

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
January 22, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Karece Thompson	Councilmember
EXCUSED:	Tim Roper	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Scott Hodge	Public Works Director
	Mark Baird	Deputy Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	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

VISITORS: Jared Hadley, Kathryn Murray

Mayor Shepherd called the meeting to order at 6:05 p.m.

DISCUSSION ON A GENERAL PLAN AMENDMENT TO ALLOW THE USE OF THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONE IN AREAS IDENTIFIED AS RESIDENTIAL

Brad McIlrath, Senior Planner, stated the City's General Plan was adopted in June of 2016 and provided background and goals in Chapter 2 – Land Use Element. He reviewed the current language for the R-1-6 and R-1-8 Zones. He displayed a pie graph of the City's current land use percentages by zoning category which represented the R-1-6 Zone at 2.3 percent and the R-1-8 Zone at 21.5 percent even though the General Plan indicated a large number of existing lots were developed under the R-1-6 Zone. Mayor Shepherd asked if it was known how many units were in each zone. Mr. McIlrath stated he reported the information from the General Plan but had not completed an analysis on the number of units.

Mr. McIlrath explained there were challenges statewide with housing affordability, housing shortages, and increasing demands for smaller lot sizes. He commented single-family zones like the R-1-6 Zone and dense single-family developments were increasing along the Wasatch Front. He continued there seemed to be a continued high demand for single-family home ownership, yet the demand for larger lot sizes were not as high as prior years. Mr. McIlrath stated in an effort to emphasize the highest and best use of the land that was remaining, while balancing multi-family and single-family developments, an increase in smaller lot single-family residential zoning would be appropriate. He reviewed the proposed language amendments to the R-1-6 Zone for the General Plan which would allow for minimum lot sizes of 6,000 square feet in size instead of 6,500 square feet and allow it to be an alternative for infill or other areas that would be designated as Residential on the City's Future Land Use Map. He mentioned the Planning Commission reviewed the item at its meeting on January 9, 2019 and recommended approval.

Mayor Shepherd expressed his concern for the word choice proposed that the R-1-6 Zone regarding the encouragement of its use for infill single-family development and suggested the word "encouraged" be changed to "allowed." Mr. McIlrath responded it could easily be modified and it was used to encourage the R-1-6 Zone over multi-family uses; however, "allowed" seemed to be a more appropriate word choice. JJ Allen, City Manager, commented the item would be considered later in the evening during the policy session and it would be important to note in the motion any desired language changes from those that were recommended by the Planning Commission.

DISCUSSION ON A ZONING TEXT AMENDMENT TO AMEND THE DEVELOPMENT STANDARDS FOR THE R-1-6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT AS OUTLINED IN TITLE 11, CHAPTER 9C OF THE CITY'S LAND USE ORDINANCE

Brad McIlrath, Senior Planner, mentioned many other communities in Davis County had an R-1-6 Zone. He reviewed the development standards of several surrounding cities with or without an R-1-6 Zone. He stated based on research from other cities' development standards and recently adopted changes to the City's R-1-8 Zone, staff proposed the following changes to the R-1-6 development standards:

11-9C-4: AREA AND FRONTAGE REGULATIONS:

- *Lot Size: The minimum lot would be reduced from 6,500 square feet to 6,000 square feet.*
- *Lot Width: The minimum lot width, as measured at the front setback line, would be reduced from 65 feet to 60 feet.*
- *Lot Width, Corner Lots: Each corner lot should have a minimum lot width, as measured at the front setback line, and would be reduced from 75 feet to 70 feet.*
- *Lot Frontage: The minimum lot frontage would be reduced from 60 feet to 50 feet.*

11-9C-5: YARD REGULATIONS:

- *Front Yard: The minimum front yard setback for all main buildings would be reduced from 25 feet to 20 feet.*
- *Side Yard: The minimum side yard setback for all main buildings would be reduced from seven feet on each side to six feet on each side.*

- *Side Yard, Corner Lots: No changes proposed so the minimum side yard setback for all main buildings on corner lots would be 20 feet on the side adjacent to a street.*
- *Rear Yard: No changes proposed so the minimum rear yard setback for all main buildings would be 20 feet.*

Mr. McIlrath indicated the proposed changes were consistent with similar type zones throughout Davis County. There was a discussion confirming the six foot side yard setback would be adequate to provide space for necessary easements between buildings. Mr. McIlrath commented the Planning Commission reviewed the zoning text amendment at its meeting on January 9, 2019 and recommended its approval.

DISCUSSION ON A REQUEST TO REZONE PROPERTY LOCATED AT APPROXIMATELY 1295 WEST 300 NORTH (TIN: 12-024-0014) FROM A-1 (AGRICULTURAL) TO EITHER R-2 (MULTI-FAMILY RESIDENTIAL) OR R-1-6 (SINGLE-FAMILY RESIDENTIAL)

Brad McIlrath, Senior Planner, stated an application had been received requesting the property located at 1295 West 300 North be rezoned from A-1 (Agricultural) to R-2 (Residential) which had been discussed previously during work and policy sessions. He mentioned staff received a letter from the applicant and the property owner indicating that either the R-2 Zone or R-1-6 Zone would be acceptable zoning options. He continued staff was proposing the property be rezoned to the R-1-6 Zone if the General Plan and R-1-6 Zone developments standards were approved as discussed previously.

Mr. McIlrath commented the Planning Commission reviewed the item on December 5, 2018 and recommended denial of the rezone request from A-1 to R-2, but it had not had time to review or provide a recommendation about the R-1-6 Zone. He reviewed the available options the Council would have when it considered the rezone request during policy session. There was a discussion about the sequence of events outlined in the agenda. Nancy Dean, City Recorder explained the rezone request would not be considered until the public hearings and subsequent actions were completed on the General Plan amendment and zoning text amendment for the R-1-6 Zone.

DISCUSSION ON THE AWARD OF BID FOR THE 250 NORTH CDBG RECONSTRUCTION FROM MAIN STREET (SR-126) TO 300 NORTH PROJECT

Mark Baird, Deputy Public Works Director, stated the City solicited bids for the 250 North CDBG Reconstruction Project and received bids from six contractors. He continued staff recommended the bid be awarded to Geneva Rock, the lowest responsible bidder for \$844,472.50, with contingency and engineering costs of \$105,527.50, for a total project cost of \$950,000. He reviewed the project which included installing a new 8-inch culinary waterline, hydrants, and sewer main line as well as other subsequent reconstruction.

Mr. Baird noted the staff report indicated \$131,763 as the amount of available CDBG funds, but staff identified the actual amount would be \$272,000 available for use on the project. Scott Hodge, Public Works Director, mentioned the item was time sensitive but had not been included

on the agenda for consideration during the policy session. Nancy Dean, City Recorder, indicated the item would be addressed during a special session on February 5, 2018. Mayor Shepherd asked if there were any concerns with the project and if the Council was comfortable having staff move forward with a preconstruction meeting on the project before it was awarded. There was consensus staff should move forward with the preconstruction meeting so the project could begin promptly after it was awarded.

Councilmember Peterson commented it was nice to see the bids more closely related rather than a large spread with the pricing.

DISCUSSION ON A ZONING TEXT AMENDMENT TO AMEND THE PUBLIC NOTICE REQUIREMENTS FOUND IN THE TABLE 11.2 OF TITLE 11 CHAPTER 1 AND TITLE 11, CHAPTER 4 IN THE CITY'S LAND USE ORDINANCE

Spencer Brimley, Senior Planner, indicated staff was proposing amendments to the Public Notice Requirements found in Table 11.2 of Title 11, Chapter 1 as well as Chapter 4, Paragraph 3, Section B related to public hearings and noticing for Conditional Use Permits. He mentioned the Legislature had in prior years modified and adopted new standards for public hearings and notices as outlined in the Utah State Land Use Development and Management Act (LUDMA) Title 10 Chapter 9a of the Utah Code Annotated to allow for an expedited and streamlined development review process. He commented some of the changes in LUDMA were regarding public notice and public hearing requirements. Mr. Brimley added legislative items always required a public hearing; however, administrative items, unless specifically called out in State Statute, did not require public hearings or in some cases even public meetings.

He reviewed the proposed language changes to Table 11.2 which were suggested to be more consistent with State Statute and provided the appropriate expectations regarding land use applications for the City's residents. Mr. Brimley pointed out the proposed change of providing a staff report to the applicant three days prior rather than ten days prior to the public hearing was more consistent with the current practice. He continued the proposed amendments would change the dynamic for how the property was physically noticed. He expressed the intent of staff was to provide more notice on the property itself to help increase awareness for residents of pending projects being considered. There was a discussion about the differences in the public meetings where the public could attend but would have to be recognized by the chair for participation versus the public hearings where public comments were permitted.

Councilmember Peterson expressed support for the changes because previously there seemed to be confusion about the process and expectations were inappropriately set about what the residents involvement could be in it. She continued the Planning Commission was constrained by the State's development requirements but misunderstandings of public hearings or the noticing process often left the public with a feeling that government officials were not listening to them if something was approved. She agreed with the proposal to remove the requirement to notice administrative items when it was not required by State Statute.

Mr. Brimley mentioned during the Planning Commission meeting on January 9, 2019, there had been a lengthy discussion about the best way to provide notice to the neighbors about the

administrative items. He indicated ultimately the Planning Commission recommended approval of staff's proposed changes to the public noticing requirements. Planning Commissioner Murray stated some of the commissioners were concerned about the notification process if there would be no future mailers sent to neighboring property owners. She commented one proposed method for notification was to place larger signage on the property so residents could have information about an upcoming project. Mr. Brimley added staff was working on better options for signage which could provide the public with information about pending land use related projects. Trevor Cahoon, Communications Coordinator, suggested staff reviewed the requirements for signage and proposed using creativity to alert people that something was happening on the property through brightly colored signage which would refer the public to a web address for additional details. There was a discussion about the purpose of noticing which properly educated the public and provided transparency.

Councilmember Bush expressed his opinion conditional uses should be eliminated entirely from the land use ordinances. Councilmember Peterson agreed. Mr. Brimley responded staff was reviewing the updates necessary so it could be considered in the future.

Councilmember Phipps wondered why annexations were listed in Table 11.2 if it did not outline the process but directed applicants to the State Code. Nancy Dean, responded the process for annexation notification was complex; however, in an effort to identify the City had a process for it language was included on the chart directing individuals to refer to the State Code.

Mr. Brimley stated the Planning Commission reviewed the item and recommended approval. He mentioned staff believed with changes to the on-site notification it would help provide both the education and transparency for pending administrative items. He added there was a public hearing scheduled during the City Council meeting on February 12, 2019 and following the hearing the Council could consider the proposed zoning text amendment to public noticing and hearing requirements.

DISCUSSION ON THE STEED POND AREA CONCEPTUAL MASTER PLAN

Eric Howes, Community Services Director, stated a copy of the Steed Master Plan was provided in the agenda packet as well as physical copies which were distributed during the retreat on January 17, 2019. He reviewed some of the following proposed highlights:

- A new trail around the pond which connected to the Rail Trail
- A bridge feature which would be unique
- Several areas containing pavilions
- Landscaping to buffer neighboring properties
- Several docks for fishing
- Removal of an existing fence line on the south portion of the pond to help create access to the area
- Additional beach access areas for non-motorized boats
- Bike racks
- Updating the parking lot by combining the two current lots and removing the grass area between them

Mr. Howes asked if the Council had any feedback they wished to be shared with the consultant before completion of the design. Councilmember Phipps wondered if the bathroom was proposed for updates with the concept plan. Mr. Howes responded the bathrooms would be updated at some point in the future but was unsure of its timing. He explained the Five Year Capital Project's List included bathroom renovations at a few of the City's older facilities including Kiwanis, North Steed and Island View Parks.

Councilmember Phipps suggested joining the path on the south to the current trail to provide connectivity and avoid damage to areas where the public would likely create a path. Mr. Howes agreed it was a good idea. Councilmember Bush asked if the topography identified in the top corner of the concept plan would be sloped. Mr. Howes responded it would and possibly the best thing to do in the areas where there was steep sloping was to add plants to help stabilize the area. There was a discussion about the area near the Rail Trail and proposed pavilion which included the area's slope, types of plant life for stabilization, close proximity accesses to help prevent non-intended paths, adding lighting to help prevent vandalism and provide additional safety in less visible areas.

JJ Allen, City Manager, asked if the depth of the pond was known. Mr. Howes indicated it was not more than 25 feet when it was full. Mr. Allen asked if staff would be contemplating dredging the pond to help with any phragmites issues. Mr. Howes answered dredging the pond as a whole was not recommended by the Department of Natural Resources because it would disrupt the fish habitat. There was a discussion about the pond and methods proposed for beautification of the outlet area, primary purposes for the fountain, and possible impacts from falling in the water.

Councilmember Phipps wondered whether or not the Davis County School District would agree to the removal of the fence. Mr. Howes answered the City's current agreement with the District would require a discussion about the matter, but if it refused other options could be explored. Councilmember Phipps recalled previously the school's principal was concerned about safety and required the shrubbery to be removed; therefore, elimination of the fence could be an issue as well.

Councilmember Phipps questioned if the curb cut along 1000 West would go away because a pavilion was planned for that area. Mr. Howes responded it could be left for easier access for maintenance or removed.

Councilmember Peterson moved to adjourn at 6:45 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, and Thompson. Voting NO – None. Councilmember Roper was not present to for the vote.

**APPROVED AND ADOPTED
This 26th day of February, 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, January 22, 2019.

/s/Nancy R. Dean, City Recorder