

**CLINTON CITY PLANNING COMMISSION MINUTES**

**Commissioner Dave Coombs (Chair)**  
**Commissioner Bob Buckles (Vice Chair)**  
**Commissioner Tony Thompson**  
**Commissioner Allen Labrecque**  
**Commissioner Jolene Cressall**  
**Commissioner Jeff Ritchie**  
**Commissioner Jacob Briggs**

<b>Planning Commission Meeting</b>	<b>June 16 , 2015</b>	<b>Call to Order: 7:00 P.M.</b>	<b>2267 N 1500 W Clinton UT 84015</b>
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<b>Staff Present</b>	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.
<b>Public Present</b>	Gary Nelson, Lois Ellsworth, Craig North, Colby Bond, Nicholas Vernon, Brandon Woods, Erick Craythorne
<b>Pledge of Allegiance</b>	Commissioner Thompson
<b>Invocation or Thought</b>	Commissioner Briggs
<b>Roll Call &amp; Attendance</b>	Present were: Commissioner Coombs, Commissioner Buckles, Commissioner Labrecque, Commissioner Ritchie, Commissioner Briggs, Commissioner Thompson Excused were: Commissioner Cressall
<b>City Council Report</b>	Mr. Vinzant reported that the June 9, 2015 City Council Meeting was cancelled.
<b>Approval of Minutes</b>	<b>Commissioner Buckles moved to approve the minutes of the May 19, 2015 Planning Commission minutes as amended – removing a duplicate sentence at the end of the CONCLUSION for the Site Plan Review for the Clinton Memory Care Facility. Commissioner Briggs seconded the motion. All voted in favor of the motion.</b>
<b>Declarations of Conflict</b>	Commissioner Thompson stated he will remove himself from the discussion on Harrisburg Estates because it borders his property.
<b>7:10 P.M. - REVIEW AND ACTION UPON A REQUEST FROM KW ADVISORY GROUP, COLBY BOND, FOR A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OF THE FINAL PLAT OF CLINTON MEADOWS SOUTH SUBDIVISION, LOCATED AT APPROXIMATELY 3400 WEST ON THE NORTH SIDE OF 1800 NORTH.</b>	
<b>Discussion</b>	<p>Colby Bond of KW Advisory Group presented the Final Plat for Meadows South Subdivision. He reported they are working on an agreement for an easement for a turn around; as of right now, it looks like it will be placed on lot 12 unless an agreement is reached.</p> <p>Mr. Vinzant said he has been notified by UDOT a 55 foot not a 50 foot. The City requires a copy of the permit from UDOT. The lot lines will need to be re-evaluated.</p> <p>He reviewed the following information included in the staff report:</p> <p>Meadows South Plat Map Engineering Drawings Resolution 11-15</p> <ul style="list-style-type: none"> <li>▪ The preliminary plat for Clinton Meadows South was approved by the Planning Commission on May 5, 2015.</li> <li>▪ The lots of the final plat significantly match the preliminary plat</li> <li>▪ The lots comply with the Zoning Ordinance.</li> <li>▪ There was discussion during approval of the preliminary plat related to a 5-foot landscape strip along 1800 North. This plan does not go in that direction.</li> <li>▪ This subdivision does not propose covenants that staff is aware of.</li> <li>▪ There are several items on the plat and in the engineering drawings that need to be corrected or supplied.</li> </ul> <p>This subdivision will require coordination with Clinton Meadows North. While the street crossing of the Layton Canal is not required for this subdivision to be permitted the connection of the culinary water, secondary water, storm drain, land drain and sewer are necessary.</p> <p>Commissioner Coombs opened the public hearing at 7:41 p.m. with no public comment; it was closed at 7:43 p.m.</p>
<b>CONCLUSION</b>	<b>Commissioner Ritchie moved to approve the request from KW Advisory Group for approval of</b>

**the Final Plat for Meadows South Subdivision located at approximately 3400 West on the north side of 1800 North and forward a recommendation for approval of Resolution 11-15 on to the City Council.**

- 1 A copy of the UDOT permit shall be filed with the City.
- 2 Compliance with the requirements of Weber Basin Water and the Bureau of Reclamation for the crossings of the Layton Canal.
- 3 A copy of the Weber Basin Water, Bureau of Reclamation easement permit, with Clinton City named as the easement holder, shall be filed with the City.
- 4 Compliance with the requirements of Davis County for the accessing of the 2050 North Davis County Storm Channel with drainage from the development.
- 5 A copy of the Davis County permit, with Clinton City named as the easement holder, shall be filed with the City.
- 6 Plat shall not be recorded until a Sub-divider’s Agreement and Sub-divider’s Escrow Agreement have been completed and executed to insure the completion of the development.
- 7 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.
- 8 It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.
- 9 Prior to Conditional Acceptance and Final Acceptance by the City the Sub-divider shall clear any construction debris from lots within the subdivision and level vacant lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all vacant lots will be mowed for weed control.
- 10 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.
- 11 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lots are under their control.

**Commissioner Briggs seconded the motion. Voting by roll call is as follows: Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Briggs, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Coombs, aye.**

**7:25 P.M. - REVIEW AND ACTION UPON A REQUEST FROM BRANDON WOODS FOR A CONDITIONAL USE PERMIT TO OPERATE A TEMPORARY MOBILE STORE, FIREWORKS STAND, AT 1808 WEST 1800 NORTH, CLINTON, UT.**

**Discussion**

Brandon Woods was present to request a conditional use permit to operate a temporary fireworks stand at 1808 W 1800 N. He said he has contracted with the property owner and with Black Cat to supply the fireworks. Installation will begin on June 27 and it will be closed and removed according to State guidelines by July 25. There is an intention to do this next year if it is successful. There will be no power to the tent. A security container will be used for storage at night.

Mr. Vinzant explained the fireworks stand is in the parking area in front of the Hallmark Store. The location is difficult to see, it is the west side of the Hallmark Store parking area. There is plenty of parking in the area, in addition to a crossover agreement for the occupants of Park Plaza. Clinton has a requirement for a 500 foot separation between stands which is not a problem. This is a standard mobile store.

Commissioner Coombs opened the public hearing at 7:52 p.m. with no public comment he closed the public hearing at 7:53 p.m.

**CONCLUSION**

**Commissioner Buckles moved to approve the request for a Conditional Use Permit to operate a Temporary Mobile Store, Fireworks Stand, at 1808 West 1800 North. Commissioner Briggs seconded the motion.**

This Conditional Use Permit (CUP) acknowledges that on June 16, 2015, the Clinton City Planning Commission approved Black Cat Fireworks, Brandon Woods for a Temporary Mobile Store, a

Fireworks Stand, in the south portion of the Parkside Plaza parking lot, located 1808 West 1800 North. The Temporary Mobile Store is subject to the following conditions:

1. A Clinton City business license is required, along with all of the required inspections (Fire and Building departments). If a Clinton City Business License is not obtained, for the appropriate year, by April 15<sup>th</sup> this Conditional Use Permit becomes invalid.
2. All signage shall comply with the Clinton City Sign Ordinance.
3. The tent is erected no earlier than two weeks prior to the date of legal sales as established by the State and shall be removed within one week after the date of legal sales as established by the State.
4. This CUP is only valid for the site requested in the applicant’s petition to the Planning Commission.
5. The CUP may be reviewed by staff upon complaint and forwarded to the Commission for hearing upon recommendation from Staff.
6. A trash receptacle, designed to keep wind from blowing the contents out, for customer use, shall be located adjacent to the Temporary Mobile Store. This receptacle shall be emptied as required to prevent the spread of trash and at the end of each work day.
7. The applicant will pick up the site of all litter, whether or not associated with the business, at least daily, more often if needed.
8. The CUP is for a five-year period, 2015 being the first year.
9. Power connection to the outlet shall be adequately protected from vehicular and pedestrian traffic, the connection and protection shall be inspected by the Clinton City Building inspector.
10. A copy of the executed lease contract shall be provided to the Community Development Department before the structure is moved onto the site.

The Conditional Use Permit may be revoked if the approved site plan or any of the conditions or terms are violated. This Conditional Use Permit shall expire and be null and void within one year of the approval unless substantial action is taken to develop the property according to the permit. This permit shall also expire if a permitted zoning use replaces it or if the use is discontinued for a continuous period of one year. This Conditional use Permit is non-Transferable and is only good for the current owner of the business. A conditional use shall not be enlarged, changed, extended or increased in intensity except by approval of the Planning Commission

**Councilmember Briggs seconded the motion. Voting by roll call is as follows: Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Briggs, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Coombs, aye.**

**7:45 P.M. - REVIEW AND ACTION UPON A REQUEST FROM CRAYTHORNE CONSTRUCTION, ERIK CRAYTHORNE, FOR A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OF THE FINAL PLAT OF HARRISBURG COUNTRY ESTATES SUBDIVISION PHASE 5, LOCATED AT APPROXIMATELY 2700 WEST ON THE NORTH SIDE OF 800 NORTH.**

<b>Discussion</b>	<p>Commissioner Thompson excused himself from the discussion because his personal property borders this subdivision.</p> <p>Eric Craythorne reported there have been no changes since the Preliminary Plat approval.</p> <p>Mr. Vinzant reviewed the notes identified in the Final Engineering Comments from the Preliminary Plat approval. He clarified that lot 74 needs to be verified it is a buildable lot based on set back standards and a couple of the lots will have restricted access to 800 N, lot 76 will be accessible. In addition, a six foot chain link fence will be required on the west side of lots 76 – 78. Lot 74 needs to be verified as a buildable lot due to set back.</p> <p>The following information was provided in the staff report:</p> <ul style="list-style-type: none"> <li>▪ This is the fifth phase of Harrisburg Country Estates, the preliminary plat was approved April of 2014 and the final plat of phase 4 was approved August of 2014.</li> <li>▪ The lots of the final plat significantly match the preliminary plat.</li> <li>▪ The lots comply with the Zoning Ordinance.</li> <li>▪ 800 North is a city street and improvements are proposed and designed to match the City requirements.</li> </ul> <p>Commissioner Coombs opened the public hearing at 8:18 p.m.</p> <p>Tony Thompson said he owns the property to the west of lot 76 – 78. He asked if there is any type of credit offered to</p>
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	<p>hook on to an existing fence.</p> <p>Mr. Vinzant said the ordinance requires fencing according to dissimilar use and it is a matter between neighbors, not the City.</p> <p>Mr. Thompson then asked Mr. Vinzant to review page 6 regarding the construction of a bypass being constructed on an existing irrigation ditch on 800 N. He said the clean out boxes identified to be constructed look like they will be on his property as well as the apron of the road coming back to the subdivision.</p> <p>Mr. Vinzant responded it goes back to the State of Deseret. There is a 4 rod road right of way and the irrigation ditch has a perpetual easement. It is flood irrigation not pressurized. They will have to work with the ditch company for any modifications to the irrigation ditch.</p> <p>Mr. Thompson said on a connection to 2750 W if an existing irrigation box is removed, it will allow traffic to pass illegally on the right side onto his property. He asked if some type of modification could be made to avoid this. He said this is a busy traffic area, right now the box keeps people on the pavement.</p> <p>Mr. Craythorne said he will look into the issue.</p> <p>Mr. Vinzant reviewed the Final Engineering Comments</p> <p>Commissioner Coombs closed the public hearing at 8:29 p.m.</p> <p>Mr. Vinzant said the storm drain will eventually be continued on to 2600 N.; anything west will run to 3000 W.</p>
<b>CONCLUSION</b>	<p><b>Commissioner Briggs moved to approve a request for the Final Plat of Harrisburg Country Estates Subdivision Phase 5, located at approximately 2700 West on the north side of 800 North and forward a recommendation to the City Council for approval of Resolution 12-15.</b></p> <ol style="list-style-type: none"> <li>1 Plat shall not be recorded until a Sub-divider’s Agreement and Sub-divider’s Escrow Agreement have been completed and executed to insure the completion of the development.</li> <li>2 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.</li> <li>3 It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.</li> <li>4 Prior to Conditional Acceptance and Final Acceptance by the City the Subdivider shall clear any construction debris from lots within the subdivision and level lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all lots will be mowed for weed control.</li> <li>5 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.</li> <li>6 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lots are under their control.</li> </ol> <p><b>Commissioner Ritchie seconded the motion. Voting by roll call is as follows: Commissioner Buckles, aye; Commissioner Briggs, aye; Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Coombs, aye.</b></p>
<b>WORK SESSION – DISCUSS CHAPTER 4 – SUBDIVISION ORDINANCE</b>	
	To be discussed at a later date.
<b>ISSUES &amp; CONCERNS</b>	Commissioner Thompson asked to be excused from the July 7, 2015 Planning Commission Meeting.
<b>ADJOURNMENT</b>	<b>Commissioner Briggs moved to adjourn the meeting. Commissioner Ritchie seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 8:55 p.m.</b>