

CLINTON CITY PLANNING COMMISSION MINUTES

Commissioner Deborah Barlow, Chair
Commissioner Mike Petersen, Vice Chair
Commissioner Samuel DeLong
Commissioner Allen Labrecque
Commissioner Tony Thompson
Councilmember Blair Bateman, City Council Representative

Planning Commission Meeting	April 2, 2013	Call to Order: 7:04 P.M.	2267 N 1500 W Clinton UT 84015
Staff Present	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
Public Present	Jacob Payne, Adam Trommlitz, Marni Hall, Sammy Hall, William Brown		
Pledge of Allegiance	Adam Tromlitz Troop 387		
Prayer or Thought	Commissioner Thompson		
Roll Call & Attendance	Commissioner Barlow asked for a roll call of Commissioners who were present.		
Excused	Commissioner Samuel J. DeLong		
Declarations of Conflict	There were none.		
City Council Report	Councilmember Bateman reported on the march 12, 2013 City Council Meeting as recorded in the minutes.		
General Plan Committee	Commissioner Barlow reported that the General Plan Committee is continuing their discussion regarding In-fill. In addition they are beginning discussion about the Transportation Plan. She explained they will be meeting twice in April, on the 16 th and the 30 th .		
7:10 PM PUBLIC HEARING – 7:10 PM REVIEW AND RECOMMENDATION TO CITY COUNCIL CONCERNING POSSIBLE CHANGES TO THE FOLOWING CLINTON CITY LAND USE ORDINANCES: <ul style="list-style-type: none"> • ORDINANCE 13-02Z – TITLE 28, ZONING AND REAL PROPERTY; CHAPTER 2, DEFINITIONS, SETBACK; CLARIFICATION OF INTENT. • ORDINANCE 13-02 – TITLE 24, SIGNS AND ADVERTISING DEVICES; CHAPTER 4, REGULATION OF ON-PREMISE SIGNS BY ZONE; CLARIFICATION OF INTENT. 			
	<p>Mr. Vinzant reviewed the proposed changes in Ordinance 13-02Z regarding Title 28 with the Planning Commission.</p> <p>AMEND:</p> <p>“Setback”^{95, 104} means the measurement taken from the property line to the outer surface of the building wall at its furthest extension toward the lot line. Building wall shall be interpreted to include any cantilevered exterior walls, bays, or bump-outs extending beyond the foundation.</p> <p>(1) Unenclosed porches, <u>located within the front yard setback</u>, with or without a patio cover shall be excluded from such setback measurement if the porch conforms to each of the following three sub-sections.</p> <p>(a) Total length does not exceed 15% of the length of the dwelling (excluding attached garages).</p> <p>(b) Does not protrude into an excess of 15% of the required front yard setback distance.</p> <p>(c) Any roof covering must conform to a. and b.</p> <p>(2) Unenclosed, rear or side porches shall be excluded from setback measurement if the porch conforms to each of the following sub-stations.</p> <p>(a) Total width of the patio, deck, or porch does not extend into the required side-lot setback on one side of the dwelling. The patio, deck, or porch shall not extend at any point extend above grade within any required side-lot setback.</p> <p>(b) Total impervious surface ratio, established elsewhere in this ordinance is not exceeded.</p>		

	<p>(c) Rear setback of the porch is not less than one-half of the required setbacks.</p> <p>(d) Design shall be such that run-off does not flow onto adjoining property</p> <p>(e) Any roof covering shall not infringe upon minimum side lot setback requirements.</p> <p>(f) Unenclosed covered detached porches shall meet the requirements of an accessory building. For the purpose of this section unattached means not directly attached to the dwelling.</p> <p>Enclosed, rear, or side side porches shall conform to the setback requirements for the main dwelling when attached or for accessory buildings when unattached.</p>
<p>Discussion</p>	<p>Commissioner Petersen asked for clarification on the term “patio”.</p> <p>Mr. Vinzant replied a patio means un-enclosed.</p>
<p>Public Comment</p>	<p>Commissioner Barlow opened the public hearing at 7:27 p.m.</p> <p>Dennis Simonson asked for clarification if he could extend out 8 – 10 feet from his house for a patio.</p> <p>Mr. Vinzant responded he could go into half of the setback. He will assist Mr. Simonson in evaluating his specific property to determine the setback.</p> <p>Mr. Simonson then commented that yard sale signs and campaign signs can be an issue.</p> <p>With no further public comment, Commissioner Barlow closed the public hearing at 7:34 p.m.</p>
<p>CONCLUSION</p>	<p>Commissioner Petersen moved to approve the proposed amendments to Ordinance 13-02Z, Title 28 Zoning and Real Property and forward a recommendation for adoption on to the City Council. Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner Petersen, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</p>
	<p>Mr. Vinzant reviewed the proposed changes in Resolution 13-02 regarding Title 25 with the Planning Commission.</p> <p>AMEND:</p> <p>24-4-1 (2) Civic and philanthropic signs. Signs not exceeding one hundred (100) square feet in area pertaining to drives or events of civic, philanthropic, educational or religious organizations, provided that said signs are posted not more than <u>seven (7)</u> two (2) days before the event and are removed no more than one (1) day after said event. These signs may be erected within a public right-of-way upon approval of the Community Development Director.</p> <p>(9) Home Occupation signs. Within any zone home occupation signs are allowed based upon issuance of a <u>Home Occupation Permit</u> Conditional Use Permit. Home occupation signs are not to exceed two (2) square feet in area and must be attached to the home.</p> <p>24-4-2(6) Change the second sub section (b) to (c) and re-designate remaining sub sections.</p> <p>(e) Owners of <u>buildings with central access points</u> and that have small offices <u>with access gained from inside the building or uses that are</u> accessory and/or secondary to the main use are required to create a building identification sign instead of trying to obtain signage for every tenant. This is especially true for buildings with two or more levels.</p> <p>24-4-3 Temporary Signs. Standards for Temporary Signs. Temporary signs shall</p>

not be placed in or over a public right-of-way, may not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind. They shall not be attached to telephone poles, fences, or trees. They must be firmly secured to the building ~~or ground~~. Temporary signs may be attached to existing permanent signs only for the grand opening period. Temporary signs may cover or obscure an existing permanent sign only if the business has changed hands or changed names. No off-premise temporary signs are allowed except those specifically noted and regulated for real estate purposes or otherwise noted in the ordinance.

(1)(a) Grand Opening Signs. Temporary signs announcing the initial opening of a business, or the relocation, or change of ownership of an existing business may be allowed provided that the event shall not continue for more than sixty (60) days and that the permit is issued within the first ~~year~~ six months of operation. There shall be no more than 2 signs allowed per business. A ~~combination~~ banner, of durable construction, mounted to the building and portable sign is acceptable. The signs must comply with general size and location standards for signage in this Chapter and must be removed at the end of the 60 day period. A temporary sign permit is required.

(2) Special Promotion Periods. A business may apply for three [3] special promotion periods during the calendar year. Each period may not exceed seven (7) days in length. The periods may be combined to run consecutively. A temporary sign permit is required. A banner, mounted to the building or portable sign is allowed during this period.

(3) Going Out of Business/Bankruptcy Period. A business may apply for a special permit in order to facilitate the liquidation of inventory for a failing business for a period not to exceed ninety (90) calendar days. Such permit will be allowed only once for any business license. A temporary sign permit is required. A banner, mounted to the building or portable sign is allowed during this period.

(4) ~~Temporary Signs Allowed Without a Permit.~~ (a) Holiday Periods. A business may advertise a special service ~~product~~ or sale during the following holiday periods. A temporary sign permit is required ~~without a permit~~:

DELETE:

24-4-1

(16) One attached nameplate per occupancy, not to exceed two (2) square feet in sign area.

SECTION 2. Reviewed in a public hearing the 2nd day of April 2013, by the Clinton City Planning Commission and recommended for approval (rejection) through a motion passed by a majority of the members of the Commission based upon the following findings.

Proposed changes do affectively clarify the intent of the ordinance.

Commissioner Barlow discussed an issue a local business owner shared with her regarding a delay in manufacturing of his permanent sign. He did not want to attach a temporary sign to his building and was frustrated with the requirements in the existing ordinance.

She asked if it would be appropriate to allow a temporary sign where the permanent sign would eventually be placed.

Mr. Vinzant responded that if this were to be allowed a time limit would need to be established.

Commissioner Bateman commented that if one allowance is made it will set a precedent.

Commissioner Labrecque asked about the possibility of a hardship allowance.

	<p>Mr. Vinzant clarified that to be identified as a hardship, the situation cannot be self imposed. Everyone must be treated equally.</p> <p>Mr. Vinzant said he will bring a temporary monument sign amendment for 24-4-3 back to the Planning Commission.</p>
CONCLUSION	<p>Commissioner Thompson made a motion to table ordinance 13-02 and instruct staff to add a section for temporary signs to 24-4-3 to allow a temporary sign while the approved monument sign is being manufactured and installed. Commissioner Petersen seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner Petersen, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</p>
<p>TABLED ITEM FROM FEBRUARY 5, 2013 OPEN PUBLIC HEARING - PRELIMINARY PLAT APPROVAL OF THE EDGEWOOD COVE SUBDIVISION, A MINOR SUBDIVISION, LOCATED AT APPROXIMATELY 900 NORTH 1000 WEST.</p>	
	<p>Mr. Vinzant clarified that this item was tabled in the event that the petitioners made an appeal to the Board of Zoning Adjustment decision; there was no appeal.</p>
CONCLUSION	<p>Commissioner Thompson moved to un-table the Preliminary Plat approval of Edgewood Cove Subdivision and due to lack of petitioner’s actions to appeal, deny the preliminary plat of Edgewood Cove Subdivision located at approximately 900 N 1000 W. Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner Petersen, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</p>
<p>TABLED ITEM FROM FEBRUARY 5, 2013 OPEN PUBLIC HEARING - FINAL PLAT APPROVAL OF THE EDGEWOOD COVE SUBDIVISION, A MINOR SUBDIVISION, LOCATED AT APPROXIMATELY 900 NORTH 1000 WEST.</p>	
Public Hearing	<p>Commissioner Barlow closed the public hearing at 8:19 p.m.</p>
CONCLUSION	<p>Commissioner Petersen moved to un-table the Final Plat approval of Edgewood Cove Subdivision and deny Resolution 03-13, therefore denying the Final Plat Approval of Edgewood Cove Subdivision, a minor subdivision located at approximately 900 N 1000 W. Commissioner Thompson seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner Petersen, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</p>
<p>WORK SESSION</p> <p>General plan – Schedule to open the plan.</p> <ul style="list-style-type: none"> • Utah State Code § 10-9a Part 4 requires that all municipalities prepare and adopt a comprehensive, long range General Plan. • The General Plan shall include the Planning Commission’s recommendations for several specific areas; we will go over these areas. • We will go over the public hearing and notice requirements and discuss a time line. • Update on the Culinary Water Master Plan being updated as part of the general plan. <p>Projects – Upcoming major projects within the City.</p> <ul style="list-style-type: none"> • Schedule of major street projects and funding sources. 	
	<p>Mr. Vinzant gave a PowerPoint presentation regarding these issues.</p>
Approval of Minutes	<p>Commissioner Thompson moved to approve the minutes of the February 5, 2013 Planning Commission Meeting as amended. Commissioner Petersen seconded the motion. All those present voted in favor of the motion.</p> <p>Commissioner Thompson moved to approve the minutes of the March 5, 2013 Planning Commission Meeting as amended. Commissioner Labrecque seconded the motion. All those present voted in favor of the motion.</p>
Commissioners Issue & Concerns	<p>Commissioner Barlow reported the Subdivision Ordinance will be forth coming.</p>
ADJOURNMENT	<p>Commissioner Petersen moved to adjourn the meeting. Commissioner Labrecque seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 9:40 p.m.</p>