

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	November 17, 2015	Call to Order: 7:01 PM	2267 N 1500 W Clinton UT 84015
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Public Present	Dennis & Nancy Layton, Mark Archer, Craig Nash, Brenda Harris, Kendall Woods, James E. Poindexter, Colby Bond, A. Jack Patterson, Jeff & Alison Chambers, Brooklyn Welch, Linda & Jerry Hogge		
Pledge of Allegiance	Commissioner Labrecque		
Invocation or Thought	Commissioner Ritchie		
Roll Call & Attendance	Present were: Commissioner Coombs , Commissioner Buckles, Commissioner Cressall, Commissioner Thompson, Commissioner Briggs, Commissioner Labrecque, Commissioner Ritchie		
City Council Report	Mr. Wright reported on the November 10, 2015 City Council Meeting as recorded in the minutes.		
Approval of Minutes	Commissioner Buckles moved to approve the minutes of the November 3, 2015 Planning Commission meeting as amended changing a statement by Commissioner Buckles during the discussion on patio homes on page 4 to read “to allow for larger patio home parcels”. Commissioner Thompson seconded the motion. All those present voted in favor of the motion.		
Declarations of Conflict	There were none.		
1. 7:10 p.m. – Resolution No. 22-15, Review and recommendation for Council action on a request from KW Advisory Group, represented by Colby Bond for the Final Plat approval 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 reported that the Planning Commission approved the Preliminary Plat for the Patterson Homestead Subdivision on May 5, 2015. The Final Plat for Phase 1 consists of 27.4 acres for 58 lots that are zoned R-1-15. Comments related to corrections needed on the drawings have been provided to the Developer.</p> <p>Colby Bond said there are a few Engineering comments that are currently being addressed.</p> <p>Commissioner Buckles asked if there should be a restriction identified on lots 11, 12, 16 & 17 which identifies there will not be access onto a collector street.</p> <p>Mr. Bond said he is aware of the restrictions; the lot improvements are in place and the new road will not be impacted.</p> <p>Mr. Wright said he will ask to have the restrictions included on the Final Plat.</p> <p>Mr. Wright stated that the following stipulations identified in the resolution address all of staff’s concerns.</p> <ol style="list-style-type: none"> 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 NDSD easement. 3 Plat shall not be recorded until a Sub divider’s Improvement Agreement and Sub divider’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 		

	<p>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.</p> <p>7 Prior to Conditional Acceptance and Final Acceptance by the City the Sub divider 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Commissioner Coombs reopened the public hearing at 7:21 p.m. and asked for public comment; there was none, therefore he closed the public hearing at 7:22 p.m.</p>
<p>CONCLUSION</p>	<p>Commissioner Briggs moved to forward a recommendation for adoption of Resolution 22-15, Final Plat approval for the Patterson Homestead subdivision located at 2580 North on the east side of 3000 West on to the City Council with the stipulations identified in the Resolution. Commissioner Ritchie seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commission Labrecque, aye; Commissioner Buckles, aye; Commissioner Thompson, aye; Commission Cressall, aye; Commissioner Briggs, aye; Commissioner Coombs, aye.</p>
<p>2. 7:20 p.m. – Ordinance No. 15-08Z – Review and recommend for Council action a request of Doug Hamblin, represented by Jason Hamblin to rezone 3.35 acres from R-1-9 to Patio Home at 1600 W 600 N</p>	
<p>Petitioner</p>	<p>Jason Hamblin representing Doug Hamblin and Robert and Diane Voigt, owners</p>
<p>Discussion</p>	<p>The following was included in the staff report:</p> <ul style="list-style-type: none"> • The request is for a rezone from Agricultural (A-1) and a portion of Residential (R-1-9) to PH (Patio Home) Zone. • The request meets the criteria for infill development provided in Section 28-22-3 Infill Site Development Characteristics, specifically subsection 2 with acreage of less than 5 acres and surrounding property developed. • Conceptual design for lots meets minimum average of 6,300 square feet and frontage requirements. • There is adequate infrastructure to accommodate this request in the area for this development. <p>Previous discussion on this issue identified concerns with width of right-of-way (ROW), specifically having sidewalks on both sides of this street.</p> <p>Mr. Wright identified that the petitioner has requested to table this item.</p> <p>Commissioner Coombs identified this was advertised as a public hearing and declared the public hearing open at 7:29 p.m; with no public comment he closed the public hearing at 7:30 p.m.</p>
<p>CONCLUSION</p>	<p>Commissioner Buckles moved to table Ordinance 15-08Z, a review and recommendation to the City Council to rezone 3.35 acres located at 1600 West 600 North on the south side of 600 North from A-1 and Residential (R-1-9) to Patio Home (PH) zoning, more accurately described in the ordinance until December 15, 2015 with the public hearing to remain open. Commissioner Briggs seconded the motion. All voted in favor of the motion.</p>
<p>3. 7:25 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 R-1-10 at 1104 North 1000 West:</p>	
<p>Petitioner</p>	<p>Jeff Chambers, Property Owner</p>
<p>Discussion</p>	<p>Mr. Wright explained that the area is designated in the Master Land Use Map of the General Plan as Residential (R-1-8), while the property across the street is designated as R-1-10. This parcel is zoned Residential (R-1-8) with</p>

	<p>properties to the North, East and South also being zoned R-1-8, while the property to the West is zoned R-1-10.</p> <p>Jeff Chambers stated the intent of this request is to put a garage in the rear of the home.</p> <p>Commissioner Coombs opened the public hearing at 7:46 p.m.</p> <p>Kendall Woods said he has a problem with rezoning property to support surrounding neighbors. He feels that animals should continue to be allowed for potential future property owners; it should not be based on adjacent uses. He doesn't feel that rights should be taken away from the people who have been in Clinton for a long time. Clinton's heritage is in farming, the farms were here before the people in subdivisions were.</p> <p>The Planning Commission discussed the following findings to be identified in the ordinance:</p> <ul style="list-style-type: none"> • Property is currently zoned Residential (R-1-8), a rezone would not be spot zoning because the R-1-10 is consistent with neighboring land use. • The General Plan and Master Land Use Map is Residential (R-1-8) • City utilities have been stubbed out to these lots in anticipation of the rezone. <p>With no further public comment, Commissioner Coombs closed the public hearing at 7:49 p.m.</p>
CONCLUSION	<p>Commissioner Buckles moved to recommend approval of Ordinance 15-09Z, a request to rezone property located at 1104 N 1000 W from Residential (R-1-8) to Residential (R-1-10) with the findings identified in the ordinance. Commissioner Briggs seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Cressall, aye; Commissioner Briggs, aye; Commissioner Coombs, aye.</p>
<p>4. 7:30 p.m. – Resolution No. 24-15 – Review and recommend for Council action on a request from Jeff Chambers to create a minor (two lot) subdivision at 1104 North 1000 West:</p>	
Petitioner	<p>Jeff Chambers, property owner</p>
Discussion	<p>Mr. Wright explained that both parcels requesting to be subdivided exceed 10,000 square feet in area with parcels created being .5 and .34 of an acre. The zoning was previously reviewed by the Commission in some detail with this parcel currently zoned R-1-8 and designated as R-1-8 on the Master Land Use Map of the General Plan. The proposed newly created parcels are requesting to be rezoned to the R-1-10 zone. There are other parcels located along the D&RG trail that are also larger than what is allowed in the R-1-8 zone.</p> <p>Mr. Chambers commented he wants to make the one lot into two.</p> <p>Commissioner Coombs asked if the frontage will meet the requirements.</p> <p>Mr. Wright confirmed it will.</p> <p>Commissioner Coombs opened the public hearing at 8:00 p.m. With no public comment, he closed the public hearing at 8:01 p.m.</p>
CONCLUSION	<p>Commissioner Cressall moved to forward a recommendation for approval of Resolution 24-15 a request for a minor two lot subdivision (two lot) at 1104 N 1000 W on to the City Council. Commissioner Buckles seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commissioner Labrecque, aye; Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Cressall, aye; Commissioner Briggs, aye; Commissioner Coombs, aye.</p>
<p>5. 7:35 p.m. – Ordinance 15-10Z – Review and recommend for Council action to amend Section 28.3.9(2) paragraphs (f) and (g) pertaining to Residential Chickens and Household Pets:</p>	
Petitioner	<p>Planning Commission</p>
Discussion	<p>Mr. Wright explained Ordinance 15-10Z is being proposed to address requests regarding residential chickens being permitted in all single family residential zones for lots 10,000 square feet and larger. Since some lots in the R-1-6, R-1-8 and R-1-9 single family residential zones are larger than 10,000 square feet. As a result of a previous discussion during a work session, the Planning Commission indicated they are in favor of recommending to the Council that these zones permit residential chickens when all other zoning conditions are met and the residential chickens are registered at the City.</p> <p>The Commission also discussed rabbits being designated as a small animal that could be considered both a household pet and an animal 'being kept outdoors'. Therefore, paragraphs (f) and (g) that pertain to these</p>

	<p>descriptions are amending those definitions to allow a rabbit to be kept either indoors or outdoors depending on the use.</p> <p>Commissioner Coombs opened the public hearing.</p> <p>Brooklyn Welch said she lives in the R-1-8 zone but her lot is approximately 14,000 sq. ft. She said she would like to have chickens and has been confused as to why she wouldn't be allowed to have chickens with the size of her property.</p> <p>Kendall Woods said he appreciates that the Planning Commission is considering changing the zoning to 10,000 sq. ft. lots or larger. He feels if there is enough square footage, property owners should have the right to have chickens.</p> <p>James Poindexter moved into his residence in 1986. At that time it was farm country. He is in favor of allowing chickens. He misses the open space and animals in Clinton.</p> <p>With no further public comment, Commissioner Coombs closed the public hearing at 8:15 p.m.</p> <p>Commissioner Briggs said he feels that simplifying the ordinance is a positive thing. He identified an obsolete reference in the Clinton City Code 28-3-9(2)(i) to the Utah State Code 4-29, his assumption is that the reference should be 4-4 in the State Code.</p> <p>Commissioner Coombs said he is not bothered by chickens; however there are some residents who are. He feels that the needs of all citizens must be taken into consideration. He is not opposed to allowing chickens on lots over 10,000 sq. ft. which will allow more people the opportunity to raise chickens</p> <p>The Planning Commission discussed the potential of allowing chickens on smaller lots than 10,000 sq. ft.</p> <p>Kendall Woods stated he feels that chickens should be allowed for all residents to sustain their families in hard times if they choose. He understands that some neighbors may not want chickens but he has a neighbor behind him that has a day care with 20 kids who are screaming all the time, he asked if it is fair not to restrict the daycare but to restrict him from having chickens? People who cannot afford larger lots should still be provided the opportunity to have chickens.</p> <p>Brooklyn Welch said the required 15 feet from the property line and 35 feet from the chicken coop to the house could allow even small lots the opportunity to have chickens.</p> <p>Commissioner Coombs re-closed the public hearing.</p> <p>Commissioner Buckles suggested forwarding a recommendation for approval as the ordinance is for 10,000 sq. ft. lots and if the Council is willing to accept that, re-notice the issue for additional changes.</p>
<p>CONCLUSION</p>	<p>Commissioner Thompson moved to forward a recommendation for adoption of Ordinance 15-10Z to amend the Clinton City Zoning Ordinance 28-3-9(3) Household Pets paragraphs (f) and (g) adding rabbits to the list of small animals and Chapter 28-14 Residential, Single Family Table 14.2(7) to allow residential chickens on lots of 10,000 square feet and larger and include the public comments made during the Planning Commission public hearing. Commissioner Cressall seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commission Labrecque, aye; Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Cressall, aye; Commissioner Briggs, aye; Commissioner Coombs, aye.</p>
<p>At 8:55 p.m. Commissioner Coombs called for the Planning Commission to take a five minute break. They reconvened at 9:00 p.m.</p>	
<p>6. 7:40 p.m. – Ordinance No. 15-11Z - Review and recommendation for Council action regarding a request from Mark Archer, owner to rezone 1.83 acres from Agricultural (A-E) to Performance Zone (PZ) at 2187 N 2000 W:</p>	
<p>Petitioner</p>	<p>Mark Archer, property owner</p>
<p>Discussion</p>	<p>Mr. Wright identified this rezone request consists of two parcels including 14-001-0094 (.96 acres) and 14-001-0081 (.87 acres) comprising 1.83 acres. This area is designated as Performance Zone in the Master Land Use Map of the General Plan.</p> <p>Mark Archer said he would like to rezone the property in order to sell it as commercial. The Master Plan shows the property as performance zone.</p>

	<p>Commissioner Coombs opened the public hearing at 9:09 p.m. With no public comment, he closed the public hearing at 9:10 p.m.</p> <p>Mr. Wright identified the request conforms with the Master Land Use Map of the General Plan.</p>																																												
<p>CONCLUSION</p>	<p>Commissioner Ritchie moved to forward a recommendation to adopt Ordinance 15-11Z a request to rezone property located at 2118 North 2000 West from Agricultural (A-1) to Performance Zone (PZ). Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commission Labrecque, aye; Commissioner Buckles, aye; Commissioner Thompson, aye; Commissioner Cressall, aye; Commissioner Briggs, aye; Commissioner Coombs, aye.</p>																																												
	<p>At 9:15 p.m. Commissioner Coombs asked the Planning Commission to move to agenda item 8 prior to addressing number 7.</p>																																												
	<p>7. 7:45 p.m. – Ordinance No. 15-12Z – Review and recommend for Council action on a request from Bruce Nilson of Nilson Homes to rezone 17.53 acres from R-1-9 to Patio Home (PH) at approximately 2382 West 1800 North, more accurately described in Ordinance 15-12Z:</p>																																												
<p>Petitioner</p>	<p>Bruce Nilson, representing Nilson Homes and He Flys, LLP</p>																																												
<p>9:50 p.m.</p>	<p>At 9:50 p.m. Commissioner Thompson moved to un-table Ord. 15-12Z to continue the discussion. Commissioner Labrecque seconded the motion. All voted in favor of the motion.</p>																																												
<p>Discussion</p>	<p>The following information was included in the staff report:</p> <p>The Master Land Use Plan shows this area as Performance Zone along 1800 North and the remainder of this parcel as Residential (R-1-9) with the Master Land Use Map only designating one area in the Patio Home zone. However, the land use section of the General Plan references the need for high-quality retirement housing. The following chart found on page 10 of the General Plan outlines characteristics of a desired single family retirement community.</p> <table border="1" data-bbox="402 932 1578 1667"> <thead> <tr> <th colspan="2">Characteristics of a desired single family retirement community</th> </tr> </thead> <tbody> <tr> <td></td> <td>Should not be allowed in all zones</td> </tr> <tr> <td></td> <td>Allow in areas where the higher density would not detract from large lot development</td> </tr> <tr> <td></td> <td>Frontage of lots should not be adjacent to frontage of larger lots</td> </tr> <tr> <td></td> <td>Density increases over established zone should be based on development criteria over standard development <i>criteria</i> and outlined in an infill ordinance</td> </tr> <tr> <td></td> <td>Allow only in small areas that are considered infill</td> </tr> <tr> <td></td> <td>Developments should improve the overall characteristics of surrounding properties</td> </tr> <tr> <td></td> <td>Require proof (through assessed values) of higher quality products</td> </tr> <tr> <td></td> <td>Access should not be restricted</td> </tr> <tr> <td></td> <td>Qualifications for higher density should be established</td> </tr> <tr> <td></td> <td>Quantifiable criteria for percentages of increase over established zone</td> </tr> <tr> <td></td> <td>Landscape requirements and enhancements</td> </tr> <tr> <td></td> <td>Recorded Development Agreement with all approved development criteria</td> </tr> <tr> <td></td> <td>Superior building materials</td> </tr> <tr> <td></td> <td>Quantity and quality of community amenities</td> </tr> <tr> <td></td> <td>Established and professionally managed HOA</td> </tr> <tr> <td></td> <td>Trail / park / shopping / transportation access for residents</td> </tr> <tr> <td></td> <td>Require proof that the City has adequate infrastructure to support the development</td> </tr> <tr> <td></td> <td>Public streets and infrastructure meet established guidelines</td> </tr> <tr> <td></td> <td>Meets unmet housing demand</td> </tr> <tr> <td></td> <td>Developer is builder</td> </tr> <tr> <td></td> <td>Architectural theme with diversity of appearance</td> </tr> </tbody> </table> <p>The Zoning Code in Chapter 28-22 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. There is a conventional table 28.22.5 that provides different characteristics for a PH zone. This 17.58 parcel would fit into those land characteristics; however this area would first need to be designated as PH on the Master Land Use Map of the General Plan for this rezoning to be considered, since the Master Land Use Map is the guide for the City when considering rezoning requests.</p> <p>This area is currently zoned R-1-9 on both the Zoning Map and the Master Land Use Map with the frontage along 1800 North designated for Performance Zone. It is worth noting, this same rezone request was rejected last summer</p>	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 development		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 <i>criteria</i> 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
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	<p>by the Planning Commission and in January 2015 by the City Council.</p> <p>Mr. Nilson referred to the table above and commented the General Plan shows there is not enough homes in Clinton to accommodate the senior citizens, they are having to leave the community.</p> <p>Commissioner Buckles asked what the price range for the potential patio home development would be.</p> <p>Mr. Nilson responded the homes start at approximately \$270,000.00 and go up from there.</p> <p>The Planning Commission discussed a concern for spot zoning. They agreed that in order to allow the PH Zone in this location, the General Plan would need to be modified. Public input would need to be a consideration in order to make a decision.</p> <p>Mr. Nilson said he would like the opportunity to build a nice, well built desired development in a patio home zone. He said the City will have more control over the PH zone than another zone.</p> <p>Commissioner Thompson clarified that the PZ Zone does not allow residential construction as identified in 28-19-29.</p> <p>The Planning Commission expressed a desire for a joint meeting with the City Council.</p> <p>Commissioner Briggs referred again to the State Code regarding the General Plan and notice requirements where it identifies that the Planning Commission should notice their intent and hold a public hearing to open the General Plan.</p>
<p>CONCLUSION 11:00 PM</p>	<p>Commissioner Buckles moved to table Ordinance No. 15-12Z a 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-1-9) to Patio Home (PH) to the Jan 19, 2016 Planning Commission meeting with the public hearing to remain open. Commissioner Thompson seconded the motion. All voted in favor of the motion.</p>
<p>8. Discussion and action regarding a request to amend the Site Plan, specifically the landscape plan for the Westside Medical Building Two to change the fencing:</p>	
<p>Petitioner</p>	<p>Dennis Layton, Gary Wright</p>
<p>Discussion</p>	<p>Mr. Wright explained that Mr. Layton is the adjacent property owner with Wright Development owning the property.</p> <p>Dennis Layton stated his lot is behind the new Westside Medical Building Two. He currently has a chain link fence with slats along the back and open chain link fence along the south of his property which borders the parking lot and detention pond of the new Westside Medical Building. According to a letter he has from Wright Development, Westside Medical was required by the site plan approval to install a 6’ vinyl fence. The fence as of yet has not been installed. He would like to amend the site plan requirement for the fence and leave it just as it is now with chain link. He said he enjoys being able to look at the new landscaping.</p> <p>Mr. Wright explained the Code requires a minimum of a 6’ chain link fence. The Planning Commission has some latitude because there is an existing fence owned by Mr. Layton and other property owners who border the new building. The other property owners will only be impacted if the Planning Commission requires Westside Medical to install the 6’ vinyl fence.</p> <p>Councilmember Cressall expressed some concern for safety because their back yard will be visible to the parking lot.</p> <p>Mr. Layton replied that from the parking lot, you can see over the existing 6’ chain link fence anyway, so the vinyl fence will not provide privacy. He is happy with the chain link fence.</p>
<p>CONCLUSION</p>	<p>Commissioner Thompson moved to amend the site plan of Westside Medical Building Two to allow the fence to be 6 foot chain link with privacy slats or 6 foot vinyl. Commissioner Buckles seconded the motion. All voted in favor of the motion.</p>
<p>At 9:49 p.m. Commissioner Coombs directed the Planning Commission back to Agenda Item 7.</p>	
<p>9. Discussion and possible action related to opening the General Plan to perform biennial review of moderate income housing:</p>	
<p>Petitioner</p>	<p>Community Development</p>

	<p>Mr. Wright provided the following information in the staff report:</p> <p>DATE: November 12, 2015</p> <p>TO: Members of the Clinton City Planning Commission</p> <p>FROM: Will Wright, Community Development Director</p> <p>SUBJECT: General Plan Considerations</p> <p>As you're aware, the Planning Commission reviewed a rezoning request in their November 3rd meeting from Bruce Nilson of Nilson Homes to change a 17.5 acre parcel located at 2187 West 1800 North from a Residential (R-1-9) zone to a Patio Home (PH) zone. The Commission directed staff to determine if the City Council was amenable to open the General Plan to amend the Master Land Use Map to allow more land to be designated for Patio Homes.</p> <p>As you probably remember, this application came before the City last summer with essentially no change in the new request, therefore essentially the same staff report was used for the Commission as was provided with last year's application. As you may recall, this request was ultimately denied by the Council because, in part, it would require the City to amend the Master Land Use Map of the General Plan and as I understand it some members of the Council were reluctant to change such a newly adopted Plan, given the extensive work put into it adoption.</p> <p>After some discussion, members of the Council concluded the Planning Commission has the power and authority to review and update the General Plan. Several members expressed their opinion that the Planning Commission should be somewhat independent of the Council as they perform their duties and functions. They stated that Title 2.8.3(1) of the Municipal Code describes the duties and powers of the Planning Commission for the Master Plan as, "It shall be the function and duty of the planning commission, after holding public hearings, to recommend to the city council a master plan ... and to maintain such plan as needed to reflect current city conditions and needs."</p> <p>Most of the Council expressed their opinion that they would like to see what the Commission and community comes out with regarding the General Plan before they decide if they'd consider any changes. Councilmember Karen Peterson did bring out that Title 10-9a-408 (see attached) of the State Statutes indicates the City shall perform a biennial review of the moderate housing plan for the community. She stated perhaps the General Plan could be opened to perform this update and then consider any other areas of concern in that context.</p> <p>The purpose of this memo is to provide Commission with some background regarding the Council's interest in contemplating a review of the General Plan for possible changes, with only indirect consideration for the Nilson rezoning request. Further, to inform the Commission of their powers and duties pertaining to the Master Plan in consideration for the fact that the Council has the ultimate approval authority for amending the General Plan and any rezoning request. Please let staff know of any concerns you may have about this memo as we discuss how you'd like City staff to proceed with this information on the 2013 General Plan for Clinton City.</p> <p>The Planning Commission discussed the potential of opening the General Plan. There was a lengthy discussion of what the proper process should be. Commissioner Briggs referenced the State Code 10-9a-204 - Notice of public hearings and public meetings to consider general plan or modifications. The Planning Commission agreed that they should provide notice of the potential to amend the General Plan.</p>
CONCLUSION	Commissioner Briggs moved to immediately provide notice pursuant to 10-9a-403 with notice complying with 10-9a-203 of the Planning Commission's intent to make a recommendation to the City Council for a General Plan Amendment. Commissioner Thompson seconded the motion. All voted in favor of the motion.
ISSUES & CONCERNS	
ADJOURNMENT	Commissioner Buckles moved to adjourn the meeting. Commissioner Ritchie seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 11:10 p.m.

