



**CLINTON CITY PLANNING COMMISSION MINUTES
CITY HALL
2267 North 1500 W Clinton UT 84015**

Planning Commission Members

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

Date of Meeting	January 19, 2016	Call to Order	7:04 p.m.
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Citizens Present	Bruce Nilson, Dennis Draayer, Steve Hubbard, Tammy Hubbard, Tawney Droubay, Glen Phillips		
Pledge of Allegiance	Commissioner Labrecque		
Prayer or Thought	Commissioner Coombs		
Roll Call & Attendance	Present were: Commissioners Jacob Briggs, Bob Buckles, Tony Thompson, Dave Coombs, Allen Labrecque, Jolene Cressall and Jeff Ritchie		
City Council Report	Mr. Wright reported on the January 12, 2016 Planning Commission meeting as recorded in the minutes		
Declaration of Conflicts	There were none.		
Approval of Minutes	Commissioner Cressall moved to approve the December 15, 2015 Planning Commission minutes as amended: Commissioner Thompson declared for the record that his property borders the Harrisburg Phase 4 Subdivision. Commissioner Buckles seconded the motion. All voted in favor.		
	1. 7:05 P.M. – RESOLUTION 1-16 - REVIEW AND RECOMMEND TO THE CITY COUNCIL ACTION UPON A REQUEST FROM RANDY & ANNETTE HADLOCK FOR APPROVAL TO AMEND CLINTON NORTH PLAZA, A MINOR SUBDIVISION, BY COMBINING TWO LOTS LOCATED AT APPROXIMATELY 2093 W 2300 N		
Petitioner	Randy and Annette Hadlock		
Discussion	Commissioner Briggs identified that the petitioner has withdrawn this request.		
	2. 7:15 P.M. – ORD 15-12Z TABLED FROM 11/17/2015 – A REQUEST FOR A REZONE PROPERTY LOCATED AT APPROX 2382 W 1800 N FROM RESIDENTIAL (R-1-9) TO PATIO HOME (PH).		
Petitioner	Bruce Nilson representing He Flys, LLP		
Discussion	<p>Bruce Nilson stated a rezone for this property will not alter the integrity of the General Plan; rather it will fill the need identified in the General Plan for senior housing. He distributed a packet of information to the Planning Commission which included:</p> <p>Page 1, a report produced by the Governors Office of Planning and Budget which identifies the growth in Davis County;</p> <p>Page 2, the Clinton City Master Land Use Map;</p> <p>Page 3, the Clinton City Zoning Map identifying potential infill zones in pink and yellow;</p> <p>Page 4, Senior Housing Needs; he stated the Justification is that there is a lack of availability of senior housing. Clinton has less than 2% housing for seniors; seniors are growing at rate of 6%.</p> <p>This particular piece of property has housing on all three sides which provides a good transition for this development. Another patio home community is supported by the General Plan, it is just not outlined in the Master Land Use Map.</p>		

He went on to explain that in his opinion, the PH Zone gives the City more control over the design of the development. There will be fewer cars and traffic with this type of housing and the home buyers are financially stable. The location is convenient to commercial and medical needs for seniors.

As identified in previous meetings, the neighbors have no objection to a Patio Home Development in this area. The proposed patio home development consists of 65 homes. Generally 15 to 20 homes are built per year.

Commissioner Briggs clarified that at the last meeting the idea was that the Planning Commission would initiate opening the General Plan; they realized that according to Utah State Code, in order to consider a Comprehensive General Plan Amendment, the exact properties that will be affected must be identified; more thought and consideration of other areas in the General Plan would be needed. If a proposed amendment would affect just one parcel, the applicant should request an amendment to amend the Master Land Use Map for that specific property.

Commissioner Briggs opened the public hearing at 7:39 p.m.

Mr. Nilson asked for clarification if the rezone can be approved for this parcel before the Master Land Use Map is amended.

Commissioner Briggs replied that procedurally before approval of the rezone, the Master Land Use Map must first reflect that the zone is appropriate for the parcel.

Mr. Wright explained that the Council would like to maintain the integrity of the General Plan. A possible solution may be to change the infill requirement in the Zoning Ordinance regarding infill from a maximum of 5 acres to a maximum of 18 acres which would not impact the Master Land Use Map. The PH Zone applies to the R-1-6, R-1-8 & R-1-9 zones.

Commissioner Buckles said that the concept for the five acre requirement was based on allowing small parcels left over from larger developments to be developed as patio homes rather than being left undeveloped. The intent was not to allow property to be sectioned off to create more infill. He feels that it may be more appropriate to consider a change to the Master plan.

Mr. Wright explained that 18 acres is not significant; there are no other parcels other than this one that would be affected by increasing the maximum number of acres for infill to 18. He explained that Mr. Vinzant told him that the infill reference was left in the Zoning Code to prevent non-conforming areas. Changing the maximum number of acres from 5 to 18 for infill would have minimal impact because most of the larger pieces left are R-1-10, R-1-15 and Agricultural zones.

Mr. Wright clarified for the Planning Commission three potential options: to recommend to the Council to amend the Master Land Use Map; change the zoning ordinance to allow for a potential 18 acre infill development which will meet the characteristics of the conventional table or just say no to the request.

Commissioner Thompson stated that the five acre maximum was identified as ideal based on the density. The average of a 6300 sq. ft. lot size equals the size of the R-1-6, R-1-8 and R-1-9 zones allowing for approximately six lots per acre. Increasing it to an 18 acre parcel is a drawback because it increases the density from a potential of 90 homes to 108. The infill was designed to give an extra bonus lot to help the developer with the cost of the development.

At 8: 06 Commissioner Briggs asked again for public comment.

Art Ballif said he is privileged to live in a new patio home development in Clinton. The Planning Commission should be productive. It should not take this long to get a

development approved. He feels the Planning Commission should stop procrastinating and make a decision. These developments have quality homes and quality people which will benefit the community.

Glen Phillips said he is a neighbor of this parcel. He has had the opportunity to enjoy seeing horses out his kitchen window; but he realizes change is eminent. The City needs to take the best interest of the community into consideration. He is in favor of patio homes going into this development. He feels that the traffic will be impacted less with patio homes.

Steve Hubbard said he loves the aesthetic value of the existing fields but realizes change is inevitable. He has considered other possible communities but feels that patio homes are the best fit. The homes would add value and quality to the community. He said he would consider purchasing a patio home here. He knows Mr. Nilson to be a person of integrity who builds quality homes

Tammy Hubbard said she is confused about the zoning; however she realizes that change is necessary. She is in favor of the patio homes. She would like to look at these types of homes for herself. She feels frustrated with the bureaucratic red tape. She would like to see this development progress more rapidly.

Bruce Nilson addressed Commissioner Thompson's comments on density. He said two designs have been created for this parcel. In the current zoning there are 54 lots; in the proposed PH Zone there are 65 lots.

Mr. Thompson said his comments were based on applying the averaging identified in the Zoning Ordinance.

Commissioner Briggs closed the public hearing at 8:26 p.m.

Commissioner Briggs asked Mr. Nilson for clarification for what he is asking of the Planning Commission.

Mr. Nilson said he is confused by the process; he would like the City Council to have the opportunity to hear the presentation for this patio home development. It's about a lifestyle. He would like to see the Master Plan modified and advance the rezone request to the City Council. He feels this would be a valuable asset to the community.

Commissioner Thompson clarified for Mr. Nilson that he cannot have two development applications on the same parcel.

Mr. Nilson responded he has withdrawn the first application. The property owners prefer the patio home community for multiple reasons.

Commissioner Buckles stated he feels the request should move forward. He sees a potential for two motions:

- A. A motion recommending approval of an ordinance for a rezone as a minor deviation from the Master Land Use Map but still conforming to the intent of the General Plan based on the text paragraph on page 10 which identifies a need for retirement housing in the community even though it doesn't identify where. There is contradiction on the infill in the table and the text statement; 2) the development is complimentary to adjacent areas with only a small increase in density; 3) the only public comment has been in favor of the development.
- B. A motion to deny on the grounds that it does not conform to the Master Land Use Map and there are not sufficient grounds to deviate from the Master Land Use Map and General Plan infill strategy for patio homes.

Commissioner Labrecque said he would like to move forward with this request.

	<p>Commissioner Coombs said he feels this property meets the infill requirement other than the size. This type of development is a natural progression of the homes already in this area.</p> <p>Commissioner Thompson suggested that the findings include the specific reference to the chart on page 10 of the General Plan. An additional finding should identify that the current preliminary plat on this parcel should be withdrawn; there should not be two approvals on one property.</p> <p>Mr. Wright confirmed that the utilities are sufficient to serve either development.</p> <p>Commissioner Thompson clarified that the existing home on the property on 1 ½ acres is included in the legal description on the ordinance.</p> <p>Commissioner Briggs responded to some of the public comment on the red tape and delays involved in the process of this request by saying it is better to be governed by the rule of law rather than men and it is important to follow procedures, which unfortunately takes time.</p>
CONCLUSION	<p>Commissioner Coombs commented that citizen input is valuable to the process.</p> <p>Commissioner Buckles moved to forward a recommendation on to the City Council for approval of Ord 15-12Z , a request to rezone property located at approximately 2382 W 1800 N from R-1-9 to PH Zone with recognition that it is a minor deviation from the Master Land Use Map and as detailed in the findings of the ordinance:</p> <ol style="list-style-type: none"> 1. This is a minor deviation from the Master Land Use Map but still conforms to the intent of the General Plan as stated on page 10 of the General Plan. (need for patio homes); 2. There is no undeveloped PH Zone on the Master Land Use Map; 3. The site exceeds the infill criteria of five acres but conforms to conventional standards as identified in 28-22-5; 4. The Commission notes that the request would appear to meet an unmet demand for retirement housing and otherwise aligns favorably with the PH Zone as found and documented through the use of the chart found in the General Plan on page 10; 5. The Master Land Use Map indicates that the frontage of the property on 1800 N is to develop as PZ. The property is currently zoned R-1-9 and any development is not likely to rezone the frontaged PZ as called out in the Master Land Use Map. 6. After several public hearings all comments have been favorable for development of Patio Homes with no objections from the public. 7. The Petitioner has represented that the current approval of Town Point Subdivision will be withdrawn upon approval of this rezone. <p>Commissioner Thompson seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commissioner Buckles, aye; Commissioner Labrecque, aye; Commissioner Cressall, aye; Commissioner Coombs, aye; Commissioner Thompson, aye; Commissioner Briggs, aye.</p>
<p>3. SELECTION OF PLANNING COMMISSION MEMBER TO SERVE A ONE YEAR TERM ON THE BOARD OF ADJUSTMENT – CITY CODE SECTION 28-10-2 STATES CHAIRMAN DESIGNATES REPRESENTATIVE WITH ADVICE AND CONSENT OF COMMISSION</p>	
Petitioner	Community Development
Discussion	Commissioner Cressall recommended that Commissioner Buckles continue to serve as the BZA representative for 2016.
CONCLUSION	<p>Commissioner Coombs moved to approve Commissioner Briggs appointment of Bob Buckles to be the Planning Commission representative for the Board of Adjustments for 2016. Commissioner Cressall seconded the motion. All voted in favor of the motion.</p>
Commissioners Issues and Concerns	<p><i>Potential Work Session Discussions:</i></p> <ul style="list-style-type: none"> • <i>Subdivision Ordinance</i> • <i>PH Zone Ordinance clarification 22-28-5</i> • <i>Title 2 Chapter 8 Updates</i> • <i>Sign Ordinance</i>
ADJOURNMENT	<p>Commissioner Coombs moved to adjourn. Commissioner Buckles seconded the motion. All those present voted in favor, the meeting adjourned at 9:36 p.m.</p>

