



**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	February 6, 2018	Call to Order	7:00 p.m.
Staff Present	Community Development Director Will Wright and Lisa Titensor recorded the minutes.		
Citizens Present	There were none.		
Pledge of Allegiance	Commissioner Dan Evans		
Prayer or Thought	Commissioner Tony Thompson		
Roll Call & Attendance	Present were: Commissioner's Andy Hale, Dereck Bauer, Jolene Cressall arrived at 7:15 p.m., Gary Tyler, Tony Thompson, Dan Evans and Jacob Briggs		
City Council Report	Mr. Wright reported on the January 9, 2018 City Council meeting as recorded in the minutes.		
Declaration of Conflicts	There were none.		
Approval of Minutes	Commissioner Thompson moved to approve the January 16, 2018 Planning Commission minutes. Commissioner Bauer seconded the motion. Commissioners' Tyler, Thompson, Bauer, Evans and Briggs voted in favor. Commissioner Hale abstained because he was not present at the meeting.		
7:05 P.M. – REVIEW AND ACTION UPON A REQUEST FROM IVORY DEVELOPMENT FOR A PRELIMINARY PLAT FOR MONARCH MEADOWS SUBDIVISION LOCATED AT 2600 W 1300 N.			
Petitioner	Chase Freebairn, representing Ivory Development		
Discussion	<p>Chase Freebairn of Ivory Development explained negotiations on this plat which includes a development agreement is nearly complete. The plat has four acres which will be sold to the City to be used for a park. The four acres is being used in the averaging for a reduction of the setbacks. The development consists of 66 lots.</p> <p>Mr. Wright reviewed the following information included in the staff report:</p> <p>This request was tabled by the Planning Commission on November 7, December 5, 2017 and January 16, 2018 initially due to being incomplete by not showing the City park, thereby allowing further negotiation by the City for this land then finally to redraft the subdivision showing the park area.</p> <ol style="list-style-type: none"> 1. The Parcel contains 30.035 acres (now about 26 acres) and is designated as Single Family Residential (R-1-15 Zone) on which 66 lots are proposed. 2. The City Council approved a rezone of this property from Agricultural (A-1) to Residential Single Family (R-1-15) an averaging zone on September 5, 2017. 3. Ord 17-05Z approved the rezone of this parcel and indicated the developer agrees “to negotiate with the City for property to become a park adjacent to the detention basin.” 4. City management successfully negotiated a development agreement with the developer that provides for the City to acquire 4 acres for a park. Additionally, the park area can be used in averaging the size of lots which will be within the development standards for R-1-15 zone. Further, the side setbacks are reduced to 8/10 feet from the 10/10 feet. The lots must be a minimum of 11,000 sf and a max of 22,100 sf with corner lots to be 15,000 sf. All 15 corner lots meet the 15,000 sf requirement and the remaining 51 lots range in size from 11,122 sf to 19,777 sf with an overall average for the 66 lots of 15,515 sf and just over 15,600 sf for the 51 lots when combined with the park area. All lots, except for lots 50 & 63, have a width of at least 80’ with lot 63 being just over 80’ wide and lot 50 being over 75’ in width at the setback line. 		

	<p>Comments and/or questions related to changes needed in the drawings have been provided to the developer as staff takes into account the few changes provided for in the development agreement.</p> <p>Commissioner Briggs explained the preliminary plat does not comply with the zoning code, but the City can enter into a development agreement on a specific development. The City Council will review the development agreement; therefore the Planning Commission should base their action on the condition that the City Council approves the development agreement.</p> <p>Mr. Freebairn explained the reduced set back allows for a third car garage and an RV pad without reducing the size of the home which is important to the market in this area.</p> <p>Commissioner Briggs opened the public hearing at 7:27 p.m. With no public comment, he closed the public hearing at 7:28 p.m.</p> <p>Commissioner Thompson commented that 10' utility easements on every other lot should drive the side yard requirements.</p> <p>Commissioner Cressall cautioned against Ivory Homes setting up signs for open houses on weekends because it is against the sign ordinance.</p>
<p>CONCLUSION</p>	<p>Commissioner Tyler moved to approve the Preliminary Plat for Monarch Meadows located at 2513 W 1300 N with the condition that the Development Agreement is approved by the City Council. Commissioner Hale seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Hale, aye; Commissioner Cressall, aye; Commissioner Tyler, aye; Commissioner Thompson, aye; Commissioner Evans, aye and Commissioner Briggs, aye.</p>
<p>7:15 P.M. RESOLUTION 2-18 - REVIEW AND RECOMMEND TO CITY COUNCIL UPON A REQUEST TO APPROVE A FINAL PLAT FOR TRYXEN MEADOWS SUBDIVISION AT 717 W 2300 N.</p>	
<p>Petitioner</p>	<p>Justin Barrow & Pat Burns, owners/agents.</p>
<p>Discussion</p>	<p>Justin Barrow said it has been a pleasure to work with Clinton City. An agreement on the road has been reached with City officials; it is currently under review by an attorney.</p> <p>Mr. Wright reviewed the following information included on the staff report:</p> <ol style="list-style-type: none"> 1. The Preliminary Plat for Tryxen Meadows Subdivision was approved by the Planning Commission on September 5, 2017 with similar design for seven (7) lots as shown on this Final Plat, except for phasing. 2. The Master Land Use Map in the General Plan and Zoning Map shows this area in a Residential Single Family (R-1-8) Zone, which parcel is approximately 1.6 acres for a proposed seven (7) lot subdivision. 3. This Final Plat shows 7 lots that all meet or exceed the size requirement of 8,000 sf in the R-1-8 zone with these seven (7) lots averaging just over 10,000 sf in size and lot 6, a corner lot, exceeding 8,000 sf. 4. This Final Plat shows that these proposed lots meet the frontage requirement of being a minimum of 60 feet wide with an average of 70 feet. The minimum widths of these lots average just over 71 feet when calculated with the lots that front onto 2300 North and the proposed 2200 North, excepting the corner lot. Lot 6 on the corner meets the minimum width requirement of 80 feet at 96.18 feet on 730 W and 87.13 feet on 2200 N. 5. Commission approval should be contingent upon the City Council approving a development agreement that pertains to the City costs for purchase and construction of a half street on this section 2200 North as well as allowing lots 1 thru 5 to proceed with building once escrow is in place for improvements. <p>Comments and/or questions related to changes needed in drawings have been provided to the developer.</p> <p>The Planning Commission modified the Resolution to read:</p> <ol style="list-style-type: none"> 1 Developer and Clinton City enter into a Development Agreement for the Tryxen Meadows Subdivision pertaining to the shared costs for purchase and construction of a half street for 2200 North and clarifying timing of house construction for lots 1-5. 2 Plat shall not be recorded until a Subdivider's Improvement Agreement and

	<p>Subdivider’s Escrow Agreement have been completed and executed to insure the completion of the improvements in this development.</p> <p>3 All comments related to the plat and engineering shall be corrected before the final plat is presented for signatures.</p> <p>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> <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 the Public Works Department. The developer is cautioned not to proceed past an inspection point without insuring that the inspection has been performed and work passed by representative(s) of 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> <p>8 A preconstruction meeting shall not be scheduled until all required changes have been made to the Final Plat and Engineering Plans (see #2) and the required number of copies have been provided to the City and indicated approved by the City.</p> <p>9 Install a six (6) foot fence prior to occupancy along adjacent properties of dissimilar use and zones.</p> <p>10 There is an east side yard variance for the existing structure on lot 1 of 5.57 feet as indicated on the plat and if it is demolished and a new structure constructed it shall be positioned on the lot to be in conformance with the side lot requirement.</p> <p>Commissioner Briggs opened the public hearing at 7:53 p.m. With no public comment, he closed the public hearing at 7:54 p.m.</p>
<p>CONCLUSION</p>	<p>Commissioner Cressall moved to forward a recommendation of Final Plat approval for the Tryxen Meadows Subdivision located at 717 W 2300 N. on to the City Council with the addition of number 10 on Resolution 02-18. Commissioner Tyler seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Hale, aye; Commissioner Cressall, aye; Commissioner Tyler, aye; Commissioner Thompson, aye; Commissioner Evans, aye and Commissioner Briggs, aye.</p>
<p>WORK SESSION: CONTINUE REVIEW AND UPDATE EFFORT OF THE CITY’S SUBDIVISION ORDINANCE WITH A REVIEW OF SECTION 26-2 DEFINITIONS AND OTHER AREAS OF THE ORDINANCE AS TIME PERMITS.</p>	
	<p><u>“Neighborhood Park and Recreation Improvement Fund”</u> means a special fund established by the Council to retain monies contributed by developers in accordance with the <u>“money in lieu of land”</u> provisions of these regulations.</p> <p><u>“New Development”</u> means a project involving the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of land; any of which has the effect of increasing the requirements for capital improvements, measured by number of service units to be generated by such activity, and which requires either the approval of a plat pursuant to the City’s subdivision regulations, the issuance of a building permit, or connection to the City’s water or sanitary sewer system.</p> <p><u>“Nonresidential Subdivision”</u> means a subdivision whose intended use is other than residential, such as commercial or industrial.</p> <p><u>“Notice of Noncompliance”</u> means a notice issued by the Community Development Director to the Planning Commission informing the applicant for approval of a major subdivision that</p>

~~the sketch plat is not in compliance with these regulations and that the applicant may not apply for preliminary plat approval.~~

~~“**Notice to Proceed**” means a notice issued by the Community Development Director to the Planning Commission informing the applicant for approval of a major subdivision that the sketch plat is in compliance with these regulations and that the applicant may proceed to apply for preliminary plat approval.~~

“Offset” means the amount of the reduction of an impact fee designed to fairly reflect the value of area-related facilities or other oversized facilities, pursuant to rules herein established or administrative guidelines, provided by a developer pursuant to the City’s subdivision or zoning regulations or requirements.

“Off-site” means any premises not located within the area of the property to be subdivided, whether or not in the common ownership of the applicant for subdivision approval.

“Office Development Project” means any new construction, addition, extension, conversion, or enlargement, or combination thereof, of an existing structure which includes any gross square feet of office space. May be unnecessary.

“Office Use” means a space within a structure or portion thereof intended or primarily suitable for occupancy by persons or entities which perform, provide for their own benefit, or provide to others at that location, services including but not limited to the following: professional, banking, insurance, management, consulting, technical, sales, and design; or the office functions of manufacturing and warehousing businesses, but excluding retail uses; repair; any business characterized by the physical transfer of tangible goods to customers on the premises; wholesale shipping, receiving, and storage; and design showcases or any other space intended and primarily suitable for display of goods. This definition shall include all uses encompassed within the meaning of _____. May not be necessary.

“Official Map” The map established by the City Council pursuant to law showing the streets, highways, parks, drainage systems, and setback lines theretofore laid out, adopted, and established by law, and any amendments or additions to be adopted by the City Council.

Ask Bryce Wilcox/Mike Child

“Official Master Plan” ~~See Master Plan.~~ See General Plan.

“Ordinance” means any legislative action, however denominated, of the City including any amendment or repeal of any ordinance.

~~“Owned Unit” means a designated unit which is a condominium, stock cooperative, or community apartment.~~

“Owner” Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land. ~~sought to be subdivided under these regulations.~~

“Performance Criteria” means the regulation of development based on open space ratio, impervious surface ratio, density, and floor area ratio. May be unnecessary.

~~“Perimeter Street” means any existing street to which the parcel of land to be subdivided abuts on only one (1) side.~~

“Person” means any individual or group of individuals, or any corporation, general or limited partnership, joint venture, unincorporated association, or governmental or quasi-governmental entity.

~~“Phased Subdivision Application” means an application for subdivision approval submitted pursuant to a Master Preliminary Plat, or at the option of the subdivider, pursuant to a specific plan in which the applicant proposes to immediately subdivide the property but will develop in one or more individual phase(s) over a period of time. A phased subdivision application may include an application for approval of, or conversion to, horizontal or vertical condominiums, nonresidential development projects, planned unit developments, mixed use projects, and residential developments.~~

“Planned Unit Development (PUD)” means a development constructed on a tract of

	<p>minimum size under single ownership planned and developed as an integral unit and consisting of a combination of residential and/or nonresidential uses on the land. See Chapter 7 of the Zoning Ordinance.</p> <p>“Planning Commission” The City Planning Commission of Clinton City.</p> <p>“Police Power” means the inherent, delegated, or authorized legislative power for purposes of regulation to secure health, safety, and general welfare.</p> <p>“Plat” A map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets, and alleys or other divisions and dedications.</p> <p>“Plat, Final” A proposed subdivision drawn accurately to scale and which has all measurements, data, certificates and dedications thereon, which are required for approval and acceptance by the proper agencies and for recording in the office of the County Recorder.</p> <p>“Plat, Preliminary” The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.</p> <p>“Property Owners Association” means an association or organization, whether or not incorporated, which operates under and pursuant to recorded covenants or deed restrictions, through which each owner of a portion of a subdivision be it a lot, parcel site, unit plot, condominium, or any other interest is automatically a member as a condition of ownership and each such member is subject to a charge or assessment for a pro-rated share of expense of the association which may become a lien against the lot, parcel, unit, condominium, or other interest of the member.</p> <p>“Public Facility” means [separately identify categories of public facilities and the types of improvements for which an impact fee will be charged for each such category under this article]. Public facility excludes those improvements that are site-related facilities.</p>
<p>OTHER ISSUES</p>	
<p>ADJOURNMENT</p>	<p>Commissioner Tyler moved to adjourn. Commissioner Bauer seconded the motion. Commissioners’ Cressall, Bauer, Thompson, Tyler, Evans and Briggs voted in favor of the motion, the meeting adjourned at 9:02 p.m.</p>