



**CLINTON CITY PLANNING COMMISSON
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

Date of Meeting	May 17, 2016	Call to Order	7:00 p.m.
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Citizens Present	Spencer King, Randy Kendall		
Pledge of Allegiance	Commissioner Hale		
Prayer or Thought	Commissioner Cressall		
Roll Call & Attendance	Present were: Commissioners’ Jacob Briggs, Bob Buckles, Dave Coombs, Jolene Cressall, Jeff Ritchie, Tony Thompson and Andy Hale		
City Council Report	Mr. Wright reported on the April 12, 2016 City Council meeting as recorded in the minutes.		
Declaration of Conflicts	There were none.		
Approval of Minutes	<p>Commissioner Buckles moved to approve the May 3, 2016 Planning Commission Work Session minutes as amended – excusing Commissioner Cressall and correcting the paragraph numbering. Councilmember Hale seconded the motion. Commissioners’ Buckles, Coombs, Ritchie, Hale & Briggs voted in favor of the motion. Commissioner’s Thompson and Cressall abstained because they were not present at the meeting.</p>		
<p>1. CONDITIONAL USE PERMIT - REVIEW AND ACTION UPON A REQUEST FOR A CONDITIONAL USE PERMIT TO USE THE EXISTING BUILDING AT 1572 NORTH 1000 WEST FOR STORAGE OF EQUIPMENT, TRUCKS AND PERFORM MINOR ASSEMBLY BY VK ELECTRIC, INC.</p>			
Petitioner	Spencer King, VK Electric, Inc.		
Discussion	<p>Mr. Wright reviewed the information included in the staff report which included the following: The old building is zoned as Planned Commercial Zone (CP-2) which allows for a contractor shop, provided work is conducted within a completely enclosed building. This old building is divided into two sections and because it exceeds 10,000 square feet should have a fire sprinkler system. However, because the building was sectioned off into compartments with the area or section on the south not being used by previous owners/tenants then sprinklers were not required.</p> <p>In talking with Spencer King of VK Electric, this building will be used primarily for warehousing equipment and vehicles; the main office is in another location. Mr. King indicated that there should only be four (4) employees at this building at time loading equipment into vehicles to go to their work sites. There are six regular parking stalls with one handicapped spot next to the building. There is an entrance off of 1000 West which they plan to use to park the work trucks in the building. The southerly section of the building will remain unoccupied.</p> <p>Spencer King of VK Electric explained he has leased this building as a temporary location for storage while his company builds a new facility in Sunset. He said supplies will be delivered by semi trucks.</p> <p>Commissioner Briggs opened the public hearing at 7:23 p.m.</p>		

	<p>Randy Kendall stated he lives in Shady Grove; he expressed concern over increasing noise in the development with this type of use. He said the semi trucks are a huge issue. He is also worried about the potential road construction being planned for 1800 N.</p> <p>Mr. Wright clarified that all equipment storage and activity will take place inside the buildings.</p> <p>Commissioner Briggs closed the public hearing at 7:29 p.m.</p> <p>Commissioner Briggs clarified that the Planning Commission’s focus should be on mitigating negative impacts.</p> <p>The Planning Commission discussed that the dumpster is right off the fence line and is not currently enclosed.</p> <p>Mr. King stated that semi deliveries will only take place during business hours from 9 a.m. to 5 p.m. and will usually take place just once a week.</p>
<p>CONCLUSION</p>	<p>Commissioner Buckles moved to approve the Conditional Use Permit for the building located at 1572 N 1000 W as follows:</p> <p>This Conditional Use Permit (CUP) acknowledges that on May 17, 2016, the Clinton City Planning Commission approved the use of the above described property as a Warehouse and Parking for the storage of equipment, materials and company trucks items in preparation for traveling to work sites. This use is subject to the following conditions:</p> <ol style="list-style-type: none"> 1. Signage: All signage shall comply with the Clinton City sign ordinance. 2. On-site Sales: No on-site sales shall be permitted. 3. Outside Storage: No outside storage shall be permitted. 4. Dumpster: If a dumpster is needed the location shall be approved by the Community Development Director. 5. Site Maintenance: The area of operation of the business shall be maintained to include the building, property, landscaping, and removal of waste and debris. 6. Parking: The number of parking spaces will limit the number of employees. Employees or visitors to the business shall not park on the street. 7. Firewall: The integrity of the firewall between the south building and main structure shall be maintained and all doors in the firewall are to remain locked at all times. No activity, storage, personnel access, or other business activity is to be conducted in this space. The “south end” of the building is indicated on the attached drawing. 8. Complaints: Any complaints brought to the attention of the staff, that cannot be resolved, can be brought to the Planning Commission for additional review and adjustment to this Permit. 9. The expiration of this Conditional Use Permit will run with the Business. <p>Reviewed as a Public Hearing during a Public Meeting on May 17, 2016, where a vote of the Planning Commission approved the request.</p> <p>Commissioner Cressall seconded the motion. Voting by roll call is as follows: Commissioner Ritchie, aye; Commissioner Hale, aye; Commissioner Coombs, aye; Commissioner Thompson, aye; Commissioner Buckles, aye; Commission Cressall, aye; Commissioner Briggs, aye.</p>
<p><i>At 8:15 p.m. the Planning Commission took a five minute break.</i></p>	
<p>2. WORK SESSION – REVIEW OF CHAPTER 3 OF THE CLINTON CITY SUBDIVISION ORDINANCE:</p>	
<p>Discussion</p>	<p>(1) Community Development Director. The Community Development Director of Clinton City is vested with the authority to:</p> <p>(a) Review and recommend approval to the Mayor of Clinton City the approval of minor</p>

subdivisions of five lots or less which comply with the requirements of Chapter 3.

(b) Review with developers and make recommendation concerning the development of sketch plats that will be utilized in the creation of preliminary plats. The efforts of the Community Development Director are intended to assist developers, however recommendations made by the Community Development Director are not binding upon the Commission or Council nor are they to imply approval of any development.

(c) Approve amendments to subdivisions that do not include vacating rights-of-way or easements and which comply with the requirements of this Title;

(d) Approve lot line adjustments which comply with the requirements of this Title;

(e) Approve property combinations which comply with the requirements of this Title;

(f) Approve transfers, not to include vacation of rights-of-way and easements which comply with the requirements of this Title;

(g) Approve a Record of Survey Map which complies with the requirements of this Title.

Chapter 3. Subdivision Application Procedure and Approval Process

26-3-1	General Procedure
26-3-2	Notice of Public Hearing
26-3-3	Sketch Plat
26-3-4	Preliminary Plat
26-3-5	Amendments to Preliminary Plat
26-3-6	Final Subdivision Plat
26-3-7	Vested Rights and Development Agreements
26-3-8	Signing and Recordation of Subdivision Plat
26-3-9	Appeals to City Council
26-3-10	Time Periods for Action
26-3-11	Suspension and Invalidation of Final Plat

26-3-1 General Procedure:

(1) **Classification of Subdivisions:** Before any land is subdivided the owner of the property proposed to be subdivided, or his authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures, which includes two (2) principal steps for a minor subdivision and three (3) principal steps for a major subdivision:

(a) Minor Subdivision.

(i) Sketch Plat

(ii) Final Subdivision Plat

(b) Major Subdivision.

(i) Sketch Plat

(ii) Preliminary Plat

(iii) Final Subdivision Plat

~~**Official Submission Dates:** For the purpose of these regulations, for both major and minor subdivisions, the date of the meeting for required action of the Planning Commission or City Council at which the public meeting or hearing on approval of the sketch, preliminary or final subdivision plat, including any adjourned date thereof, is closed, shall constitute the Official Submission Date of the plat on which the statutory period required for formal approval, conditional approval or disapproval of the final subdivision plat shall commence to run.~~

(2) **Discussion of Requirements:** Before preparing the plat, either sketch, preliminary or final for a ~~simple~~ minor or major subdivision, the applicant shall schedule an appointment and meet with the Community Development Director to discuss the

procedure for approval of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, and similar matters, as well as the availability of existing services. The Community Development Director shall also advise the applicant, when appropriate, to discuss the proposed subdivision with those officials who must eventually approve those aspects of the subdivision plat coming within their jurisdiction.

(3) Coordination of Performance Zoning Applications with Subdivision Approval:

(a) It is the intent of these regulations that subdivision review be carried out simultaneously with the review of Performance Zoning applications under the Zoning Ordinance. The plans required for Performance Zone applications shall be submitted in a form to satisfy the requirements of these subdivision regulations and the Zoning Ordinance located in 28-19.

(b) General Requirement. Whenever the Zoning Ordinance authorizes Performance Zoning applications which permit uses of land and density of buildings and structures based upon development design and the application entails the division of the land, vacant or improved, into two (2) or more lots, parcels, sites, units, plots, or interests for the purpose of offer, sale, lease, or development, either on the installment plan or upon any or all other plans, terms, or conditions, including resubdivision or subdivision, approval by the City Council shall be required in addition to all procedures and approvals required in the Zoning Ordinance, whether or not applicable zoning procedures also require City Council approval, review or recommendation. Performance Zoning applications shall include, but not be limited to, all special permits and special uses, ~~planned unit developments~~, performance subdivisions and average density or density zoning projects, and shall apply to all such applications, whether before the City Council, Planning Commission, Community Development Department, or other official or agency of Clinton City.

(c) Procedure to be followed:

(i) Sketch Plat and Preliminary Plat Approval Required. Whenever a Performance Zoning application is submitted which involves a subdivision of land as set forth in Section 3.01.4.b of these regulations, the application shall be submitted first to the Community Development Director. The application shall be made on the forms required for a sketch plat as set forth in Section 3.03 of these regulations and shall include all information required of a sketch plat application as set forth in Sections 3.03 and Chapter 8. The Community Development Director shall then refer the application to the Planning Commission for sketch plat review and, when required, preliminary plat approval. The Planning Commission shall also, when applicable under the provisions of the Zoning Ordinance, make such reviews of use, site plan approval, landscaping, density, and bulk standards as are required under the Performance Zone regulation.

(ii) Referral Back for Administrative Review. After completing its review the Planning Commission shall refer the sketch plat and preliminary plat (when required) with its decision of approval, conditional approval, or disapproval, together with such recommendations and reviews of use, site plan, landscaping, density, and bulk standards as it was required to make under the Performance Zone regulation of the Zoning Ordinance, to the Community Development Director to review the application and recommendations of the Planning Commission. The application shall then be forwarded to the City Council for final plat approval. No building permits or certificates of occupancy shall be issued for the project until the zoning application has been given final approval by the City Council and the final subdivision plat is recorded with the Davis County Recorder's Office.

(d) Resubdivisions of Performance Zone Developments.

(i) A Performance Zone development or land use plan may be subdivided or resubdivided for purposes of sale or lease after the project plan has been given final approval and development completed or partially completed where an escrow agreement is established for all improvements not installed.

(ii) If the subdivision or resubdivision of a performance zone development will create a

	<p>new lot line, the applicant shall make application for approval to the Community Development Director for processing as outlined in 3.01.4.c. above.</p> <p>26-3-2 Notice of Public Hearing:</p> <p>See USC 10-9a-205</p> <p>(1) Notice: Notice of City Council, Planning Commission or other meetings, addressing the subdivision of land which require Public Notice, required notice shall be provided as follows:</p> <p>(a) The Community Development Department will submit a notice for publication in one (1) newspaper of general circulation to be published at least fourteen (14) days prior to the public hearing.</p> <p>(b) Where specific property is identified in a petition, at least twelve (12) days prior to the required meeting during which a petition is being considered, the Community Development Director or designated agent, shall post a minimum of one (1) Public Notice Sign on each street frontage of the subject property stating the proposed or requested action and the date, time and location of the Public Hearing where the petition will be considered. One notice for each petition is required. This is not intended to require posting of a property for discussions continued over to additional meetings or tabled for additional information or action.</p> <p>(c) File copies of all applications, drawings, and sketches shall be maintained by the Community Development Department for public review prior to any hearing.</p> <p>Assumption of Validity of Notice of Hearing: If no protest of the processing of the public hearing has been received, in writing, by the Community Development Director within 30 days of the public hearing the notice of public hearing is assumed to have been processed properly.</p>
Future Work Session	Continue with Chapter 3 discussion beginning directly after Assumption of Validity of Notice of Hearing.
Issues & Concerns	<p>Commissioner Coombs asked how code violations are handled by the City.</p> <p>Staff replied unless there is an obvious threat of health or safety to the public, they are generally addressed based on complaints received by the City.</p>
ADJOURNMENT	Commissioner Buckles moved to adjourn. Commissioner Coombs seconded the motion. All those present voted in favor, the meeting adjourned at 9:02 p.m.