



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

Planning Commission Members

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

Date of Meeting	September 6, 2016	Call to Order	7:02 p.m.
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Citizens Present			
Pledge of Allegiance	Commissioner Buckles		
Prayer or Thought	Commissioner Hale		
Roll Call & Attendance	Present were: Commissioners’ Dave Coombs, Andy Hale, Jeff Ritchie and Jacob Briggs Commissioner Cressall arrived at 8:10 p.m. Excused were: Commissioner Tony Thompson		
City Council Report	Mr. Wright reported on the August 23, 2016 City Council meeting and the August 31, 2016 special City Council meeting as recorded in the minutes.		
Declaration of Conflicts	There were none.		
Approval of Minutes	<p>Commissioner Hale moved to approve the August 2, 2016 Planning Commission minutes. Commissioner Coombs seconded the motion. Commissioners, Ritchie, Coombs, Hale and Briggs voted in favor of the motion. Commissioner Buckles abstained.</p> <p>Commissioner Buckles moved to table the August 16, 2016 Planning Commission minutes to the September 20, 2016 meeting unless Commissioner Cressall arrives in time to approve them during this meeting. Commissioner Coombs seconded the motion. Commissioners’ Hale, Ritchie, Buckles Coombs and Briggs voted in favor of the motion. (Commissioner Cressall arrived at 8:10 p.m.)</p> <p>At 9:26 p.m. Commissioner Buckles moved to approve the August 16, 2016 Planning Commission minutes. Commissioner Cressall seconded the motion. Commissioner’s Ritchie, Buckles and Coombs voted in favor; Commissioner Hale abstained.</p>		
WORKSESSION - CONSIDER CHAPTER 3 OF THE CITY’S SUBDIVISION ORDINANCE AS WELL AS ANY OTHER CHAPTERS OR SECTIONS OF THIS ORDINANCE. REVIEW SHOULD START AT SECTION 26-3-8 OF THE SUBDIVISION ORDINANCE.			
Petitioner	Community Development		
Discussion	<p>26-3-8 <u>Signing and Recordation of Subdivision Plat:</u></p> <p>(1) <u>Signing of Plat:</u></p> <p>(a) When a subdivision improvement agreement and security are required, the Chairman of the Planning Commission and the Mayor shall endorse approval on the final plat after the agreement and security have been approved by the Community Development Director and City Engineer, and all the conditions of the resolution pertaining to the final plat have</p>		

been satisfied.

(b) When installation of improvement is required prior to recordation of the final plat, the ~~Chairman of the Planning Commission and Mayor~~ shall endorse approval on the final plat after all conditions of the resolution have been satisfied and all improvements satisfactorily completed. There shall be written evidence that the required public facilities have been installed in a manner satisfactory to Clinton City as shown by a certificate signed by Clinton City Engineer/Public Facilities Inspector and Clinton City Attorney stating that the necessary dedication of public lands and improvements have been accomplished.

(2) **Recordation of Plat:**

(a) ~~The Chairman of the Planning Commission and Mayor will sign the tracing cloth or reproducible Mylar original of the final subdivision plat.~~

(b) It shall be the responsibility of the Community Development Director to file the final plat with the County Recorder's Office within ten (10) days of the date of the last signature on the final plat. Simultaneously with the filing of the final plat, the Community Development Director shall record the agreement of dedication together with such legal documents as shall be required to be recorded by Clinton City Attorney.

(3) **Phasing Major Subdivision Plats:**

(a) ~~Prior to granting preliminary approval of a major subdivision plat, the Planning Commission may permit the plat to be divided into two or more phases and may impose such conditions upon the filing of the phases as it may deem necessary to assure the orderly development of the subdivision. The Planning Commission may require that the subdivision improvement agreement and security be in such amount as is commensurate with the phase or phases of the plat to be filed and may defer the remaining amount of the security until the remaining phases of the plat are offered for filing. The developer may also file irrevocable offers to dedicate streets and public improvements in the phases offered to be filed and defer filing offers of dedication for the remaining phases until those phases, subject to any conditions imposed by the Planning Commission, shall be granted concurrently with final approval of the plat. If phasing is approved a development agreement shall be established between the Developer and City. Such document shall outline the preliminary plat and all obligations of the two parties reached during the preliminary plat approval as well as any items deemed necessary by the City Council. The development agreement shall be recorded at the County Recorder's Office against all property within the subdivision outlined in the preliminary plat prior to recording of any phase of the subdivision. Such phases must contain at least ten percent (10%) of the total number of lots contained in the approved plat. The approval of all remaining phases not filed with the Recorder's Office shall automatically expire unless such phases have been approved for filing by the Planning Commission, all fees paid, all instruments and offers of dedication submitted and subdivision improvement agreements, security and performance bonds, if any, approved and actually filed with the Recorder's Office within three (3) years of the date of preliminary plat approval of the subdivision plat. (See 3-4(2) Phasing Major Subdivision Plats).~~

~~**26-3-9. Appeals to City Council:** The applicant for subdivision approval may appeal the disapproval of any sketch, preliminary, or final subdivision plat by the Planning Commission by filing a Notice of Appeal with the City Council, with a copy to the Planning Commission, no later than ten (10) days after the date on which the Planning Commission notifies the applicant that it has disapproved the sketch, preliminary, or final subdivision plat. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The appeal shall be considered at the next regularly scheduled public meeting of the City Council, at which time it may affirm or reverse the decision of the Planning Commission only by a unanimous vote of the members of the City Council present at the meeting. On appeal, the applicant shall be allowed to make a presentation to the City Council under such terms, conditions and procedures as established by the City Council. The City Council shall render a decision affirming or reversing the Planning Commission no later than forty five (45) days after the date on which the Notice of Appeal is presented before the City Council. If the City Council reverses the Planning Commission, the applicant may proceed to submit a preliminary or final plat as is~~

	<p>appropriate under the conditions for approval agreed to by the City Council.</p> <p>26-3-10 Time Periods for Action: Whenever these regulations establish a time period for action by the City Council, Planning Commission, Community Development Director, such time periods are based upon complete applications, all fees being paid to the City, complete public notices and all necessary approvals and information being provided by other agencies, districts, or parties having specific input to be made on a subdivision. In addition the developer and Community Development Director may reach other timelines as agreed upon to meet the requirements of the City and developer. The City's duty to act is dependent on the applicant's substantial compliance with all applicable application and approval procedures.</p> <p>26-3-11. Suspension and Invalidation of Final Plat: If the municipality suspends final plat approval for any subdivision plat under these regulations, it shall record a document with the Recorder's Office for Davis County declaring that final approval for the subdivision is suspended and that the further sale, lease, or development of property within the subdivision is prohibited except that this prohibition shall not apply to persons or parties who have acquired property from the subdivider unless the person or party acquiring property meets the definition of "common ownership" in Chapter 2. If any court of competent jurisdiction invalidates final plat approval for any subdivision, the municipality shall record a document with the Recorder's Office for Davis County declaring that the final plat for the subdivision is no longer valid and that further subdivision activity is prohibited.</p>
<p>Issues & Concerns</p>	<p>Graffiti on the rail trail seems to be getting worse.</p>
<p>ADJOURNMENT</p>	<p>Commissioner Coombs moved to adjourn. Commissioner Buckles seconded the motion. Commissioners Coombs, Ritchie, Hale, Cressall and Briggs voted in favor of the motion, the meeting adjourned at 9:31 p.m.</p>