



## Community Development

PLANNING, BUILDING INSPECTIONS,  
CUSTOMER SERVICE, AND CODE COMPLIANCE

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### CLEARFIELD CITY PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at **7:00 P.M., Wednesday, March 2<sup>nd</sup>, 2022**, on the **3<sup>rd</sup> floor** in the City Council Chambers of the Clearfield City Municipal Building, located at 55 S. State Street, Clearfield, UT 84015.

#### **WORK SESSION – 6:30 PM – Executive Conference Room**

Review of agenda items to address questions.

#### **REGULAR SESSION – 7:00 PM- Council Chambers**

- CALL TO ORDER - PLEDGE OF ALLEGIANCE
- PLANNING COMMISSION CHAIR STATEMENT
- APPROVAL OF MINUTES:
  - November 3, 2021
  - December 1, 2021

#### **DECISION ITEMS**

##### **Public Hearings**

1. Public Hearing Discussion and Possible Action on **ZTA 2022-020047**, a request by Clearfield City to consider adoption of an R-1-4 (Residential) Zone as a part of Clearfield City Code, Title 11, Land Use. The amendment would create new single-family zoning district for smaller lot single-family developments within the city. This text amendment also amends Table 38.1 of Section 11-13-38 “Accessory Buildings and Structures” to update lot coverage standards for the current and proposed lot sizes impacted by the R-1-4 Zone. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).
2. Public Hearing Discussion and Possible Action on **ZTA 2022-020048**, a request by Clearfield City to amend Sections 11-9A-11E, 11-9B-11E, 11-9C-11E, 11-9D-11E, 11-9E-13F, & 11-9G-15 of the Clearfield Municipal Code to comply with State Code regulations prohibiting the regulation of building materials for single- and two-family dwellings. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).
3. Public Hearing Discussion and Possible Action on **ZTA 2022-020049**, a request by Clearfield City to amend Table 11-1 of the Clearfield Municipal Code to comply with State Code regulations removing the requirement for public hearing legal ads for general plan or zoning amendments to be placed in the newspaper. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).

#### **DISCUSSION ITEMS**

1. Staff Discussion
2. Planning Commissioner’s Minute
3. Staff Communications
  - a. Land Use Training – March 3<sup>rd</sup>

**\*\*PLANNING COMMISSION MEETING ADJOURNED\*\***

Dated this 24<sup>th</sup> day of February 2022.  
/s/Brad McIlrath, Senior Planner

Meetings of the Planning Commission of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established in City Code § 1-6-4H for electronic meetings.

Clearfield City, in accordance with the 'Americans with Disabilities Act', provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call the Customer Service Center at 801-525-2701, giving the City a 48 hour notice.

The Work Session meeting is a public meeting; however, public comments are only received in the formal Planning Commission meeting. The Planning Commission Public Meeting is a public forum where the Planning Commission may receive comment from applicants, the public, applicable agencies and city staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 November 3, 2021

3 6:30 P.M. – Work Session

4  
5 PRESIDING: Chris Uccardi Chair

6  
7 PRESENT: David Bloomfield Vice Chair  
8 Kathryn Murray Commissioner  
9 Karen Blackwood Commissioner  
10 Robert Browning Commissioner  
11 Brogan Fullmer Commissioner  
12 Megan Ratchford Commissioner

13  
14 ABSENT: Michael Bybee Commissioner (Alternate)  
15 Amber Brink Youth Ambassador

16  
17 STAFF PRESENT: Stuart Williams City Attorney  
18 Spencer Brimley Community Development Director  
19 Brad McIlrath Senior Planner  
20 Tyson Stoddard Planner I

21  
22 VISITORS: None

23  
24 Chair Uccardi called the meeting to order at 6:30 p.m.

25  
26 DISCUSSION ON GPA 2021-090042, A GENERAL PLAN AMENDMENT REQUEST BY  
27 PIERRE LANGUE WITH AXIS ARCHITECTS TO CHANGE THE GENERAL PLAN  
28 DESIGNATION FOR THE REAR 5.62 ACRES OF THE SUBJECT PROPERTIES FROM  
29 COMMERCIAL TO RESIDENTIAL. LOCATION: 175 WEST ANTELOPE DRIVE (TIN:12-  
30 242-0009). TOTAL PROJECT AREA: 6.921 ACRES. STAFF: BRAD MCILRATH  
31 (LEGISLATIVE ACTION).

32  
33 The Commission and staff discussed the following items relevant to GPA 2021-090042:

- 34 • Commissioner Blackwood asked about the recommendation of denial from staff. Mr.  
35 McIlrath, Senior Planner, explained the recommendation was based upon the analysis of  
36 the General Plan, with the conclusion that R-3 zone should not continue to be used for  
37 small lot single-family developments that would require a development agreement.  
38 • The potential of introducing a new residential zone for small single-family lots.  
39 • Access points off of Antelope Drive and the amount of vehicles that would need to access  
40 the development given the amount of homes proposed (81 homes).  
41 • The proposed commercial component along Antelope Drive.  
42 • The potential for access near the school on South Main Street.  
43 • Residential minimum square footage requirement limitations due to state regulations.  
44  
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1 DISCUSSION ON RZN 2021-090042, A GENERAL PLAN AMENDMENT REQUEST BY  
2 PIERRE LANGUE WITH AXIS ARCHITECTS TO REZONE THE REAR 5.62 ACRES OF  
3 THE SUBJECT PROPERTIES FROM C-2 (COMMERCIAL) TO R-2 (RESIDENTIAL).  
4 LOCATION: 175 W. ANTELOPE DRIVE (TIN:12-242-0009). TOTAL PROJECT AREA:  
5 6.921 ACRES.

6  
7 The Commission and staff discussed items relevant to RZN 2021-090042 as part of their  
8 discussion on the General Plan Amendment request (GPA 2021-090042).

9  
10 DISCUSSION ON PSP 2021-100037, A PRELIMINARY SUBDIVISION PLAT REQUEST BY  
11 CLEARFIELD CITY FOR THE CLEARFIELD STATION TOD SUBDIVISION FOR THE  
12 PROPERTIES AT THE SUBJECT LOCATION. LOCATION: APPROXIMATELY 1250  
13 SOUTH STATE STREET (TIN: 12-882-0005, 12-882-0001, 12-882-0004, 12-882-0006, 12-882-  
14 0007, 12-068-0138, & 12-067-0139). PROJECT AREA: 70 ACRES. ZONE: M-U (MIXED-  
15 USE). PLANNER: BRAD MCILRATH (ADMINISTRATIVE ACTION).

16  
17 The Commission and staff discussed the following items relevant to PSP 2021-100037:

- 18 • The Master Development Plan (MDP) that was approved in 2020 for Clearfield Station.
- 19 • Areas that would have residential development.
- 20 • Areas that would have commercial, office, and retail development.
- 21 • Residential units not to exceed 1,000 units.
- 22 • Different methods of vacating roads, whether by ordinance or by plat.

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24 **Chair Uccardi moved to adjourn the meeting. Seconded by Commissioner Murray.**  
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**CLEARFIELD PLANNING COMMISSION MEETING**

November 3, 2021

7:00 P.M. – Regular Session

**PRESIDING:** Chris Uccardi Chair

**PRESENT:** David Bloomfield Vice Chair  
Kathryn Murray Commissioner  
Karen Blackwood Commissioner  
Robert Browning Commissioner  
Brogan Fullmer Commissioner  
Megan Ratchford Commissioner

**ABSENT:** Michael Bybee Commissioner (Alternate)  
Amber Brink Youth Ambassador

**STAFF PRESENT:** Stuart Williams City Attorney  
Spencer Brimley Community Development Director  
Brad McIlrath Senior Planner  
Tyson Stoddard Planner I

**VISITORS:** Pierre Langue, Basil Chelemes, James Mote, Karissa Kaladish,  
Pennie Strebel, John Prince, Kevin H. Tarvis, Kevin Porter,  
Jeanette Sharp

Commissioner Uccardi called the meeting to order and led The Pledge of Allegiance.

Planning Commission Chair Statement was read.

PUBLIC HEARING, DISCUSSION, AND ACTION ON GPA 2021-090042, A GENERAL PLAN AMENDMENT REQUEST BY PIERRE LANGUE WITH AXIS ARCHITECTS TO CHANGE THE GENERAL PLAN DESIGNATION FOR THE REAR 5.62 ACRES OF THE SUBJECT PROPERTIES FROM COMMERCIAL TO RESIDENTIAL. LOCATION: 175 WEST ANTELOPE DRIVE (TIN:12-242-0009). TOTAL PROJECT AREA: 6.921 ACRES.

Chair Uccardi declared the public hearing open for GPA 2021-090042 and RZN 2021-090042.

Brad McIlrath, Senior Planner, presented the following facts:

- General Plan designation of Commercial
- Zoned C-2 Commercial
- Continue General Plan and zoning designation for 1.3 acres along Antelope Drive frontage
- Develop 1.3 acres of project area with commercial buildings

- 1 • Proposed development agreement terms for the overall project
- 2 • Presented the General Plan and Zoning maps
- 3 • Showed concept plan for the potential development
- 4 • Development Agreement Proposed Terms
  - 5 - 81 single-family residential lots
  - 6 - 2-3 commercial buildings totaling 7,000 to 12,000 square feet
  - 7 - Front property to remain C-2 commercial, rear only to allow single-family residential
  - 8 - Commercial buildings to be constructed to at least a cold shell condition before
  - 9 residential construction could commence
  - 10 - Term of 10 years from the date of recording of the rezone
  - 11 - Developer assured development rights, obligations, terms specified are fully vested by
  - 12 Developer
  - 13 - Project is private undertaking. City has no interest other than governmental functions
  - 14 - Developer shall have the right to sell, assign, or transfer agreement
- 15 • Showed 3-D renderings of potential design
- 16 • General Plan and Zoning Analysis
  - 17 - R-3 vs R-1-6 and a potential R-1-4 Zone yet to be introduced to the zoning code
  - 18 - Density for R-3 could allow up to 16 units per acre. Proposed approximately 15 units
  - 19 per acre.
  - 20 - R-1-6 allow up to 7.26 units per acre or 40 homes
  - 21 - Potential R-1-4 Zone would allow for approximately 61 homes
  - 22 - R-3 projects to be evaluated on own merits and approved case-by-case
  - 23 - R-1-6 allowed for infill single-family development and an alternative to larger lots
  - 24 - R-3 was used for Wilcox Farms which was a single-family development
  - 25 - Staff recommended the City no longer use multi-family zones for small-lot single
  - 26 family developments. If market demands drive the need for more smaller lot single-
  - 27 family neighborhoods, the City should research and adopt other single-family zone
  - 28 options (i.e. R-1-4 or R-1-3).
- 29 • Transportation Considerations
  - 30 - Clearfield City should, “determine if outlying potential development could degrade
  - 31 existing streets and consider actions to limit or concentrate future land-use densities if
  - 32 required.”
  - 33 - Limited access of the neighborhood to Antelope Drive (highest traveled route in
  - 34 Clearfield).
  - 35 - Likely will induce restrictions by UDOT for right-in and right-out only movements
  - 36 and installation of median barrier to prohibit left-hand turns.
  - 37 - A connection could be provided to South Main Street with coordination with the
  - 38 Antelope Elementary/Davis School District.
  - 39 - Redesign of the parking lot to provide additional access in and out of neighborhood.
  - 40 - With the potential for left-hand turns prohibited at Antelope, the access to South Main
  - 41 could allow access to the signalized intersection at Antelope Drive and allow for the
  - 42 left-hand turns for west-bound traffic.
  - 43 - Development should also include the property to the west (225 West Antelope Drive),
  - 44 or a future connection to that property for additional single-family development.
  - 45

46 Commissioner Bloomfield asked if anything was said about on-street parking during the

1 presentation. Mr. McIlrath responded that he hadn't discussed on-street parking. He explained  
2 that the development was proposing private roads, and that the developer could provide areas for  
3 street parking. He also stated that the proposed roads were wide enough for fire vehicle access.  
4

5 Commissioner Fullmer asked for more information about visitor parking and what was proposed  
6 in the concept. Mr. McIlrath pointed out the areas and responded that he thought the developer  
7 had done their best to provide for visitor parking, and he thought there would be sufficient visitor  
8 parking.  
9

10 Basil Chelemes, introduced himself as the property owner and gave information about his family.  
11 He explained that he thought his father, who owned the subject property for a long time, would  
12 appreciate the residential use on the subject property and the high quality of design.  
13

14 Pennie Strebel stated that she owned commercial property located to the west of the subject  
15 property. She continued that they sent in a letter to the City and stated her concern with the traffic  
16 along Antelope Drive, and not providing enough parking for the commercial portion of the  
17 development.  
18

19 Chair Uccardi declared the public hearing closed.  
20

21 Pierre Langue, the applicant, talked about the shortage of housing and the need to provide more  
22 housing to meet the demands of the community. He continued to provide more details about the  
23 concept and design of the proposed development. He stated that the property did extend to the  
24 east to South Main Street but said providing access at that spot would cut off the school parking  
25 lot from the school building. He gave some background, saying that initially they wanted to  
26 propose townhomes. Due to thoughts from the Planning Commission and City Council, he said  
27 they decided to propose single-family detached housing instead of townhomes.  
28

29 Chair Uccardi asked the Planning Commission for any additional discussion and reminded them  
30 that while the presentation covered both GPA 2021-090042 and RZN 2021-090042, the items  
31 needed to be handled with separate motions and voting.  
32

33 **Commissioner Murray moved to forward a recommendation of denial to the City Council**  
34 **for GPA 2021-090042, a general plan amendment request by Pierre Langue with Axis**  
35 **Architects to change the general plan designation for the rear 5.62 acres from Commercial**  
36 **to Residential for the subject properties. The recommendation was based upon the analysis**  
37 **of the staff report and the following findings:**

- 38 1. **The proposed general plan amendment is inconsistent with the land use guidelines,**  
39 **goals, and objectives of the Clearfield City General Plan.**
- 40 2. **The use of the R-3 & R-2 zones to establish small-lot single-family neighborhoods is**  
41 **inconsistent with the purpose of the zone.**
- 42 3. **The General Plan was amended to allow for greater use of the R-1-6 Zone for**  
43 **residential single-family infill development and as an alternative to multi-family**  
44 **residential.**

45 **Seconded by Commissioner Ratchford. The motion carried on the following vote: Voting**  
46 **AYE: Commissioners Murray, Ratchford, Bloomfield, Browning, and Fullmer. Voting NO:**  
47 **Commissioners Uccardi and Blackwood.**

Chair Uccardi provided explanation for his vote. He stated that while the request was inconsistent with the General Plan, the General Plan was outdated. He gave his opinion that the General Plan should be updated and reduce the depth of the commercial designation for that area along Antelope Drive.

Commissioner Blackwood concurred with Chair Uccardi and said that due to the housing shortage, she would prefer to see part of the parcel developed with residential housing.

Commissioner Browning stated his opinion that development agreements should be the exception and not the rule and that the City had been doing too many of them. He continued that the City should look into adopting a small-lot single-family zone to meet the market demands and preferred that option rather than a development agreement. He also stated that the City was in the process of updating the General Plan, and wanted to see what the update would advise in relation to the redesignation of commercial areas to residential areas.

PUBLIC HEARING, DISCUSSION, AND ACTION ON RZN 2021-090042, A GENERAL PLAN AMENDMENT REQUEST BY PIERRE LANGUE WITH AXIS ARCHITECTS TO REZONE THE REAR 5.62 ACRES OF THE SUBJECT PROPERTIES FROM C-2 (COMMERCIAL) TO R-2 (RESIDENTIAL). LOCATION: 175 WEST ANTELOPE DRIVE (TIN:12-242-0009). TOTAL PROJECT AREA: 6.921 ACRES.

Chair Uccardi stated that the presentation for RZN 2021-090042 was done along with the general plan amendment request. He asked if there was any further discussion or questions from the commissioners.

**Commissioner Murray moved to forward a recommendation of denial to the City Council for RZN 2021-090042, a zoning map amendment request by Pierre Langue with Axis Architects to rezone the rear 5.62 acres from C-2 (Commercial) to R-3 (Residential) for the subject properties. The recommendation was based upon the analysis of the staff report and the following findings:**

- 1. The proposed zoning map amendment is inconsistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.**
- 2. The use of the R-3 & R-2 Zones to establish small-lot single-family neighborhoods is inconsistent with the purpose of the zone.**
- 3. The General Plan was amended to allow for greater use of the R-1-6 Zone for residential single-family infill development and as an alternative to multi-family residential.**
- 4. The City Council should consider establishing a small-lot single-family zone to help satisfy market demands and to no longer use multi-family zones for small-lot single-family residential developments.**

**Seconded by Commissioner Ratchford. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Murray, Bloomfield, Browning, Blackwood, Fullmer, Ratchford. Voting NO: None.**

Chair Uccardi elaborated on his vote, saying that the City should provide a small-lot single-family zone to allow developers greater flexibility for smaller pieces of land or infill types of



development.

DISCUSSION AND ACTION ON PSP 2021-100037, A PRELIMINARY SUBDIVISION PLAT REQUEST BY CLEARFIELD CITY FOR THE CLEARFIELD STATION TOD SUBDIVISION FOR THE PROPERTIES AT THE SUBJECT LOCATION. LOCATION: APPROXIMATELY 1250 SOUTH STATE STREET (TIN: 12-882-0005, 12-882-0001, 12-882-0004, 12-882-0006, 12-882-0007, 12-068-0138, & 12-067-0139). PROJECT AREA: 70 ACRES. ZONE: M-U (MIXED USE).

Brad McIlrath, Senior Planner, presented the following facts:

- M-U (Mixed-Use) Zone
- Master Development Agreement
- 21 Lots
- 6 Public Streets
  - Station Boulevard
  - Depot Street
  - Box Car Drive
  - Bamberger Drive
  - Union Avenue
  - Grand Drive
- Vacation of 5 current streets
  - Switch Lane
  - Station Boulevard
  - Express Drive
  - South portion of current Box Car Drive
- Aerial Image and Zoning
- Pointed out redlines on the proposed plat and comments from staff review

Chair Uccardi mentioned that the name for one of the new public streets, Bamberger Drive, was a reference to the old Bamberger rail line near Hill Air Force Base.

**Commissioner Murray moved to approve PSP 2021-100037, a preliminary subdivision plat request by Clearfield City for the Clearfield Station TOD Subdivision for the subject properties. The recommendation was based on the discussion and findings in the Staff Report and subject to the following conditions:**

- 1. Plans shall be revised to address Clearfield City Engineering requirements prior to the submittal of plans for Final Plat review and approval.**
- 2. The final subdivision plat shall include any necessary changes as outlined in this report or required by applicable local agencies.**

**Seconded by Commissioner Blackwood. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Murray, Bloomfield, Browning, Blackwood, Fullmer, and Ratchford. Voting NO: None.**

#### STAFF COMMUNICATIONS

Spencer Brimley, Community Development Director, talked about the status of the General Plan

1 update and opened it up for comment from the Commission.

2  
3 Chair Uccardi stated that the depth of the update was very important. He said it was important to  
4 address the important issues because the plan could be in effect for several years. He used the  
5 housing discussion in relation to the first two items from the meeting's agenda as an example.

6  
7 Commissioner Bloomfield said he thought the General Plan should explain and provide good  
8 information to draw developers to Clearfield. He also expressed the importance of addressing  
9 water supply, conservation, and resource sustainability in the General Plan.

10  
11 Commissioner Fullmer suggested having the General Plan recommend establishing a  
12 sustainability working group. He explained that it could be as suggested by the consultant with  
13 the group meeting once a quarter.

14  
15 Mr. Brimley summarized the method and timeline for communicating back to the consultant so  
16 that they could continue to work on the draft and send the City an updated version.

17  
18 Chair Uccardi asked if there were any other staff communications.

19  
20 Mr. McIlrath said that there would be a Site Plan request on an upcoming agenda for a Scooter's  
21 Coffee on 700 South. Discussion followed, with Commissioner Blackwood asking if she needed  
22 to recuse herself as she owned a coffee shop near the proposed location. Mr. McIlrath responded  
23 that was a good idea. Chair Uccardi said the optics wouldn't be great, also expressing that recusal  
24 might be a good idea. Commissioner Blackwood stated she had no problem recusing herself.

25  
26 COMMISSIONERS MINUTE

27  
28 Chair Uccardi: Thanked all those that voted and participated in the election.

29  
30 Commissioner Bloomfield: Nothing.

31  
32 Commissioner Murray: Nothing.

33  
34 Commissioner Browning: Nothing.

35  
36 Commissioner Blackwood: Nothing.

37  
38 Commissioner Fullmer: Thanked staff.

39  
40 Commissioner Ratchford: Nothing.

41  
42 There being no further business to come before the Planning Commission, **Chair Uccardi moved**  
43 **to adjourn. Seconded by Commissioner Fullmer.**

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 December 1, 2021

3 6:30 P.M. – Work Session

4  
5 PRESIDING: Chris Uccardi Chair

6  
7 PRESENT: David Bloomfield Vice Chair  
8 Kathryn Murray Commissioner  
9 Karen Blackwood Commissioner  
10 Robert Browning Commissioner  
11 Brogan Fullmer Commissioner  
12 Megan Ratchford Commissioner

13  
14 ABSENT: Michael Bybee Commissioner (Alternate)  
15 Amber Brink Youth Ambassador

16  
17 STAFF PRESENT: Shawn Robinson Assistant City Attorney  
18 Spencer Brimley Community Development Director  
19 Brad McIlrath Senior Planner  
20 Tyson Stoddard Planner I

21  
22 VISITORS: None

23  
24 Chair Uccardi called the meeting to order at 6:30 p.m.

25  
26 DISCUSSION ON THE APPROVAL OF MINUTES FROM THE APRIL 7, APRIL 21, AND  
27 MAY 5, 2021 PLANNING COMMISSION MEETINGS.

28  
29 Grammatical errors were discussed and noted by staff for correction.

30  
31 DISCUSSION ON DA 2021-100100 FOR REQUESTED AMENDMENTS TO THE  
32 CLEARFIELD JUNCTION DEVELOPMENT AGREEMENT. LOCATION: 101, 69, 49, AND  
33 19 NORTH MAIN STREET (TIN: 12-930-0001, 12-930-0002, 12-930-0004, & 12-930-0005).  
34 PARCEL AREA: 5.48 ACRES. ZONE: T-C (TOWN MIXED COMMERCE). STAFF:  
35 SPENCER W. BRIMLEY (LEGISLATIVE ACTION).

36  
37 The Commission and staff discussed the following items relevant to the amendments to the  
38 Clearfield Junction Development Agreement:

- 39
- 40 • Commissioner Murray stated she thought it should be denied because the developer hadn't been following through with previous commitments.
  - 41 • Discussion followed related to the details of the proposed amendments, to understand
  - 42 what the Commission was in favor of and what they weren't in favor of.
  - 43 • The developer was negotiating with a potential buyer for the project, and the amendments
  - 44 were in part to meet the requests of the buyer.
  - 45 • The options for an additional access point, which would be needed before getting
  - 46 occupancy on the fourth level of Building 4.

- Need for clear articulation during the regular session regarding the details related to the eventual recommendation from the Commission to the City Council.

DISCUSSION ON RZN 2021-110043, A ZONING MAP AMENDMENT REQUEST BY ZACK BAKER WITH CENTURY 21 EVEREST GROUP TO REZONE THE SUBJECT PROPERTIES FROM R-1-8 (RESIDENTIAL) TO R-1-6 (RESIDENTIAL). LOCATION: 564 SOUTH 800 EAST (TIN: 12-018-0005, 12-018-0006, 12-018-0007, & 12-004-0172). TOTAL PROJECT AREA: 2.25 ACRES. STAFF: BRAD MCILRATH (LEGISLATIVE ACTION).

The Commission and staff discussed the following items relevant to RZN 2021-110043:

- The existing church.
- The potential for a single-family subdivision.
- The Commission expressed support for this type of development.

DISCUSSION ON SP 2021-110102, A SITE PLAN REQUEST BY CRAIG LARSEN FOR A SCOOTER'S COFFEE SHOP AT THE SUBJECT LOCATION. LOCATION: 688 EAST 700 SOUTH (TIN: 12-068-0024). PROJECT AREA: 0.336 ACRES. ZONE: C-C (GATEWAY CORRIDOR COMMERCE) STAFF: BRAD MCILRATH (ADMINISTRATIVE ACTION).

The Commission and staff discussed the following items relevant to SP 2021-110102:

- Commissioner Blackwood asked if she had to state why she was recusing herself for the site plan request. Shawn Robinson, Assistant City Attorney, suggested that she recuse herself and cite a potential conflict of interest.
- The site plans not being in compliance with the Form Based Code.

DISCUSSION ON CUP 2021-110101, A CONDITIONAL USE PERMIT REQUEST BY LANDON AYLOR FOR AN INDOOR CHILDREN'S AMUSEMENT CENTER AT THE SUBJECT LOCATION. LOCATION: 340 WEST ANTELOPE DRIVE (TIN: 12-940-0001). ZONE: C-2 (COMMERCIAL) STAFF: TYSON STODDARD (ADMINISTRATIVE ACTION).

The Commission and staff discussed the following items relevant to CUP 2021-110101:

- The business wanted to locate in a C-2 Zone where the type of business was listed as a conditional use.
- The Clearfield Flex Development, which was where the business wanted to locate

**Chair Uccardi moved to adjourn the meeting. Seconded by Commissioner Fullmer.**

**CLEARFIELD PLANNING COMMISSION MEETING**

December 1, 2021

7:00 P.M. – Regular Session

**PRESIDING:** Chris Uccardi Chair

**PRESENT:** David Bloomfield Vice Chair  
Kathryn Murray Commissioner  
Karen Blackwood Commissioner  
Robert Browning Commissioner  
Brogan Fullmer Commissioner  
Megan Ratchford Commissioner

**ABSENT:** Michael Bybee Commissioner (Alternate)  
Amber Brink Youth Ambassador

**STAFF PRESENT:** Shawn Robinson City Attorney  
Spencer Brimley Community Development Director  
Brad McIlrath Senior Planner  
Tyson Stoddard Planner I

**VISITORS:** Mike Braunberger, Deanna Braunberger, Zack Baker, Kevin Porter, Craig Larsen, Donovan Gilliland, Ryan Wicknick, Leslie Zumiga

Commissioner Uccardi called the meeting to order and led The Pledge of Allegiance.

Planning Commission Chair Statement was read.

**APPROVAL OF MINUTES FOR THE APRIL 7, APRIL 21, AND MAY 5, 2021 PLANNING COMMISSION MEETINGS**

**Commissioner Murray moved to approve the Minutes for the April 7, April 21, and May 5, 2021 Planning Commission Meetings as amended. Seconded by Commissioner Blackwood. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Bloomfield, Murray, Browning, Blackwood, Fullmer, and Ratchford. Voting NO: None**

**PUBLIC HEARING, DISCUSSION, AND ACTION ON DA 2021-100100 FOR REQUESTED AMENDMENTS TO THE CLEARFIELD JUNCTION DEVELOPMENT AGREEMENT. LOCATION: 101, 69, 49, & 19 NORTH MAIN STREET (TIN: 12-930-0001, 12-930-0002, 12-930-0004, & 12-930-0005). PARCEL AREA: 5.48 ACRES. ZONE: T-C (TOWN MIXED COMMERCE). STAFF: SPENCER W. BRIMLEY (LEGISLATIVE ACTION).**

Chair Uccardi declared the public hearing open

Spencer Brimley, Community Development Director, presented the following facts:

- Property zoned T-C (Town Commercial) and CV (Civic)

- Part of the overall development of the corner with future library space provided
- Two (2) mixed use buildings with 20,000 square feet of commercial space and two (2) multi-family buildings (located west of future library site)
- 210 residential units with mix of 1-bedroom, 2-bedroom, and 3-bedroom units.
- Development agreement for purchase of City-owned properties and overall design of project.
- A new or addendum to existing development agreement needed to allow development as proposed.
- Showed aerial image and zoning map
- The leasing office will be moved to the back of the bottom floor of building 1 and the proposed outbuilding would not be constructed. A larger pool and hot tub would be constructed in its place.
- A gym would be constructed in the bottom floor of building 1. (gym and leasing office square footage would be 2000 square feet combined, final gym and office configuration will be limited to that square footage)
- An optional clubhouse area might be constructed in building 2 if those spaces needed to be reduced in size to be leases.
- The parking spaces would be reduced by approximately 5 to 7 to allow for a second emergency and fire access per the North Davis Fire District.
- The landscape area by Argentine Corner would be removed to allow for sidewalk dining. Also, minor changes to landscape areas as shown on attached drawings.
- The kid splash pad would be replaced with a BBQ area with outside seating and the horseshoe pit would be replaced with a fire pit with outside seating area.
- Landscaping calculations
- Amenities approved and proposed

Chair Uccardi addressed the decisions that the Commission had before them. He said that the question that needed to be answered was if the Commission thought the Clearfield Junction Development Agreement needed to be amended. If yes, he continued that then the Commission needed to determine if it wanted to recommend all the amendments as listed in the staff report, or only recommend some of the amendments. He also said the Commission could add items to the recommendation.

Commissioner Bloomfield asked if a new owner of the property would be held to the requirements in the Development Agreement. Mr. Brimley responded that the agreement allowed for assignability and that the new owner would need to meet the terms of the agreement.

Commissioner Bloomfield stated that he had concerns about the second fire access. Mr. Brimley agreed the planning should have gone better to resolve the access earlier on in the process, but ultimately it was North Davis Fire District's call regarding final approval of the second access point. Commissioner Bloomfield also discussed the parking stalls that would be done away with to provide the second fire access, stating that he thought they needed to find space to continue to provide the same number of stalls.

Donovan Gilliland, the developer, addressed the Planning Commission to present the proposed amendments. He spoke about the retail areas, the pool area, the clubhouse, the landscaping, and

1 the proposed second access point. He discussed having outdoor seating for Argentine Corner,  
2 instead of the landscaping shown on the approved plans. He stated that he would work with the  
3 Fire District to meet its requirements for the second access point. Regarding parking, he said that  
4 stalls were being taken up from construction on buildings 3 and 4 but were now open for onsite  
5 parking. He requested that the City not require him to replace the parking stalls that would be lost  
6 in the construction of the second access but said that he would work with staff to try and find a  
7 good location. The reason for requesting the reduction of the square footage of the existing retail  
8 spaces, he said, was based on recommendations from a commercial real estate agent saying that  
9 smaller spaces would be able to be leased out.

10  
11 Chair Uccardi thanked the developer for being at the meeting and asked if there was anyone from  
12 the public that wanted to make comment.

13  
14 Ryan Wicknick gave his opinion as a commercial real estate professional and agreed that a  
15 reduction in the size of the commercial units' square footage would make them more likely to be  
16 leased.

17  
18 Chair Uccardi, seeing that there were no further comments from the public, declared the public  
19 hearing closed.

20  
21 Mr. Brimley thanked the developer for the additional information and background regarding the  
22 amendment requests.

23  
24 Commissioner Blackwood stated that with the removal of the 5 stalls, the project still met the  
25 number required by code. Mr. Brimley responded that the City did not want to reduce parking in  
26 the area of the development, so as part of the development agreement amendment process, the  
27 developer was being asked to relocate the stalls that would be lost.

28  
29 **Commissioner Blackwood moved to forward a recommendation of approval to the City**  
30 **Council of DA 2021-100100 for the requested amendments to the Clearfield Junction**  
31 **Development Agreement through an addendum. The motion was based upon the findings**  
32 **and recommendations in the staff report. Seconded by Commissioner Ratchford. The**  
33 **motion failed on the following vote: Voting AYE: Commissioners Uccardi, Blackwood,**  
34 **Ratchford. Voting NO: Commissioners Murray, Bloomfield, Browning, Fullmer.**

35  
36 The discussion amongst the Commission continued. Commissioner Browning summarized the  
37 items regarding commercial space square footage, landscaping, the second access, and changes to  
38 amenities. He expressed concern about the commercial square footage, and stated he'd want to  
39 assure the project wasn't going to have any less commercial square footage or any less  
40 landscaping than originally approved.

41  
42 Commissioner Blackwood spoke in favor of reducing the square footage of the commercial  
43 spaces, saying that otherwise they would stay vacant.

44  
45 Mr. Brimley suggested reviewing the staff recommendations so that the Commission could  
46 decide what they were okay with and what they would suggest differently. He also said that if the  
47 Commission felt it was appropriate, the consensus could be a denial of the amendment request.

1 The Commission then discussed the details of the staff recommendations.

2  
3 **Commissioner Ratchford moved to forward a recommendation of approval to the City**  
4 **Council of DA 2021-100100 for the requested amendments to the Clearfield Junction**  
5 **Development Agreement through an addendum. The recommendation was based upon the**  
6 **analysis of the staff report and the following recommendations:**

- 7 1. The proposed amendments will be drafted into the proper form as an  
8 addendum and be submitted for review prior to the public hearing by the  
9 Clearfield City Council.
- 10 2. This access lane must be approved and the required agreement between the  
11 properties must be provided to the City and Fire District for review and  
12 approval. Approval for the location of the second access is not approval of the  
13 access, which will be required prior to final approvals. All items outlined in  
14 the North Davis Fire District letter, dated November 16, 2021, must be  
15 completed prior to any approvals.
- 16 3. The detail for each amendment request shall be provided in final form with  
17 the required engineering and landscape architect's stamps, prior to the  
18 hearing by the Clearfield City Council. Items required will be:
  - 19 a. Building plans and details for inclusion of gym and leasing office  
20 within the north building;
  - 21 b. Gathering space and game room provided in Building 2.
  - 22 c. Pool shed detail and designs shall be provided in conformance with the  
23 Form Based Code standards for accessory buildings;
  - 24 d. Details for parking relocation within the project, including details for  
25 exact location of future access and engineered drawings to address all  
26 aspects required in the North Davis Fire District letter, dated  
27 November 16, 2021.
  - 28 e. Parking that will be removed by second access should be evaluated for  
29 relocation to an area adjacent to building 1 and 2 to accommodate  
30 parking issues and concerns or some other location within the project  
31 site.
  - 32 f. Proposed amenities shall be shown on resubmitted engineered  
33 drawings including, locations of amenity, square footage calculations,  
34 and all required details for the BBQ area, fire pit and all furniture  
35 proposed for the seating areas. All amenities must be to the  
36 commercial standards and must be resubmitted for staff review.
- 37 4. Landscaping shall be installed per approved site plan with existing landscape  
38 items to be relocated to allow for second full access. Details for landscape  
39 square footage, materials, plants, etc. to be provided by applicant that outline  
40 all quantities, square footages, plant type and materials in accordance with  
41 approved plans, and any detail to address changes to quantities, square  
42 footages, plant type and materials, etc.

43 **Seconded by Commissioner Blackwood. The motion carried on the following vote. Voting**  
44 **AYE: Commissioners Uccardi, Blackwood, Browning, Fullmer, Ratchford. Voting NO:**  
45 **Commissioners Bloomfield, Murray.**  
46  
47



PUBLIC HEARING, DISCUSSION, AND ACTION ON RZN 2021-110043, A ZONING MAP AMENDMENT REQUEST BY ZACK BAKER WITH CENTURY 21 EVEREST GROUP TO REZONE THE SUBJECT PROPERTIES FROM R-1-8 (RESIDENTIAL) TO R-1-6 (RESIDENTIAL). LOCATION: 564 SOUTH 800 EAST (TIN: 12-018-0005, 12-018-0006, 12-018-0007, & 12-004-0172). TOTAL PROJECT AREA: 2.25 ACRES. STAFF: BRAD MCILRATH (LEGISLATIVE ACTION).

Chair Uccardi declared the public hearing open.

Brad McIlrath, Senior Planner, presented the following facts:

- General Plan - Residential
- Zoned - R-1-8
- Rezone properties from R-1-8 to R-1-6 for future development of a single-family subdivision.
- R-1-6 Zone is allowed for infill single-family development.
- R-1-6 Zone is an alternative to multi-family development outside of the downtown area and should be used to encourage a mix of housing types throughout the City.
- R-1-6 Zone minimum lot sizes of 6,000 square feet was similar to many lots in the Ross Drive neighborhood to the west.
- Showed General Plan Map and Zoning Map

Commissioner Blackwood asked how many lots could go into the area. Mr. McIlrath responded possibly 10 to 14 units might be possible.

Zack Baker, with Century 21, said that they would be looking at about 12 to 13 lots but hadn't gotten into the design phase of the subdivision or talked to a civil engineer.

Commissioner Blackwood spoke in favor of the rezone and liked the idea of single-family homes in the area.

**Commissioner Fullmer moved to forward a recommendation of approval to the City Council for RZN 2021-110043, a zoning map amendment request by Zach Baker with Century 21 Everest Group to rezone the subject properties from R-1-8 (Residential) to R-1-6 (Residential). The recommendation was based upon the analysis of the staff report and the following findings:**

- 1. The proposed zoning map amendment is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.**
- 2. The proposed zoning map amendment is necessary to encourage the highest and best use of the land.**

**Seconded by Commissioner Blackwood. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Murray, Bloomfield, Browning, Blackwood, Fullmer, Ratchford. Voting NO: None.**

Chair Uccardi declared the public hearing closed.

DISCUSSION AND ACTION ON SP 2021-110102, A SITE PLAN REQUEST BY CRAIG LARSEN FOR A SCOOTER'S COFFEE SHOP AT THE SUBJECT LOCATION. LOCATION: 688 EAST 700 SOUTH (TIN: 12-068-0024). PROJECT AREA: 0.336 ACRES. ZONE: C-C (GATEWAY CORRIDOR COMMERCE) STAFF: BRAD MCILRATH (ADMINISTRATIVE ACTION).

Brad McIlrath, Senior Planner, presented the following facts:

- Proposed 664 square foot drive-through coffee shop.
- Located in the C-C (Gateway Corridor Commerce) Zone of the Downtown Clearfield Form Based Code (FBC) area.
- Drive-through businesses were allowed in the FBC but must comply with the minimum development standards. Conditions of approval outlined what was needed to comply with the code to receive final land use approval.
- The three parcels were previously combined under one tax identification number for taxing purposes.
- The parcel for Scooter's would need to be separated and the other two combined prior to final land use approval.
- Showed aerial image and zoning.
- Explained recommendation of approval and said there were a significant number of conditions. The most challenging conditions were listed as the following:
  - Proposed 664 square foot drive-through coffee shop.
  - Located in the C-C (Gateway Corridor Commerce) Zone of the Downtown Clearfield FBC area.
  - Drive-through businesses were allowed in the FBC but must comply with the minimum development standards. Conditions of approval outlined what was needed to comply with the FBC to receive final land use approval.
  - The three parcels were previously combined under one tax identification number for taxing purposes.
  - The parcel for Scooter's would need to be separated and the other two combined prior to final land use approval.

Commissioner Blackwood stated for the record that she was recusing herself from the discussion and the vote on SP 2021-110102.

Commissioner Ratchford asked for more detail about why this type of coffee shop was being proposed for the specific location.

Mike Braunberger, local owner of Scooters Coffee, addressed the Commission. He said the model was optimized for a drive-thru type of business and the kiosk was meant to capitalize on vehicle traffic counts along SR 193. Mr. Braunberger stated that he graduated from Clearfield High and was interested in being in the area close to Clearfield High School.

Commissioner Murray stated that her concern was that the business chose to locate in a FBC zone, but the site plan was not in conformance with the zoning regulations. She said that some of the non-compliance issues were significant and asked if the applicant wanted to pursue a development agreement to get around the non-compliance issues. Mr. Braunberger replied that

1 he'd defer to the engineer, but said they made some modifications to the plan to try to meet the  
2 code. He reiterated that their business model was based upon traffic counts and the ability to  
3 capitalize on the demand, and that the City could benefit from people stopping in Clearfield.

4  
5 Craig Larsen, the engineer for the project, expressed his opinion that the conditions could be met  
6 with some design creativity and cooperation.

7  
8 Commissioner Browning stated that the City had put a lot of work into the FBC and that  
9 compliance was the way to accomplish the vision for the City.

10  
11 Mr. McIlrath discussed the business concept and site plan, saying that it would be a slam dunk for  
12 other commercial zones in the City. He continued that while the plan would work easily in other  
13 parts of the City, the C-C Zone regulations of the subject property made a drive-thru business  
14 much more challenging to meet the code.

15  
16 Chair Uccardi said he was happy to see a business owner that was interested in Clearfield, with  
17 an engineer that was flexible and willing to be creative to meet the code standards. He said he  
18 wanted to get businesses into Clearfield.

19  
20 **Commissioner Murray moved to approve SP 2021-110102, a site plan request by Craig**  
21 **Larsen for a Scooter's Coffee Shop at the subject location. The recommendation was based**  
22 **on the discussion and findings in the staff report and subject to the following conditions:**

- 23 1. The detached garage parcel shall be combined with the single-family residential  
24 parcel to the west prior to issuance of final land use approval for the Scooter's  
25 Coffee Drive-Thru.
- 26 2. The plans shall be revised to provide the required streetscape improvements along  
27 700 South which includes:
  - 28 a. An eight-foot (8') planted street buffer with street trees and ground cover;
  - 29 b. A six-foot (6') wide clear sidewalk; and
  - 30 c. One (1) double acorn streetlight placed on center between the street trees.
- 31 3. The site shall be designed, and the plans revised to have no more than a maximum  
32 seventy percent (70%) of impervious coverage and no more than twenty percent  
33 (20%) semi-pervious coverage.
- 34 4. The plans shall be revised to add a horizontal expression line that defines parapet  
35 from the rest of the roof as required by code and illustrated on page 74 of the FBC.
- 36 5. The front building façade shall be revised to comply with the minimum blank wall  
37 limitation and transparency standards as required by code for the commercial  
38 building type and as outlined in Section 6.3.5 of the FBC.
- 39 6. The building plans shall be revised to provide a front façade entrance type that  
40 complies with standards of the FBC.
- 41 7. The principal entry shall be located along the front façade of the building to comply  
42 with code.
- 43 8. The floor plans shall be revised to have a minimum occupied space depth of thirty  
44 feet (30') as measured from the front façade to the rear façade of the building.
- 45 9. The plans shall be revised to indicate the material for the awning that is either  
46 canvas or metal and that the doors, windows, and hardware will be commercial  
47 quality as required by code.

10. The landscape plans shall include the following revisions:

- a. One (1) additional on-site tree shall be provided as outlined in the staff report.
- b. A five-foot (5') wide planting strip shall be provided around the footprint of the building except for entrances, the location of the outdoor ordering window, and the location of the drive-through lane.
- c. The shrub planting selections shall be revised to provide a minimum of sixty percent (60%) of the plants as water wise plants with a minimum size of five (5) gallons at time of planting.
- d. The parking lot buffer along the south property line shall be increased to the minimum required width of seven feet (7') and provided with a row of shrubs as required by code.

11. A dumpster enclosure detail shall be added to the plans that complies with code standards for materials and design.

12. A fee-in-lieu of civic open space shall be paid to Clearfield City in the amount of \$14,810.10 as required by Section 8.2.3 (3) of the FBC for the creation or enhancement of civic open space or streetscape enhancements within the Downtown Clearfield area.

13. The plans shall be revised to provide one (1) bike rack that meets the minimum standards of the code.

14. A snow stacking area shall be added to the plans as outlined in the staff report.

15. The plans should be revised to address engineering requirements as outlined in the review letter dated November 22, 2021.

16. The project shall comply with all North Davis Fire District requirements outlined in the review letter dated November 18, 2021.

Seconded by Commissioner Browning. The motion carried on the following vote: Voting AYE: Commissioners Uccardi, Murray, Bloomfield, Browning, Fullmer. Voting NO: Commissioner Ratchford.

Chair Uccardi excused Commissioner Blackwood for the evening.

DISCUSSION AND ACTION ON CUP 2021-110101, A CONDITIONAL USE PERMIT REQUEST BY LANDON AYLOR FOR AN INDOOR CHILDREN'S AMUSEMENT CENTER AT THE SUBJECT LOCATION. LOCATION: 340 WEST ANTELOPE DRIVE (TIN: 12-940-0001). ZONE: C-2 (COMMERCIAL) STAFF: TYSON STODDARD (ADMINISTRATIVE ACTION).

Tyson Stoddard, Planner I, presented the following facts:

- Applicant requesting to operate an indoor children's amusement center
- Clearfield Flex Development
  - Site Plan Approval on July 1, 2020
  - Currently under construction
- Showed aerial image and zoning
- Showed Floor Plan
- Showed 3-D renderings
- For uses not specifically listed, Planning Commission to determine most similar use

- Staff recommended applying the same standard used for bowling alleys and skating rinks (2 spaces for every 1,000 square feet of floor area)
- Lined up with parking standards for “Industrial and Wholesale Establishments”

**Commissioner Fullmer moved to approve CUP 2021-110101, a conditional use permit request by Landon Aylor for an indoor children’s amusement center at the subject location. The recommendation was made based upon the findings of the staff report and subject to the following conditions:**

- 1. The project shall comply with all building code standards and the applicant shall obtain any necessary building or tenant improvement permits prior to commencement of improvements.**
- 2. The project shall address comments from the North Davis Fire District letter dated November 18, 2021 and comply with all Fire District requirements.**
- 3. The applicant shall obtain a Clearfield City business license prior to the commencement of business operations.**
- 4. A sign permit shall be obtained for all new site signage and comply with ordinance standards.**

**Seconded by Commissioner Ratchford. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Bloomfield, Murray, Browning, Fullmer, Ratchford. Voting NO: None.**

#### STAFF DISCUSSION ON LANDSCAPING STANDARDS AND WATER EFFICIENCY

Tyson Stoddard, Planner I, presented the following facts:

- Earlier in 2021, the City Council asked staff to look at updating the landscaping ordinance and to explore options for promoting water efficient landscaping through land use planning. Weber Basin Water Conservancy District (Weber Basin) has started to collaborate with cities in water conservation efforts and has begun offering a “flip your strip” rebate program. The program becomes eligible for residents that live in a city that has adopted a landscaping ordinance that meets certain conservation standards as outlined by Weber Basin. The City Council expressed interest in updating the ordinance in part to allow for Clearfield residents to be able to participate in the rebate program. With increasing awareness of regional drought conditions and projections of significant population growth along the Wasatch Front over the next 40 years, conservation has become a key initiative of water districts across the state. The monetary cost of water conservation was considered much less than finding new water sources and building new infrastructure. Integrating water and land use planning was a viable option for Clearfield City to help with the regions efforts to use water resources efficiently and plan for future growth.

Staff requested direction and input from the Commission regarding the upcoming update.

Commissioner Fullmer suggested regulating the types of plant material that required the most water and flipping strips in a way that still allowed for water to percolate into the soil.

Commissioner Browning asked about the legality of declaring HOAs’ governing documents null

1 and void if they conflict with the City landscape ordinance. He also spoke in favor of park strips  
2 being used as bio-swailes where possible.

3  
4 Mr. Stoddard spoke about the proposed HOA regulations, saying that if an HOA was requiring  
5 more turf than the maximum established by the City, the HOA wouldn't be able to enforce that  
6 requirement because it conflicted with the City's ordinance.

7  
8 Chair Uccardi asked if there should be a time frame for rehabilitated landscapes to reinstall  
9 landscaping after taking it out. He then spoke in favor of the rebate program and said it was  
10 important.

11  
12 STAFF COMMUNICATIONS

13  
14 Mr. McIlrath spoke about setting up a land use training with the Utah Land Use Institute

15  
16 COMMISSIONERS MINUTE

17  
18 Chair Uccardi: Updated the Commission about the Council discussion on the proposed 81 unit  
19 development off of Antelope Drive.

20  
21 Commissioner Bloomfield: Noted that the groundwork for Holiday Oil had begun.

22  
23 Commissioner Murray: Nothing.

24  
25 Commissioner Browning: Nothing.

26  
27 Commissioner Blackwood: Nothing.

28  
29 Commissioner Fullmer: Thanked staff.

30  
31 Commissioner Ratchford: Nothing.

32  
33 There being no further business to come before the Planning Commission, **Chair Uccardi moved**  
34 **to adjourn. Seconded by Commissioner Murray.**



# Planning Commission

## STAFF REPORT

AGENDA ITEM  
**#1**

**TO:** Clearfield City Planning Commission

**FROM:** Brad McIlrath, Senior Planner  
[brad.mcilrath@clearfieldcity.org](mailto:brad.mcilrath@clearfieldcity.org)  
801-525-2784

**MEETING DATE:** Wednesday, March 2<sup>nd</sup>, 2022

**SUBJECT:** Public Hearing Discussion and Possible Action on **ZTA 2022-020047**, a request by Clearfield City to consider adoption of an R-1-4 (Residential) Zone as a part of Clearfield City Code, Title 11, Land Use. The amendment would create new single-family zoning district for smaller lot single-family developments within the city. This text amendment also amends Table 38.1 of Section 11-13-38 "Accessory Buildings and Structures" to update lot coverage standards for the current and proposed lot sizes impacted by the R-1-4 Zone. **(Legislative Action)**

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### STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation **APPROVAL** for **ZTA 2022-020047**, a zoning text amendment request by Clearfield City to adopt a R-1-4 Zone ordinance. This recommendation is based upon the information and findings outlined in this report.

As the advisory body to the Clearfield City Council and based upon careful consideration and analysis of the request, the Planning Commission may forward a recommendation of approval, denial, or move to table the decision as presented below in the Planning Commission Recommendation Options.

---

### PLANNING COMMISSION RECOMMENDATION OPTIONS

Following careful consideration of the information included in this report, the Planning Commission may choose to forward the following recommendations:

1. **Move to recommend approval of ZTA 2022-020047**, a zoning text amendment request by Clearfield City to amend Title 11 of the Clearfield City Code to adopt a R-1-4 Zone ordinance and applicable lot coverage changes included in Table 38.1 of Title 11.
2. **Move to recommend denial of ZTA 2022-020047**, a zoning text amendment request by Clearfield City to amend Title 11 of the Clearfield City Code to adopt a R-1-4 Zone ordinance and applicable lot coverage changes included in Table 38.1 of Title 11.
3. **Move to table ZTA 2022-020047** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different from those listed above, such as a modified recommendation of approval.

---

### BACKGROUND & ANALYSIS

The proposed R-1-4 Zone is based upon previous discussions and direction provided by the Planning Commission and City Council. As a smaller lot single-family zone, the R-1-4 Zone is intended to provide

more single-family residential opportunities in Clearfield. Similar to the R-1-6 Zone, this zone would be encouraged for single-family residential infill and as an alternative to multi-family residential in areas outside of the downtown core which consist predominantly of single-family residential development. As part of this proposed zone, staff is also recommending some modifications for the lot coverage standards outlined in Section 11-13-38 (Accessory Buildings and Structures) of city code. These changes are necessary to provide greater lot coverage for homes and accessory structures on these smaller lots as well as in other medium-sized lots in the city as there is a greater market trend to have larger homes and less open space on each lot.

As part of the attachments to this report, staff has provided diagrams showing the setback and building areas for interior and corner lots in the proposed zone. Two options are shown to show the two possibilities for rear yard setbacks. Option A has a twenty-foot (20') rear yard setback while Option B has a fifteen-foot (15') rear yard setback. Option B is provided as an alternative smaller rear yard with a larger buildable area. Staff recommends that as part of the Planning Commission's recommendation to the City Council, that one of the options is identified as the preferred rear yard setback for the zone.

---

#### **PUBLIC COMMENT**

Public notice was placed in the newspaper the weekend of February 27<sup>th</sup>, 2021, on the State of Utah public notice website, and on the City's website. No public comment has been received to date.

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#### **GENERAL FINDINGS**

##### **Zoning Ordinance Text Amendment**

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	The proposed amendments are in accordance with the General Plan which encourages the creation of land use ordinances that allow and encourage infill and redevelopment.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	With changes related to population growth, water supply, and increased housing costs, the proposed ordinance changes are necessary to provide support for this Title.

---

#### **FINDINGS & CONCLUSION**

Staff recommends adoption of the proposed ordinance standards based upon the following:

1. The Clearfield City General Plan encourages the revitalization of neighborhoods which can be accomplished by providing additional housing options that are compatible to surrounding single-family neighborhoods.
2. The general plan encourages the creation of land use ordinances that allow and encourage infill development. The R-1-4 Zone will provide an additional single-family residential infill option for development in the city.



3. The current housing shortage and continued population growth necessitates more efficient use of Clearfield's remaining vacant and infill land. By providing more single-family housing options with smaller lots, the city is striving to use land as efficiently as possibly while still addressing the local housing context of the community.

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**ATTACHEMENTS**

1. DRAFT R-1-4 Regulations
2. DRAFT R-1-4 Regulations Setback Options
3. Summary of Code Changes

## ARTICLE D. RESIDENTIAL ZONE (R-1-4)

SECTION:

[11-9D-1: Purpose](#)

[11-9D-2: Permitted Uses](#)

[11-9D-3: Conditional Uses](#)

[11-9D-4: Area And Frontage Regulations](#)

[11-9D-5: Yard Regulations](#)

[11-9D-6: Height Regulation](#)

[11-9D-7: Density](#)

[11-9D-8: Lot Coverage](#)

[11-9D-9: Parking, Loading And Access](#)

[11-9D-10: Signs](#)

[11-9D-11: Other Requirements](#)

### **11-9D-1: PURPOSE:**

The R-1-4 Residential Zone is established to provide medium density single-family residential neighborhoods for the encouragement and promotion of an environment for family life with houses having smaller lot areas. To provide single-family residential infill development opportunities that are compatible and complementary to the surrounding residential uses. To provide lower housing construction costs and to encourage efficiency in construction and Municipal service, certain nonresidential uses that are compatible with residential developments are also anticipated and provided for.

### **11-9D-2: PERMITTED USES:**

The following buildings, structures, and uses of land shall be permitted in the R-1-6 Residential Zone upon compliance with the requirements set forth in this Code:

Beekeeping.

Churches.

Daycares, residential.

Home occupations.

Parks and open space.

Preschools, residential.

Schools.

Single-family dwellings.

**11-9D-3: CONDITIONAL USES:**

The following buildings, structures, and uses of land shall be allowed in the R-1-4 Residential Zone upon compliance with the requirements set forth in this Code and upon obtaining a conditional use permit as specified in chapter 4 of this title:

Group homes for persons with a disability.

Group homes for the elderly.

Public uses.

**11-9D-4: AREA AND FRONTAGE REGULATIONS:**

- A. Lot Size: The minimum lot size shall be four thousand (4,000) square feet.
- B. Lot Width: The minimum lot width, as measured at the front setback line, shall be forty feet (40').
- C. Lot Width, Corner Lots: Each corner lot shall have a minimum lot width, as measured at the front setback line of fifty feet (50').
- D. Lot Frontage: The minimum lot frontage shall be thirty feet (30').

**11-9D-5: YARD REGULATIONS:**

- A. Front Yard: The minimum front yard setback for all main buildings shall be twenty feet (20').
- B. Side Yard: The minimum side yard setbacks for all main buildings shall be five feet (5') on each side.
- C. Side Yard, Corner Lots: The minimum side yard setback for all main buildings on corner lots shall be fifteen feet (15') on the side adjacent to a street.
- D. Rear Yard: The minimum rear yard setback for all main buildings shall be twenty feet (20').

**11-9D-6: HEIGHT REGULATION:**

No main building shall be erected to a height greater than thirty-five feet (35'). Accessory structure heights shall comply with the standards outlined in section 11-13-38 of this title.

**11-9D-7: DENSITY:**

Density shall not exceed 10.89 dwelling units per acre.

**11-9D-8: LOT COVERAGE:**

See section 11-13-38 of this title.

**11-9D-9: PARKING, LOADING AND ACCESS:**

See chapter 14 of this title.

**11-9D-10: SIGNS:**

See chapter 15 of this title.

**11-9D-11: OTHER REQUIREMENTS:**

A. Landscaping And Open Space: A minimum of fifteen percent (15%) of the total lot or parcel area shall be provided as landscaped open space. All landscaping shall comply with the provisions of chapter 22 of this title.

B. Floor Area: Each dwelling unit shall have a minimum finished floor area of not less than one thousand (1,000) square feet above grade.

C. Garages: Each dwelling unit shall have an attached two car garage, which shall be a minimum of four hundred (400) square feet in size. Garages shall have a door opening of no less than twenty feet (20') wide and a minimum depth of no less than twenty feet (20') deep. Tandem garages are prohibited.

D. Development Agreement: A development agreement may be required for all new development in the R-1-4 Zone. All applications for a rezone, preliminary plat, or site plan approval shall be conditioned upon final approval of the development agreement by the City Council.

E. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

F. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

# 11-13-38: ACCESSORY BUILDINGS AND STRUCTURES:

TABLE 38.1

## ACCESSORY BUILDINGS AND STRUCTURES

		Minimum Lot Size				
		43,560 sq. ft. and up	43,559 - 15,000 sq. ft.	14,999 - 9,000 sq. ft.	8,999 – 7,000 sq. ft. <del>or less</del>	6,999 sq. ft. <u>or less</u>
Accessory building and structure setbacks:						
	Minimum front yard	30	30	30	25	<u>25</u>
	Minimum side yard (corner) on arterial	20	20	20	20	<u>15</u>
	Minimum side yard (interior)	2	2	2	2	<u>2</u>
	Minimum rear yard	2	2	2	2	<u>2</u>
	Distance between accessory and principal buildings and structures (same lot)	6	6	6	6	<u>6</u>
	Distance between accessory and principal buildings and structures (adjacent lot)	12	12	12	12	<u>12</u>
Height:						
	Maximum height of principal building	35 ft.	35 ft.	35 ft.	35 ft.	<u>35 ft.</u>
	Maximum height of accessory building or structure at 2 ft.	25 ft.	25 ft.	20 ft.	18 ft.	<u>18 ft.</u>
Lot coverage:						
	Total parcel coverage calculation	20%	30%	40%	<del>40%</del> <u>50%</u>	<u>60%</u>
Detached garage (minimum 2 car garage):						
	Minimum square footage	400	400	400	400	<u>400</u>

# R-1-4 Zone Yard Regulations

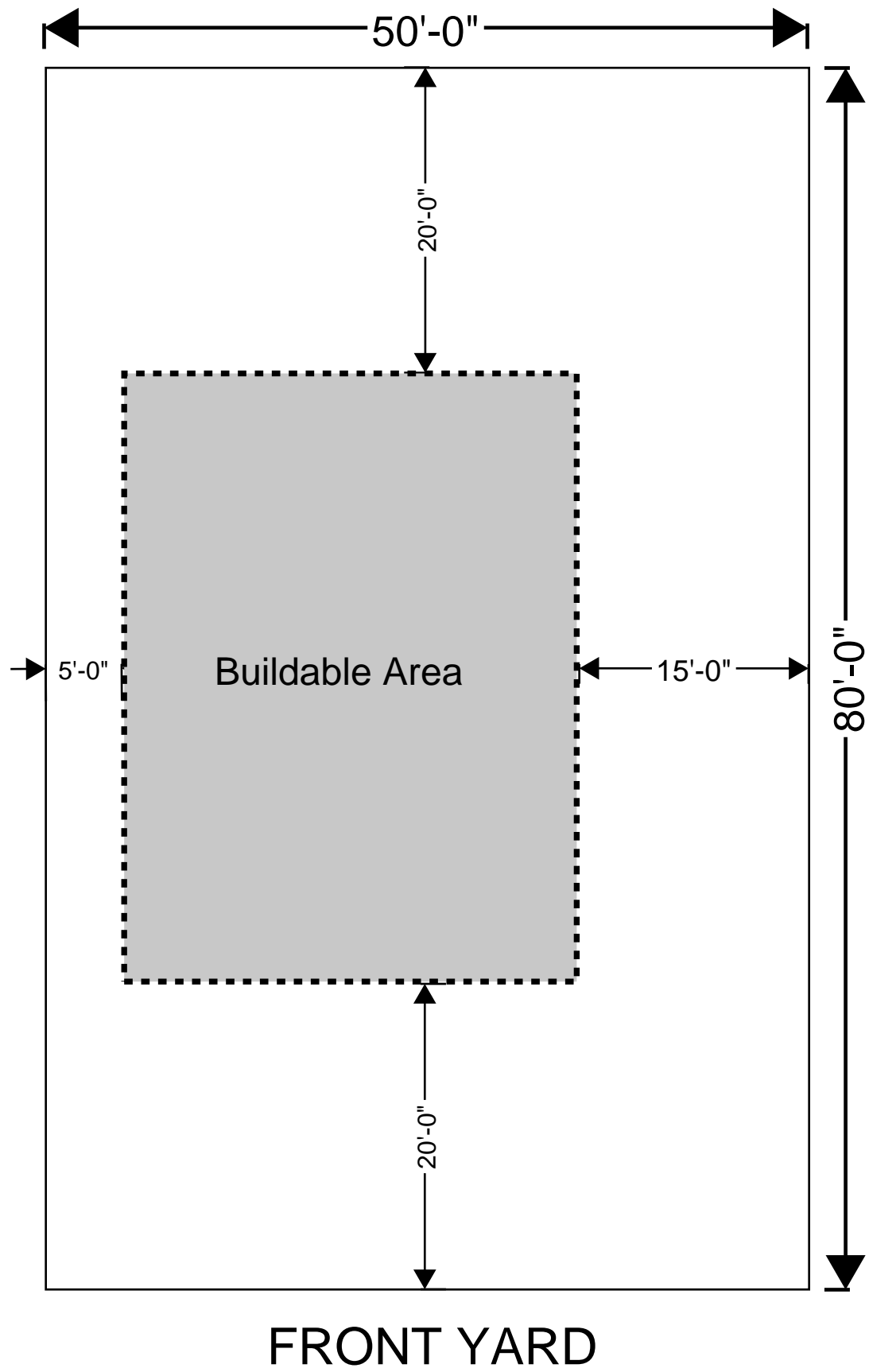
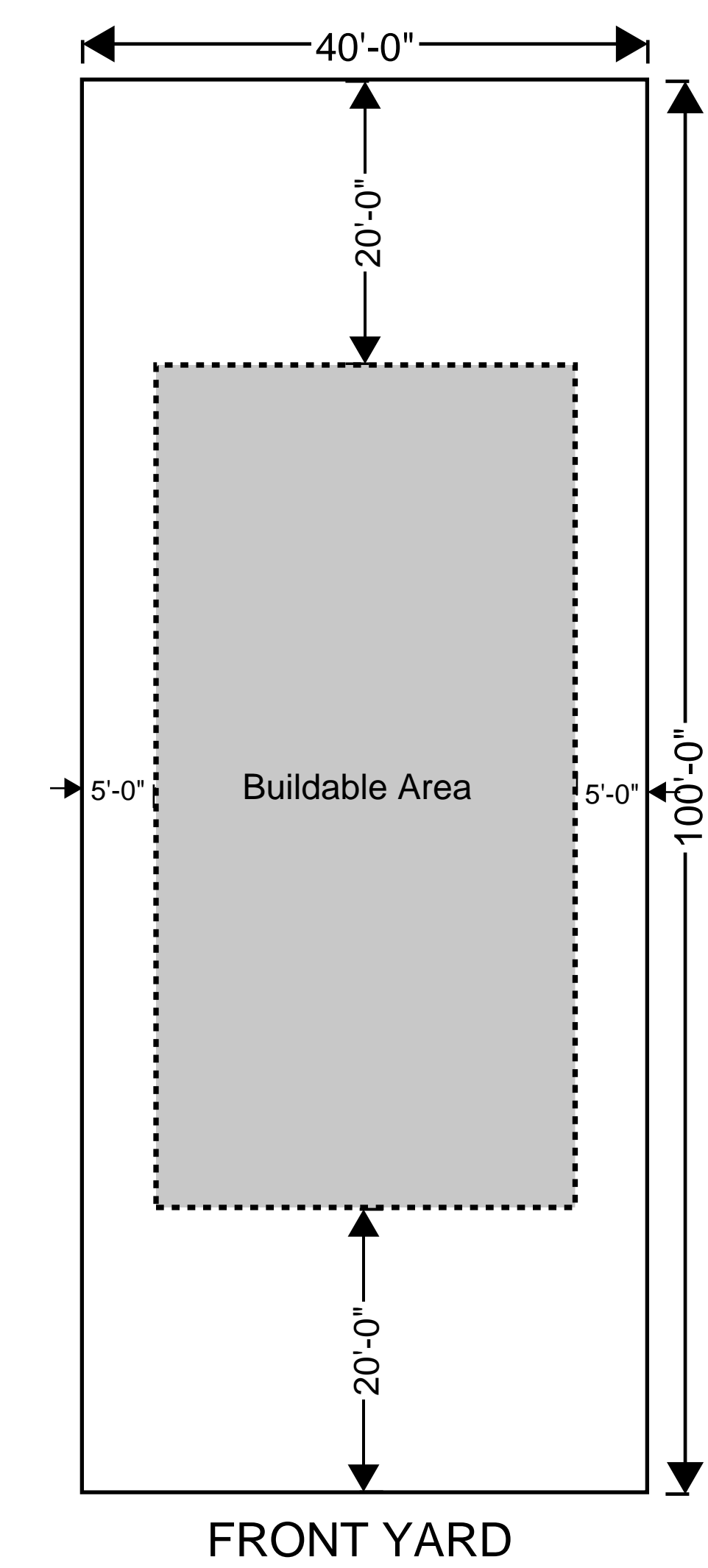
## Area and Frontage Regulations:

- Lot Size:** The minimum lot size shall be four thousand (4,000) square feet.
- Lot Width:** The minimum lot width, as measured ad the front setback line, shall be forty feet (40').
- Lot Width, Corner Lots:** Each corner lot shall have a minimum lot width, as measured at the front setback line of fifty feet (50').
- Lot Frontage:** The minimum lot frontage shall be thirty feet (30').

### Option A

**Setbacks:**

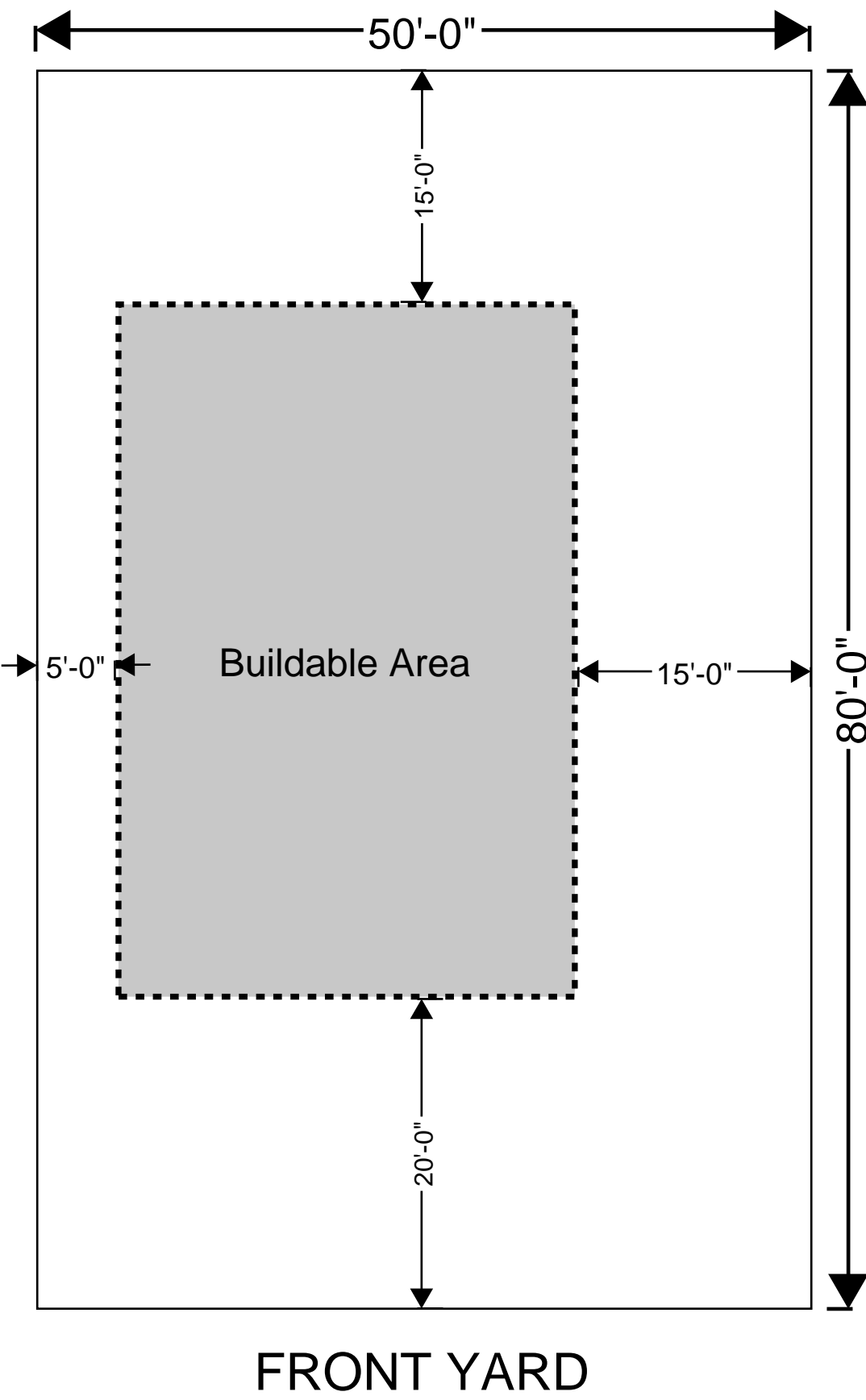
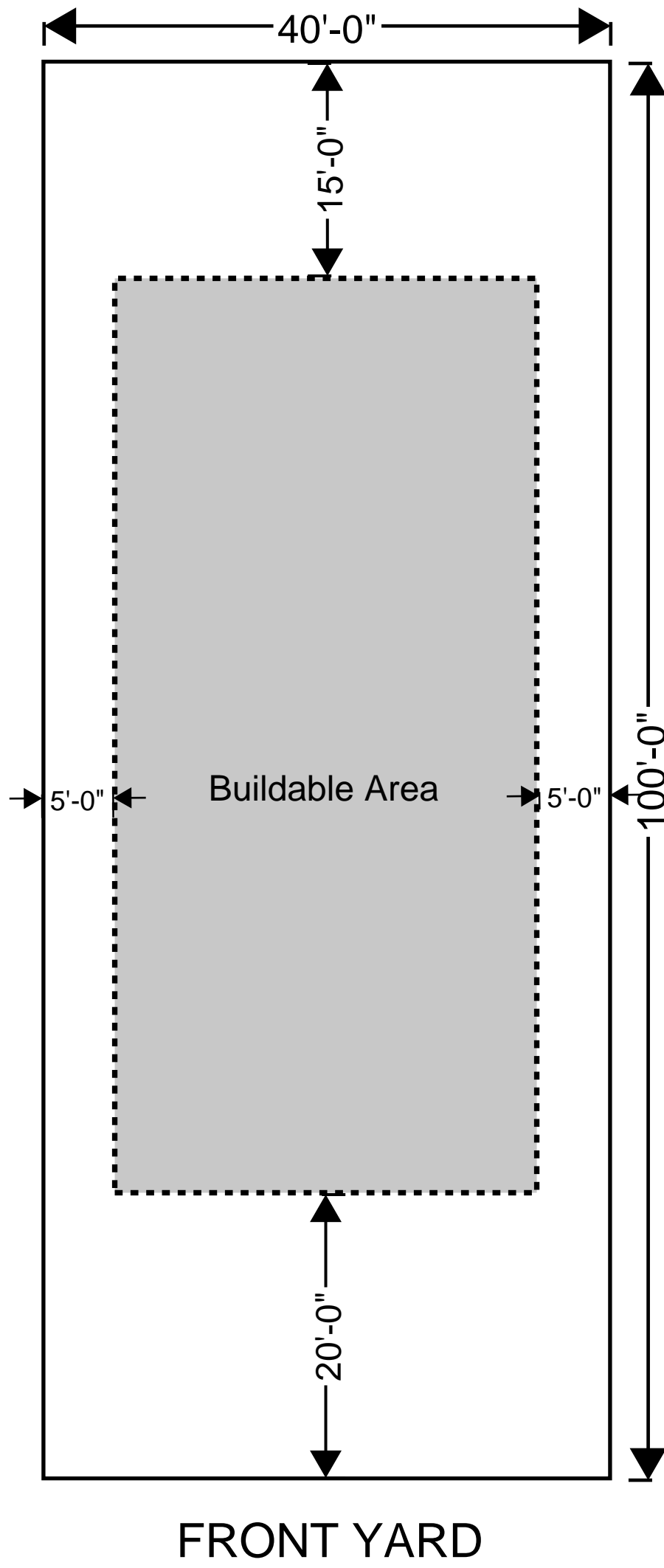
- Front - 20'
- Side - 5'
- Corner Side - 15'
- Rear - 20'



### Option B

**Setbacks:**

- Front - 20'
- Side - 5'
- Corner Side - 15'
- Rear - 15'



**SUMMARY OF CODE CHANGES**  
**(ZTA 2022-010047 – R-1-4 Zone)**

1. Adoption of R-1-4 Zone as Chapter 9 Article D of Title 11
  - Article D. Residential Zone (R-1-4)
2. Change of R-2 Zone to Chapter 9 Article E of Title 11
  - Article E. Residential Zone (R-2)
3. Change of R-3 Zone to Chapter 9 Article F of Title 11
  - Article F. Residential Zone (R-3)
4. Change of R-M Zone to Chapter 9 Article G of Title 11
  - Article G. Mobile Home Residential Zone (R-M)
5. Change of R-1-Open Zone to Chapter 9 Article H of Title 11
  - Article H. Open Residential Zone (R-1-Open)
6. Change of R-3R Zone to Chapter 9 Article I of Title 11
  - Article I. Residential Zone (R-3R)
7. Adoption of changes to Table 38.1 of Section 11-13-38 Accessory Buildings and Structures

# 11-13-38: ACCESSORY BUILDINGS AND STRUCTURES:

TABLE 38.1

## ACCESSORY BUILDINGS AND STRUCTURES

		Minimum Lot Size				
		43,560 sq. ft. and up	43,559 - 15,000 sq. ft.	14,999 - 9,000 sq. ft.	8,999 – <u>7,000 sq. ft. or less</u>	<u>6,999 sq. ft. or less</u>
Accessory building and structure setbacks:						
	Minimum front yard	30	30	30	25	<u>25</u>
	Minimum side yard (corner) on arterial	20	20	20	20	<u>15</u>
	Minimum side yard (interior)	2	2	2	2	<u>2</u>
	Minimum rear yard	2	2	2	2	<u>2</u>
	Distance between accessory and principal buildings and structures (same lot)	6	6	6	6	<u>6</u>
	Distance between accessory and principal buildings and structures (adjacent lot)	12	12	12	12	<u>12</u>
Height:						
	Maximum height of principal building	35 ft.	35 ft.	35 ft.	35 ft.	<u>35 ft.</u>
	Maximum height of accessory building or structure at 2 ft.	25 ft.	25 ft.	20 ft.	18 ft.	<u>18 ft.</u>
Lot coverage:						
	Total parcel coverage calculation	20%	30%	40%	<del>40%</del> <u>50%</u>	<u>60%</u>
Detached garage (minimum 2 car garage):						
	Minimum square footage	400	400	400	400	<u>400</u>





# Planning Commission

## STAFF REPORT

AGENDA ITEM  
**#2**

**TO:** Clearfield City Planning Commission

**FROM:** Brad McIlrath, Senior Planner  
[brad.mcilrath@clearfieldcity.org](mailto:brad.mcilrath@clearfieldcity.org)  
801-525-2784

**MEETING DATE:** Wednesday, March 2<sup>nd</sup>, 2022

**SUBJECT:** Public Hearing Discussion and Possible Action on **ZTA 2022-020048**, a request by Clearfield City to amend Sections 11-9A-11E, 11-9B-11E, 11-9C-11E, 11-9D-11E, 11-9E-13F, & 11-9G-15 of the Clearfield Municipal Code to comply with State Code regulations prohibiting the regulation of building materials for single- and two-family dwellings. **(Legislative Action).**

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### STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation **APPROVAL** for **ZTA 2022-020048**, a zoning text amendment request by Clearfield City to amend Sections 11-9A-11E, 11-9B-11E, 11-9C-11E, 11-9D-11E, 11-9E-13F, & 11-9G-15 of the Clearfield Municipal Code to comply with State Code regulations prohibiting the regulation of building materials for single- and two-family dwellings. This recommendation is based upon the information and findings outlined in this report.

As the advisory body to the Clearfield City Council and based upon careful consideration and analysis of the request, the Planning Commission may forward a recommendation of approval, denial, or move to table the decision as presented below in the Planning Commission Recommendation Options.

---

### PLANNING COMMISSION RECOMMENDATION OPTIONS

Following careful consideration of the information included in this report, the Planning Commission may choose to forward the following recommendations:

1. **Move to recommend approval of ZTA 2022-020048**, a zoning text amendment request by Clearfield City to amend Sections 11-9A-11E, 11-9B-11E, 11-9C-11E, 11-9D-11E, 11-9E-13F, & 11-9G-15 of the Clearfield Municipal Code to comply with State Code regulations prohibiting the regulation of building materials for single- and two-family dwellings.
2. **Move to recommend denial of ZTA 2022-020048**, a zoning text amendment request by Clearfield City to amend Sections 11-9A-11E, 11-9B-11E, 11-9C-11E, 11-9D-11E, 11-9E-13F, & 11-9G-15 of the Clearfield Municipal Code to comply with State Code regulations prohibiting the regulation of building materials for single- and two-family dwellings.
3. **Move to table ZTA 2022-020048** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different from those listed above, such as a modified recommendation of approval.

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## BACKGROUND & ANALYSIS

As part of the 2021 Utah State Legislative Session, House Bill (HB) 10003 was passed that prohibits a city to regulate building materials for single- and two-family residential dwellings. Municipalities may still regulate building materials on multi-family dwellings, townhomes, and other residential units greater than two-family dwellings. These needed changes were reviewed with the Planning Commission as a discussion item on February 16<sup>th</sup>, 2022. As part of that discussion, edits have been made to clarify the areas of code that will be removed and/or changed to comply with Utah State Code.

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## PUBLIC COMMENT

Public notice was placed in the newspaper the weekend of February 27<sup>th</sup>, 2021, on the State of Utah public notice website, and on the City's website. No public comment has been received to date.

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## GENERAL FINDINGS

### Zoning Ordinance Text Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	The proposed amendments are in accordance with the General Plan which is required by State Code and encourages consistency between the land use ordinance and the General Plan.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	With changes required from the State level, Clearfield City is required to amend the code to comply with State Code standards.

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## FINDINGS & CONCLUSION

Staff recommends adoption of the proposed ordinance standards based upon the following:

1. The Clearfield City General Plan encourages consistency between the land use ordinance and the general plan. Consistency between local land use ordinance standards and State Code standards is aligned with this guidance from the general plan.
2. Clearfield City complies with Utah State Code by making these amendments to building materials for single- and two-family dwellings.

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## ATTACHEMENTS

1. Building Materials Summary of Code Changes

# Building Materials Summary of Code Changes

## **R-1-9 Zone**

### **11-9A-11: OTHER REQUIREMENTS:**

A. Landscaping And Open Space: A minimum of ten percent (10%) of the total project area shall be provided as landscaped open space. All landscaping shall comply with the provisions of chapter 13 of this title.

B. Floor Area: Each dwelling unit shall have a minimum finished floor area of not less than one thousand two hundred (1,200) square feet above grade for ramblers with a full basement; all other styles shall have a minimum finished floor area of not less than one thousand five hundred (1,500) square feet above grade.

C. Garages: Each dwelling unit shall have an attached two car garage, which shall be a minimum of four hundred (400) square feet in size.

D. Development Agreement: A development agreement may be required for all new development in the R-1-9 Zone. All applications for a rezone, preliminary plat, or site plan approval shall be conditioned upon final approval of the development agreement by the City Council.

#### ~~E. Exterior Building Materials:~~

~~1. Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding.~~

~~2. Vinyl siding shall not be permitted on the front elevation of a main building. (Ord. 2009-26, 11-24-2009)~~

~~3. Detached garages and carports shall be finished to match the exterior of the main building. (Ord. 2017-06, 4-25-2017)~~

~~4. The front elevation and any side elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock.~~

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building. (Ord. 2009-26, 11-24-2009)

## **R-1-8 Zone**

### **11-9B-11: OTHER REQUIREMENTS:**

A. Landscaping And Open Space: A minimum of fifteen percent (15%) of the total lot or parcel area shall be provided as landscaped open space. All landscaping shall comply with the provisions of chapter 13 of this title.

B. Floor Area: Each dwelling unit shall have a minimum finished floor area of not less than one thousand two hundred (1,200) square feet above grade for ramblers with a full basement; all other

styles shall have a minimum finished floor area of not less than one thousand five hundred (1,500) square feet above grade.

C. Garages: Each dwelling unit shall have an attached two car garage, which shall be a minimum of four hundred (400) square feet in size.

D. Development Agreement: A development agreement may be required for all new development in the R-1-6 Zone. All applications for a rezone, preliminary plat, or site plan approval shall be conditioned upon final approval of the development agreement by the City Council.

~~E. Exterior Building Materials:~~

~~—1. Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding.~~

~~—2. Vinyl siding shall not be permitted on the front elevation of a main building. (Ord. 2009-28, 11-24-2009)~~

~~—3. Detached garages and carports shall be finished to match the exterior of the main building. (Ord. 2017-06, 4-25-2017)~~

~~—4. The front elevation and any side elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock.~~

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building. (Ord. 2009-28, 11-24-2009)

## **R-1-6 Zone**

### **11-9C-11: OTHER REQUIREMENTS:**

A. Landscaping And Open Space: A minimum of fifteen percent (15%) of the total lot or parcel area shall be provided as landscaped open space. All landscaping shall comply with the provisions of chapter 13 of this title.

B. Floor Area: Each dwelling unit shall have a minimum finished floor area of not less than one thousand two hundred (1,200) square feet above grade for ramblers with a full basement; all other styles shall have a minimum finished floor area of not less than one thousand five hundred (1,500) square feet above grade.

C. Garages: Each dwelling unit shall have an attached two car garage, which shall be a minimum of four hundred (400) square feet in size.

D. Development Agreement: A development agreement may be required for all new development in the R-1-6 Zone. All applications for a rezone, preliminary plat, or site plan approval shall be conditioned upon final approval of the development agreement by the City Council.

~~E. Exterior Building Materials:~~

~~—1. Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding.~~

~~—2. Vinyl siding shall not be permitted on the front elevation of a main building. (Ord. 2009-28, 11-24-2009)~~

~~—3. Detached garages and carports shall be finished to match the exterior of the main building. (Ord. 2017-06, 4-25-2017)~~

~~—4. The front elevation and any side elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock.~~

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building. (Ord. 2009-28, 11-24-2009)

## **R-2 Zone**

### **11-9D-11: OTHER REQUIREMENTS:**

E. Multiple-Family Dwelling Exterior Building Materials:

- ~~1. Permitted exterior building materials for single family and two family dwelling units shall be brick, stucco, stone, rock, or vinyl siding. Vinyl siding shall not be a permitted exterior building material for multiple family dwellings.~~

1. Vinyl siding shall not be a permitted exterior building material for multiple-family dwellings.

~~—2. Vinyl siding shall not be permitted on the front elevation of a main building.~~

~~3.2.~~ Accessory buildings shall be built with a finished, all weather exterior material. Detached garages and carports shall be finished to match the exterior of the main building.

~~4.3.~~ Any building elevation ~~for a~~ facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock.

F. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

G. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

H. Design Standards: All new site development or construction in the R-2 residential zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-29, 11-24-2009)

## **R-3 Zone**

### **11-9E-13: OTHER REQUIREMENTS:**

F. Multiple-Family Dwelling Exterior Building Materials:

1. Permitted exterior building materials for main buildings shall be brick, stucco, stone, ~~or~~ rock. ~~or vinyl siding. Vinyl siding shall not be a permitted exterior building material for multiple family dwellings.~~

2. Vinyl siding shall not be a permitted exterior building material for multiple-family dwellings.

~~—2. Vinyl siding shall not be permitted on the front elevation of a main building.~~

3. Accessory buildings shall be built with a finished, all weather exterior material. Detached garages and carports shall be finished to match the exterior of the main building.

4. Any building elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock.

G. Footings And Foundation Required: All main buildings shall be constructed on a permanent footing and foundation.

H. Restrictions: No area needed to meet the lot width, frontage, area, setback or other requirements of this article may be divided, sold, or leased separate from such lot or building.

I. Design Standards: All new site development or construction in the R-3 residential zone shall incorporate the appropriate design standards described in chapter 18 of this title. (Ord. 2009-30, 11-24-2009)

## **R-1-Open Zone**

### **~~11-9G-15: EXTERIOR FINISHES:~~**

~~Exterior finishes in the R-1 Open Residential Zone shall be subject to the following regulations:~~

~~—A. Permitted exterior building materials for main buildings shall be brick, stucco, stone, rock, or vinyl siding.~~

~~—B. Vinyl siding shall not be permitted on the front elevation of a main building. (Ord. 2009-32, 11-24-2009)~~

~~—C. Detached garages and carports shall be finished to match the exterior of the main building. (Ord. 2017-06, 4-25-2017)~~

~~—D. The front elevation and any side elevation facing a street or right of way shall include at least two (2) of the following: brick, stucco, stone, or rock. (Ord. 2009-32, 11-24-2009)~~



# **Planning Commission**

## **STAFF REPORT**

AGENDA ITEM  
**#3**

**TO:** Clearfield City Planning Commission

**FROM:** Brad McIlrath, Senior Planner  
[brad.mcilrath@clearfieldcity.org](mailto:brad.mcilrath@clearfieldcity.org)  
801-525-2784

**MEETING DATE:** Wednesday, March 2<sup>nd</sup>, 2022

**SUBJECT:** Public Hearing Discussion and Possible Action on **ZTA 2022-020049**, a request by Clearfield City to amend Table 11-1 of the Clearfield Municipal Code to comply with State Code regulations removing the requirement for public hearing legal ads for general plan or zoning amendments to be placed in the newspaper. **(Legislative Action)**

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### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a recommendation **APPROVAL** for **ZTA 2022-020049**, a zoning text amendment request by Clearfield City to amend Table 11-1 of the Clearfield Municipal Code to comply with State Code regulations removing the requirement for public hearing legal ads for general plan or zoning amendments to be placed in the newspaper. This recommendation is based upon the information and findings outlined in this report.

As the advisory body to the Clearfield City Council and based upon careful consideration and analysis of the request, the Planning Commission may forward a recommendation of approval, denial, or move to table the decision as presented below in the Planning Commission Recommendation Options.

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### **PLANNING COMMISSION RECOMMENDATION OPTIONS**

Following careful consideration of the information included in this report, the Planning Commission may choose to forward the following recommendations:

1. **Move to recommend approval of ZTA 2022-020049**, a zoning text amendment request by Clearfield City to amend Table 11-1 of the Clearfield Municipal Code to comply with State Code regulations removing the requirement for public hearing legal ads for general plan or zoning amendments to be placed in the newspaper.
2. **Move to recommend denial of ZTA 2022-020049**, a zoning text amendment request by Clearfield City to amend Table 11-1 of the Clearfield Municipal Code to comply with State Code regulations removing the requirement for public hearing legal ads for general plan or zoning amendments to be placed in the newspaper.
3. **Move to table ZTA 2022-020048** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different from those listed above, such as a modified recommendation of approval.

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## BACKGROUND & ANALYSIS

As part of the 2021 Utah State Legislative Session, Senate Bill (SB) 201 removed the requirement for a municipality to post a public hearing notice for a general plan amendment or ordinance amendment in the newspaper. Any ordinance amendment also includes rezones or zoning text amendments as each would impact ordinance regulations for a property or area that was rezoned or if the zoning ordinance language was amended. These needed changes were reviewed with the Planning Commission as a discussion item on February 16<sup>th</sup>, 2022 and are shown in the attached Table 11.2 for public notice requirements.

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## PUBLIC COMMENT

Public notice was placed in the newspaper the weekend of February 27<sup>th</sup>, 2021, on the State of Utah public notice website, and on the City's website. No public comment has been received to date.

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## GENERAL FINDINGS

### Zoning Ordinance Text Amendment

Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

Review Consideration		Staff Analysis
1)	The proposed amendment is in accordance with the General Plan and Map; or	The proposed amendments are in accordance with the General Plan which is required by State Code and encourages consistency between the land use ordinance and the General Plan.
2)	Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.	With changes required from the State level, Clearfield City is required to amend the code to comply with State Code standards. Public noticing and outreach with online platforms has become mainstream and the use of local newspapers for noticing and information has decreased. Updating Clearfield City noticing requirements to reduce the cost of publishing in a newspaper is in line with current market trends and methods for publishing noticing in modern society.

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## FINDINGS & CONCLUSION

Staff recommends adoption of the proposed ordinance standards based upon the following:

1. The Clearfield City General Plan encourages consistency between the land use ordinance and the general plan. Consistency between local land use ordinance standards and State Code standards is aligned with this guidance from the general plan.
2. Clearfield City complies with Utah State Code by making these amendments to the public hearing noticing requirements.

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## ATTACHEMENTS

1. Table 11.2 – Public Notice Requirements



TABLE 11.2  
PUBLIC NOTICE REQUIREMENTS

	Published In A Newspaper Of General Circulation In The Area	Sent To Each "Affected Entity"	Posted In At Least 3 Public Locations Within The City; Or On City's Official Website	Provided To The Applicant(s)	Sent Via Regular U.S. Mail To All Property Owners Located Within 300 Feet Of Subject Property	Sign Posted On Or Adjacent To The Property
<b>Adoption or modification of general plan or map</b>	<del>10 calendar days before hearing</del> n/a	10 calendar days before hearing	10 calendar days before hearing	3 calendar days before public hearing	10 calendar days before public hearing	10 calendar days before public hearing
<b>Adoption or modification of land use ordinance or zoning map</b>	<del>10 calendar days before hearing</del> n/a	10 calendar days before hearing	10 calendar days before hearing	3 calendar days before public hearing	10 calendar days before hearing	10 calendar days before hearing
<b>Approval or modification of subdivision preliminary plat</b>	n/a	10 calendar days before public meeting (Entities that provide services)	n/a	3 calendar days before public meeting	n/a	10 calendar days before meeting
<b>Approval or modification of final subdivision plat</b>	n/a	n/a	n/a	3 calendar days before public meeting	n/a	10 calendar days before public meeting
<b>Vacation, alteration, or amendment of a subdivision final plat or any portion of a recorded subdivision final plat</b>	n/a	10 calendar days before public meeting (Entities that provide services)	10 calendar days before hearing	3 calendar days before public hearing	n/a	10 calendar days before hearing
<b>Vacation, alteration, or amendment of any public street or alley, right of way, or easement</b>	10 calendar days before hearing	10 calendar days before hearing	10 calendar days before hearing	3 calendar days before public hearing	10 calendar days before hearing	10 calendar days before hearing
<b>Conditional Use Permit</b>	n/a	n/a	n/a	3 calendar days before public meeting	n/a	10 calendar days before public meeting
<b>Site Plan Review</b>	n/a	n/a	n/a	3 calendar days before public meeting	n/a	10 calendar days before public meeting
<b>Public meetings</b>	n/a	n/a	At least 24 hours before meeting	At least 24 hours before meeting	n/a	n/a
<b>Annexations</b>	Shall comply with the requirements of title 10 of Utah Code Annotated.					