



Community Development

PLANNING, BUILDING INSPECTIONS,
CUSTOMER SERVICE, AND CODE COMPLIANCE

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, July 6th, 2022**, on the **3rd 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:
 - February 2, 2022
 - February 16, 2022

DECISION ITEMS

Public Hearing

1. Public Hearing, Discussion and Possible Action on **GPA 2022-060055**, a general plan amendment request by Josh Hughes with 258 Development to change the general plan designation for a portion of the subject properties from commercial to residential. **Location:** 500 West 1700 South (Antelope Drive) (TINs: 12-080-0092 & 12-080-0095). **Project Area:** 5.32 Acres of 8.48 Total Acres. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).
2. Public Hearing, Discussion and Possible Action on **RZN 2022-060055**, a zoning map amendment request by Josh Hughes with 258 Development to change the zoning designation for a portion of the subject properties from C-2 (Commercial) to R-3 (Residential). **Location:** 500 West 1700 South (Antelope Drive) (TINs: 12-080-0092 & 12-080-0095). **Project Area:** 5.32 Acres of 8.48 Total Acres. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).

DISCUSSION ITEMS

1. Staff Discussion
2. Staff Communications
3. Commissioner's Minute

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

Dated this 24th day of June 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 February 2, 2022

3 6:30 P.M. – Work Session

4
5 PRESIDING: Chris Uccardi Chair

6
7 PRESENT: David Bloomfield Vice Chair (Via Zoom)
8 Robert Browning Commissioner
9 Brogan Fullmer Commissioner
10 Megan Ratchford Commissioner

11
12 ABSENT: Kathryn Murray Commissioner
13 Amber Brink Youth Ambassador

14
15 STAFF PRESENT: Shawn Robinson Assistant City Attorney
16 Spencer Brimley Community Development Director
17 Brad McIlrath Senior Planner
18 Tyson Stoddard Planner I

19
20 VISITORS:

21
22 The meeting was called to order at 6:30 p.m.

23
24 Mr. McIlrath talked about vacancies on the Planning Commission and encouraged the
25 commissioners to spread the word if they knew any good candidates that could apply.

26
27 DISCUSSION ON GPA 2021-120045, A GENERAL PLAN AMENDMENT REQUEST BY
28 BRAIDEN HART TO CHANGE THE DESIGNATION FOR THE SUBJECT PROPERTY
29 FROM MANUFACTURING TO RESIDENTIAL. LOCATION: 1160 WEST 700 SOUTH (TIN:
30 12-317-0002). PROJECT AREA: 0.498 ACRES.

31
32 The Commission and staff discussed the following items relevant to GPA 2021-120045:

- 33 • The possibility of the applicant subdividing the lot and creating a flag lot after being
34 granted the rezone.
35 • The possibility of utility easements upon subdividing the property.

36
37 DISCUSSION ON RZN 2021-120045, A ZONING MAP AMENDMENT REQUEST BY
38 BRAIDEN HART TO CHANGE THE ZONING OF THE SUBJECT PROPERTY FROM A-1
39 (AGRICULTURAL) TO R-1-8 (RESIDENTIAL). LOCATION: 1160 WEST 700 SOUTH (TIN:
40 12-317-0002). PROJECT AREA: 0.498 ACRES.

41
42 The Commission and staff discussed the following items relevant to RZN 2021-120045:

- 43 • A typo in the report that said East instead of West.
44 • The trend for rezones over the last several years to go from commercial to residential, but
45 not residential to commercial.

46

1 DISCUSSION ON A POTENTIAL R-1-4 ZONE FOR SMALL LOT SINGLE-FAMILY
2 RESIDENTIAL DWELLINGS.
3

4 The Commission and staff discussed the following items relevant to a possible R-1-4 zone.

- 5 • A typo in the report that had the number '15' instead of '50'.
- 6 • Ability for beekeeping on small single-family lots.
- 7 • A density of approximately 8-10 units per acre (4,000 square foot lots).
- 8 • The City preferring to have public streets for single-family residential developments.
- 9 • Possible minimum standards for garage sizes.

10
11 The meeting was adjourned.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

CLEARFIELD PLANNING COMMISSION MEETING

February 2, 2022

7:00 P.M. – Regular Session

PRESIDING: Chris Uccardi Chair

PRESENT: David Bloomfield Vice Chair (Via Zoom)
Robert Browning Commissioner
Brogan Fullmer Commissioner
Megan Ratchford Commissioner

ABSENT: Kathryn Murray Commissioner
Amber Brink Youth Ambassador

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

VISITORS: Brad Jameson, Val Dahl

Commissioner Uccardi called the meeting to order.

The Pledge of Allegiance was led by Chair Uccardi.

Chair Uccardi read the Chair Statement

APPROVAL OF MINUTES FOR THE OCTOBER 20, 2021 PLANNING COMMISSION MEETING

Commissioner Browning moved to approve the minutes for the October 20, 2021 Planning Commission meeting. Seconded by Commissioner Ratchford. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Bloomfield, Browning, Fullmer, Ratchford. Voting NO: None.

PUBLIC HEARING, DISCUSSION, AND RECOMMENDATION ON GPA 2021-120045, A GENERAL PLAN AMENDMENT REQUEST BY BRAIDEN HART TO CHANGE THE DESIGNATION FOR THE SUBJECT PROPERTY FROM MANUFACTURING TO RESIDENTIAL. LOCATION: 1160 WEST 700 SOUTH (TIN: 12-317-0002). PROJECT AREA: 0.498 ACRES.

Tyson Stoddard, Planner I, presented the following facts:

- Applicant wanting to subdivide parcel in the future.
- Unable to subdivide with current A-1 zone because lots wouldn't conform to A-1 lot standards.
- Potential subdivision could meet lot standards for R-1-8.
- Flag lot for rear portion.

- 1 • Separation of existing home and accessory structure.
- 2 • Upon subdivision, conditions would need to ensure the accessory structure was converted
- 3 into a residential dwelling and use that complied with the standards of the R-1-8 zone.
- 4 • Showed aerial image of General Plan and Zoning Maps

5
6 PUBLIC HEARING, DISCUSSION, AND RECOMMENDATION ON RZN 2021-120045, A
7 ZONING MAP AMENDMENT REQUEST BY BRAIDEN HART TO CHANGE THE
8 ZONING OF THE SUBJECT PROPERTY FROM A-1 (AGRICULTURAL) TO R-1-8
9 (RESIDENTIAL). LOCATION: 1160 WEST 700 SOUTH (TIN: 12-317-0002). PROJECT
10 AREA: 0.498 ACRES.
11

12 Mr. Stoddard presented the items relevant to the rezone (RZN 2021-120045) together with the
13 presentation for the general plan amendment request (GPA 2021-120045).
14

15 Chair Uccardi declared the public hearing open for the general plan and rezone requests and
16 asked for any comments.
17

18 PUBLIC COMMENT
19

20 Val Dahl, a resident across the street from the subject property, said there were power lines and
21 asked if that would limit the ability of where the applicant could build. He also asked if there
22 would be rentals.
23

24 Mr. McIlrath, Senior Planner, responded there were requirements from the power company that
25 would restrict where building could occur. He stated that the land use and the zoning didn't have
26 that level of detail, but the building code would when it came time for development of the site.
27 Regarding rentals, Mr. McIlrath responded that the applicant hadn't indicated if they would be
28 rentals, and that it would ultimately be up to the property owner if they wanted to rent out the
29 property.
30

31 Brad Jameson, resident, stated that the letter he received didn't say anything about a subdivision.
32 Mr. McIlrath responded that the current meeting was just for the rezone and there would be
33 another meeting if the owner decided to do a subdivision. Mr. Jameson said he supported the
34 rezone to residential but wasn't sure about a future subdivision. He also stated a concern with a
35 'no man's land' behind the subject property. He asked who owned the property and if anything
36 was being done about loitering.
37

38 Mr. Brimley, Community Development Director, responded that there hadn't been any reports of
39 loitering in the area, and he wasn't sure about the details of what the property owners planned for
40 the area.
41

42 Chair Uccardi thanked the public for coming and understood the concern of an open space that
43 wasn't very visible. He expressed appreciation for them keeping an eye on the area. Seeing no
44 more comment from the public, he declared the public hearing closed.
45

46 **Commissioner Browning moved to forward a recommendation of approval to the City**

1 **Council of GPA 2021-120045, a General Plan Amendment request to change the**
2 **designation for the subject property from manufacturing to residential.**
3 **Seconded by Commissioner Ratchford. The motion carried on the following vote: Voting**
4 **AYE: Commissioners Uccardi, Bloomfield, Browning, Fullmer, Ratchford. Voting NO:**
5 **None.**

6
7 Chair Uccardi stated that the general plan amendment stood approved.
8

9 **Commissioner Browning moved to forward a recommendation of approval to the City**
10 **Council of RZN 2021-120045, rezoning the property located at 1160 West 700 South from**
11 **A-1 (Agriculture to R-1-8 Single-family Residential). Seconded by Commissioner**
12 **Ratchford. The motion carried on the following vote: Voting AYE: Commissioners Uccardi,**
13 **Bloomfield, Browning, Fullmer, Ratchford. Voting NO: None.**
14

15 DISCUSSION ON A POTENTIAL R-1-4 ZONE FOR SMALL LOT SINGLE-FAMILY
16 RESIDENTIAL DWELLINGS.
17

18 Brad McIlrath, Senior Planner, presented the following facts:

- 19 • Recommendation from the Planning Commission and City Council following the GPA &
20 RZN requests for 175 West Antelope Drive.
- 21 • A lot of cities allowed for smaller lot single-family subdivisions but as part of a planned
22 unit development.
- 23 • Most of those lots were only for the houses and were surrounded by common area.
- 24 • Those standards would enact a new chapter to the land use title of the City Code
25 establishing the R-1-4 zone.
- 26 • Changes to the lot coverage standards in Section 11-13-38 of the City Code were also
27 needed.
- 28 • Minimum lot size: 4,000 Square Feet
- 29 • Lot Width: 40'
- 30 • Corner Lot, Lot Width: 50'
- 31 • Lot Frontage: 30'
- 32 • Setbacks:
 - 33 ○ Front: 20'
 - 34 ○ Side: 5'
 - 35 ○ Corner Side: 15'
 - 36 ○ Rear: 20'
- 37 • Density: 10.89 units/acre
- 38 • Showed concepts of lots with potential dimensions.
- 39 • Gave examples of similar small lot single family developments in Clearfield, Farmington,
40 Kaysville, and Syracuse.

41
42 Commissioner Fullmer asked if the City anticipated having more Homeowner Associations
43 (HOAs) with subdivisions developed under the R-1-4 zone. Mr. McIlrath replied that it would
44 ultimately be up to the developer. Mr. McIlrath also stated that the City would prefer to have
45 public streets as part of the small lot single-family developments.
46

1 Commissioner Browning spoke about the Clearfield example, Park Village. He stated that the
2 development was first proposed and approved by the City, but it was slow to develop and
3 changed due to complications from the Great Recession. He stated the lesson learned was that
4 promises don't work very well and that conditions could change. He said he wanted to do the
5 proposed type of zoning right. He liked a lot of the ideas but stressed he wanted to make sure it
6 was well thought out and detailed.

7
8 Commissioner Browning stated he was curious about the allowance for beekeeping on smaller
9 lots. Mr. McIlrath responded that the City did have a fair number of smaller lots in the R-1-8 zone
10 that were developed prior to the 8,000 square foot lot minimum. He said that all the current
11 smaller lots were permitted for beekeeping. Mr. McIlrath stated that if the Commission wanted,
12 there could be some changes made to the beekeeping ordinance.

13
14 Commissioner Bloomfield asked about the possibility of fire and its spreading from building to
15 building on smaller lot sizes. Mr. McIlrath replied that the Fire District had standards for access
16 in their site plan review. He continued that the building code required additional fire rating for
17 walls based upon the distance between housing units. Mr. McIlrath stated that the building
18 department required those standards as part of their building permit review process.

19
20 Chair Uccardi said that he thought the draft and presentation of the potential R-1-4 zone was very
21 well done and important to helping to eliminate difficulties of trying to fit square pegs in round
22 holes with infill development. He spoke in favor of having a small-lot single family zone instead
23 of zoning properties R-3 (multi-family) and having to use a robust development agreement. He
24 stated that it could help with affordability while acknowledging that with the current market even
25 smaller lots seemed quite expensive.

26
27 Commissioner Browning said that it would add some diversity to the single-family housing in the
28 City, but it would also go well with the existing zones that the city had.

29
30 Mr. McIlrath stated that staff would move forward with scheduling a public hearing for
31 consideration of creating the R-1-4 zone.

32 33 STAFF COMMUNICATIONS

34
35 Mr. McIlrath talked about the upcoming land use training and said members of the Commission
36 could registered on the Utah Land Use Institute website. He stated that the training was made
37 possible by a grant provided to the Property Right's Ombudsman's office. Clearfield City would
38 be the host location for the training. A book would be provided for all attendees of the training.
39 The dates for the training would be on February 24, 2022 and March 3, 2022. It would also go
40 toward the Commission's training requirements.

41
42 Mr. McIlrath said that staff was working on a zoning text amendment regarding building
43 materials in single-family zones. The code had to be updated due to the State Code update which
44 didn't allow cities to continue to regulate building materials for single-family dwellings.

1 COMMISSIONERS MINUTE

2
3 Chair Uccardi: Stated that resignations were received from Commissioners Blackwood and
4 Bybee and that three vacancies on the Commission were open. He also said that he went to the
5 ribbon cutting for the Lifetime Products building and related that it was exciting for the City and
6 nice to have Governor Cox come and recognize the efforts of Clearfield City.

7
8 Commissioner Bloomfield: Nothing

9
10 Commissioner Browning: Addressed the audience and said that there were vacancies on the
11 Planning Commission, and if they wanted they could apply.

12
13 Commissioner Fullmer: Thanked staff.

14
15 Commissioner Ratchford: Nothing

16
17 There being no further business to come before the Planning Commission, **Chair Uccardi moved**
18 **to adjourn. Seconded by Commissioner Fullmer.**

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 February 16, 2022

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 Robert Browning Commissioner
10 Brogan Fullmer Commissioner
11 Megan Ratchford Commissioner
12 Amber Brink Youth Commission Ambassador
13

14 ABSENT:

15
16 STAFF PRESENT: Shawn Robinson Assistant City Attorney
17 Spencer Brimley Community Development Director
18 Brad McIlrath Senior Planner
19 Tyson Stoddard Planner I
20

21 VISITORS: None
22

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

25 DISCUSSION ON CUP 2022-010107, A CONDITIONAL USE PERMIT REQUEST BY
26 HUGO SUAREZ OF HS LUXURY METAL WORKS FOR A HOME OCCUPATION
27 BUSINESS TO FABRICATE MAILBOXES WITHIN A DETACHED ACCESSORY
28 STRUCTURE AT THE SUBJECT LOCATION. LOCATION: 2681 SOUTH 200 EAST (TIN:
29 12-411-0218). PROJECT AREA: 0.14 ACRES. STAFF: TYSON STODDARD, PLANNER I
30 (ADMINISTRATIVE ACTION).
31

32 The Commission and staff discussed the following items relevant to the amendments to CUP
33 2022-010107:

- 34 • The potential for fire
35 • Comments from the Fire District
36 • Setbacks for accessory structures
37 • Recreational vs. commercial welding
38 • Power source for welding
39 • Code requirements for secondary parking
40 • Inability to impose conditions or restrictions that weren't in the City Code.
41

42 DISCUSSION REGARDING BUILDING MATERIALS AND PUBLIC NOTICES.
43

44 The Commission and staff discussed the following items relevant to building materials and public
45 notices:

- 46 • State Legislature requirements

- Exterior building requirements (aesthetics)

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

DRAFT

CLEARFIELD PLANNING COMMISSION MEETING

February 16, 2022

7:00 P.M. – Regular Session

PRESIDING: Chris Uccardi Chair

PRESENT: David Bloomfield Vice Chair
Kathryn Murray Commissioner
Robert Browning Commissioner
Brogan Fullmer Commissioner
Megan Ratchford Commissioner
Amber Brink Youth Commission Ambassador

ABSENT:

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

VISITORS: None

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

Chair Uccardi read the Chair Statement.

DISCUSSION, AND APPROVAL OF CUP 2022-010107, A CONDITIONAL USE PERMIT REQUEST BY HUGO SUAREZ OF HS LUXURY METAL WORKS FOR A HOME OCCUPATION BUSINESS TO FABRICATE MAILBOXES WITHIN A DETACHED ACCESSORY STRUCTURE AT THE SUBJECT LOCATION. LOCATION: 2681 SOUTH 200 EAST (TIN: 12-411-0218). PROJECT AREA: 0.14 ACRES.

Tyson Stoddard, Planner I, presented the following facts:

- Zoning was R-1-8 (Residential).
- Existing home with accessory structure under construction.
- Applicant seeking to use accessory structure for mailbox fabrication business.
- Home Occupations permitted in all residential zones, subject to code standards.
- Home Occupations that used a garage or accessory structure required a Conditional Use Permit.
- Showed aerial image and zoning map.
- Reviewed Chapter 16 – Home Occupations- (Clearfield City Code, Title 11).
- Purpose: To protect the residential character of the City’s neighborhoods from impacts of business and commercial activities that might take place in individual dwelling units.

Commissioner Murray asked about condition number twelve and if that condition would be

1 enough to satisfy any fire or building concerns that were discussed in the work session. Mr.
2 Stoddard replied that it would be a condition that would have to be met before final land use
3 approval was given. He stated that before being granted a business license, the applicant would
4 have to have an inspection by the building department to ensure that all building code standards
5 were met.

6
7 Commissioner Murray stated that the applicant was different from the homeowner and asked if
8 the owner had given consent for the application. Mr. Stoddard responded that the homeowner
9 signed an affidavit stating that they were aware of the contents of the land use application.

10
11 Commissioner Browning wanted to make sure that the applicant understood the code standards
12 for parking in front yard areas and what types of surfaces could be used for parking. He
13 specifically mentioned Section 7-3-30 of the City Code, and stated he wanted it in the record as
14 part of the discussion regarding the Conditional Use Permit request.

15
16 Commissioner Bloomfield stated he had a lot of questions that he would want to ask the
17 applicant, and said he thought the applicant should be present. Mr. Stoddard responded that
18 unfortunately the applicant was not present.

19
20 Commissioner Bloomfield responded that the Code stated that the home occupation could not
21 create a hazard by using or storing flammable, explosive, or other dangerous materials in
22 quantities that exceeded those which might normally be found in a residence. He gave his opinion
23 that if the applicant were going to be welding six to seven hours each day, then he would likely
24 be using more than would normally be found at a residence. Mr. McIlrath responded that the
25 condition was somewhat vague. He questioned how to determine what constituted a normal
26 amount and what didn't. He replied that the Fire District reviewed the application and, apart from
27 one comment, didn't express any concerns with the use.

28
29 Mr. McIlrath stated that if the Commission wanted to have a future general discussion about
30 conditional uses and home occupations, and get more specific with what types of home
31 occupations were appropriate as conditional uses, that was something that could be discussed at a
32 future date.

33
34 **Commissioner Ratchford moved to approve CUP 2022-010107, a conditional use permit**
35 **request by Hugo Suarez of HS Luxury Metal Works for a home occupation business to**
36 **fabricate mailboxes within a detached accessory structure at the subject location. The**
37 **approval was based on the findings in the staff report and subject to the following**
38 **conditions.**

- 39 1. The business shall be conducted entirely within the detached shed.
- 40 2. No more than one (1) nonresident may be employed on the premises, at any time.
- 41 3. The home occupation shall not physically change the dwelling to the extent that it
- 42 would alter the residential character of the neighborhood in which it is located.
- 43 4. The home occupation shall not allow any walk-in customers and shall be by
- 44 appointment only.
- 45 5. The use shall not unreasonably disturb the peace and quiet of the neighborhood by
- 46 reason of signage, color, design, materials, construction, lighting, sound, noises, or
- 47 vibrations.

6. **Delivery of material must occur entirely on the property.**
7. **Storage of material shall be entirely within the detached shed.**
8. **There shall be no external display of goods or materials upon the premises.**
9. **No sign or advertising shall be displayed on the premises other than signs permitted in residential zones in accordance with chapter 15 of Title 11 in the Clearfield City Code.**
10. **The home occupation shall not generate vehicular traffic significantly in excess of that which is normally generated by a residential use. The home occupation shall not generate frequent deliveries by large vehicles.**
11. **All vehicles of customers or residents must be parked in authorized portions of the lot upon which the home occupation is located and not on the public street.**
12. **There shall be complete conformity with the currently adopted building code, fire code, plumbing code, mechanical code, national electrical code, county and state health codes, and to all state and city ordinances.**
13. **The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health, which are emitted and may be discernable beyond the premises. The home occupation shall not create a hazard by using or storing flammable, explosive, or other dangerous materials in quantities that exceed those which may normally be found in a residence.**
14. **The home occupation shall not involve the installation on the exterior of the structure of any special equipment and/or fixtures or plumbing or electrical wiring for such special fixtures or equipment which are not ordinarily or customarily used in a residential accessory structure.**
15. **To protect the residential character of the neighborhood, the business shall operate only between the hours of 8:00 a.m. and 8:00 p.m.**
16. **The applicant shall provide proof of having obtained and maintained, as may be periodically requested by the city, all applicable local, state, and federal permits.**
17. **The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.**

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

STAFF DISCUSSION ITEM ON BUILDING MATERIALS AND PUBLIC NOTICES

Brad McIlrath, Senior Planner, presented the following facts:

- 2021 Legislative session addressed items relevant to land use.
- House Bill 1003- Prohibited a city from regulating building materials for single-family and two-family dwellings.
- Senate Bill 201- changed noticing requirements for general plan amendment newspaper ads and zoning amendment newspaper ads.
- Reviewed proposed changes to Clearfield City Code to comply with new bills.

Commissioner Murray asked about the R-2 zone and suggested an edit to make the regulation language more concise.

Commissioner Browning asked for clarification about the R-3 zone and if the regulations were being changed from allowing vinyl siding on side and rear facades to not allowing vinyl siding on side and rear facades. Mr. McIlrath replied that the Code already stated that vinyl siding was not a permitted building material for multiple family dwellings. Commissioner Browning said that the way the Code was written was confusing, because it also said that vinyl siding was not permitted on the front elevation. Chair Uccardi and Mr. McIlrath agreed and suggested that the proposed amendments would make it clearer.

Commissioner Bloomfield noted a conflicting portion of the draft changes regarding vinyl siding listed as both permitted and not permitted. Mr. McIlrath edited the draft to remove the conflict.

Mr. McIlrath asked the Commission if it thought that vinyl siding should be a permitted material for multiple-family dwellings. Commissioner Ratchford was against vinyl siding being permitted. Commissioner Bloomfield gave his opinion that as an available building material, it should be permitted. Mr. Brimley, Community Development Director, gave his opinion that there were other higher quality materials available, and that the City was within its right to regulate building materials. He gave staff's opinion that it would be a good time to make the Code clear on the issue.

Commissioner Bloomfield asked if there was a way to differentiate single- and two-family dwellings. Mr. McIlrath stated that it was distinguished elsewhere in the Code with three classifications: single-family, two-family, and multiple-family.

The Commission and staff discussed the language and structure of the proposed text amendments.

STAFF COMMUNICATIONS

Land Use Trainings- Scheduled for February 24, 2022 and March 3, 2022 in the multipurpose room from 6 p.m. to 9 p.m.. Mr. McIlrath gave an update, saying that several applications were received for the vacancies on the Planning Commission.

COMMISSIONERS MINUTE

Chair Uccardi: Said he was registered for the March 3, 2022 land use training.

Commissioner Bloomfield: Nothing.

Commissioner Murray: Said she was glad to be back, that she was feeling well, and was hoping to continue well with her recovery from the brain tumor surgery.

Commissioner Browning: Thanked staff.

Commissioner Fullmer: Thanked staff and the commissioners.

Commissioner Ratchford: Thanked everyone for the short meeting. Said she was looking forward to the land use training.

- 1 There being no further business to come before the Planning Commission, **Chair Uccardi moved**
- 2 **to adjourn. Seconded by Commissioner Fullmer.**

DRAFT



Planning Commission

STAFF REPORT

AGENDA ITEMS **#1 & #2**

TO: Clearfield City Planning Commission

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

MEETING DATE: Wednesday, July 6th, 2022

SUBJECT: Public Hearing, Discussion and Possible Action on **GPA 2022-060055**, a general plan amendment request by Josh Hughes with 258 Development for the rear 5.32 acres of the subject properties from Commercial to Residential. **Location:** 500 West 1700 South (Antelope Drive) (TINs: 12-080-0092 & 12-080-0095). **Project Area:** 5.32 Acres. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).

Public Hearing, Discussion and Possible Action on **RZN 2022-060055**, a zoning map amendment request by Josh Hughes with 258 Development for the rear 5.32 acres of the subject properties from C-2 (Commercial) to R-3 (Residential). **Location:** 500 West 1700 South (Antelope Drive) (TINs: 12-080-0092 & 12-080-0095). **Project Area:** 5.32 Acres. **Staff:** Brad McIlrath, Senior Planner (**Legislative Action**).

STAFF RECOMMENDATIONS

General Plan Amendment

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** of **GPA 2022-060055**, to the Clearfield City Council, a general plan amendment request by Josh Hughes with 258 Development to change the general plan designation from Commercial to Residential for the rear 5.32 acres of the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095).

Zoning Map Amendment

Staff recommends that the Planning Commission forward a recommendation of **DENIAL** of **RZN 2022-060055**, to the Clearfield City Council, a zoning map amendment request by Josh Hughes with 258 Development to rezone the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095) from C-2 (Commercial) to R-3 (Residential).

These recommendations are based upon the findings and discussion of the staff report. As the advisory body to the Clearfield City Council, the Planning Commission may forward a recommendation of approval or move to table the decision as presented below in the Planning Commission Recommendation Options, based upon the Commission's own careful consideration and analysis of the request.

PLANNING COMMISSION RECOMMENDATION OPTIONS - GENERAL PLAN AMENDMENT:

After careful consideration and analysis of the information presented, the Clearfield City Planning Commission moves to:

1. **Recommend approval of GPA 2022-060055**, to the Clearfield City Council, a general plan amendment request by Josh Hughes with 258 Development to change the general plan

designation from Commercial to Residential for the rear 5.32 acres of the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095).

2. **Recommend denial of GPA 2022-060055**, a general plan amendment request by Josh Hughes with 258 Development to change the general plan designation from Commercial to Residential for the rear 5.32 acres of the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095).
3. **Table GPA 2022-060055** to request additional time to consider the request.

PLANNING COMMISSION RECOMMENDATION OPTIONS - ZONING MAP AMENDMENT:

After careful consideration and analysis of the information presented, the Clearfield City Planning Commission moves to:

1. **Recommend approval of RZN 2022-060055**, to the Clearfield City Council, a zoning map amendment request by Josh Hughes with 258 Development to rezone the rear 5.32 acres of the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095) from C-2 (Commercial) to R-3 (Residential).
2. **Recommend denial of RZN 2022-060055**, to the Clearfield City Council, a zoning map amendment request by Josh Hughes with 258 Development to rezone the rear 5.32 acres of the subject properties located at 500 West 1700 South (TINs: 12-080-0092 & 12-080-0095) from C-2 (Commercial) to R-3 (Residential).
3. **Table RZN 2022-060055** to request additional time to consider the request.

BACKGROUND

The applicant is requesting a general plan amendment and rezone to develop the north 1.50 acres of the subject properties with a commercial use and to develop the south 5.32 acres of the subject properties with a small-lot single-family subdivision as illustrated in the attached concept plan. To approve the rezone request to R-3 (Residential), the future land use designation of the general plan must also be changed to reflect Residential as the future land use designation.

Concept Plan

The applicant has provided a concept plan as part of the general plan and zoning map amendment request. The concept included with this report shows a 1.50-acre commercial property at the corner of 500 West and 1700 South. The southern 5.32 acres is proposed to be developed with a forty-five (45) lot single-family subdivision. The residential subdivision would include four (4) private street/common driveway access points to 500 West, and some common open space in two separate central areas in the development. Based upon this concept with private streets, the project has a density of 8.5 units to the acre. Clearfield City has encountered issues with private streets in the past and has expressed a desire to avoid private streets where possible. If public streets are required, then the density would be less than the proposed density in the concept plan and could be more consistent with an R-2 designation, or a medium-density residential neighborhood.

Similar to other mixed-use requests in the past, it is likely that a development agreement would be required as part of a general plan amendment and rezone approval to outline aspects of the commercial and residential timing, private streets, density, and open spaces. If a development agreement is required, in the approval of the requests, the elements required in the agreement should be clearly stated for the record.

R-3 Zone vs. R-2 Zone

As stated above, the applicant is seeking approval of a rezone of the south 5.32 acres to the R-3 Zone. The purpose of the R-3 Zone is, “to provide an attractive setting for medium and high density multiple-family residential development” at a density of sixteen (16) units to the acre. The purpose of the R-2 Zone is, “to provide medium density residential neighborhoods” at a density of eight (8) units to the acre. With concept density of 8.5 units to the acre and with the adjacent low-density single-family to the east and southeast (zoned R-1-8), it is more reasonable to see a rezone to R-2 Zone instead of the R-3 Zone. As written above, the R-3 Zone is intended for multiple-family development whereas the R-2 Zone is intended for medium density residential neighborhoods. The project concept is a prime example of a medium density neighborhood with smaller lot sizes, common open space, and shared driveways (private streets). With an R-2 Zone designation, the 5.32 acres would yield a density of forty-three (43) units to the acre; only two less than the proposed concept density of forty-five (45) units to the acre. Based upon this information, staff recommends that the General Plan amendment to residential be granted, but that the R-3 rezone request be denied in favor of the R-2 Zone.

Public Comment

Mailed notices were sent out on June 24th, 2022. The property sign and public hearing notice legal ad were posted on site and on the Utah State public notice website and in the local newspaper the weekend of June 25th and 26th. To date, staff has not received public comment regarding the requests but as a prior request there was opposition from residents to the east for any development of these properties.

GENERAL PLAN AND ZONING MAP AMENDMENT ANALYSIS

As outlined in Section 11-6-3 and 11-6-4 of the Clearfield City Land Use Ordinance, the Planning Commission shall review the petition to change the land use title or zoning map and provide recommendation to the City Council for each request. The Planning Commission may recommend adoption of the proposed zoning map amendment when it finds that the proposed amendment is in accordance with one of the two considerations listed in the table below.

Review Consideration	Staff Analysis
<i>The proposed amendment is in accordance with the General Plan and Map; or</i>	The requested amendments are inconsistent with the General Plan as this area has a future land use designation of Commercial (See Exhibit 1 – Future Land Use Map of the General Plan).
<i>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</i>	Changes in the commercial service and retail markets have drastically changed the amount of land and building square footage needed for new commercial businesses. As demand for commercial land has decreased, there has continued to be a high demand for land to be developed as residential. For these reasons, the applicant and property owner are requesting the general plan amendment and rezone to allow for smaller amount of commercial with residential to the rear in accordance with current market demands and pressures.

	Due to these changes, Staff finds it necessary to change the General Plan designation to Residential. To ensure the appropriate density and design while respecting the existing single-family residential in the area, Staff finds it necessary to not rezone the properties to the R-3 Zone at this time, but that a rezone the property to the R-2 Zone, would be better suited for the area.
--	--

GENERAL PLAN LAND USE ELEMENT ANALYSIS

The Clearfield City General Plan outlines the overall community vision and provides land use guidelines located in Chapter 2 - Land Use Element, which should be followed throughout the city. This section provides an analysis of the land use guidelines and the applicable land use goal and policy of the General Plan.

A. Land Use Guidelines

Land Use Guideline	Staff Analysis
1. <i>The identity of Clearfield City should be strengthened by land uses which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency.</i>	The proposed concept could provide commercial and residential that would improve the image of the community. The residential portion of the development is inconsistent and lacks compatibility to the surrounding and established single-family neighborhood with private streets and a greater density.
2. <i>The relationship of planned uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.</i>	The planned uses illustrated in the concept plan consider the existing commercial uses along 1700 South as well as some consideration given to the existing single-family residential in the area by providing some open space along a portion of the project boundary. With a residential component of single-family homes on smaller lots, that is much more compatible to the existing residential than medium or high-density multiple-family development.
3. <i>Redevelopment should emphasize the reuse of developed areas and existing community resources in such a way as to increase the livability and aesthetics of the City.</i>	As presented, the redevelopment of these properties should consider the existing community resource of Barlow Park into the livability of this development and the traffic impacts of the four shared conceptual access points along 500 West. Consolidation of access points along 500 West is encouraged and would be more efficient and safer than individual driveways for each lot. The total number of access points and the design as private shared driveways may need to be revised to address efficient and safe access.

4. <i>The Land Use Plan should provide for a full range and mix of land uses including residential, commercial, manufacturing, and public use areas.</i>	The existing land use element of the General Plan provides a full range and mix of land uses throughout the city. Gradually transitioning from commercial to residential in this area of the city would be supported.
5. <i>Transitions between differing land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available. Adequate screening and design should be provided to protect existing residential areas from more intense land uses.</i>	The design concept includes small-lot single-family lots adjacent to a lower density single and two-story single-family neighborhood to the east and southeast. This height and density range needs to be gradual and should be replaced with a more gradual density increase from R-1-8 to R-1-6 instead as recommended by the General Plan. If greater density than what is possible with the R-1-6 Zone is desired, then the R-2 or R-3 Zones could be used with a development agreement to ensure compatibility with the established neighborhoods in the area. The R-2 Zone would be more consistent with this guideline as it would be a more gradual increase in density and is specified for medium density neighborhoods.
6. <i>Development approval should be tied to the construction of culinary water, sewer, storm drainage, and circulation systems.</i>	Connections to existing lines and the construction of new infrastructure would be needed for any new development in this area.
7. <i>Density increases should be considered only after adequate infrastructure and resource availability have been sufficiently demonstrated.</i>	Based upon preliminary discussions with Clearfield City Public Works Staff, the infrastructure in the area should be sufficient to accommodate the additional densities. If densities greater than what is presented in the concept plan are desired, a formal engineering capacity study should be undertaken to demonstrate the current capacity to evaluate if infrastructure upgrades would be needed to accommodate the increased density.
8. <i>An interconnecting public open space system should be provided, including pedestrian linkages, recreational areas, natural areas, on-road cycling facilities, and drainage ways.</i>	The proposed concept (although not shown) includes the intent to provide pedestrian connections within the development to the common open spaces. Considerations must be given to the existing community resource of Barlow Park and connections made there.
9. <i>Commercial and manufacturing uses should be highly accessible, clustered near the center of their service areas, and developed in</i>	This guideline supports the construction of additional commercial uses in this area along the Antelope Drive frontage. Due to changes in market demands, commercial uses along 500 West would likely be less accessible and visible. Additional residential development would be in

<i>harmony with the uses and character of surrounding districts.</i>	harmony with the low-density residential neighborhoods in the area.
<i>10. The Land Use Plan should promote and encourage land use patterns that provide a high quality of life to all and offer choice in mobility and transportation.</i>	Medium-density residential development increases housing choice and usually offers multiple choices in mobility and transportation. Due to the location of the properties vehicular access will be limited to Antelope Drive and areas of 500 West. Pedestrian connections must be considered between the development and outside community resources, like Barlow Park.
<i>11. The remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.</i>	The highest and best use of property is driven by market demands and realities. Development with medium-density residential uses may provide the highest and best return to the property owners. Any future development with a greater density than the existing single-family neighborhoods could create a greater burden on municipal services but will be more efficient in the usage and design of utilities than large-lot single-family neighborhoods.
<i>12. The quality and usefulness of parks and open space should be maximized. Open spaces that are small, inaccessible, difficult to maintain, or encumbered by utilities, drainage basins, or excessive slopes should not be encouraged.</i>	Development in this area should consider the value that is added to future residents within proximity of Barlow Park. Community resources such as parks should be emphasized and highlighted as amenities of the community and add to the quality of life for Clearfield residents.
<i>13. Manufacturing and industrial activities should be limited to those areas already zoned for such uses.</i>	With the frontage of the land remaining in the C-2 Zone, uses and activities would be limited to those permissible with in the C-2 Zoning district.
<i>14. Properties registered with the County or State for agricultural or industrial protection should be recognized by the City to allow such land uses.</i>	The properties are designated for commercial future land uses and have been agriculturally used in the preceding years. There is no evidence that the properties are registered for agricultural protection.
<i>15. Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding areas.</i>	The proposed density above what is found in the nearby residential neighborhoods could adversely impact the traffic patterns along Antelope Drive and 500 West. The number and locations of new public streets or shared private driveways should be reviewed by engineering staff and designed to meet public work standards for separation for this category of street.

B. Goals and Policies of Land Use

The General Plan includes four land use goals that have policies and implementation measures associated with each. Out of the four goals, Goal 4 most closely aligns with the proposed rezone request and is provided as part of the following analysis with specific attention to implementation measures #2 & #5.

Goal 4: *Revitalize Neighborhoods and Commercial Districts with a focus on a Downtown Core.*

Policy: *Encourage redevelopment and renovation of deteriorating neighborhoods and commercial districts.*

Implementation Measure # 2: *Create land use ordinances that allow and encourage infill redevelopment. Envision downtown as public places that have the potential to become destinations for pedestrians.*

Implementation Measure #5: *Encourage the mixing of uses along a corridor, including jobs and housing in close proximity to one another.*

This goal, policy, and specifically implementation measures #2 & #5 focus on creating ordinances that allow and encourage infill redevelopment as well as mixing uses along a corridor. As outlined above, the R-3 Zone is not intended for single-family residential development but for medium or high-density multiple-family development. As currently called out in the General Plan, the R-1-6 Zone is allowed for infill single-family development and is an alternative to multi-family development in areas outside of the downtown corridor. The 1700 South corridor should have a mix of uses, but it is important to ensure that the correct intensity of the uses and density, especially residential, should be compatible and complementary to the existing land uses and surrounding area. The additional residential homes will provide additional support for commercial businesses in the area but should be developed at a density that is more consistent and complementary to the existing single-family residential neighborhoods in the area. Staff recommends that the use of the R-1-6 Zone or the R-2 Zone would be the most appropriate zoning designation for this land between commercial and existing single-family neighborhoods.

GENERAL PLAN TRANSPORTATION ELEMENT ANALYSIS

Chapter 3 – Transportation, addresses goals and policies to ensure balance between future transportation needs that come with future land use development. The following is a summary of applicable guidance and direction provided in the Transportation Chapter that would apply to any request of this sort.

In the introduction of the chapter, five (5) items are identified that should be included in the long-range Transportation goals. The second item states that Clearfield City should, “determine if outlying potential development could degrade existing streets and consider actions to limit or concentrate future land-use densities, if required.” Focusing higher density residential development within the downtown area and in key locations already identified and under development in the city would be supported by this recommendation. The level of residential density added to this area of the city, should consider the impacts to 500 West, Antelope Drive, and other residential streets.

STAFF RECOMMENDATION; FINDINGS AND CONCLUSION

Based upon analysis of this request and the Clearfield City General Plan, staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the Clearfield City Council for the proposed general plan amendment request and a recommendation of **DENAIL** for the zoning map

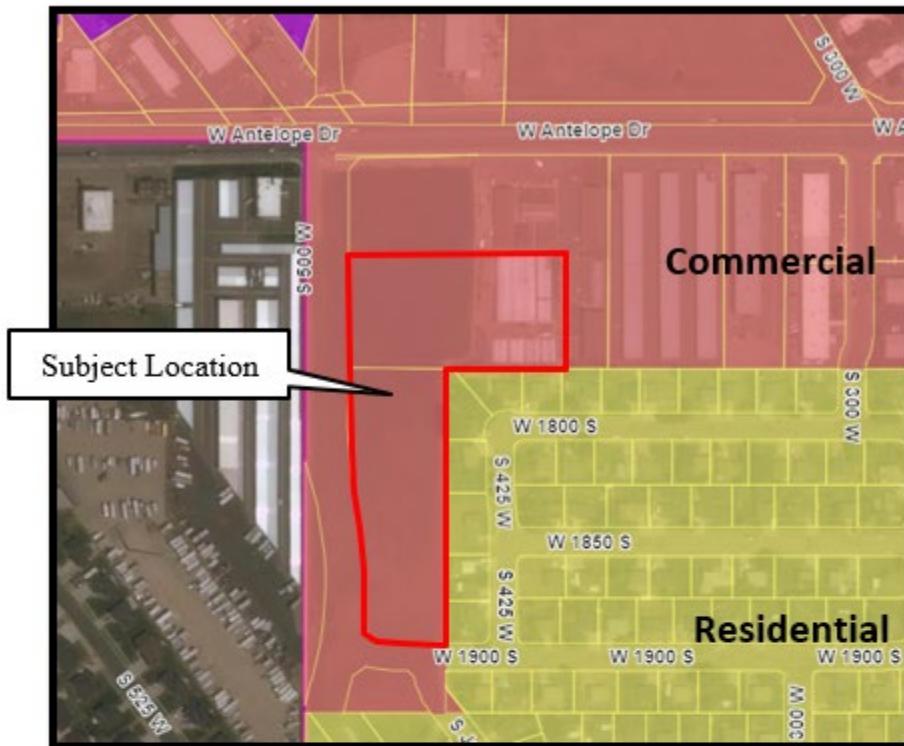
amendment request. These recommendations are based upon the analysis of the staff report and the following findings:

1. The proposed general plan amendment is consistent with market changes for housing stock and demand and can be supported by the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The use of the R-3 Zone to establish small-lot single-family neighborhoods is inconsistent with the current purpose and permitted uses of the zone as it is intended for medium to high-density multiple-family developments.
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 R-2 Zone is intended for medium-density residential neighborhoods and would be the more appropriate zone than the R-3 Zone for this area.
5. The R-3 Zone has been used by the City Council to provide small-lot single-family developments consistent with market demands absent a zoning district designed for the specific purpose. The R-3 Zone could be used in conjunction with the C-2 Zone and with a development agreement to allow for a similar development pattern proposed by the applicants. The R-2 Zone purpose and density would be more consistent with the existing single-family residential development pattern in this part of the city and could be used in the same way as the R-3 Zone stated above with a development agreement.

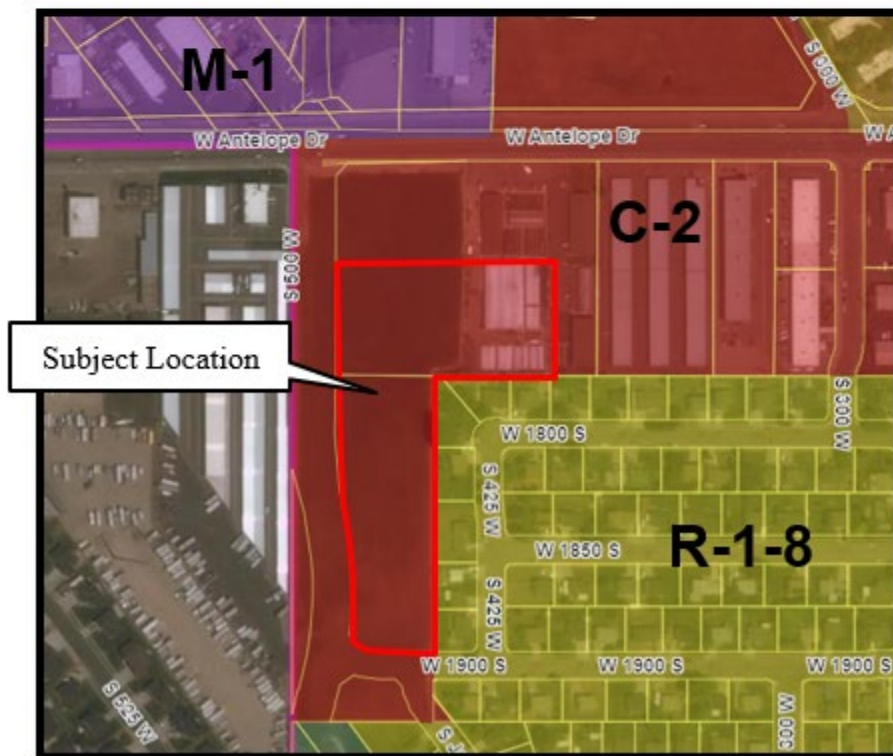
ATTACHMENTS

1. General Plan Map
2. Zoning Map
3. Development Concept

GENERAL PLAN



ZONING



Antelope Drive

COMMERCIAL
1.50 ACRES

RESIDENTIAL
5.32 ACRES

SITE TABLE
R3-ZONE
4000 SF MIN.
10% OPEN SPACE
30' DRIVEWAY EASEMENTS TO EACH LOT