amendments applies to all subdivisions regardless of use.

MAJOR CODE AMENDMENTS AND HIGHLIGHTS: [ATTACHMENT C](#) is a draft of the proposed amendments to Title 26 Subdivisions. This draft includes changes since the December 5th meeting with strikeout/underline text indicating the changes. The following is a summary of the main highlights of this code update:

- 1) Administrative Land Use Authority Designation – The current code states that the planning commission is to review and make a recommendation for final approval by the Council. The update ensures that we have designated an “administrative land use authority” for preliminary plats as outlined in State law. This allows flexibility to the city to designate the planning commission as the land use authority to review and approve preliminary plats.
- 2) Elimination of Sketch (Concept) Plan Review - This step is eliminated from the code as required by State law. It is suggested, however, that we continue to offer an optional pre-application review at the request of the developer.
- 3) Complete Application – A complete application is defined for preliminary and final plat submittal.
- 4) Review Process Timing – The review process for preliminary and final plat defaults to what is specified in State law. The initial review of the preliminary plat is within 15 business days and final plat within 20 business days. State law also indicates that only four reviews between preliminary and final plat approval are allowed.
- 5) Bonding for private landscaping is no longer allowed.
- 6) City Road Standards – The new code follows the State law that residential roadway asphalt width cannot be required to be more than 32 feet. Collector street standards and the new town home alternative public roadway standards are also listed.
- 7) The overall Subdivision Review Process is outlined in the attached flow chart ([ATTACHMENT A](#)).

Mr. Matson started the meeting by asking the Planning Commission what their views were on the definition of a minor subdivision. He went on to say in the present code it reads as both 3 and 5 lots could be in a subdivision. Staff believed making that up to 5 lots would be beneficial.

Commissioners discussed the number of lots that should be required for a subdivision. Discussed what the advantages may or may not be by designating a higher number of lots allowed in a minor subdivision. Discussed examples of 3 to 5 lot subdivisions.

Commissioner Evans expressed his belief to be that subdivisions should be made simple and discussed concerns regarding being on a frontal road.

Mr. Matson explained a minor subdivision is approved administratively. He gave the example if the ordinance states it can only have up to 3 lots and a subdivision review comes in with 4 lots, then it will be processed as a major subdivision application. The developer will need to come before the Planning Commission, since you are the administrative land use authority. A preliminary and a final plat would be required. Although, if there are 3 lots or less it will not appear before the Planning Commission, it would be processed administratively.

Chair Cressall advised the question before the Planning Commission is whether a minor subdivision should remain as 3 or be increased to 5 lots.

Commissioner Gregersen questioned the proposal whether it would be simplifying the process for the developers, or to make it in conformity with the state law. He explained Utah Code 1098604.1 which part of Senate Bill 174 is passed in legislation 2023 limits what is required for single- and two-family homes. Clinton's ordinance 26-1-6 does not limit single- and two-family residences, will the simplification take the subdivisions from the City Council and Planning Commission reviews and only be overseen administratively?

Commissioner Cressall explained the reason it seemed broader is because the entire subdivision is being brought in to simplify the whole subdivision ordinance, combining it instead of having two separate sections.

Mr. Matson advised in the Senate Bill 174 the main concern of the Legislature was the single- and two-family residential subdivisions, a non-residential subdivision, even a commercial subdivision in the manufacturing zone.

Commissioner Evans questioned what would be best for the city. Minor Subdivisions, he believed, would be for a contractor just getting started. He also expressed concern about what would be best for the city and the people in the city.

Commissioner Hansen advised if this was used in commercial or industrial zones and if we require more lots, it may take away from the planning commission review. Keep it smaller for ease.

All Commissioners agreed 3 lots would be sufficient.

Mr. Matson advised that the Community Development Director could approve subdivision amendments and lot line adjustments, but these have to go before the City Council for review if vacating easements or rights-of-way are involved.

Commissioner Gregersen questioned Section 2 subsection d by asking if the Community Development Director is vested with authority to approve amendments to subdivision if the subdivision included vacating rights of way.

Mr. Matson advised Commissioner Gregersen that he is vested with amendments to the subdivision, but he is not vested regarding vacating the easements or rights-of-way. He will change it back to what the verbiage previously read.

Mr. Matson advised engineering standards and specifications added as outlined in Title 9 is just a clarification. The offsite improvements definition should state the improvements might be inside or outside of the subdivision. Commissioner Gregersen asked where this might come into play. Commissioner Evans and Jones discussed this is the definition of off-site improvements.

Mr. Matson advised protection strips are not mentioned in the Title, but he was waiting to hear from the attorney if this is needed. He and Commissioner Jones both agreed that we do not need that in the code.

Commissioner Gregersen asked if protection strips needed to be in the code now? He had seen where it had been abused.

Commissioner Jones advised there use to be a provision where the protection strip was allowed for a certain period of time, and how much money would be allowed to be released per year.

Mr. Matson questioned if this could defer it until the legal counsel has input.

Commissioners Gregersen, Evans and Jones gave examples of when a protection strip would be beneficial and how it might be used improperly.

Mr. Matson advised he would collaborate with the attorney to see if additional language needed to be put into the definition.

Mr. Matson advised he would like to change the re-subdivision to plat amendment. Is the Commission okay with that change? All agreed for the change.

Mr. Matson discussed that the definition of "screening" is not found in the Title. Discussing the definition with the Commission would be a good definition for a screen buffer.

Mr. Matson advised Clinton City has two arterial streets in the city - 1800 N and 2000 West, and thought defining them would be helpful. A collector street definition is the means of access to the major street system. A major street could mean a collector or arterial but believe it is a collector feeding into arterial streets.

Commissioner Jones advised that the arial photos are used in the county. They classified the definitions of streets, local, collector, arterial. It might be helpful to the citizens.

Cul-de-sac measurements, 15 dwellings, changing to minimum standards, asking if it should be reworded to as outline in Title 9 for the maximum number of dwelling units served. The number of lots without a second access is 30.

Mr. Matson advised the City code, and the State Code states that the Planning Commission's role in reviewing and approving preliminary plats is as the Administrative Land Use Authority. The preliminary plat review and approval is an administrative decision not a Legislative one. He also expressed a concern about a need to be cautious about public hearings, the public can make comments, but it is still being reviewed by the standards of the code. The public would be heard, but if it meets the standard of the code, it would still have to be accepted.

Commissioner Gregersen questioned whether it would be helpful to describe the standards that are being used, for the public to understand.

Mr. Matson and the Planning Commission discussed how to improve verbiage on several parts of the subdivision ordinance.

Commissioner Jones questioned the definition of reverse frontage lot?

Mr. Matson advised he believed it is just another way of saying double frontage lot.

The Commissioners discussed what a double frontage lot was, and where examples of a double frontage lots that are in the city.

Commissioner Jones asked if the definition of "the city" is defined.

Chair Cressall opened the public hearing at 7:25pm. With no public comment, the hearing was closed at 7:26.

CONCLUSION AND MOTION

Commissioner Evans made a recommendation to the City Council to adopt Ordinance 25-01 (ATTACHMENT B) amending Title 26 (Subdivisions) updating the subdivision review and approval process in accordance with Utah State law together with updates to various sections for improved clarity and consistency specially noting the protection strip be clarified before going

	<p>to the City Council. All corrections will be incorporated before being approved by the City Council. Commissioner Hansen seconded the motion. Voting is as follows: Commissioner Jones, aye; Commissioner Evans, aye; Commissioner Hansen, aye; Commissioner Gregersen, aye; Commissioner Cressall, aye.</p>
	<p><u>AGENDA ITEM 2</u></p> <p>Public Hearing: Review and possible action on text amendments to Title 28, Clinton City Zoning Ordinance, regarding Internal Accessory Dwelling Units (ADUs) (Section 28-3-7) providing clarification regarding attached ADUs and adding regulations for Detached Accessory Dwelling Units including minimum lot size, setbacks and review and approval procedures – Ordinance 25-01Z.</p> <p>The attached ordinance amends the provisions for internal accessory dwelling units by clarifying regulations of internal/attached and detached ADUs. The proposed amendments are presented as exhibits to Ordinance 25-01Z. Exhibit A provides updated definitions for the various types of ADUs, Exhibit B provides the proposed modifications to Section 28-3-27 which outlines the purpose of ADUs, where ADUs are permitted, the approval process and development standards for each ADU type. This Section also includes a new setback table for each type of ADU. Exhibit C includes Table 14-2 which lists the various land uses allowed in the residential zones with the addition of attached and detached ADUs highlighted. Section 28-3-27 is the focus of this ordinance amendment. Please review the details, including the setback table, and be prepared to help make sure I have addressed all your concerns and items you want covered by this update.</p>
<p>DISCUSSION</p>	<p>Mr. Matson clarified the internal Adu's are overseen administratively, where the detached may require a conditional use permit. What additional comments would the commission like to add or view as being needed for the conditional use permits? State law limits conditions to those that mitigate impacts based on the regulations in the code. A conditional use permit is assumed approvable, but with conditions. In his experience if a conditional use permit has been defined, a list of specific conditions should be provided. He questioned whether the city would be better off to have guidelines that are detailed enough to allow them in the zones, or if the Commission thought a Conditional Use Permit would still be needed?</p> <p>Commissioner Gregersen clarified that permitted use is managed by staff but questioned if it is not permitted then it will come before the commission?</p> <p>Commissioner Cressall advised she believes very defined guidelines are needed.</p> <p>Mr. Matson advised to remember permitted uses are uses that can have conditions applied to it.</p>

	<p>Commissioner Gregersen stated venturing into allowing ADU's could allow major changes to the city. There could be consequences that we are not taking into consideration. He believed the Planning Commission should be allowed some discretion. Maybe a need to mitigate things that are not thought of currently.</p> <p>Commissioner Hasen advised yes because it affects the neighbors in every way. Or can that be overseen administratively?</p> <p>Mr. Matson advised that detached ADU's are handled during the planning and zoning reviews.</p> <p>Chair Cressall asked the Planning Commission if they all agreed on conditional use on all detached and attached ADU's. The majority did agree. She advised she was concerned about the 10,000 square feet being a limit but advised that she understood how that will work with the setbacks. She expressed concerns on the 6 feet between the home and the ADU. She asked the rest of the Planning Commission what they thought.</p> <p>Mr. Matson advised that during the permit review process, setbacks for any other detached structures in the backyard will also be reviewed. This could impact or reduce the size of the detached ADU.</p> <p>The Commissioners discussed the 10,000 square foot minimum lot size.</p> <p>Mr. Matson advised the Planning Commission there is another criteria that the ADU will be required to meet, the maximum rear yard hard surface ratio of 25%. He explained to the Commission that only 25% of the backyard could be a non-pervious surface. If they have a shed, or patio, that will all come into play as well. All residential zones have that 25% ratio.</p> <p>Chair Cressall asked the Planning Commission again if they are all okay with the 10,000 square feet limit.</p> <p>The Commissioners discussed all the regulations and concluded everything will work out fine.</p>
CONCLUSION AND MOTION	<p>Commissioner Hansen made a motion to keep this public hearing open to continue the discussions on the ADU ordinances and to have a special meeting on January 16 to discuss these further conditions to Exhibit B. Commissioner Jones seconded the motion. Voting is as follows: Commissioner Jones, aye; Commissioner Evans, aye; Commissioner Hansen, aye; Commissioner Gregersen, aye; Commissioner Cressall, aye.</p>

	<p><u>AGENDA ITEM 3</u></p> <p>Public Hearing: Review and possible action on text amendments to Title 28, Clinton City Zoning Ordinance, allowing accessory building coverage on a parcel or lot in the A-1 (Agricultural) zone containing a residential structure to not exceed 15% of the gross lot area as opposed to 10% of the gross lot area – Ordinance 25-02Z.</p> <p>DISCUSSION</p> <p>The attached ordinance proposes to amend a note at the bottom of Table 12.4.4 in Chapter 28-12-4 of the Zoning Ordinance. Footnote “a” in this Table indicates that the combined floor area of all accessory buildings or other structures on a parcel or lot containing a residential structure cannot exceed 10% of the gross lot area. Two separate lot owners in the A-1 zone have approached city staff about this regulation wondering why this lot coverage requirement is limited to 10% in the A-1 zone when the A-E (Agricultural Estate) zone allows a maximum coverage of 15% of the gross lot area. The A-1 zone requires a one-acre minimum lot size and the A-E zone requires $\frac{1}{2}$ acre as the minimum lot size. The lower percentage in the A-1 zone compared to the A-E zone appears reasonable because of the minimum lot size difference. However, a few residents with one acre or larger lots are of the opinion that they are being limited to a smaller percentage lot coverage. One property owner, for example, desires to build a +/- 4,300-sf detached garage/indoor sport court with a +/- 1,000 sf covered, unwalled section. The current code allows for the main structure but not the additional covered section. The attached map highlights the A-1 and A-E zoning throughout the city. Both residents interested in this proposed ordinance amendment live in the Stone Gate subdivision in west Clinton. This is likely one of the main areas where a change to this regulation would be applicable. Other A-1-zoned subdivisions where this may come into play exist along 800 North and a small section along 1300 North. Staff does not see any negative consequences for this proposed amendment, but we certainly welcome further discussion and input before this proposal is forwarded on for further consideration.</p> <p>Chair Cressall opened a public hearing at 9:00 pm, with no public comment was closed at 9:01 pm.</p> <p>Commissioner Gregerson advised this was a reasonable request and asked the remaining Commissioners if they had any thoughts or concerns.</p>
CONCLUSION	<p>Commissioner Gregerson made the recommendation to the City Council to adopt Ordinance 25-02Z amending Chapter 28-12 of the Zoning Ordinance allowing accessory building coverage on a parcel or lot in the A-1 (Agricultural) zone containing a residential structure to not exceed 15% of the gross lot area as opposed to 10% of the gross lot area. Commissioner Evans seconded the motion... Voting is as follows; Commissioner Jones, aye; Commissioner Evans, aye; Commissioner Hansen, aye; Commissioner Gregersen, aye; Commissioner Cressall, aye.</p>

OTHER ISSUES	<ul style="list-style-type: none"> Chair Cressall asked the Planning Commission to please read the rules and procedures for the Planning Commission, and if there is anything that needs to be changed, we could talk about it at the next meeting.
DIRECTORS REPORT	<ul style="list-style-type: none"> Mr. Matson thanked the Commission for their patience and help on the Subdivision section of the code. Questioned the Commission about their thoughts on changing the chairs' appointment from 1 to 2 years. The consultant has been selected for the General Plan.
ADJOURNMENT	<p><i>Commissioner Evans moved to adjourn. Commissioner Hansen seconded the motion. Voting is as follows; Commissioner Jones, aye; Commissioner Evans, aye; Commissioner Hansen, aye; Commissioner Gregersen, aye; Commissioner Cressall, aye. The meeting adjourned at 9:11pm.</i></p>

*Reviewed and Approved by the
Clinton City Planning
Commission on this
th day of February 2025*