

PLANNING COMMISSION

2267 North 1500 West
Clinton City, UT 84015

Phone: (801) 614-0740

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Web Site: www.clintoncity.net

AGENDA

November 3, 2015

7:00 pm

There will be a meeting of the Clinton City Planning Commission held on the date mentioned above in the **Council Chambers** of Clinton City; **City Hall located at 2267 North 1500 West.**

Clinton City Planning Commission

Chairman
Dave Coombs

Vice Chairman
Bob Buckles

Members
Jacob Briggs
Jolene Crossall
Allen Labrecque
Jeff Ritchie
Anthony O. Thompson

City Staff
Wil Wright

Agenda Items		
	Pledge	Appointed
	Invocation or Thought	Appointed
	Roll Call	Chair
	City Council Report	Council Representative
	Planning Commission Minutes	Chair
	Declaration of Conflicts	Chair
1.	PUBLIC HEARINGS: 7:10 p.m. – Resolution No. 22-15 – Review and recommend for Council action a request of KW Advisory Group, represented by Colby Bond for the Final Plat of Patterson Homestead subdivision, Phase 1, located at 2580 North on the east side of 3000 West.	
2.	7:15 p.m. – Ordinance No. 15-09Z – Review and recommend for Council action a request of Jeff Chambers to rezone an .84 acre parcel from Residential (R-1-8) to Agricultural Estate (A-E) at 1104 North 1000 West.	
3.	7:25 p.m. – Resolution No. 24-15 – Review and recommend for Council action a request of Jeff Chambers to create a minor (two lot) subdivision at 1104 North 1000 West.	
4.	7:35 p.m. – Ordinance No. 15-10Z – Review and recommend for Council action a request of Bruce Nilson to rezone 17.58 acres from Residential (R-1-9) to Patio Home (PH) at 2501 West 1800 North.	
5.	COMMISSION CONCERNS OR COMMENTS	
6.	ADJOURN	

CLINTON CITY PLANNING COMMISSION AGENDA ITEM

SUBJECT: 7:15 p.m. – Resolution No. 22-15 – Review and action upon a request for approval of the Final Plat for Phase 1 of the Patterson Homestead subdivision located at 2580 North on the east side of 3000 West.	AGENDA ITEM: 1
PETITIONER: KW Advisory Group represented by Colby Bond	MEETING DATE: November 3, 2015
ORDINANCE REFERENCES: Subdivision Ordinance	ROLL CALL VOTE: <div style="display: flex; justify-content: space-around;"> YES NO </div>
BACKGROUND: The revised drawings for this Final Plat were submitted to the City on 10/28/2015. Staff is reviewing these plat drawings and should be ready to proceed by the November 17, 2015 meeting. The Planning Commission approved the Preliminary Plat for the Patterson Homestead Subdivision on May 5, 2015. This Final Plat for Phase 1 consists of 27.4 acres for 58 lots that are zoned R-1-15.	
ALTERNATIVE ACTIONS:	
ATTACHMENTS: Resolution 22-15	
SEPARATE DOCUMENTS:	

Respectfully submitted,

**Will Wright, Director
Community Development**

RESOLUTION NO. 22-15

A RESOLUTION APPROVING THE FINAL PLAT FOR PATTERSON HOMESTEAD SUBDIVISION

WHEREAS, Section 3-4(4) of the Clinton City Subdivision Ordinance states that the City Council shall approve, modify and approve, or disapprove subdivision application by resolution; and,

WHEREAS, The Clinton City Planning Commission has reviewed the final plat for KW Advisory Group and recommended approval of the plat; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CLINTON CITY COUNCIL THAT THE FINAL PLAT FOR PATTERSON HOMESTEAD SUBDIVISION IS HEREBY APPROVED WITH THE FOLLOWING FINDINGS, CONDITIONS AND STIPULATIONS:

SECTION 1. By majority vote on a motion before the Clinton City Council the Final Plat of Patterson Homestead Subdivision is (Approved) (Not Approved) based upon the following findings, conditions and/or stipulations:

- The Council concurs with the findings of the Clinton City Planning Commission.

SECTION 2. Reviewed in a public hearing the 6th day of October 2015, by the Clinton City Planning Commission and recommended for approval through a motion passed by a majority of the members of the Commission based upon the following findings and conditions.

- 1 Comply with City requirement that utilities out of 3000 West will be provided so that this new road won't have to be cut.
- 2 Provide recorded document vacating easement for North Davis Sewer District from Davis County and remove pipe from the NDSO easement.
- 3 Plat shall not be recorded until a Subdivider's Improvement Agreement and Subdivider's Escrow Agreement are completed and executed to insure the completion of development.
- 4 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.
- 5 Developer shall schedule, through the City, a preconstruction meeting once all engineering drawings have been corrected and approved by the City Engineer.
- 6 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.
- 7 Prior to Conditional Acceptance and Final Acceptance by the City the Subdivider shall clear any construction debris from lots within the subdivision, except lots with buildings

under construction, 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.

- 8 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.
- 9 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.
- 10 Preconstruction meeting shall not be scheduled until all required changes have been made to the Preliminary Plat and Final Plat and Engineering have been made and the required number of copies have been provided to the City and indicated approved by the City.

SEPTEMBER 16, 2015
NOTICE PUBLISHED

DAVID T. COOMBS
CHAIRMAN

SECTION 3. Effective date. This Resolution shall become effective upon signature and posting.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah, this 27th day of October, 2015.

SEPTEMBER 16, 2015
NOTICE PUBLISHED

L. MITCH ADAMS
MAYOR

ATTEST:

DENNIS W. CLUFF
CITY RECORDER

Posted: _____

CLINTON CITY PLANNING COMMISSION AGENDA ITEM

SUBJECT: 7:15 p.m. – Ordinance No. 15-09Z – Review and recommendation to the City Council concerning a request to rezone property located at 1104 North 1000 West from Residential (R-1-8) to a portion of the parcel to Agricultural Estate (A-E).	AGENDA ITEM: 2		
PETITIONER: Jeff Chambers, property owner	MEETING DATE: November 3, 2015		
ORDINANCE REFERENCES: General Plan, Master Land Use Map is zoned Residential (r-1-8) Zoning Ordinance 28-1-4(2)	ROLL CALL VOTE: <table style="margin: auto; border: none;"> <tr> <td style="padding: 0 10px;">YES</td> <td style="padding: 0 10px;">NO</td> </tr> </table>	YES	NO
YES	NO		
BACKGROUND: The area is designated on the Master Land Use Plan as R-1-8 The property to the North, East and South is zoned R-1-8, while the property to the west is zoned R-1-10.			
ALTERNATIVE ACTIONS:			
ATTACHMENTS: Ordinance No. 15-09Z			
SEPARATE DOCUMENTS:			

Respectfully submitted,

Will Wright, Director
Community Development

ORDINANCE NO. 15-09Z
REZONE

**AN ORDINANCE BASED UPON A REQUEST FROM JEFF CHAMBERS (OWNER)
OF THE PROPERTY TO AMEND THE ZONING MAP OF CLINTON CITY**

WHEREAS, Clinton City has established a standard for land use and land use density through its zoning powers; and,

WHEREAS, The Clinton City Planning Commission has convened a public hearing and based upon established planning principles and public input forwarded a recommendation to the City Council

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

BY MOTION The Clinton City Council voted to (adopt) (reject) this petition for rezone.

SECTION 1. Petition

Petitioner has requested the property located at approximately North 1000 West, more accurately described below, to be rezoned from Residential (R-1-8) to Agricultural Estate (A-E) based upon the request from the stated property owner.

SECTION 2. Legal Description

SECTION 3. Map

A map is attached to the ordinance by reference, however if a discrepancy exists between the map and legal description the legal description takes precedence.

SECTION 4. Planning Commission Action

Reviewed in a public hearing the 3rd day of November 2015, by the Clinton City Planning Commission and recommended (not recommended) for approval through a motion passed by a majority of the members of the Commission based upon the following findings.

For a Favorable (Unfavorable) Recommendation for Adoption based upon the following findings:

- Property is currently zoned Residential (R-1-8) with a portion remaining in this zone
- The General Plan and Master Land Use Map
- City Utilities, Verify before it goes to Council

October , 2015
NOTICE PUBLISHED

DAVID T. COOMBS
CHAIRMAN

SECTION 5. Severability. in the event that any provision of this Chapter is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION 6. 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 3rd day of November, 2015.

July 15, 2014
NOTICE PUBLISHED

L. MITCH ADAMS
MAYOR

ATTEST:

DENNIS W. CLUFF
CITY RECORDER

Posted: _____

CLINTON CITY PLANNING COMMISSION AGENDA ITEM

SUBJECT: 7:25 p.m. – Resolution 24-15 – Review and recommend to the City Council concerning a request for a Minor Subdivision (two lot) at 1104 North 1000 West.	AGENDA ITEM: 3
PETITIONER: Jeff Chambers, property owner	MEETING DATE: November 3, 2015
ORDINANCE REFERENCES: General Plan, Master Land Use Map is zoned Residential (R-1-8) Subdivision Regulations 3-1	ROLL CALL VOTE: YES NO
BACKGROUND: The area is designated on the Master Land Use Plan as R-1-8 The property to the North, East and South of this parcel is zoned R-1-8, while the property to the West is zoned R-1-10.	
ALTERNATIVE ACTIONS:	
ATTACHMENTS: Resolution No. 24-15	
SEPARATE DOCUMENTS:	

Respectfully submitted,

Will Wright, Director
Community Development

RESOLUTION NO. 24-15

A RESOLUTION APPROVING THE FINAL PLAT FOR JEFF CHAMBERS MINOR SUBDIVISION

WHEREAS, Section 3-4(4) of the Clinton City Subdivision Ordinance states that the City Council shall approve, modify and approve, or disapprove subdivision application by resolution; and,

WHEREAS, The Clinton City Planning Commission has reviewed the final plat for Jeff Chambers and recommended approval of the plat; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CLINTON CITY COUNCIL THAT THE FINAL PLAT FOR JEFF CHAMBERS MINOR SUBDIVISION IS HEREBY APPROVED WITH THE FOLLOWING FINDINGS, CONDITIONS AND STIPULATIONS:

SECTION 1. By majority vote on a motion before the Clinton City Council the Final Plat of Jeff Chambers Minor Subdivision is (Approved) (Not Approved) based upon the following findings, conditions and/or stipulations:

- The Council concurs with the findings of the Clinton City Planning Commission.

SECTION 2. Reviewed in a public hearing the 3rd day of November 2015, by the Clinton City Planning Commission and recommended for approval through a motion passed by a majority of the members of the Commission based upon the following findings and conditions.

- 1 Comply with City requirements regarding utilities on 1000 West.
- 2 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.
- 3 Developer/contractor agrees to keep vacant lot within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible.
- 4 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department, if needed, and the Building Official.
- 5 It is the developer/contractor's responsibility to insure adequate dust, trash and weed control practices are observed while any of the lot(s) are under their control.

OCTOBER 15, 2015
NOTICE PUBLISHED

DAVID C. COOMBS
CHAIRMAN

SECTION 3. Effective date. This Resolution shall become effective upon signature and posting.

PASSED BY MOTION AND ORDERED PUBLISHED by the Council of Clinton City, Utah, this 10th day of November, 2015.

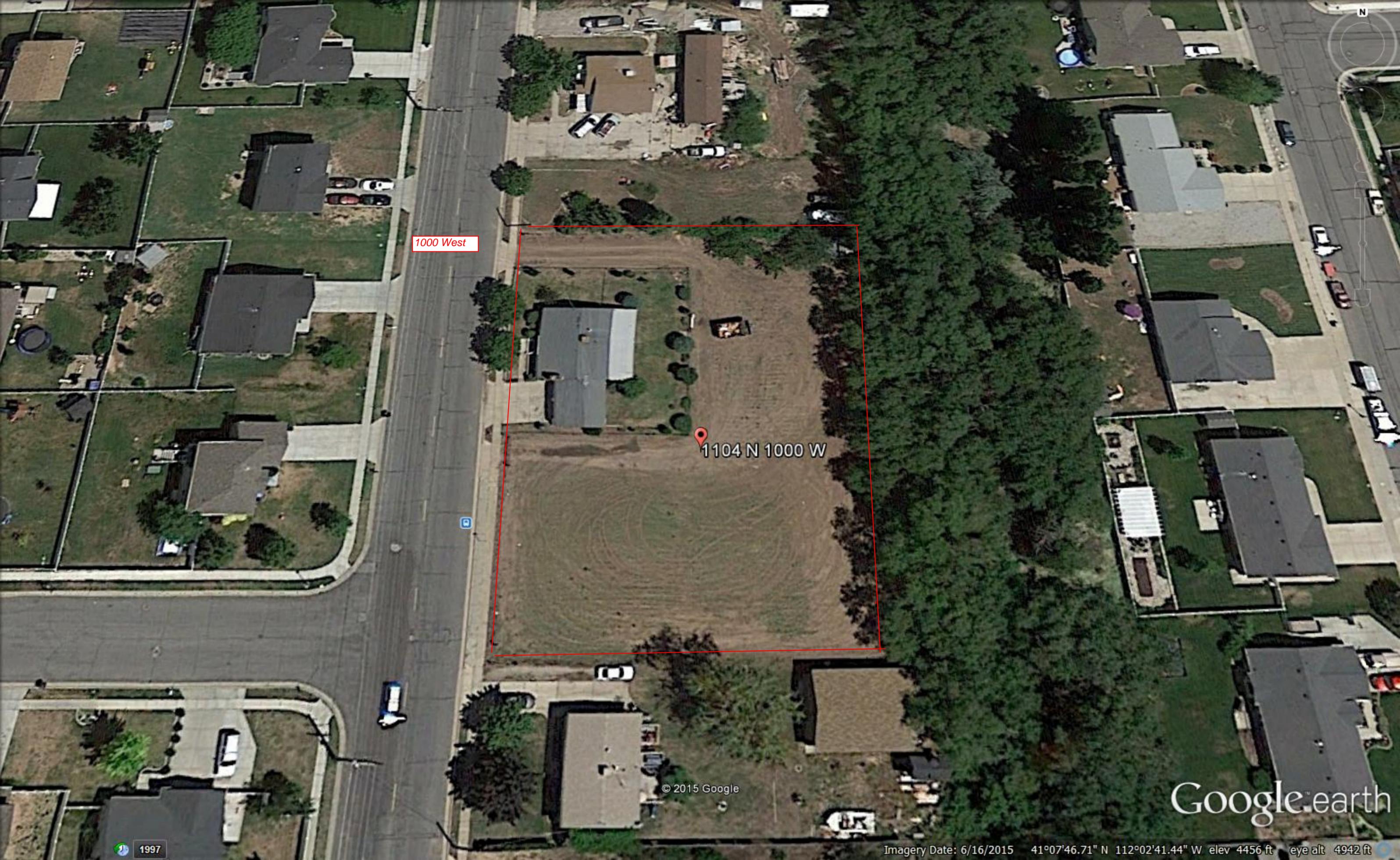
OCTOBER 15, 2015
NOTICE PUBLISHED

L. MITCH ADAMS
MAYOR

ATTEST:

DENNIS W. CLUFF
CITY RECORDER

Posted: _____



1000 West

1104 N 1000 W

© 2015 Google

Google earth

1997

Imagery Date: 6/16/2015 41°07'46.71" N 112°02'41.44" W elev 4456 ft eye alt 4942 ft

CLINTON CITY PLANNING COMMISSION AGENDA ITEM

SUBJECT: 7:35 p.m. – Ordinance No. 15-10Z – Review and recommendation to the City Council upon a request for a rezone of the property located at approximately 2382 West 1800 North from Residential (R-19-9) to Patio Home (PH).	AGENDA ITEM: 4
PETITIONER: Bruce Nilson, representing Nilson Homes and He Flays, LLP	MEETING DATE: November 3, 2015
ORDINANCE REFERENCES: General Plan, Land Use section Zoning Ordinance 28-1-4(2)	ROLL CALL VOTE: YES NO

BACKGROUND:

The Master Land Use Plan does not provide any Patio Home zoning in the future of the City, however the land use section of the General Plan references the need for high-quality retirement communities. The following chart found on page 10 of the General Plan outlines characteristics of a desired single family retirement community.

Characteristics of a desired single family retirement community	
	Should not be allowed in all zones
	Allow in areas where the higher density would not detract from large lot developments
	Frontage of lots should not be adjacent to frontage of larger lots
	Density increases over established zone should be based on development criteria over standard development criteria and outlined in an infill ordinance
	Allow only in small areas that are considered infill
Developments should improve the overall characteristics of surrounding properties	
	Require proof (through assessed values) of higher quality products
	Access should not be restricted
Qualifications for higher density should be established	
	Quantifiable criteria for percentages of increase over established zone
	Landscape requirements and enhancements
	Recorded Development Agreement with all approved development criteria
	Superior building materials
	Quantity and quality of community amenities
	Established and professionally managed HOA
	Trail / park / shopping / transportation access for residents
	Require proof that the City has adequate infrastructure to support the development
	Public streets and infrastructure meet established guidelines
	Meets unmet housing demand
Developer is builder	
	Architectural theme with diversity of appearance

However, Chapter 28-14 indicates the Patio Home zoning is permitted in single family residential zones R-1-6, R-1-8 and R-

1-9 as an infill zone for parcels five (5) acres or less with other conditions noted in this chapter. The 17.58 parcel is currently zoned R-1-9 with the Master Land Use Map being the same zone, however the frontage along 1800 North is reserved for Performance Zone. It is worth noting, this same rezone request was rejected last May by the Commission.

ALTERNATIVE ACTIONS:

ATTACHMENTS:

Ordinance 15-10Z

SEPARATE DOCUMENTS:

Respectfully submitted,

**Will Wright, Director
Community Development**

ORDINANCE NO. 15-10Z
REZONE

AN ORDINANCE BASED UPON A REQUEST FROM He Flies LLP
(OWNERS) OF THE PROPERTY, REPRESENTED BY BRUCE L. NILSON,
TO AMEND THE ZONING MAP OF CLINTON CITY

WHEREAS, Clinton City has established a standard for land use and land use density through its zoning powers; and,

WHEREAS, The Clinton City Planning Commission has convened a public hearing and based upon established planning principles and public input forwarded a recommendation to the City Council

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

BY MOTION The Clinton City Council voted to (adopt) (reject) this petition for rezone.

SECTION 1. Petition

Petitioner has requested the property located at approximately 2501 West 1725 North, more accurately described below, to be rezoned from Residential (R-1-9) to Patio Home (PH) based upon the request from the stated property owner.

SECTION 2. Legal Description

A parcel of land located in the Northeast Quarter of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah.

Beginning at a point on the northerly right-of-way line of 1800 North, point being on the southeast corner of the He Fly's No. 4 Subdivision (on file and of record in the office of the recorder, Davis County) point also being 993.60 feet East and 33.51 feet North from the center quarter corner of Section 28, Township 5 North, Range 2 West, Salt Lake Base and Meridian, (basis of bearing being N00°01'16"E between center section and the north quarter corner of Section 18); and running thence N00°30'56"E along the easterly boundary of He Fly's No. 4 Subdivision 111.00 feet to the northeast corner of Subdivision; thence N89°29'34"W along the northerly boundary of He Fly's No. 4 Subdivision and the northerly boundary of the He Fly's No.2 Subdivision 213.00 feet to the northwest corner of He Fly's No. 2 Subdivision; thence S00°30'48w along the westerly boundary line of He Fly's No. 2 Subdivision 111.00 feet to the northerly right-of-way line of 1800 North; thence N89°29'34"W along northerly right-of-way line 14.74 feet; thence N00°30'48"E 111.00 feet; thence N89°29'34"W 100.00 feet to a point on the easterly boundary line of the Bridges Phase-3 Subdivision; thence N00°32'21"E along easterly boundary line 1090.55 feet; thence S89°29'58"E 666.35 feet to the northwest corner of the Clinton Towne Center Residential Subdivision-Phase 1 Amended; thence S00°33'55"W along the westerly boundary line of Clinton Towne Center Residential Subdivision-Phase 1 amended and the westerly boundary of Clinton Towne Center Subdivision 1201.63 feet to a point on the northerly right-of-way line of 1800 North; thence N89°29'34"W along right-of-way 338.02 feet to the point of beginning.

Containing 765,602 Sq feet Or 17.58 acres, Parcel 14-019-0084 contains 17.58 acres

SECTION 3. Map

A map is attached to the ordinance by reference, however if a discrepancy exists between the map and legal description the legal description takes precedence.

SECTION 4. Planning Commission Action

Reviewed in a public hearing the 3rd day of November 2015, by the Clinton City Planning Commission and recommended (not recommended) for approval through a motion passed by a majority of the members of the Commission based upon the following findings.

For a Favorable (Unfavorable) Recommendation for Adoption based upon the following findings:

- A clear deviation from the General Plan and Master Land Use Map
- There is no Patio Home zone on the Master Land Use Map
- Site exceeds the infill criteria of 5 acres
- The Commission notes that if tight adherence to the GP is not a priority and the parcel is not considered too large the request would appear to meet an unmet demand and otherwise aligns favorably with the Patio Home Zone as found and documented through use of the chart found in the GP.
- The Master Land Use Map indicates that the frontage of the property, on 1800 North, is to develop as PZ. The property is currently zoned R-1-9 and any development is not likely to rezone the frontage to PZ as called out in the MLUM.
- General Plan, Insert the findings from chart
- City Utilities, Verify before it goes to Council

October 15, 2015

NOTICE PUBLISHED

DAVID T. COOMBS, CHAIRMAN

SECTION 5. Severability. in the event that any provision of this Chapter is declared invalid for any reason, the remaining provisions shall remain in effect.

SECTION 6. 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 3rd day of November, 2015.

July 15, 2014 and October 15, 2015

NOTICE PUBLISHED

L. MITCH ADAMS, MAYOR

ATTEST:

DENNIS W. CLUFF, CITY RECORDER

Posted: _____

- Rezone Request
- Ordinance No. 15-10Z

- PC November 3, 2015
- CC November 10, 2015

- Requested
- R-1-9 to PH



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

Planning Commission Meeting	October 20, 2015	Call to Order: 7:02 P.M.	2267 N 1500 W Clinton UT 84015
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Public Present	A. Jack Patterson		
Pledge of Allegiance	Commissioner Cressall		
Invocation or Thought	Commissioner Coombs		
Roll Call & Attendance	Present were: Commissioner Coombs , Commissioner Buckles, Commissioner Ritchie, , Commissioner Cressall, Commissioner Thompson, Commissioner Labrecque, Commissioner Briggs		
City Council Report	Mr. Wright reported on the October 13, 2015 City Council Meeting as recorded in the minutes.		
Approval of Minutes	Commissioner Thompson moved to approve the minutes of the October 6, 2015 Planning Commission meeting as written. Commissioner Buckles seconded the motion. Commissioner Coombs abstained because he was not present at the meeting. All others voted in favor of the motion.		
Declarations of Conflict	There were none.		
7:15 P.M. – RESOLUTION NO. 22-15 – REVIEW AND ACTION UPON A REQUEST FOR APPROVAL OF THE FINAL PLAT OF PATTERSON HOMESTEAD SUBDIVISION, PHASE 1, LOCATED AT 2580 NORTH ON THE EAST SIDE OF 3000 WEST.			
Petitioner	KW Advisory Group represented by Colby Bond		
Discussion	<p>Mr. Wright explained this subdivision is not ready for discussion. He recommended the item be announced, the public hearing opened and then the item be tabled until November 3, 2015.</p> <p>Commissioner Coombs opened the public hearing at 7:19 p.m. and asked for public comment. There was none. He stated that the meeting will remain open to the November 3, 2015 Planning Commission Meeting.</p>		
CONCLUSION	Commissioner Buckles moved to table discussion of Resolution 22-15 for Final Plat approval of Patterson Homestead subdivision, Phase 1, located at 2580 North on the east side of 3000 West. To the November 3, 2015 Planning Commission meeting. Commissioner Cressall seconded the motion. All voted in favor of the motion.		
WORK SESSION	DISCUSSION REGARDING CHICKEN ORDINANCE AMENDMENT		
	<p>Mr. Wright informed the Commission that Commissioner Briggs has requested a discussion regarding the potential change to the zoning ordinance regarding chickens:</p> <p>Commissioner Briggs proposed a simple amendment to Table 14.2 line 7, changing the "N" in R-1-6 through R-1-9 to a "P" but with a footnote on each of these Ps that states "Only permitted for lots of 10,000 square feet or more."</p> <p>Reference C28-3-9.2 to include R-1-10 and R-1-15 – or put asterisks on all R-1-10 and R-1-15.</p> <p>The registration process will remain in tact.</p>		
ISSUES & CONCERNS	<p>Mr. Wright said he has received an inquiry from Nielson Homes regarding the potential for a rezone for 171/2 acres of property from R-1-9 to Patio Home Zone. The General Plan does not support this; the PH Zone is intended for infill lots of 5 acres or less. Staff has met with the City Attorney to discuss the issue, a change to the zoning ordinance may be necessary to clarify the intent.</p> <p>Commissioner Buckles suggested modifying 28-22-5 to make it clear that conventional site development requires evaluation and rezones on the merits of conforming to the Master Plan.</p>		
ADJOURNMENT	Commissioner Buckles moved to adjourn the meeting. Commissioner Cressall seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 8:03 p.m.		