

**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**

<b>Planning Commission Meeting</b>	<b>May 7, 2013</b>	<b>Call to Order: 7:02 P.M.</b>	<b>2267 N 1500 W Clinton UT 84015</b>
<b>Staff Present</b>	Community Development Director Lynn Vinzant and Lisa Titensor recorded the minutes.		
<b>Public Present</b>	A. McKay, Cambrie Nelson, Matt Meyer		
<b>Pledge of Allegiance</b>	Commissioner Thompson		
<b>Prayer or Thought</b>	Commissioner DeLong		
<b>Roll Call &amp; Attendance</b>	Commissioner Barlow asked for a roll call of Commissioner's who were present.		
<b>Not Present</b>	Mike Petersen		
<b>Declarations of Conflict</b>	There were none.		
<b>City Council Report</b>	Councilmember Hansen reported on the April 23, 2013 City Council Meeting and the April 24, 2013 Special City Council Budget workshop as recorded in the minutes.		
<b>General Plan Committee</b>	Commissioner Barlow reported that the General Plan Committee is making good progress; they plan to present the completed General Plan to the Planning Commission on August 20.		
<b>7:10 PM PUBLIC HEARING – REQUEST FROM DAVID STONE FOR A RECOMMENDATION TO THE COUNCIL CONCERNING THE REZONE OF PROPERTY LOCATED AT 3420 WEST 2300 NORTH, MORE ACCURATELY DESCRIBED BELOW, FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-1-10):</b>			
<b>Petitioner</b>	David Stone		
<b>Discussion</b>	Mr. Vinzant reported the Petitioner could not be present, he requested tabling the request to June 4, 2013.		
<b>Public Comment</b>	Commissioner Barlow opened the public hearing at 7:11 p.m.		
<b>CONCLUSION</b>	<b>Commissioner DeLong moved to table this rezone request from David Stone for a recommendation to the Council concerning the rezone of property located at 3420 W 2300 N to the June 4, 2013 Planning Commission Meeting. Commissioner Labrecque seconded the motion. All those present voted in favor of the motion.</b>		
<b>Because it was prior to 7:20 pm when the next public hearing was noticed, Commissioner Barlow directed the PC to begin discussion of Agenda Item 1b.</b>			
<b>7:20 PM PUBLIC HEARING – REQUEST FROM MATTHEW MEYER FOR PRELIMINARY PLAT APPROVAL AND THEN ACTION UPON AND FINAL PLAT APPROVAL OF CLINTON ACRES SUBDIVISION, A MINOR SUBDIVISION, LOCATED AT APPROX. 3257 W 2300 N:</b>			
<b>Petitioner</b>	Matthew Meyer		
<b>Proposed Resolution</b>	<p align="center"><b>RESOLUTION NO. 10-13</b></p> <p align="center"><b>A RESOLUTION ADDRESSING PETITION FOR THE FINAL PLAT OF CLINTON ACRES SUBDIVISION</b></p> <p><b>WHEREAS</b>, Section 3-4(4) of the Clinton city Subdivision Ordinance states the city council shall approve, modify and approve, or disapprove subdivision application by resolution, and</p> <p><b>WHEREAS</b>, The Clinton City Planning Commission has reviewed the final plat for Clinton Acres Subdivision and made a recommended to the Clinton City Council.</p> <p><b>NOW, THEREFORE, THE CLINTON CITY COUNCIL RESOLVES THE FOLLOWING ACTION HAS BEEN RESOLVED CONCERNING THE PETITION FOR THE FINAL PLAT OF CLINTON ACRES SUBDIVISION.</b></p>		

	<p><b>SECTION 1.</b> By majority vote on a motion before the Clinton City Council the Final Plat of Clinton Acres Subdivision is (Approved) (Not Approved) based upon the following findings, conditions and/or stipulations:</p> <ul style="list-style-type: none"> <li>• The Council concurs with the findings of the Clinton City Planning Commission.</li> </ul> <p><b>SECTION 2.</b> Reviewed in a public hearing the 2<sup>nd</sup> day of April 2013, by the Clinton City Planning Commission and not recommended for approval through a motion passed by a majority of the members of the Commission based upon the following findings.</p> <ul style="list-style-type: none"> <li>• Subdivision is to be located in the Agricultural Zone (A-1)</li> <li>• All lots within the subdivision meet the minimum requirements of the A-1 Zone</li> <li>• It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, and Engineer requirements established during the approval process. Wherever there is a discrepancy between these drawings and the 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.</li> <li>• 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.</li> <li>• The developer/contractor shall comply with all notes added to the “Approved for Construction” drawings issued by the City.</li> </ul>
<p><b>Preliminary Plat</b></p>	<p>This subdivision was originally requested in 2008 and all associated action is void.</p> <p>The Plat meets the requirements of the A-1 Zone which is the existing zone for the property.</p>
<p><b>Final Plat</b></p>	<p>This subdivision was originally requested in 2008 and all associated action is void.</p> <p>The Plat meets the requirements of the A-1 Zone which is the existing zone for the property.</p> <p>Staff has reviewed the application and plat and comments are identified in the following memo.</p>
	<p>FROM: Lynn Vinzant; Community Development Director  Mike Child; Public Works Director  Dave Olsen; Fire Chief  Bryce Wilcox; JUB Engineering</p> <p>RE: Comments concerning Clinton Acres</p> <p>SUBMITTAL DATE: 3-27-13</p> <p><b>Final Plat Drawing Planning</b></p> <ul style="list-style-type: none"> <li>• Plat does not reflect parcel being subdivided. The “Lot 6” is included in the legal description, road dedication, and overall dimensions of the subdivision. The parcel being divided does not include Lot 6. OR The current owners of Lot 6 will need to sign the plat.</li> <li>• Check with NDS, I believe they have vacated the 30 foot wide utility easement that runs at an angle? If it is still a valid easement label it with the name of the owner of the easement. If Lot 6 is actually part of the subdivision, show the current NDS easement.</li> <li>• NDS will need to have a signature block on the plat because you will be</li> </ul>

tying into the NDSB main in 2300 North.

- You have a “Note: Homes are to be slab on grade only, no basements will be allowed.” You should include this note in all of your sales material and advertisements.
- You are tying into the NDSB sewer main in 2300 North; they will have to have a signature block on the plat.
  - North Davis Sewer District  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2013 by North Davis Sewer District

By: \_\_\_\_\_

- NDSB will need to approve the construction drawings.
- You will need to contact the Clearfield Post Office and initiate action to have a “Gang Box” installed.
- You will need to contact the Weber Davis County Canal Company concerning secondary water for the project, (801) 774-6373.
- An engineering drawing will need to be submitted showing laterals, street lights, and roadway reconstruction.

#### **Public Works**

- Submittal Date: 3/27/13
  - 2300 N Is a new road for the 374’ on the West end, and the South half of the road is new for the remaining 300’ On the West portion the road will need to be rebuilt the entire width. On the East 300’ section the South lane will need to be rebuilt and the North lane will need to be patched according to city standards, and overlaid to centerline. Please acknowledge this on the plans.
  - Contact Sewer District for permit to tie onto their main.
  - Include SWPPP.
  - Add street light between lots 2 & 3.
  - Secondary water connections?
  - Land Drain or slab on grade?
  - Lot #5 will need a 1” culinary service to provide adequate pressure and flow due to set back of home if the easement is not vacated.

#### **Fire Department**

- No Comments at this time, hydrant locations to come shortly

#### **Engineering**

- We calculate the area of lot 1 to be 47,049.8 sf.
- The overall boundary should be just around the 5 lots and lot 6 should be the remaining portion of the parcel. Otherwise, lot 6 will have to be vacated or amended when the rest of the parcel develops.

Findings identified in the Resolution:

- Subdivision is to be located in the Agricultural Zone (A-1)
- All lots within the subdivision meet the minimum requirements of the A-1 Zone
- It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, and Engineer requirements established during the approval process. Wherever there is a discrepancy between these drawings and the 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.
- The developer/contractor is responsible for insuring that all required

	<p>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> <ul style="list-style-type: none"> <li>• The developer/contractor shall comply with all notes added to the “Approved for Construction” drawings issued by the City.</li> </ul>
<b>Public Comment</b>	<p>Commissioner Barlow opened the public hearing at 7:25 p.m. with no public comment, she closed the public hearing at 7:26 p.m.</p>
<b>Discussion</b>	<p>The Planning Commission expressed concern about lot 6.</p> <p>Mr. Meyer explained the lot has been sold off.</p> <p>There was discussion regarding water issues.</p> <p>Mr. Meyer responded that there will be no basements allowed in the subdivision. The sewer line has been vacated.</p> <p>Commissioner Thompson asked about the 1 inch water line.</p> <p>Mr. Vinzant responded if the easement is vacated, it is not an issue.</p> <p>Mr. Vinzant said a lot of questions will be answered with engineering drawings.</p> <p>Commissioner Labrecque expressed concern about the flood zone.</p> <p>During the discussion Mr. Vinzant and Mr. Meyer clarified that because the lots are above the flood zone, the developer will be required to resolve the ground water issue; it will be recorded in the plat, there will be no basements allowed, slab on grade only. The developer will be required to do the improvements on the lots.</p>
<b>CONCLUSION</b>	<p><b>Commissioner Thompson moved to approve the request from Matthew Meyer for Preliminary Plat approval of Clinton Acres Subdivision, a minor subdivision, located at approximately 3257 W 2300 N as requested with the revision of lots 1 – 5 and lot 6 being omitted. Commissioner DeLong seconded the motion. All those present voted in favor of the motion.</b></p>
<b>CONCLUSEION</b>	<p><b>Commissioner Thompson moved to approve the request for recommendation for approval of Resolution 10-13, the Final Plat Approval of Clinton Acres Subdivision, a minor subdivision, located at approximately 3257 W 2300 N on to the City Council. Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner DeLong, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</b></p>
<p><b>TABLED FROM APRIL 2, 2013 OPEN PUBLIC HEARING – REVIEW AND RECOMMENDATION TO THE CITY COUNCIL CONCERNING POSSIBLE CHANGES TO TITLE 24, SIGNS AND ADVERTISING DEVICES; CHAPTER 4, REGULATION OF ON-PREMISE SIGNS BY ZONE; CLARIFICATION OF INTENT/TEMPORARY MONUMENT SIGN:</b></p>	
<b>Proposed Ordinance</b>	<p><b>AN ORDINANCE AMENDING TITLE 24, SIGNS AND ADVERTISING DEVICES</b></p> <p><b>WHEREAS,</b> Clinton City has an existing Title 24 dealing with the issuing of business signs and advertising; and,</p> <p><b>WHEREAS,</b> The City Council has found that changes are required; and,</p> <p><b>WHEREAS,</b> Clinton City has an obligation to provide for the health, safety, and general welfare of its citizens.</p> <p><b>NOW</b> BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON CITY, DAVIS COUNTY, STATE OF UTAH:</p> <p><b>THEREFORE,</b> The Clinton City Council voted to (adopt) (reject) this ordinance.</p> <p><b>BY MOTION</b></p> <p><b>SECTION 1. Changes</b></p>

**AMEND:**

## 24-2-1 Definitions

**Day – Days.** Means calendar day.

## 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 ~~seven (7) 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.

(9) Home Occupation signs. Within any zone home occupation signs are allowed based upon issuance of a Home Occupation Permit ~~Conditional Use Permit~~. Home occupation signs are not to exceed two (2) square feet in area and must be attached to the home.

## 24-4-2(6)

Change the second sub section (b) to (c) and re-designate remaining sub sections.

(e) Owners of buildings with central access points and that have small offices with access gained from inside the building or uses that are 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.

24-4-3 Temporary Signs. Standards for Temporary Signs. Temporary signs shall 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~~:

	<p><b>DELETE:</b></p> <p>24-4-1 (16) One attached nameplate per occupancy, not to exceed two (2) square feet in sign area.</p> <p><b>ADD:</b></p> <p>24-4-3(4) Temporary Monument Sign. A business may apply for a permit for a temporary monument sign under the following conditions:</p> <ul style="list-style-type: none"> <li>(a) A site plan has been approved indicating the location of a monument sign.</li> <li>(b) The temporary monument sign is the same size or smaller than indicated on the approved site plan.</li> <li>(c) The business is open or expected to open within 30 days.</li> <li>(d) Sign may be a banner but shall be of sturdy construction, firmly secured to the ground, to resist the elements and wind.</li> <li>(e) The temporary monument sign permit will be issued for 30 days only with no extension.</li> </ul> <p><b>SECTION 2. <u>Planning Commission Action.</u></b> Reviewed in a public hearing the 7<sup>th</sup> day of May 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.</p> <ul style="list-style-type: none"> <li>• Proposed changes do affectively clarify the intent of the ordinance.</li> <li>• Proposed changes do not adversely affect the effectiveness of the ordinance and are in line with the intent of the General Plan.</li> </ul>
<p><b>Discussion</b></p>	<p>Councilmember Hansen said she has heard numerous complaints about signs in the round-about. She asked if there could be a fine charged for signs placed their illegally. She said she would like information put into the City Newsletter identifying signs are not allowed.</p> <p>The Planning Commission discussed that the temporary sign is in place of the permanent sign, not in addition to.</p>
<p><b>Public Hearing</b></p>	<p>Cambrie Nelson commented that she would like some movie theaters or fun places to go in Clinton.</p> <p>Chairman Barlow re-opened the public hearing at 8:17 pm; with no public comment she closed the public hearing at 8:18p.m.</p>
<p><b>CONCLUSION</b></p>	<p><b>Commissioner DeLong moved to adopt Ordinance 13-02, amended Title 24, Signs and Advertising. Commissioner Labrecque seconded the motion. Voting by roll call is as follows: Commissioner Thompson, aye; Commissioner DeLong, aye; Commissioner Labrecque, aye; Commissioner Barlow, aye.</b></p>
<p><b>WORK SESSION: General plan – Presentation of draft documents related to the following portions of the General Plan: Infill Discussion; Sanitary Sewer Master Plan, a technical plan; Storm Drain Master Plan, a technical plan; Transportation Master Plan, a technical plan.</b></p>	
<p><b>Discussion</b></p>	<p>Mr. Vinzant provided Power point presentation regarding the issues identified which are included in the staff report and asked the Planning Commission to review them</p>
<p><b>Approval of Minutes</b></p>	<p><b>Commissioner Thompson moved to approve the minutes of the April 2, 2013 Planning Commission meeting as amended. Commissioner DeLong seconded the motion. All present voted in favor of the motion.</b></p>
<p><b>Commissioners Issue &amp; Concerns</b></p>	<p>Commissioner Labrecque asked for clarification on the procedure for site plan review.</p> <p>Mr. Vinzant clarified the site plan is separate from the preliminary plat and final plat.</p> <p>The Planning Commission discussed ethics.</p> <p>Mr. Vinzant explained that information discussed before the Planning Commission is public</p>

	<p>information.</p> <p>Commissioner Thompson commented that Commissioners have an opportunity to declare a conflict prior to discussion of an issue if they feel there would be a question of ethics.</p>
<b>ADJOURNMENT</b>	<b>Commissioner DeLong moved to adjourn the meeting. Commissioner Labrecque seconded the motion. All those present voted in favor of the motion. The meeting adjourned at 9:19 p.m.</b>