



Planning Commission Agenda

2267 North 1500 West Clinton City, UT 84015

May 7, 2026

6:00 pm

Call to Order

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

Administrative Items

1. Review and possible action on amendments to the Planning Commission Rules of Procedure

Legislative Items

1. Review of and possible action on Zoning Ordinance Text Amendments – Section 28-3-27 - Accessory Dwelling Units

Other Business

1. Approval of April 2, 2026 Meeting Minutes
2. Director's Report and Discussion
 - Review of March 24th Planning Commission/City Council work meeting
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, 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

STAFF REPORT

MEETING DATE:	MAY 7, 2026
AGENDA ITEM:	1
PETITIONER(S):	N/A
SUBMITTED BY:	Peter Matson, Community Development Director
TYPE OF VOTE:	Roll Call Vote – No
SUBJECT:	Clinton City Planning Commission Rules of Procedure

RECOMMENDATION

Move to approve the Planning Commission Rules of Procedure (ROP) based meeting discussion and staff research. Additional modifications may be made and incorporated into a motion for approval.

BACKGROUND INFORMATION

The Planning Commission Rules of Procedure (ROP) establish how the Commission is organized, how meetings are conducted, and how decisions are made. These rules function as the Commission's operating manual and are intended to ensure consistency, fairness, and compliance with state and local requirements.

Two versions of the Rules of Procedure are provided for review:

- **ATTACHMENT A – Redlined Copy:**
This version includes changes all the changes reviewed and discussed by the Commission during the last few meetings. Text highlighted in yellow indicate changes discussed since the last meeting.
- **ATTACHMENT B – Clean Copy:**
This is a clean version with all the proposed changes without the strikeout/underlined text.

ATTACHMENTS:

- A) Planning Commission Rules of Procedure REDLINE COPY
- B) Planning Commission Rules of Procedure CLEAN COPY

CLINTON CITY PLANNING COMMISSION RULES OF PROCEDURES

~~Chapter 1~~ CHAPTER 1 - ORGANIZATION.

(1) Appointment of Chairperson and Vice-Chairperson

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

(a) The Chairperson to preside at Commission Meetings.

The ~~chairperson~~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~~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~~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.
- (vii) To maintain order at the meetings of the Commission.
- (viii) ~~To~~ May present, each December, as needed and annual report to the Mayor and City Council covering the actions of the Commission.

(c) Duties of the Vice-Chairperson.

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

(d) Temporary ~~chairperson~~Chairperson.

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

(2) Commission Staff**(a) Planning-Community Development Director**

The Planning-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 At least four (4) days, unless approved by the ~~chairperson~~Chairperson, ~~of~~ prior to 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 ~~e~~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~~Chairperson
- (v) To clarify or explain any point of business as requested by the ~~chairperson~~Chairperson.
- (vi) To call special meetings s as deemed necessary with the approval of the ~~e~~ChairmanChairperson and/or majority of the Commission.

(b) Secretary

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

- (i) To give notice of all Commission meetings as hereinafter provided.
- (ii) To keep and maintain a permanent record file of all documents s and papers pertaining to the work of the Commission.
- (iii) To perform such other duties as may be required by these rules.
- (iv) To take, transcribe, and maintain minutes and records of the Commission.
- (v) To attend every session of the Commission, to take roll and record the same, to read all communication, resolution and other papers of the meeting which are ordered to be read by the ~~chairperson~~Chairperson ~~of the meeting~~, and to receive and bring to the attention of the Commission all messages and other communications from other sources.

Chapter 2 — CHAPTER 2 - RIGHTS AND DUTIES OF MEMBERS.**(1) Addressing Members**

Commission members shall be addressed as “Commissioner”

(2) Preparation

Members of the Commission shall take such time as necessary to prepare themselves for hearings and meetings.

(3) 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 ~~chairperson~~Chairperson during the scheduled meeting. Two unexcused absences shall result in mandatory referral, by the ~~chairperson~~Chairperson, to the Mayor for membership review.

~~(a) At the discretion of the Chairperson, a Commissioner may be permitted to attend a meeting by electronic means (e.g. teleconference, telephone, etc.) when warranted. and properly noticed.~~

(4) Conflict of Interest.

Any member of the Commission who feels 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 **may be excused from the meeting and** 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.

- (a) 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.
- (b) A Planning Commissioner may appear before the Commission through his employment as an advocate or agent for a proponent only after ~~this~~their disqualification on the subject matter.
- (c) A Planning Commissioner must not sell or offer to sell services or solicit prospective clients or employment by stating an ability to influence decisions.
- (d) A Planning Commissioner must not use the power of his office to seed or obtain a special advantage that is not in the public interest, ~~or that provides him with any fiduciary financial gain.~~ nor any special advantage that is not a matter of public knowledge.

(5) 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.

(6) 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

~~(7)~~(1) 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.

~~(8)~~(2) Regular Meetings – Time for Notice

Regular meetings of the Commission shall typically be held at 7:00 p.m. on the first and third Tuesday-Thursday of each month. Scheduled Commission Meeting dates will be published annually; ~~provided that the third Tuesday of each month shall be designated as work sessions as provided under § 6 or a time of a second meeting in the month if an additional meeting is needed as decided by the chairperson.~~

At the discretion of the ~~chairperson~~Chairperson, additional meetings, field trips, or work sessions may be held at other appropriate times.

~~(9)~~(3) Special Meetings – Rehearing's

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 ~~as~~ 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.

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.

~~(10)~~(4) 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. If a decision is tabled indefinitely, proper notice will be provided in the same manner as a new agenda item.

- (a) Requests for continuance of matters scheduled for a particular agenda shall be filed with the Planning-Community Development Director ~~by Wednesday-Friday~~ at Noon preceding the Tuesday-Thursday meeting so that the printed agenda will reflect the requested continuance.

~~(b)~~

~~(e)~~(b) No appeal or application shall be considered unless ~~a~~the meeting is open to the public.

~~(11)~~(5) 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.

~~(12)~~(6) Work Sessions

~~A regular planning work session of the Commission shall be held on the third Tuesday of each month at the hour of 7:00 p.m.~~ 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.

~~(13)~~(7) 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.

~~(14)~~(8) Length of Meeting

At ~~10:00~~9:00 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

~~(15)~~(1) ~~Order of Business~~ ~~Agendas~~ Agenda for Meetings

Staff, with the approval of the Chairperson, shall prepare a written agenda for each meeting. At the Chairperson's discretion the order of the items may be changed at the meeting.

The following procedure will normally be observed; however, it may be rearranged by the Chairperson for individual items if necessary for the expeditious conduct of business.

(a) Roll Call.

At all meetings before proceeding to business, the role of the Commission members shall be taken and the names of those present and those absent shall be entered and recorded.

~~(b) Agenda for Meetings~~

~~(c) Order of Business ~~Order~~ Other Agenda Items ~~of Business~~.~~

(b) The following items should be included in the agenda to be considered by the Commission: order of business in the Commission shall be as follows:

- (i) Items for consideration as listed in the agenda
- (ii)(i) Old business Call to Order
- (ii) New business Administrative Items
- (iii) Legislative Items
- (iv) Approval of prior meeting minutes Other Business
 - 1) Approval of Minutes
 - 2) Director's Report
 - 3) Commission Report
- (v) Adjournment

Staff, with the approval of the chairperson, shall prepare a written agenda for each meeting:

(d) Deadline for Agenda

The deadlines for filing for placement on the agenda of the Commission are as follows:

- (i) Rezone petitions and zoning amendments – twenty-eight (28) days prior to the meeting
- (ii) Preliminary and Final approval of subdivision plats – twenty-eight (28) days prior to the meeting
- (iii) Conditional Use Permits – twenty-eight (28) days prior to the meeting
- (iv) All others – twenty-eight (28) days prior to the meeting

(2) Order and Decorum

(a) Order of Consideration of Items

The following procedure will normally be observed; however, it may be rearranged by the chairperson for individual items if necessary for the expeditious conduct of business

(i) Public Hearings

(A) Chairperson introduces item.

(B) The staff makes presentations and recommendations

(C) The Commission may ask questions regarding the staff presentation.

(D) The petitioner makes statements of presentation.

(1) The Commission may ask questions of the petitioner.

(C) The staff makes presentations and recommendations.

— he Commission may ask questions regarding the staff presentation.

(C) The Chairperson opens the public hearing.

(D) Any members of the public in attendance who would like to speak Any proponents of the agenda items may make a presentation consistent with provisions established in

Section 4(2)(c) Conduct of Persons Before Commission.

~~(F) Any opponents of the agenda items make presentation.~~

~~(G)(E) Petitioner makes rebuttal~~ may respond to ~~of any new points~~ voiced during the public hearing. ~~not previously covered.~~

~~(F) Commission asks any questions it may have of the proponents, opponents, or staff.~~

~~(H)(G) The Chairperson closes the Public Hearing, except when a public hearing requires a continuance as made upon, then such that this first requires a motion and vote of approval by the Commission is required.~~

~~(H)(H) 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.

(ii) Discussion Items, ~~Work sessions~~ Work sessions or other items

(A) The Chairperson introduces item.

~~(B) The petitioner makes statements of presentation.~~

~~(C)(B) The Commission may ask questions of the petitioner. The staff make presentations and recommendations.~~

~~(D)(C) The staff makes presentations and recommendations. The Commission may ask questions regarding the staff presentation.~~

~~(D) The Commission may ask questions regarding the staff presentation. If item is based on an application, the petitioner makes statements and presentations.~~

(E) The Commission may ask questions of the petitioner.

(F) The Petitioner makes rebuttal of any points not previously covered.

(G) The Commission asks any questions it may have of ~~the proponents, opponents, or staff.~~

(H) The Commission discusses the item before them amongst themselves making whatever comments they feel are pertinent. After the discussion, ~~if agenda item~~ is made and voted upon.

(b) Time Limits

The Chairperson may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.

(c) Conduct of Persons before the Commission

- (i) Persons making presentations or providing comments to the Planning ~~e~~Commission shall address the Commission from the podium or microphone and not from the audience, shall provide their name and ~~address~~ city of residence for the record, shall address all comments to the Planning Commission, and may not directly question or interrogate other persons in the audience. No demonstrations, clapping, or "booing" of speakers shall be permitted. If such distractive actions are taking place, the ~~chair~~ Chairperson may excuse those involved from the room of the meeting or building, if necessary.

- (ii) 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 Chairperson, the speakers shall give their name and ~~address~~ city of residence for the record. They will be allowed up to three minutes to make their presentation. All remarks and questions shall be addressed to the Chairperson and not to any individual Commission Member, staff member or other person. No person shall enter into any discussion without being recognized by the Chairperson.

(3) Motions

(a) 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~~Chairperson, may make or second a motion and must be directed to the ~~chairperson~~Chairperson. 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.

(b) Withdrawing a Motion

After a motion is restated by the ~~chairperson~~Chairperson 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.

(c) Motions in Order During Debate

When a question is under debate, no motion shall be received except:

- (i) To fix the time to adjourn.
- (ii) To adjourn.
- (iii) To continue or table.
- (iv) To amend.

(v) To substitute.

(+)(vi) To take a break (recess).

(d) 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 ~~an~~for adjournment when another member has the floor.

(e) Motion must be Germane

No motion or proposition on a subject different from ~~the~~that under consideration is in order and no such motion ~~of~~or proposition shall be admitted under color of amendments

(f) 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.

(4) Reconsideration

(a) 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.

(b) 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.

(c) 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 in order, 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.

(5) Debate

(a) Interruptions and Questions

No member of the Commission shall interrupt or question another in debate without obtaining his or her consent, ~~and obtain such consent; he or she shall~~ and having first addressed the ~~chairperson~~ Chairperson.

(6) Amendments

(a) Substitution Motions

All so-called substitution motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto.

(b) Amendments Must Be Germane

All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance

(c) 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.

(d) Order of Action

If any amendment be offered, the question shall be first upon the amendment.

(7) Voting**(a) 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.

(b) 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.

(c) Procedure of Final ~~Passage-recommendation to the City Council~~ of Ordinance Amendments and Rezone Petitions

The vote upon the final ~~passage-recommendation to the City Council~~ of amendments to the Zoning and Subdivision Ordinances, amendments to the ~~Master-General~~ 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 ~~chairperson~~Chairperson shall be last.

In recording votes on roll call the secretary shall record and report those absent or not voting. The ~~chairperson~~Chairperson shall announce the result.

(8) Procedure on Final Passage of All 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 chairperson. A call for those voting yea will be made first by the chairperson followed by a call for those voting nay. The chairperson shall announce the result.~~

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 Chairperson. A call for those voting yea will be made first by the Chairperson followed by a call for those voting nay. The Chairperson shall announce the result.~~

(a) 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~~Chairperson.

(b) Changing Vote Before Decision Announced

On any such vote, any member may change his or her vote before the ~~chair~~Chairperson has announced the decision of the question.

(c) 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 3~~ — CHAPTER 5 - AMENDMENTS

(1) Procedure For Amendment

These rules of procedure may be amended at any meeting of the Commission held after not less than ~~fourteen (14)~~ **ten (10)** 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

(1) 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 RULES OF PROCEDURES

CHAPTER 1 - ORGANIZATION.

(1) Appointment of Chairperson and Vice-Chairperson

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(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.

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- (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.
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- (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 his 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) **May** present, **as needed** 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) **At least** four (4) days, unless approved by the Chairperson, **prior to** 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.
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- (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.
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- (i) To give notice of all Commission meetings as hereinafter provided.
- (ii) To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.
- (iii) To perform such other duties as may be required by these rules.
- (iv) To take, transcribe, and maintain minutes and records of the Commission.
- (v) To attend every session of the Commission, to take roll and record the same, to read all communication, resolution and other papers **of the meeting** which are ordered to be read by the Chairperson, and to receive and bring to the attention of the Commission all messages and other communications from other sources.

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- (c) A Planning Commissioner must not sell or offer to sell services or solicit prospective clients or employment by stating an ability to influence decisions.
- (d) 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 financial gain, nor any special advantage that is not a matter of public knowledge.

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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.

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CHAPTER 3 - MEETINGS

(1) 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.

(2) Regular Meetings – Time for Notice

Regular meetings of the Commission shall typically be held at 6:00 p.m. on the first **Thursday** of each month. Scheduled Commission Meeting dates will be published annually.

At the discretion of the Chairperson, additional meetings, field trips, or work sessions may be held at other appropriate times.

(3) 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.

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.

(4) 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. If a decision is tabled indefinitely, proper notice will be provided in the same manner as a new agenda item.

- (a) Requests for continuance of matters scheduled for a particular agenda shall be filed with the Community Development Director **by Friday** at Noon preceding **the Thursday** meeting so that the printed agenda will reflect the requested continuance.
- (b) No appeal or application shall be considered unless the meeting is open to the public.

(5) 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.

(6) 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.

(7) 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.

(8) Length of Meeting

At 9:00 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

(1) Agenda for Meetings

Staff, with the approval of the Chairperson, shall prepare a written agenda for each meeting. At the Chairperson's discretion the order of the items may be changed at the meeting.

The following procedure will normally be observed; however, it may be rearranged by the Chairperson for individual items if necessary for the expeditious conduct of business.

(a) Roll Call.

At all meetings before proceeding to business, the role of the Commission members shall be taken and the names of those present and those absent shall be entered and recorded.

(b) The following items should be included in the agenda to be considered by the Commission:

- (i) Call to Order**
- (ii) Administrative Items**
- (iii) Legislative Items**
- (iv) Other Business**
 - 1) Approval of Minutes**
 - 2) Director's Report**
 - 3) Commission Report**
- (v) Adjournment**

(2) Order and Decorum

(a) Order of Consideration of Items

- (i) Public Hearings**
 - (A) Chairperson introduces item.**
 - (B) The staff makes presentations and recommendations**
 - (C) The Commission may ask questions regarding the staff presentation.**
 - (D) The petitioner makes statements of presentation.**
 - (1) The Commission may ask questions of the petitioner.**
 - (C) .The Chairperson opens the public hearing.**

- (D) 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*.
 - (E) Petitioner may respond to any new points voiced during the public hearing.
 - (F) Commission asks any questions it may have of staff.
 - (G) The Chairperson 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.
 - (H) Commission discusses the item amongst themselves making whatever comments they feel are pertinent. After the discussion, a motion is made and voted upon.
- (ii) Discussion Items, Work sessions or other items
- (A) The Chairperson introduces item.
 - (B) The staff make presentations and recommendations.
 - (C) The Commission may ask questions regarding the staff presentation.
 - (D) If item is based on an application, the petitioner makes statements and presentations.
 - (E) The Commission may ask questions of the petitioner.
 - (F) The Petitioner makes rebuttal of any points not previously covered.
 - (G) The Commission asks any questions it may have of staff.
 - (H) The Commission discusses the item amongst themselves making whatever comments they feel are pertinent. After the discussion, an action item motion providing staff direction may be made and voted upon.

(b) Time Limits

The Chairperson may impose equitable time limits, if deemed necessary for the expeditious conduct of the public hearing.

(c) Conduct of Persons before the Commission

- (i) 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 city of residence for the record, shall address all comments to the Planning Commission, and may not directly question or interrogate other persons in the audience. No demonstrations, clapping, or "booing" of speakers shall be permitted. If such distractive actions are taking place, the Chairperson may excuse those involved from the room of the meeting or building, if necessary.
- (ii) 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 Chairperson, the speakers shall give their name and city of residence for the record. They will be allowed up to three minutes to make their presentation. All remarks and questions shall be addressed to the Chairperson and not to any individual Commission Member, staff member or other person. No person shall enter into any discussion without being recognized by the Chairperson.

(3) Motions**(a) 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 Chairperson, may make or second a motion and must be directed to the Chairperson. 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.

(b) Withdrawing a Motion

After a motion is restated by the Chairperson 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.

(c) Motions in Order During Debate

When a question is under debate, no motion shall be received except:

- (i) To fix the time to adjourn.
- (ii) To adjourn.
- (iii) To continue or table.
- (iv) To amend.
- (v) To substitute.
- (vi) To take a break (recess).

(d) 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.

(e) 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

(f) 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.

(4) Reconsideration**(a) 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.

(b) 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.

(c) 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.

(5) Debate

(a) Interruptions and Questions

No member of the Commission shall interrupt or question another in debate without obtaining his or her consent, **and** having first addressed the Chairperson.

(6) Amendments

(a) Substitution Motions

All so-called substitution motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto.

(b) Amendments Must Be Germane

All amendments must relate to the same subject as the original motion, resolution, proposition or ordinance

(c) 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.

(d) Order of Action

If any amendment be offered, the question shall be first upon the amendment.

(7) Voting

(a) 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.

(b) 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.

(c) Procedure of Final recommendation to the City Council of Ordinance Amendments and Rezone Petitions

The vote upon the final recommendation to the City Council of amendments to the Zoning and Subdivision Ordinances, amendments to the General 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 Chairperson shall be last.

In recording votes on roll call the secretary shall record and report those absent or not voting. The Chairperson shall announce the result.

(8) Procedure on Final Passage of All 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 Chairperson. A call for those voting yea will be made first by the Chairperson followed by a call for those voting nay. The Chairperson shall announce the result.

(a) 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 Chairperson.

(b) Changing Vote Before Decision Announced

On any such vote, any member may change his or her vote before the Chairperson has announced the decision of the question.

(c) 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

(1) Procedure For Amendment

These rules of procedure may be amended at any meeting of the Commission held after not less than **ten (10)** 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

(1) 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

STAFF REPORT

MEETING DATE:	May 7, 2026
AGENDA ITEM:	2
PETITIONER(S):	N/A
SUBMITTED BY:	Peter Matson, Community Development Director
TYPE OF VOTE:	Roll Call Vote – Yes
SUBJECT:	Proposed Amendments to the Accessory Dwelling Unit (ADU) Standards

RECOMMENDATION

That the Planning Commission recommend to City Council approval of the proposed amendments to the Accessory Dwelling Unit (ADU) Standards that incorporates the modifications discussed by the Commission.

BACKGROUND INFORMATION

Accessory Dwelling Units (ADUs) are smaller, secondary dwelling units allowed on lots with a primary single-family home. ADUs can take several forms, including:

- **Internal ADUs** – located entirely within the existing home
- **Attached ADUs** – created as an addition to the home
- **Detached ADUs** – located in a separate structure, typically in the rear or side yard

In 2022, the City Council adopted regulations for internal ADUs in response to State law requirements. In March 2025, the City Council approved amendments to the ADU Standards (Chapter 28-3-27) to expand and clarify regulations for attached and detached ADUs. These amendments were intended to clearly distinguish between the different ADU types and to establish development standards for detached ADUs located in separate structures.

DISCUSSION AND ANALYSIS

ATTACHMENT A contains proposed changes to the Accessory Dwelling Unit regulations based on discussions from previous Commission meetings. This is a work in progress – staff continues to review and make notes of additional changes to improve clarity and procedural provisions. Staff

may propose and provide additional ordinance changes at the meeting for your review and consideration.

State law now requires only one public hearing for a zoning ordinance amendment. The public hearing will be scheduled before the City Council once a recommendation is provided by the Planning Commission. Although this review is not a public hearing, the Commission should still allow for public comments as part of the procedures for this agenda item.

ATTACHMENTS:

- A) Draft Amendments to Chapter 28-3-27 – Accessory Dwelling Units

ATTACHMENT A

28-3-27 Accessory Dwelling Unit Standards

- (1) 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 purpose of the standards of this chapter are to:
 - (a) Preserve and enhance life safety standards required for residential occupancy through the creation of a regulatory process for ADUs;
 - (b) 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;
 - (c) Provide opportunities to offset rising housing costs and promote reinvestment in existing single-family residential zones;
 - (d) Preserve the character of single-family neighborhoods through adequate standards governing ADUs; and
 - (e) 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, attached, and detached ADUs are a permitted use in primary dwellings and on lots under owner occupancy in the city’s R-1 (single-family), and A (agricultural) zones, and existing single-family homes in the PZ (performance) zone, 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.

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

Prior to submitting a formal building permit application, the applicant must submit a pre-application site plan to the Community Development Department for review. The intent of the pre-application site plan review is to prevent applicants from prematurely obtaining engineered building plans for an ADU structure that does not meet the size, setbacks, and impervious surface ratio requirements outlined in this code.

(a) The pre-application site plan must include the following:

- (i) The proposed location of the ADU in relation to the primary dwelling and any other structures on the property.
- (ii) The ADU setbacks from the property lines, primary dwelling, covered patios, decks, shed, and other accessory structures.

(iii) The square footage of the ADU living space and garage space if applicable. The square footage of all existing accessory structures, sheds, and impervious surfaces should also be included.

(iv) The dimensions of any proposed parking space or driveway area.

(v) The dimensions of any proposed driveway approach. The distance from property lines and any existing driveway approach must be listed.

~~(a)~~(b) ADU permit applications shall be filed through the city's online building permit portal and shall include the following:

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

~~(b)~~(c) 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 upon completion and recordation of an exemption form provided by the city.

~~(c)~~(d) ADUs shall comply with all other applicable building permit, zoning code, and building code requirements.

~~(d)~~(e) The Fire Department shall review ADU permits for access and safety compliance with City and International Fire Code (IFC) requirements.

~~(e)~~(f) Upon approval of an ADU permit and where the ADU occupant is paying rent, the owner shall be subject to the Residential Rental Dwelling license and fee requirement outlined in Chapter 15-19 of this Title.

~~(f)~~(g) 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; and
- (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.

(4)(a) General Standards

(a)(i) 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 28-3-5 of this chapter and such other verification(s) as the city reasonably may require.

(a)(ii) 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.

(a)(iii) ADUs shall not be used as short-term rentals for occupancy of fewer than 30 consecutive days.

(a)(iv) Only one ADU may be created per lot or property.

(a)(v) 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.

(a)(vi) The installation of separate utility meters for an ADU is prohibited.

~~(iv) Each ADU shall require one off-street parking space in addition to the 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.~~

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

~~(vii) ADUs shall maintain the same address as the primary dwelling with the addition of "Unit B."~~

~~(viii) ADUs may not be created within a mobile home as defined in UTAH CODE ANN. 57-16-3, as amended. or within a mobile home community.~~

(ix) The combined maximum rear yard area coverage for detached ADUs and other detached structures is 25%. Other rear yard hard surfaces (i.e. patios, driveways, sport courts, etc.) shall not be counted towards said 25% maximum coverage.

(b) Parking, Driveways, and Garage Standards

(i) Each ADU shall require one off-street parking space in addition to the 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.

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

(iii) A detached ADU can only have an attached garage if the square footage of the overall footprint of the structure does not exceed the rear yard impervious surface ratio of the zone in which it is located and meets the required setbacks.

(1) The dimensions of the two-car garage shall not exceed 25x30 or 750 sq. ft.

(2) The area allotted for garage space may only be used for parking vehicles and storage and shall not be substituted or converted to create additional living space.

(iv) A driveway leading to a detached ADU garage shall be paved with concrete.

(v) The driveway width shall not exceed the width of the garage space.

(vi) An ADU driveway shall be accessed and paved with a concrete driveway approach designed to meet the requirements of the Clinton City Engineering and Standard Specifications. A separate permit must be obtained from our public works department for any proposed driveway approach.

~~(vi)~~(vii) No additional accessory parking shall be permitted adjacent to the ADU driveway or the ADU structure.

5. Applicability.

Structures legally existing prior to March 25, 2025 that do not comply with the setback requirements established by the Chapter may be converted to a detached ADU subject to the conditions outlined herein.

~~(d)~~a. Conditions for Conversion

(i). The conversion must meet all applicable building, fire, safety, and other municipal codes.

~~(ii)~~ii. No new windows or other openings shall be permitted on any building elevation located closer to property lines than the setbacks prescribed in this Chapter.

~~(iii)~~iii. Existing openings on elevations located within detached ADU setback areas may remain as originally constructed or be reduced in size or eliminated provided they are not expanded or relocated.

~~(e)~~b. Additional Regulations. Compliance with this section does not exempt the ADU structure from any other applicable city ordinances, codes, or regulations.

~~(f)~~c. Restrictions on Additions. Any additions or expansions to the existing structure intended for conversion into a detached ADU shall adhere strictly to current setback requirements and height restrictions.

Table 3.27.1 ADU Setbacks

REQUIREMENTS	INTERNAL ADU	ATTACHED ADU	DETACHED ADU			
			DETACHED ADU Single Story	DETACHED ADU Single Story	DETACHED ADU 2-Story	DETACHED ADU 2-Story
<u>LOCATION</u>	Inside Primary Dwelling	Attached to Primary Dwelling	Side Yard Area	Rear Yard Area	Side Yard Area	Rear Yard Area
<u>MAXIMUM HEIGHT LIMIT</u> ¹ & 2	Same as Primary Dwelling	Same as Primary Dwelling	16' to Roof Peak	16' to Roof Peak	25' to Roof Peak	25' to Roof Peak
<u>MINIMUM SIDE SETBACKS</u> ³	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling	5 feet	10 feet	10 feet
<u>MINIMUM CORNER SIDE SETBACKS</u>	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling	Same as Primary Dwelling
<u>MINIMUM REAR SETBACKS</u>	Same as Primary Dwelling	Same as Primary Dwelling	10 feet	10 feet	Same as Primary Dwelling	20 feet
<u>MINIMUM DISTANCE FROM HOME</u>	No Restriction	No Restriction	10 feet	10 feet	10 feet	10 feet
<u>ENTRANCE</u>	Side or Rear	Side or Rear	Side or Rear	Front, Side, Rear	Side or Rear	Front, Side, Rear

<u>SIZE LIMIT</u> ⁴	No Limitation	50% up to 1,500 sf	50% up to 1,500 sf	50% up to 1,500 sf	50% up to 1,500 sf	50% up to 1,500 sf
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1. In no case shall a detached ADU exceed the height 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. ADU entrance/exit doors in side yards shall be set back 10' from side property lines for detached and attached ADUs.
4. ADU livable square footage cannot exceed 50% of the primary dwelling unit's livable space (parking and non-habitable storage areas shall not be counted).

6. 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 or will contain an accessory dwelling unit; a declaration of onsite owner occupancy of the primary or 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.

7. 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 or designee 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.

8. 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 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 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.



2267 N 1500 W
Clinton UT 84015

Planning Commission Members

Gregory Allen
Dan Evans
Mark Gregersen
Dave Jones
Chad Hansen
Jennive Miller
Trent Williams

Date of Meeting	April 2, 2026	Call to Order	6:25 pm.
Staff Present	Community Development Director Peter Matson, Planner Keaton Jones, and Becky Smith recorded the minutes.		
Attendees	Ivan Quinones with Backyard Butchers via zoom call		
Prayer or Thought	Commissioner Allen		
Pledge	Commissioner Gregersen		
Roll Call/Attendance	Commissioners present: Commissioner Evans, Commissioner Allen, Commissioner Gregersen, and Commissioner Jones. Commission Hansen, Commissioner Miller, and Commissioner Williams were absent.		
Declaration of Conflicts	None		
SUMMITTED BY:	Keaton Jones, City Planner in the Community Development Department, Ivan Quinones from Backyard Butchers.		
DISCUSSION	<p>Public Hearing – Review and action on a request by Backyard Butchers for a Conditional Use Permit (CUP) for an off-site sale of USDA frozen and prepackaged steaks at the Tractor Supply property located at 2026 West 935 North (Parcel#: 146160002)</p> <p>(1) The proposal consists of a freezer truck containing frozen and prepackaged steaks that would be parked in the southeast corner of the Tractor Supply property parking lot. The area where the truck would be parked is an area that Tractor Supply designated on their site plan as a permanent trailer equipment display area. This space is not currently being used as a display area so the setup for the sale should not have an impact on this area. Adjacent to the freezer truck would be a couple of canopy tents used to facilitate transactions. A few A-frame signs would also be tethered together to form a perimeter around the customer line/waiting area beside the truck. The freezer truck would have a banner spanning the length of the truck advertising the business and product. A Clinton City reciprocal business license has been obtained by the applicant. The applicant did obtain permission from the property owner to hold the sale. The applicant intends to host the sale this year</p>		

during the month of April for a period of 10-12 consecutive days. They also intend to host the same sale in future years during the springtime for the same number of days.

(2) Staff recommends a three (3) year approval, but the timeframe is up to the discretion of the Commission.

(3) CUP REVIEW FINDINGS: The proposed use is (a) not detrimental to persons or property, (b) consistent with the objectives of the General Plan (c) compatible with the character of the site, adjacent properties, and surrounding neighborhoods. (The Design Compatibility finding is not applicable for temporary uses.) The site can accommodate the freezer truck, canopy tents, and the customer line/waiting area while maintaining sufficient parking for both employees and customers and will not generate excessive traffic not already present in this commercial area.

(4) Required Public Notice was made. No public comment has been received to date.

(5) Conditions of Approval are recommended and attached for review.

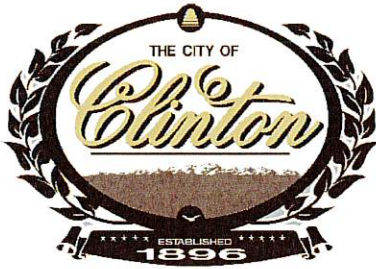
1. This approval is for a Conditional Use Permit (CUP) for a temporary off-site sale located at 2026 West 935 North (Parcel No. 146160002). The CUP will expire three (3) years from the date of approval. Prior to expiration, an application for renewal of the CUP permit may be submitted, reviewed, and forwarded to the Planning Commission for possible renewal. If any legitimate complaints are received, the conditional use permit may be required to be reviewed by the Planning Commission.
2. The temporary off-site sale may operate for a period of 10-12 consecutive days during one of the springtime months. Hours of operation shall not exceed the hours of operation of the host business which are 8:00am – 9:00pm Monday through Saturday and 8:00am – 7:00pm on Sunday.
3. The applicant shall obtain and provide the City the written authorization from the property owner prior to commencing business each season. The CUP is only valid with the property owner's permission and may expire sooner if the property is sold and the new owner does not authorize such use.
4. The banner sign and smaller signs are approved. Temporary signage shall only be located on private property with which the business is operating and not within the public rights-of way or within the clear visual triangle at intersections.
5. Prior to operating, the applicant shall obtain a reciprocal business license from the City and shall also obtain any applicable County and State approvals/licenses.

	<p>Chair Evans asked the commission if they had any questions, no questions were asked. He then asked Mr. Quinones if he would like to add anything.</p> <p>Mr. Quinones advised they did obtain a reciprocal business license with the city, and they waited for the Planning Commissions decision before they came to the city.</p>
Conclusion	<p>Commissioner Jones moved to approve the Conditional Use Permit renewal request for a temporary off-site sale of USDA frozen and prepackaged steaks located at the Tractor Supply property at 2026 West 935 North. Staff recommend approval for a term of three (3) years, after which the CUP is eligible for review and possible renewal. Commissioner Allen seconded the motion. Voting is as follows Commissioner Allen, aye; Commissioner Jones, aye; Commissioner Evans, aye; Commissioner Gregersen, aye.</p>
Discussion	<p>Land Use Training - Legislative Update</p> <p>Staff attended a recent training session that covered the major land provisions for cities. Most of the changes come from Senate Bill 284 (SB284) with a few from House Bill 436 (HB436). From a land use perspective, this legislative session is described as one of many, but no major changes.</p> <p>Commissioner Jones asked if these recent changes require the city to allow detached ADU's?</p> <p>Mr. Matson advised yes, that is correct. It is allowing any lot that is larger than 11,000 square feet to have an ADU.</p> <p>Mr. Matson also advised the appeal authority for Clinton City, is the Board of Adjustment, has not been fielded by the city since he has been here. The city attorney has drafted a change that would make the appeal authority be an appointed individual or group with planning and land use law background. This independent person or group would review various and special exceptions. Fortunately, we do not deal with those types of requests very often, which is a sign that the zoning ordinance is working well.</p>
Conclusion	<p>The planning commission completed the training.</p>
DIRECTORS REPORT	<ul style="list-style-type: none"> • In the May meeting the planning commission rules and procedures and ADU regulations and updates will be discussed. • VK Electric multi-tenant building on 1800 North may be ready to present to the Planning Commission during the May meeting. • Mr. Matson thanked the Planning Commission for participating in the General Plan meeting on March 24th.

ADJOURNMENT

Commissioner Gregersen moved to adjourn. Commissioner Allen seconded the motion. Voting is as follows; Commissioner Allen, aye; Commissioner Jones, aye; Commissioner Evans, aye; Commission Gregersen, aye. The meeting adjourned at 7:00pm.

*Reviewed and Approved by the
Clinton City Planning
Commission on this th day of
2026*



COMMUNITY DEVELOPMENT

2267 North 1500 West

Clinton, UT 84015

Phone: (801) 614-0740

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www.clintoncity.net

April 2, 2026

Ivan Quinones - Permit Manager
Backyard Butchers

RE: Notice of Decision for Backyard Butchers Conditional Use Permit for a temporary off-site sale of USDA frozen and prepackaged steaks located at the Tractor Supply property.

Dear Mr. Quinones,

This letter serves as the notice of decision that on April 2, 2026, the Clinton City Planning Commission **approved with conditions** the request for a Conditional Use Permit for a temporary off-site sale of USDA frozen and prepackaged steaks at the Tractor Supply property located at 2026 West 935 North, Clinton UT. The approval is subject to the following conditions as stated in the Conditional Use Permit:

1. This approval is for a Conditional Use Permit (CUP) for a temporary off-site sale located at 2026 West 935 North (Parcel No. 146160002). The CUP will expire three (3) years from the date of approval. Prior to expiration, an application for renewal of the CUP permit may be submitted, reviewed, and forwarded to the Planning Commission for possible renewal. If any legitimate complaints are received, the conditional use permit may be required to be re-reviewed by the Planning Commission.
2. The temporary off-site sale may operate for a period of 10-12 consecutive days during one of the springtime months. Hours of operation shall not exceed the hours of operation of the host business which are 8:00am – 9:00pm Monday through Saturday and 8:00am – 7:00pm on Sunday.
3. The applicant shall obtain and provide the City the written authorization from the property owner prior to commencing business each season. The CUP is only valid with the property owner's permission and may expire sooner if the property is sold and the new owner does not authorize such use.
4. The banner sign and smaller signs are approved. Temporary signage shall only be located on the private property with which the business is operating and not within the public rights-of-way or within the clearview visual triangle at intersections.

5. Prior to operating, the applicant shall obtain a temporary business license from the City and shall also obtain any applicable County and State approvals/licenses.

A copy of the Conditional Use Permit and approved site plan exhibits are attached for reference. If you have any additional questions or require further clarification, please do not hesitate to contact me at (801) 614-0740 or via email kjones@clinton.utah.gov

Sincerely,

Keaton Jones
Planner

A handwritten signature in black ink that reads "Keaton Jones". The signature is written in a cursive style with a large initial "K" and "J".



Tractor
Supply Co.

Off-Site Sale
Location

Canopy Tents

Freezer Truck

W 935 N

3D



Backyard Butchers Setup and Sign Examples

