

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
September 10, 2019 – POLICY SESSION
Revised September 5, 2019

Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Executive Conference Room
55 South State Street
Third Floor
Clearfield, Utah

6:00 P.M. WORK SESSION

Discussion on Enacting Title 4, Chapter 12 – Massage Businesses

Discussion on Tiered Priorities and Action Items

(Any items not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY SESSION

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Roper

APPROVAL OF MINUTES:

August 27, 2019 – Policy Session

PRESENTATION:

1. PRESENTATION BY NANCY WEBER ON BECOMING A CENSUS WORKER FOR THE 2020 CENSUS

PUBLIC HEARINGS:

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO AMEND THE CITY'S GENERAL PLAN FUTURE LAND USE MAP DESIGNATING A MAJORITY OF THE PROPERTY LOCATED AT APPROXIMATELY 1040 WEST 700 SOUTH (TIN: 12-026-0011) FROM MANUFACTURING TO RESIDENTIAL

BACKGROUND: The applicant is requesting an amendment to the City's General Plan Future Land Use Map for a majority of the property (0.57 acres) located at approximately 1040 West 700 South. The request would change the designation of the property from Manufacturing to Residential. The applicant has also applied for a rezone and subdivision plat in conjunction with this request intending to build a single-family residence and create a separate lot for the existing cell tower if approved. The Planning Commission reviewed the request at its meeting on August 21, 2019 and recommends its approval.

RECOMMENDATION: Receive public comment.

3. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTY LOCATED AT APPROXIMATELY 1040 WEST 700 SOUTH (TIN: 12-026-0011) FROM A-1 (AGRICULTURAL) TO R-1-8 (RESIDENTIAL) AND M-1 (MANUFACTURING)

BACKGROUND: The applicant is requesting a rezone for the property (0.57 acres) located at approximately 1040 West 700 South. The request would rezone the property from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing). The applicant would like to subdivide the existing property to create one lot for the cell tower at the rear of the property and another lot for single-family residential development. The Planning Commission reviewed the request on August 21, 2019 and recommends its approval.

RECOMMENDATION: Receive public comment.

4. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A ZONING TEXT AMENDMENT TO AMEND CITY CODE § 11-15A-3A – FREEWAY ORIENTED SIGNAGE OVERLAY ZONE (S-O)

BACKGROUND: The Freeway Oriented Signage Overlay Zone (S-O) was adopted in 2013 and provides standards for commercial business signage for businesses that are located within a 700 foot radius of an Interstate 15 (I-15) interchange. The applicant is requesting approval of a zoning text amendment to allow freeway oriented signs located within the freeway oriented sign overlay zone to have the maximum height of sixty feet measured from the freeway grade. These changes if approved would establish a common measuring point for all freeway oriented signs. The Planning Commission reviewed the request on August 21, 2019 and recommends its approval.

RECOMMENDATION: Receive public comment.

5. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH UNIVERSITY PARK BOULEVARD (TIN: 09-302-0009) FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL)

BACKGROUND: The applicant is requesting a rezone for 2.74 acres of the 3.46 acre property located at approximately 938 South University Park Boulevard. The request would rezone that portion of the property from C-2 (Commercial) to R-3 (Residential). The applicant would like to subdivide and develop the front 0.73 acres of property with a commercial use and the back 2.74 acres with thirty-nine townhomes. The Planning Commission reviewed the request on August 21, 2019 and recommends its approval.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

6. OPEN COMMENT PERIOD

The Open Comment Period provides an opportunity to address the Mayor and City Council regarding concerns or ideas on any topic. To be considerate of everyone at this meeting, public comment will be limited to three minutes per person. Participants are to state their names for the record. Comments, which cannot be made within these limits, should be submitted in writing to the City Recorder at nancy.dean@clearfieldcity.org.

The Mayor and City Council encourage civil discourse for everyone who participates in the meeting.

Comments pertaining to an agenda item that includes a public hearing or public input should be given as that item is being discussed during the meeting.

7. CONSIDER APPROVAL OF ORDINANCE 2019-19 AMENDING THE CITY'S GENERAL PLAN FUTURE LAND USE MAP BY CHANGING THE LAND USE DESIGNATION FOR A MAJORITY (0.57 ACRES) OF THE PROPERTY LOCATED AT APPROXIMATELY 1040 WEST 700 SOUTH (TIN: 12-026-0011) FROM MANUFACTURING TO RESIDENTIAL

RECOMMENDATION: Approve Ordinance 2019-19 amending the City's General Plan Future Land Use Map by changing the land use designation for a majority (0.57 acres) of the property located at approximately 1040 West 700 South (TIN: 12-026-0011) from Manufacturing to Residential and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF ORDINANCE 2019-20 REZONING THE PROPERTY (0.57 ACRES) LOCATED AT APPROXIMATELY 1040 WEST 700 SOUTH (TIN: 12-026-0011) FROM A-1 (AGRICULTURAL) TO R-1-8 (RESIDENTIAL) AND M-1 (MANUFACTURING)

RECOMMENDATION: Approve Ordinance 2019-20 rezoning the property (0.57 acres) located at approximately 1040 West 700 South (TIN: 12-026-0011) from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing) and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF ORDINANCE 2019-21 AMENDING TITLE 11, CHAPTER 15A, SECTION 3, PARAGRAPH A - FREEWAY ORIENTED SIGNAGE OVERLAY ZONE (S-O)

RECOMMENDATION: Approve Ordinance 2019-21 amending Title 11, Chapter 15A, Section 3, Paragraph A – Freeway Oriented Signage Overlay Zone (S-O) and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF ORDINANCE 2019-22 REZONING A PORTION OF THE PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH UNIVERSITY PARK BOULEVARD (TIN: 09-302-0009) FROM C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL)

RECOMMENDATION: Approve Ordinance 2019-22 rezoning a portion of the property located at approximately 938 South University Park Boulevard (TIN: 09-302-0009) from C-2 (Commercial) to R-3 (Residential) and authorize the Mayor's signature to any necessary documents.

11. CONSIDER APPROVAL OF ORDINANCE 2019-23 AMENDING TITLE 1, CHAPTER 6 – MAYOR AND CITY COUNCIL AND TITLE 1, CHAPTER 7 – OFFICERS AND EMPLOYEES OF THE CLEARFIELD CITY CODE

BACKGROUND: The City Council recently approved and adopted its Council Rules of Order and Procedure. It necessitated an update to Title 1, Chapter 6 – Mayor and City Council which also contained rules for the City Council. Staff also found updates needed in Title 1, Chapter 7 – Officers and Employees during the review that needed to be updated in order to be consistent with recent changes in State Code.

RECOMMENDATION: Approve Ordinance 2019-23 amending Title 1, Chapter 6 – Mayor and City Council and Title 1, Chapter 7 – Officers and Employees of the Clearfield City Code and authorize the Mayor's signature to any necessary documents.

12. CONSIDER APPROVAL OF THE DEVELOPMENT AGREEMENT WITH GOLD STREAM PARTNERS, LLC FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT APPROXIMATELY 458 EAST 700 SOUTH (TIN: 15-011-0003)

BACKGROUND: The Depot Crossing Commercial and Residential development includes an 8,785 square foot office building at the corner of Depot Street and 700 South and a 32-unit townhome subdivision to the south of the office building and Masonic Temple. The developer has requested modifications to Form Based Code standards for the office building due to the topography and Utah Department of Transportation challenges along 700 South. The development agreement addresses modifications to the standards for the office building regarding sidewalks, benches, building entry, open space, and the order of construction.

RECOMMENDATION: Approve the development agreement with Gold Stream Partners, LLC for the development of the property located at approximately 458 East 700 South and authorize the Mayor's signature to any necessary documents.

13. CONSIDER APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE JOHN LOSEE SUBDIVISION LOCATED AT APPROXIMATELY 1040 WEST 700 SOUTH (TIN: 12-026-0011)

BACKGROUND: The developer is proposing to create two lots from the existing parcel located at approximately 1040 West 700 South. The applicant has concurrent applications and is seeking approval to amend the General Plan from Manufacturing to Residential for the front lot area as well as rezone the property. The proposed plat identifies the front lot as the location for a future single-family residence and the rear property as the location for a cell tower. The Planning

Commission reviewed the plat at its meeting on August 21, 2019, and recommends its approval based on three conditions.

RECOMMENDATION: Approve the Final Subdivision Plat for the John Losee Subdivision located at approximately 1040 West 700 South with the three conditions as recommended by the Planning Commission and authorize the Mayor's signature to any necessary documents.

14. CONSIDER APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE TOWERS AT LEGEND HILLS SUBDIVISION LOCATED AT APPROXIMATELY 1300 SOUTH 2000 EAST (TINS: 09-341-0306 AND 09-341-0305)

BACKGROUND: Wright Development is proposing to create a 2-lot subdivision called Towers at Legend Hills Subdivision located at approximately 1300 South 2000 East. The applicant intends to develop Lot 1 as a commercial use and Lot 2 as the proposed Towers at Legend Hills Apartments. The Planning Commission reviewed the plat at its meeting on July 17, 2019, and recommends its approval based on six conditions.

RECOMMENDATION: Approve the Final Subdivision Plat for the Towers at Legend Hills Subdivision with the six conditions as recommended by the Planning Commission and authorize the Mayor's signature to any necessary documents.

15. CONSIDER APPROVAL ORDINANCE 2019-24 ENACTING TITLE 4, CHAPTER 12 – MASSAGE BUSINESSES

BACKGROUND: On March 12, 2019, the City Council approved a land use moratorium on the establishment and/or relocation of massage businesses. The land use moratorium is scheduled to expire on September 12, 2019. Staff has proposed a massage business license ordinance, which is intended to allow for the approval of applications for development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any massage business on commercially zoned property throughout the City.

RECOMMENDATION: Approve Ordinance 2019-24 enacting Title 4, Chapter 12 – Massage Businesses and authorize the Mayor's signature to any necessary documents.

16. CONSIDER APPROVAL OF ORDINANCE 2019-25 AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE BY UPDATING THE FEES FOR POLICE RECORDS AND GRAMA, AS WELL AS ENACTING FEES FOR THE LICENSING OF MASSAGE TYPE BUSINESSES

BACKGROUND: Staff recently reviewed its processes for responding to record requests for police records. As a result of the review, a determination was made that requests for police records should be handled in the same manner as any other request for records; consequently, staff is proposing a change to the City's Consolidated Fee Schedule by removing the references to police records and updating the GRAMA research fee to allow for the varying hourly rates that may apply and be more consistent with what is allowed by State Law. In addition to changes, staff is proposing new fees that are intended to cover the basic administrative costs associated with licensing a massage business which would be applicable if the Council approves establishing the proposed Title 4, Chapter 12 – Massage Businesses in the City's Code.

RECOMMENDATION: Approve Ordinance 2019-25 amending the City's Consolidated Fee Schedule updating the fees for Police Records and GRAMA as well as enacting fees for the licensing of massage type businesses; and authorize the Mayor's signature to any necessary documents.

17. ~~CONSIDER APPROVAL OF THE UPDATED CULINARY WATER CAPITAL FACILITIES PLAN~~

~~BACKGROUND:~~ *The existing Culinary Water Capital Facilities Plan was adopted by the City in August 2012. The intent of the Water Capital Facilities Plan is to assist the City in planning, prioritizing and identifying funding sources to make capital improvements to the City's culinary water system. The Water Capital Facilities Plan is a City wide report identifying construction and/or replacement/upgrade of any inadequate water facilities. It works in conjunction with other plans to insure proper and efficient planning of the City's infrastructure and provides cost estimates; a general construction time table schedule; and possible funding sources for the implementation, upgrade, and replacement of the identified culinary water capital improvements.*

~~RECOMMENDATION:~~ *Approve the updated Culinary Water Capital Facilities Plan and authorize the Mayor's signature to any necessary documents.*

COMMUNICATION ITEMS:

Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

****ADJOURN AS THE CITY COUNCIL****

Dated this 5th day of September, 2019.

/s/Wendy Page, Deputy Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.