



Planning Commission Members

Chair – Tony Thompson

Vice Chair – Mark Gregersen

Dereck Bauer

Dan Evans

Jolene Cressall

Ed Olson

Date of Meeting	May 31, 2022	Call to Order	6:00 p.m.
Staff Present	Peter Matson and Lisa Titensor recorded the minutes.		
Citizens Present	Marie Dougherty, Keaton Jones, Jordan Olson		
Prayer or Thought	Commissioner Gregersen		
Pledge	Commissioner Olson		
Roll Call/Attendance	Present were: Commissioners Dereck Bauer, Jolene Cressall, Dan Evans, Mark Gregersen Commissioner Ed Olson and Tony Thompson		
Declaration of Conflicts	There were none.		
PUBLIC HEARING: REVIEW AND POSSIBLE ACTION ON ZONING ORDINANCE TEXT AMENDMENTS TO THE PROVISIONS IN CHAPTER 1 REGARDING PUBLIC NOTICE REQUIREMENTS FOR PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION AND CITY COUNCIL – ORDINANCE 22-04Z			
Petitioner	Peter Matson, Community Development		
Discussion	<p>The following changes to the City Code regarding public noticing are being proposed.</p> <p>PROPOSED CHANGES</p> <ol style="list-style-type: none"> (1) The proposed draft Ordinance and text amendment is included below. (2) Language is added to clarify that public hearings shall be in accordance with State law. (3) Zoning Ordinance text amendments will no longer be sent to the newspaper for publication. At least 10 calendar days prior to the public hearing, notice of the time and place of such hearings shall be posted on the City’s webpage and on the Utah Public Notice webpage. (4) Applications to for changes to property zoning will no longer be sent to the newspaper for publication. At least 10 calendar days prior to the public hearing, notice of the time and place of such hearings shall be posted on the City’s webpage and on the Utah Public Notice webpage. (5) Applications for non-residential site plans and architectural approval will no longer be sent to the newspaper for publication. At least 10 calendar days prior to the public hearing, notice of the time and place of such hearings shall be posted on the City’s webpage and on the Utah Public Notice webpage. (6) Public notice signs will still be posted on property proposed for a zone change and site plan review at least 10 calendar days prior to the public hearing. 		

ORDINANCE NO. 22-04Z

ZONING TEXT CHANGE

AN ORDINANCE AMENDING CHAPTER 1 OF THE CLINTON CITY ZONING ORDINANCE REGARDING PUBLIC HEARING NOTICE.

WHEREAS, Clinton City has established an ordinance regulating zoning within the City; and

WHEREAS, Clinton City desires to update the zoning ordinance to be consistent with state law regarding public notice requirements; and

WHEREAS, The Clinton City Planning Commission and City Council has convened public hearings and has determined that changes are needed in this ordinance to promote the health, safety, and general welfare of the citizens;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CLINTON CITY, DAVIS COUNTY, STATE OF UTAH:

BY MOTION The Clinton City Council voted to adopt this Ordinance.

SECTION 1. Enactment

Chapter 1 *Administration and Permits* shall be amended as described below:

28-1-4 Public Hearings.

Public hearings that are required by this ordinance shall be accomplished as outlined herewith and in accordance with State law.

(1) Amendments to the Zoning Ordinance. At least ten (10) calendar days notice of the time and place of such hearing shall be posted on the Clinton City webpage and the Utah Public Notice webpage.

(2) Application for Changes to Property Zoning. At least ten (10) calendar days notice of the time and place of such hearing shall be posted on the Clinton City webpage and the Utah Public Notice webpage. Additionally, at least ten (10) calendar days prior to said hearing, a two (2) foot by two (2) foot sign shall be placed on the subject property which, in contrasting letters announces a public hearing, a phone number at the city offices where additional information may be obtained, and a copy of the public hearing. Lettering will be of contrasting color to the background and "Public Notice" will be three (3) inches tall, the phone number will be one and one-half (1 ½) inch tall letters. The copy of the public notice will be type written on an 8 ½" x 11" piece of paper contained in a weather resistant, transparent cover. A minimum of one (1) sign shall be placed on each frontage of the subject property.

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Public hearings that are required by this ordinance shall be accomplished as outlined herewith and in accordance with State law.

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<p>CONCLUSION</p>	<p><i>Commissioner Cressall moved to forward a recommendation for approval of Ordinance 22-04Z on to the City Council regarding amendments to the public notice requirements. Commissioner Bauer seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Gregersen, aye; Commissioner Olsen, aye and Commissioner Thompson, aye.</i></p>
<p>REVIEW AND ACTION ON AN AMENDED SITE PLAN APPROVAL FOR A REVISED LANDSCAPE PLAN ON 0.50 ACRES LOCATED AT 2212 W 1800 NORTH (FiiZ) IN THE PZ (PERFORMANCE ZONE) ZONING DISTRICT (PARCEL NO. 14-266-0014)</p>	
<p>Petitioner</p>	<p>Jordan Olsen, property owner SUBMITTED BY: Peter Matson</p>
<p>Discussion</p>	<p>(1) The request consists of amended site plan and approval of an amended landscape plan for the new FiiZ building and site on 0.50 acres in the existing Clinton Towne Center commercial development. The site plan, and associated landscape plan, was approved July 2, 2021, and the building and site improvements are nearly complete. The owner/applicant recently approached city staff with concerns about the large area of turf grass that dominates the approved landscape plan. The applicant has prepared an updated landscape plan with a water wise layout replacing the large turf grass area with decorative landscape rock, shrubs, perennials and fountain grass.</p> <p>(2) The city’s standard commercial landscaping regulations stipulate that 75% of all landscaped areas shall be covered with living plant material within three years of planting. Turf grass is considered a living plant material so historically most developments include large grass areas to meet this requirement. The ordinance also indicates that landscaped areas are to include no more than 10% non-living ground cover (decorative rock, mulch, paths, etc.). However, the ordinance does allow for more than 10% non-living ground cover if the planning commission determines that the aspects of water wise design enhance the overall landscape of the entire property adding visual interest through texture, color, size and shape of hardscape features - see Section 28-3-20(3). Other aspects of water wise design to be considered include the use of mulches in planting areas, turf used for high use areas, and that plants are selected which are appropriate for the specific physical conditions of the site.</p> <p>(3) The original approved landscape plan is very turf grass dominant, thus requiring the majority of the irrigation to be overhead sprinklers. The proposed plan replaces the turf grass area with three different decorative landscape cobble, rock and stone. A variety of trees, shrubs, and perennials are spread throughout the site in diverse clusters requiring a more efficient drip irrigation system with water wise controllers. The plants selected are consistent with the Weber Basin recommended plant lists. The landscape buffer along 1800 North includes a curved metal edging separating rock from cobble with a variety of shrubs and perennials against the inside edge of the buffer. The buffer along 2225 West is characterized by a sloping detention basin with trees on the outside edges of the stone/rock detention area.</p> <p>(4) CONDITIONS OF APPROVAL:</p> <p>a) Landscape features and shrubs exceeding 2’ in height shall not encroach into the “sight triangle” at the corner of 1800 North and 2225 West and at the site entrance on 2225 West.</p> <p>As per Section 28-3-10(v)(A), landscaping shall be installed prior to building occupancy. Given the time constraints associated with this approval, occupancy may be granted to accommodate the scheduled grand opening with the stipulation that the site improvement/landscape bond will be held by the city until all improvements, including landscaping, are completed in accordance with city standards. Occupancy prior to completion of the landscaping may only be granted with approval of the Building Official in consultation with the Community Development Director Matson, Community Development.</p> <p>The Planning Commissioners agreed these are appropriate changes to the landscape to conserve water.</p>
<p>CONCLUSION</p>	<p><i>Commissioner Bauer moved to approve as conditioned a modified landscape plan for the FiiZ restaurant building 2212 W 1800 N and associated site as received on May 27, 2022 pursuant to State Code updates and pending City Code changes. Commissioner Gregersen seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Gregersen, aye; Commissioner Olsen, aye and Commissioner Thompson, aye.</i></p>

OTHER ISSUES	There was none.
	a. Approval of April 19, 2022 Planning Commission Meeting Minutes. <i>Commissioner Cressall moved to approve the minutes of the April 19, 2022 Planning Commission Meeting. Commissioner Bauer seconded the motion. Commissioners Bauer, Cressall, Evans, Gregersen, Olson and Thompson voted in favor.</i>
ADJOURNMENT	Commissioner Bauer moved to adjourn. Commissioner Evans seconded the motion. The meeting adjourned at 7:00 p.m.