

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
October 9, 2018

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Devin Rogers	Police Lieutenant
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION ON A REQUEST TO REZONE PROPERTY LOCATED AT APPROXIMATELY 1017 EAST 700 SOUTH AND 1029 EAST 700 SOUTH (TIN:09-017-0009, 09-017-0010, AND 09-017-0011) FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL)

Brad McIlrath, Senior Planner, informed the Council that Maverik requested a rezone for properties located at 1017 East 700 South and 1029 East 700 South from R-1-8, Residential, to C-2, Commercial. He indicated the request was supported by the General Plan. He explained Maverik would be working with Dominion Energy to move its utility to another part of the property and also need to work with the City vacating the side street on the property that serviced the homes that were previously on the property. There was a question about whether the 1000 East would need to be widened to accommodate traffic. Mr. McIlrath responded there would need to at least be an additional turn lane to accommodate larger vehicles. He informed the Council that the Planning Commission reviewed the request and recommended approval.

DISCUSSION ON A ZONING TEXT AMENDMENT TO CITY CODE TITLE 11 CHAPTER 3 MAKING CHANGES TO DEFINITIONS FOR DAYCARE RESIDENTIAL AND DAYCARE FACILITY WHICH WOULD ALLOW MORE CHILDREN TO BE CARED FOR AT A RESIDENTIAL DAYCARE

Brad McIlrath, Senior Planner, informed the Council that the City received a request to increase the number of children allowed as part of a residential daycare. Mr. McIlrath reviewed the following:

- The City's ordinance currently allowed up to eight (8) children at a residential daycare.
- Residential daycare providers were required to be licensed by the State of Utah.
- State licensing allowed daycare providers to care for up to sixteen (16) children.
- Residential daycares were only allowed in residential zones and daycare facilities were only allowed in commercial zones.
- Surrounding cities were allowing twelve (12) to sixteen (16) children in residential daycares.
- If the ordinance was changed residential daycare providers would need to come to the City and amend their current business licenses.

There was a discussion about the amount of square footage needed to properly care for sixteen (16) children in a residential daycare. Mr. McIlrath explained the State regulated that requirement, as well as other requirements, and applicants needed to have the State license prior to applying for a City business license. He also commented the State required a ratio of 1 adult per 8 children. There was a discussion about impacts of allowing additional children: traffic, square footage, lot sizes, code compliance, and enforcement. Mr. McIlrath explained that in most cases the increase in children being cared for was related to families already using the provider having additional children. The Council expressed a desire to keep children as safe as possible and there might need to be additional requirements in place before approving an increase to the number of children that could be cared for at one location. Mr. McIlrath stated he would reach out to the State to determine what things were actually being regulated by it when a license was granted.

DISCUSSION ON A ZONING TEXT AMENDMENT TO CITY CODE TITLE 11 CHAPTER 19 – FORM BASED CODE (FBC) THAT WOULD REDUCE VISITOR PARKING PERCENTAGES, OPEN SPACE/LANDSCAPING PERCENTAGES, AND THE SETBACK FOR BUILDINGS LOCATED ADJACENT TO PARCELS NOT LOCATED IN THE FBC AREA

Brad McIlrath, Senior Planner, stated there had been a request to consider changes to various parts of the Form Based Code (FBC). The following items were requested to be amended:

- Reduce the visitor parking space requirement from twenty-five (25) percent to fifteen (15) percent of required amounts;
- Allow an overlap of the ten (10) percent open space and ten (10) percent landscaping requirement so as not to require a full twenty (20) percent of site in open space and landscaping combined; and

- Reduce the required twenty-foot (20') setback for new buildings with yards adjacent to existing single family or townhome residential not in the FBC area to be more flexible in width by also allowing other uses other than landscaping.

Mr. McIlrath reviewed options for setback visitor parking and open space and landscaping standards. He also reviewed the same standards in the form based codes adopted by South Salt Lake and South Ogden, as well as the template from Wasatch Front Regional Council.

There was a discussion about whether deviations from the FBC standards were better addressed through development agreements for unique properties or amending the ordinance applying new standards to all development in the FBC areas. Mr. McIlrath commented there were multiple properties on the east side of State Street that could have width issues making development problematic under the current standards of FBC. He also proposed simplifying the language for understanding of landscaping requirements in regards to setbacks.

There was discussion on an appropriate number for visitor parking and percentage of open space and landscaping requirements. There was a debate about abandoning standards that created greater appeal with more open space and landscaping. Mr. McIlrath reviewed the Planning Commission's recommended amendments to the ordinance.

- Reduce the visitor parking space requirement from 25 percent of amount required amounts to 15 percent.
- Amend the open space and landscaping percentages to require that the total site shall have a combined open space and landscaping percentage of 20 percent and in no case shall either be less than 5 percent of the site.
- Amend the required 20 foot setback for new buildings adjacent to existing single family or townhome residential to be a building setback and allow more than landscaping to be located in that area.
- Amend Table 7.5 (2) to correctly read TC/CC in both columns and to require a minimum 5 foot buffer landscaping between TR (Town Residential) and TR (Town Residential) and also existing single family and townhome residential and TR.

Councilmember Bush moved to adjourn the work session and reconvene in policy session at 6:59 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

The meeting reconvened at 8:19 p.m.

DISCUSSION ON A ZONING TEXT AMENDMENT TO CITY CODE TITLE 11 CHAPTER 19 – FORM BASED CODE (FBC) THAT WOULD REDUCE VISITOR PARKING PERCENTAGES, OPEN SPACE/LANDSCAPING PERCENTAGES, AND THE SETBACK FOR BUILDINGS LOCATED ADJACENT TO PARCELS NOT LOCATED IN THE FBC AREA - CONTINUED

Mr. McIlrath provided the City map and talked about how the proposed amendments would affect various properties in the FBC areas. He commented the City wanted to make sure it protected its single family neighborhoods while providing flexibility for new development. He also recommended a 20 foot building side and rear setbacks not specific landscape setbacks. JJ Allen, City Manager, commented if the setback were changed to 20 feet it would be important to require at least five feet of that setback to be landscaping. Mr. McIlrath agreed. Mayor Shepherd and members of the Council commented they would be unwilling to allow anything less than 20 feet on the side and rear setbacks.

There was a discussion on acceptable parking standards for the FBC. The Council expressed concern with dropping the visitor parking requirement to 15 percent because the intent was to create a walkable community and visitors would need somewhere to park so they could walk the downtown area. There was further discussion about encouraging structured parking rather than ground level parking and the cost of structured parking. Mr. McIlrath commented developers were pushing back on structured parking and wanting other concessions because of the cost.

Mr. McIlrath asked if there were any concerns with the proposed amendments to the open space and landscape requirements. The Council appeared comfortable with the proposed amendments to open space and landscaping requirements.

DISCUSSION ON A ZONING TEXT AMENDMENT TO CITY CODE TITLE 11 CHAPTERS 4 AND 5 MAKING CHANGES TO CONDITIONAL USE PERMIT REQUIREMENTS AND SITE PLAN REVIEW

Brad McIlrath, Senior Planner, explained conditional use permits and site plan review were administrative actions as defined by Utah State Code. He proposed updating the City's ordinances to more fully align with State Code requirements by including clarification that site plan review would only be completed for permitted uses in a zone or for minor changes to the site or development of permitted uses. He also reviewed new language, which aligned with State Code, for the conditional use permit ordinance that clarified the process was to mitigate impacts from development not eliminate those impacts.

JJ Allen, City Manager, further explained the proposed amendments would simplify the process for the applicant by only requiring site plan review for permitted uses, whereas currently site plan review was required for both. He continued conditional use permits would not require a separate site plan review rather it would be handled as part of the same process which should save time and money for applicants.

Councilmember Peterson moved to adjourn at 8:55 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 8th day of January, 2019**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, October 9, 2018.

/s/Nancy R. Dean, City Recorder