



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

**Planning Commission Members**

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

<b>Date of Meeting</b>	<b>February 16, 2016</b>	<b>Call to Order</b>	<b>7:02 p.m.</b>
<b>Staff Present</b>	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
<b>Citizens Present</b>	There were none.		
<b>Pledge of Allegiance</b>	Commissioner Hale		
<b>Prayer or Thought</b>	Commissioner Cressall		
<b>Roll Call &amp; Attendance</b>	Present were: Commissioners Jacob Briggs, Bob Buckles, Tony Thompson, Dave Coombs, Jolene Cressall, Jeff Ritchie and Andy Hale		
<b>City Council Report</b>	Mr. Wright reported on the February 9, 2016 City Council meeting as recorded in the minutes.		
<b>Declaration of Conflicts</b>	There were none.		
<b>Approval of Minutes</b>	<b>Commissioner Buckles moved to approve the February 2, 2016 Planning Commission Work Session minutes as written. Councilmember Thompson seconded the motion. All voted in favor of the motion.</b>		
<b>1. REVIEW OF PLANNING COMMISSION RULES OF PROCEDURE</b>			
<b>Petitioner</b>	Community Development		
<b>Discussion</b>	<p>As a result of the review and discussion of the Planning Commission Rules of Procedure, the Planning Commission recommended the following changes:</p> <ul style="list-style-type: none"> <li>• Remove all reference of Ex Officio Member</li> <li>• Update Rules of Procedure after changes to Title 2 regarding the Planning Commission are approved.</li> <li>• Chapter 1 (d) remove</li> <li>• Chapter 3 (8) change time to adjourn from 11 p.m. to 10 p.m.</li> <li>• Chapter 4 (3) (b) remove strike through on restated.</li> <li>• Chapter 4 (1) (b) add (i) City Council Report before the Approval of Minutes; renumber Approval of Minutes to (ii) etc.</li> <li>• Bold (1) Appointment of Chairperson and Vice Chairperson etc.</li> </ul>		
<b>2. CONSIDER PREVIOUSLY REVIEWED SUBDIVISION REGULATIONS BEGINNING WITH CHAPTER 1, INCLUDING CHAPTER 2, 5 &amp; 6, AS TIME PERMITS</b>			
<b>Petitioner</b>	Community Development		

Commissioner Buckles explained he has reviewed 26-1-1 and 26-1-2 and recommends the following:

**CHAPTER 1  
GENERAL PROVISIONS**

- 26-1-1 Title
- 26-1-2 Policy
- 26-1-3 Purposes
- 26-1-4 Authority
- 26-1-5 Jurisdiction
- 26-1-6 Enactment
- 26-1-7 Interpretation, Conflict, and Severability
- 26-1-8 Variances
- 26-1-9 Saving Provision
- 26-1-10 Reservations and Repeals
- 26-1-11 Enforcement, Violations and Penalties
- 26-1-12 Restrictions On Permit Or License Issuance
- 26-1-13 Constructive Notice of Time Periods
- 26-1-14 Cease And Desist, Or "Stop Work" Orders

**26-1-1 Title:**

(1) These regulations are Title 26 of the Code of Revised Ordinances of Clinton City, Utah. This code shall officially be known, cited, and referred to as the Subdivision Ordinance of the City of Clinton. These regulations may also be referred to as the "Subdivision Ordinance."

(2) Specific citations will be to the Subdivision Ordinance by paragraph and subparagraph as depicted in this document and need not include a reference to Title 26.

(3) This Title is part of the Clinton City Land Use Ordinances.

**26-1-2 Policy:**

(1) It is declared to be the policy of the City to consider the subdivision of land and the subsequent development of the subdivided land as subject to the control of the City pursuant to the General Plan of the City for the orderly development of the City in accordance with the purposes stated in 26-1-3.

(2) Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, and land shall not be subdivided until adequate public facilities and improvements exist and proper provision has been made for surface drainage, culinary water, secondary water, sewerage, subsurface drainage, and capital improvements such as parks, recreational facilities, and transportation facilities, among other improvements that may be deemed necessary by the City to support the subdivision.

(3) The existing and proposed public improvements shall conform to and be properly related to the proposals shown in the General Plan, Master Land Use Map, Engineering and Standard Specifications of the City Impact Facilities Plan and the capital facilities plan of the City. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in Utah Code, building and housing codes, zoning ordinances, land use ordinances, the General Plan, Master Land Use Map and land use plan, and the capital facilities plan of the City.

(4) Land that is to be developed, even if not being subdivided shall comply with the platting requirements of this Title. The term "developed," with all of its variations, and "subdivision," and all of its variations are synonymous unless specifically outlined otherwise in this Title.

(5) Land that has been subdivided, without City approval where approval was required, prior to the effective date of these regulations should, whenever possible, be brought within the scope of these regulations to further the purposes identified in § 26-1-3.

**Discussion**

**26-1-3 Purposes:**

- (1) The purposes of this Title are to provide for the health, safety, and welfare, and to promote the prosperity, and aesthetics of the City for its present and future inhabitants and businesses.
- (2) Regulation of the subdivision of land and the attachment of reasonable circumstances to land subdivision is an exercise of valid police power delegated by the State of Utah to this City. The developer has the duty of compliance with reasonable circumstances laid down by the Land use Authority for design, dedication, improvement, and restrictive use of the land to conform to the physical and economic development of the City and to the health, safety, and general welfare of the future property owners in the subdivision and of the community at large.
- (3) Additionally, these regulations are adopted for the following purposes:
  - (a) To protect the tax base and secure economy in governmental expenditures.
  - (b) To provide for adequate light, air, and privacy, to secure safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.
  - (c) To protect the character, social and economic stability of the City, to encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development, promote infill development in existing neighborhoods and nonresidential areas with adequate public facilities, assure proper urban form and open space separation of urban areas, protect environmentally critical areas, and not encourage development in areas premature for urban development.
  - (d) To protect and conserve the value of land throughout the City, the value of buildings and improvements upon the land, and to minimize the conflicts among the uses of land and buildings.
  - (e) To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, parks, playgrounds, recreation, and other public requirements and facilities.
  - (f) To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City, having particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines.
  - (g) To establish reasonable standards of design and procedures for subdivisions and re-subdivisions in order to further the orderly layout and use of land and to ensure proper legal descriptions and monumenting of subdivided land.
  - (h) To ensure that public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision and that the community will be required to bear no more than its fair share of the cost of providing the facilities and services though requiring the developer to pay fees, furnish land, or establish mitigation measures to ensure that the development provides its fair share of capital facilities needs generated by the development.
  - (i) To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table, and to encourage the wise use and management of natural resources throughout the City in order to preserve the integrity, stability, and beauty of the community.
  - (j) To preserve and/or improve the natural beauty and topography of the City and to ensure appropriate development with regard to these natural features.
  - (k) To provide for open spaces through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots,

**Comment [BB1]:** Rationale for use of General plan is covered in 26-1-2 and is a tool for execution, not a purpose to be achieved.

**Comment [BB2]:** Added from previous text in 26-1-3(1)

**Comment [BB3]:** Redundant with paragraph (d)

	<p>while preserving the density of development as established in the land use ordinance of the City.</p> <p>(l) To ensure that land is subdivided only when subdivisions are necessary to provide for uses of land for which market demand exists and which are in the public interest.</p> <p>(m) To remedy the problems associated with inappropriately subdivided lands, including premature subdivision, excess subdivision, partial or incomplete subdivision, scattered and low-grade subdivision.</p> <p>(n) To provide for safety and security of residents, subdivisions, commercial properties, and traffic by planning, developing, executing and requiring a city wide street lighting and general lighting design and requirement.</p> <p><b>Deleted material:</b>                  From 26-1-3: , to protect urban development , to protect and ensure access to sunlight for solar energy devices improve the morals, peace and good order, comfort convenience, (see (2) d: and to protect property values as feasible within the powers and responsibilities of the City.                  Add to (3) as new subparagraph: to protect the tax base, to secure economy in governmental expenditures,</p> <p>The Planning Commission agreed it would be best to review and update the existing Clinton City Zoning Ordinance.</p> <p>Commissioner Briggs asked the Commissioners to review each chapter and provide their recommendations to Mr. Wright on an individual basis.</p>
<p><b>Commissioners Issues and Concerns</b></p>	<ul style="list-style-type: none"> <li><i>The Planning Commissioners discussed the possibility of allowing them a discount on the community building rental.</i></li> </ul>
<p><b>ADJOURNMENT</b></p>	<p><b>Commissioner Coombs moved to adjourn. Commissioner Ritchie seconded the motion. All those present voted in favor, the meeting adjourned at 8:35 p.m.</b></p>

**Comment [BB4]:** What does it mean in this context?