



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

Planning Commission Members

*Chair – Jacob Briggs
Vice Chair – Gary Tyler
Tony Thompson
Jolene Cressall
Andy Hale
Dereck Bauer
Dan Evans*

Date of Meeting	August 21, 2018	Call to Order	7:00 p.m.
Staff Present	Community Development Director Will Wright.		
Citizens Present	Stacey Johnson, Mark Staples		
Pledge of Allegiance	Commissioner Thompson		
Prayer or Thought	Commissioner Bauer gave a patriotic thought to honor those that serve.		
Roll Call & Attendance	Present were: Commissioner's Jacob Briggs, Tony Thompson, Jolene Cressall, Dereck Bauer and Dan Evans Excused was: Andy Hale, Gary Tyler		
City Council Report	Mr. Wright reported on the August 12, 2018 City Council Meeting as recorded in the minutes. The Planning Commission agreed to cancel the September 4, 2018 Planning Commission meeting.		
Declaration of Conflicts	There were none.		
Approval of Minutes	Commissioner Cressall moved to approve the August 7, 2018 Planning Commission minutes. Commissioner Bauer seconded the motion. Commissioners' Cressall, Bauer, Evans, Thompson and Briggs voted in favor.		
7:05 P.M. PUBLIC HEARING – REVIEW AND FORWARD A RECOMMENDATION TO THE CITY COUNCIL RESOLUTION 27-18 A REQUEST FROM BRUCE NILSON, REPRESENTING TOWN POINT COMMUNITY LLC, TO APPROVE THE FINAL PLAT FOR TOWN POINT SUBDIVISION PHASE 4 LOCATED AT 2250 W 2000 N.			
Petitioner	Mark Staples representing Nilson Homes		
Discussion	<p>Mark Staples representing Nilson Homes identified this is the last phase of 12 lots in the Town Point Community. It is a small subdivision and will complete the community. Half of the homes have already been sold. The intent is to finish before winter; which will link all the utilities in the area. The 10' easement for parcel A is the only question. There is no option to widen it. A letter with plan changes was submitted to staff today. Regarding the improvements on 1800 N; the curb, gutter and pavement will be completed once the power poll and telephone box have been moved into the park strip. The sidewalk will not be connected because of the close proximity of the homes for now. All of the lots are maintained by an HOA.</p> <p>Mr. Wright clarified that public works and the engineer agree not to install the sidewalk, but the curb and gutter will be installed. There will be a driveway cut but it will stay as dirt for now. The sidewalk has not been finalized.</p> <p>Regarding the 10' easement, staff will work out a solution with the developer. The mow strip should be under the fence. Parcel A will be dedicated to the City.</p> <p>Commissioner Thompson explained an access point to the county property will need to be discussed; an amendment to the agreement between the county and city will be needed.</p> <p>Commissioner Briggs opened the public hearing at 7:21 p.m. and with no public comment, closed the</p>		

public hearing at 7:22 p.m.

The following information was included in the staff report:

- The property was zoned on March 8, 2016 to Patio Home (PH) zone;
- The preliminary plat was approved by the PC on April 19, 2016 showing a subdivision of a little more than 17.5 acres with 69 lots to be built in five phases (modified to four phases);
- Phase 4 shows 12 lots for residential use;
- The 11 interior lots in Phase 4 average approximately 7,238 sq. ft. exceeding the 6,300 sq. ft. requirement, while the only corner lot is 7,805 sq. ft.;
- The frontage of the 12 lots average approximately 58.4 linear feet exceeding the minimum requirement of 57’;
- The one (1) corner lot has 75’/85’ of frontage, exceeding the minimum 61 foot width requirement; and
- The HOA will take care of any landscaping in the park strip and improvements along 1800 North.

Staff Comments

Public Works

- Submittal Date: 7/11/18
- Lot Drainage: Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to avoid concentration of storm drainage water from each lot to adjacent lots.
- Please submit a written response that addresses each review comment
- Submit SWPPP
- Call out address sign lot 412
- Submit Plat
- Provide details for parcel A, 12’ wide concrete surface with 6’ chainlink fence with 18” mow strip
- Show UDOT approved plans for the rest of the improvements on 1800N

Reeve response

Project: Town point Subdivision Phase 4

Re: Town point phase 4

1. The front portion of the lots have been graded to drain into the public right-of-ways. Yard drain boxes and have been included on the low end of each lot to collect drainage from each lot.
2. Written response provided.
3. SWPPP is included on sheets 6 & 7 of the plan set. Nilson to provide SWPPP booklet.
4. Address sign added to the plan set on the corner of 2000 North and 2250 West
5. Parcel A under review with the city, detail on sheet 4 of the plan set.
6. Reeve is working with the city planner on 1800 North improvements.

The Resolutions includes

- 1 Plat shall not be recorded until a Subdivider’s Agreement and Subdivider’s Escrow Agreement have been completed and executed to insure the completion of the development.
- 2 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.
- 3 Developer shall schedule, through the City, a preconstruction meeting once all engineering drawings have been corrected and approved by the City Engineer.
- 4 It is the developer/contractor’s responsibility to comply with all Clinton City Standards, Ordinances, Staff, Engineer and requirements established during the approval process. Wherever there is a discrepancy between these drawings and City Standards the more stringent requirement will apply. If there is any doubt as to the requirement the developer is to seek clarification from the Community Development Department and obtain the determination in writing. Copies of the Standards are available at the Community Development Department.

	<p>5 Prior to Conditional Acceptance and Final Acceptance by the City the Subdivider shall clear any construction debris from lots within the subdivision, except lots with buildings under construction, and level vacant lots within the subdivision in such a way that weed control, via mowing with a brush hog or similar item, is possible and all vacant lots will be mowed for weed control.</p> <p>6 The developer/contractor is responsible for insuring that all required inspections are performed by the Clinton City Public Works Department. If the developer is unsure of what inspections are required he can obtain a list from Public Works. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by Public Works.</p> <p>7 It is the developer/contractor’s responsibility to insure adequate dust, trash and weed control practices are observed while any of the lots are under their control.</p>
CONCLUSION	<p>Commissioner Cressall moved to forward a recommendation for approval of Resolution 27-18 a request for approval of the Final Plat for Town Point Subdivision Phase 4 located at approximately 2250 W 2000 N on to the City Council. Commissioner Evans seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Thompson, aye, and Commissioner Briggs, aye.</p>
<p>7:15 P.M. PUBLIC HEARING – REVIEW AND ACT UPON A REQUEST FOR A CONDITIONAL USE PERMIT FOR FEDEX TO PLACE A SIGN ON THE WALMART STORE LOCATED AT 1632 N 2000 W.</p>	
Petitioner	<p>HighTech Signs represented by Stacey Johnson</p>
Discussion	<p>Stacey Johnson explained Fed Ex is putting small locations within Walmart stores across the country. They would like to put a sign on the store front to advertise. The sign is small (approximately 28” inches) and proposed to be located to the left of the north entrance which will offset the McDonalds’ sign on the south entrance.</p> <p>Mr. Wright reviewed the following information included in the staff report.</p> <p>The Walmart Building currently has seven (7) signs on its front and according to Title 24 – SIGNS AND ADVERTISING DEVICES REGULATIONS, Section 24-4-2 <u>Signs that Require a Permit</u> in subsection Restrictions: (iii) the maximum number of wall signs allowed on any given wall. However, subsection (iii) provides that this maximum number may be exceeded if the Planning Commission judges the proposed sign meets criteria. In subsection requirements: paragraph (i) reads, “the sign package blends with the aesthetics of the building and surrounding natural and manmade environment. (ii) the sign package color, style, size, scale and proportion enhances the exterior of the building and does not place too much bulk and external distractions on the exterior of the building. (iii) the number of signs are appropriate to the scale of the building.”</p> <p>The existing seven signs (from left to right) with their square footage, includes: 1) Auto Center, Outdoor Living (87.31 sq. ft.); 2) US Bank (19.6 sq. ft.); 3) Home & Living 44.58 sq. ft.); 4) Walmart * (300 sq. ft.); 5) Market & Pharmacy (63.33 sq. ft.); 6) M for McDonald (24.76 sq. ft.); and Pickup (76.1 sq. ft.) for a total of 615.68 sq. ft. for the existing signage. The proposed FedEx sign shown is 18.25 sq. ft. and is located at the furthest left or northern corner of the building. The total front of the Walmart building is approximately 9500 square feet (530’ x 18’). Section 24-4-2(6) provides that signage should not occupy more than 10% or 600 square feet of a front whichever is less then permits a maximum number of seven signs. As you can see, the existing signage barely exceeds 600 sq. ft. and would only be slightly increased to approximately 634 sq. ft. with the proposed FedEx sign. The 634 sq. ft. represents approximately 6.7% and, therefore is within the 10% area allowance for signage on the primary wall.</p> <p>Commissioner Briggs opened the public hearing at 7:36 p.m. and with no public comment, closed the public hearing at 7:37 p.m.</p> <p>The Planning Commission discussed potential changes to clarify the ordinance regarding the definition of a wall or elevation. He suggested the use of “street side elevation” instead.</p>
CONCLUSION	<p>Commissioner Thompson moved to approve the Conditional Use Permit for FedEx to place a sign on the Walmart Store located at 1632 N 2000 W. Commissioner Cressall seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye;</p>

	<p>Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Thompson, aye, and Commissioner Briggs, aye.</p>
<p>7:25 P.M. PUBLIC HEARING – ORDINANCE 18-02Z AMENDING CHAPTER 28-2 DEFINITIONS FOR ‘FRONTAGE’ CLARIFYING HOW FRONTAGE IS DETERMINED FOR LOTS IN A CUL-DE-SAC OR KNUCKLE OF A STREET.</p>	
<p>Petitioner</p>	<p>Community Development</p>
<p>Discussion</p>	<p>Mr. Wright explained Section 28-2 Definitions, reads for “<u>Frontage</u>” means all the property fronting on one side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage of the side of the street which it intercepts. <i>Frontage for lots in a cul-de-sac or knuckle of a street can use the front setback line to meet the development standard for frontage.</i></p> <p>Clinton City has for years used this practice of determining the frontage for lots in a cul-de-sac or knuckle of a street for irregular shaped lots at the front setback line. In fact, a review of subdivisions over the past ten years found this to be a common practice. However, staff has been reviewing the subdivision and zoning codes and could not find any allowance for this anywhere. A review note on July 15, 2015 for the Town Point Subdivision stated, “Provide frontage measurement at 30’ setback for all irregular shaped lots (typ).” Further, the City Engineer and I found a number of these type of lots that indeed used the front setback line to meet the frontage requirement on irregular lots in cul-de-sac or knuckle of a street.</p> <p>Commissioner Briggs opened the public hearing at 7:57 p.m. and with no public comment, closed the public hearing at 7:58 p.m.</p>
<p>CONCLUSION</p>	<p>Commissioner Cressall moved to forward a recommendation for adoption of Ordinance No. 18-02Z Amending Chapter 28-2 Definitions in the Zoning Ordinance clarifying the definition of frontage for lots in a cul-de-sac or knuckle of a street as measured at the front setback line on to the City Council. Commissioner Bauer seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Thompson, aye and Commissioner Briggs, aye.</p>
<p>7:30 P.M. PUBLIC HEARING – REVIEW AND RECOMMEND TO THE CITY COUNCIL ADOPTION OF ORDINANCE 18-03Z AMENDING CHAPTER 28-4-5(2) <u>PARKING SPACE FOR AUDITORIUM, STADIUM, OR THEATER BY INCREASING THE PARKING REQUIREMENT TO ONE SPACE PER FIVE SEATS.</u></p>	
<p>Petitioner</p>	<p>Community Development</p>
<p>Discussion</p>	<p>Mr. Wright explained that Clinton’s current parking standard for assembly use for an Auditorium, Stadium or Theater is one parking space for every 3.5 seats, while in the neighboring cities of Roy and Layton the requirement is for a parking space for every four seats. Clearfield, Kaysville, South Ogden and West Haven’s parking standard is one space for every five seats. Ogden’s parking requirement is based on square footage and is more complicated to compute and thus compare. So Clinton’s parking standard is somewhat higher than most of the surrounding communities in this region and staff recommended that this parking standard be adjusted to one parking space for every 5 seats.</p> <p>One of the main reasons for this adjustment is Utah families are generally larger than the national average and typically travel together, so in theory and from a practical standpoint there wouldn’t need to be as much parking for seating at these venues. For this reason, staff would recommend that this standard be amended in order to better accommodate the parking needs of any business that would come under these categories.</p> <p>The Planning Commission noted that most sedans accommodate four persons safely and comfortably. Further, Section 28-4-14 authorizes the Board of Zoning Adjustment to reduce the off-street parking requirement under certain conditions, among others, to mitigate when dissimilar uses are adjacent and the “... demand for parking in conjunction with those uses would not conflict” In short, the Commission felt there was a means provided in the ordinance to reduce the off-street parking requirement through the BZA, if so needed. They opted to recommend this standard be adjusted to require one parking space for every 4 seats.</p> <p>SECTION 1. Changes to Section 28-4-5(2) <u>Auditorium, Stadium or Theater:</u></p>

	<p>AMEND: Subsection (2) <u>Auditorium, Stadium or Theater</u>: One (1) space per four (4) seats of assembly.</p> <p>SECTION 2. <u>Planning Commission Action.</u> Reviewed in a public hearing the 21st day of August 2018, by the Clinton City Planning Commission and recommended for (approval) through a motion passed by a majority of the members of the Commission based upon the following findings.</p> <p>Proposed amendment increases parking space requirement for Auditorium, Stadium or Theater to one (1) parking space per four seats.</p> <p>SECTION 3. <u>Severability.</u> In the event that any provision of this Chapter is declared invalid for any reason, the remaining provisions shall remain in effect.</p> <p>SECTION 4. <u>Effective date.</u> This ordinance shall be recorded and become effective upon the date of posting indicated below.</p> <p>Commissioner Briggs opened the public hearing at 8:06 p.m. and with no public comment, closed the public hearing at 8:07 p.m.</p> <p>Commissioner Thompson pointed out that often at a movie theater show times vary, all seats would not be occupied at one time during every day operation.</p>
<p>CONCLUSION</p>	<p>Commissioner Thompson moved to forward a recommendation for approval of Ordinance 18-03Z – Amending Chapter 28-4-5(2) adjusting the parking requirement for an auditorium, stadium or theater to one space for every four (4) seats on to the City Council. Commissioner Bauer seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Thompson, aye and Commissioner Briggs, aye.</p>
<p>ACTION ITEM</p>	<p>Discuss potential changes in the Sign Ordinance to clarify the ordinance regarding the definition of a wall or elevation. He suggested the use of “street side elevation” instead.</p>
<p>OTHER ISSUES</p>	<p>The Planning Commission agreed to cancel the September 4, 2018 Planning Commission meeting.</p>
<p>ADJOURNMENT</p>	<p>Commissioner Cressall moved to adjourn. Commissioner Bauer seconded the motion. Commissioners’ Cressall, Evans, Bauer, Thompson and Briggs voted in favor. The meeting adjourned at 8:45 p.m.</p>