

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
October 6, 2020

City Building  
55 South State Street  
Clearfield City, Utah

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

VISITORS: Mark Morris – VODA Landscape and Planning

VISITORS PRESENT VIA ZOOM: Annaliese Eichelberger – VODA Landscape and Planning

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

DISCUSSION ON THE POSSIBILITY OF ALLOWING ACCESSORY DWELLING UNITS  
WITHIN THE CITY

Brad McIlrath, Senior Planner, stated a draft ordinance allowing accessory dwelling units (ADUs) was prepared by the City's management intern in July of 2019. He noted following discussions with the Planning Commission and City Council last year it was concluded if an ordinance was drafted it should be simple and tailored to the needs of the City rather than patterned after another community.

Mayor Shepherd explained Provo, a college town, was one of the first cities to have an ordinance regulating ADUs. He expressed his opinion a college town made sense to have ADUs because there was a need to have many options of affordable housing for students. He noted Clearfield as a community was not lacking for affordable housing options at the present time. He voiced his concerns about parking options. Mayor Shepherd reported Clearfield might have some instances where it could be possible to have an ADU; however, most homeowners did not understand the costs involved with building or renting out the basement.

Councilmember Bush reported Logan City created an ordinance to allow for ADUs and had problems. There was a discussion about the following things the City should consider if an ordinance were to be crafted allowing ADUs:

- Parking room for at least two additional stalls
- Owner occupancy requirement
- Size and distance standards
- Keeping single family character of homes rather than converting homes into duplexes

Mayor Shepherd commented he was not opposed to ADUs especially if it could help address housing affordability; however, there were some concerns that should be addressed.

Spencer Brimley, Community Development Director, stated many of the cities that allowed ADUs were college towns or trying to meet an element of housing affordability. He indicated the City did not have a huge issue with either of those. He noted there might be a niche in the community where ADUs could be helpful, but an ordinance would need to be well crafted to accommodate that need and bring existing homes into compliance. He mentioned Millcreek was working to create an ADU ordinance and had been for a long time so that it was tailored to meet the needs of the community.

Councilmember Peterson expressed she had no issues with allowing ADUs but after hearing the discussion her thoughts had shifted a bit. She pointed out that the City's standard by policy was to shoulder the cost and provide resources to draft an ordinance if there was a pressing need in the community that was unmet, but for individual needs the burden would be left on them for associated costs. She felt because this was not a pressing need right now in the community it should drop on the list of priorities.

Councilmember Peterson stated based on the discussion there would be time and financial burdens in drafting an ordinance to meet the needs of the City. She expressed her opinion it would not be prudent at the present time to put forth the time and resources necessary to craft an ordinance when the City was not on short end of the affordability spectrum. She indicated the information from the research was good to have and at some point the City might need to do it, but currently it would be wise to keep with the City's hedgehog concept. She voiced her thoughts keeping the energy and focus on upcoming projects where there had been large investments made such as downtown redevelopment and Form Based Code was a better use of time and resources.

Mr. Brimley agreed if done properly crafting an ordinance for ADUs would be a process that would be time intensive. Mr. McIlrath expressed his opinion a lot of research had been done

previously. He noted in keeping with the City's hedgehog concept, land use needs should have a stronger focus and it was time for a deep dive into Title 11. He felt the deep dive could be a follow up after receiving recommendations from the General Plan updates. He pointed out that the City had been getting a lot of phone calls about ADUs and there was interest coming forward.

Councilmember Peterson stated the City was just about to begin its General Plan updates so the timing would make sense to reassess ADUs after those recommendations. She continued waiting would also allow for more time to evaluate the market conditions after the COVID-19 pandemic and see how office space or even the framing of ADUs could be different.

Mr. McIlrath acknowledged waiting until after the General Plan updates process was completed before working on ordinances would be a good approach. He noted then it would allow the focus to be where it should, given the aggressive timeline for General Plan updates to be completed. There was a discussion about waiting to look at allowing ADUs in the future when there could be more of a community need, a priority mandate, or a goal of the Council to pursue it.

Mr. McIlrath indicated moving forward staff would focus on General Plan updates and then based on any recommendations address City ordinances.

#### DISCUSSION ON THE GENERAL PLAN UPDATE AND INTRODUCTION TO THE PROJECT CONSULTANTS

Spencer Brimley, Community Development Director, welcomed Mark Morris and Annaliese Eichelberger from VODA Landscape and Planning. He explained they planned to introduce the consultant team, scope of work, and project timeline for the City's General Plan updates.

Mark Morris, lead consultant, explained VODA Landscape and Planning and its team of sub consultants would be working on the General Plan updates for the City. He noted the project was just in the beginning phase but the team hoped to provide insight and obtain perspectives about the planned process for the updates. He introduced and shared background experience of all the team members who would be working on the project which included himself, Annaliese Eichelberger, Bryce Bushman, Jeff Alls, and Lauren Leydsman with VODA Landscape and Planning; Maria Vyas and Tim Baird with Fehr and Peers; and, Susan Becker and Benjamin Becker with Zions Bank Public Finance.

Mr. Morris reviewed the following State requirements necessary for a General Plan:

- Moderate income housing element
- Land use element
- Transportation and traffic circulation element
- Parks and open spaces element
- Vulnerable communities element

He explained the General Plan elements included land use, transportation, housing, economic development, open space and trails, and environment. Mr. Morris stated the General Plan could be crafted in a way to meet the State requirements and the vision of the City. He pointed out

growth projections in Davis and Weber counties were large so planning where to put the growth and achieve the goals of the City would be important. He mentioned the City was doing well on the affordability scale; but, in years ahead it might not be the same and there could be more requests for it.

JJ Allen, City Manager, commented one noticeable difference between the State requirements and the General Plan elements included in the presentation was the vulnerable communities' element. He wondered why it had not been included with the list of General Plan elements. Mr. Morris responded the State would like to see the vulnerable addressed in all elements of the General Plan. He mentioned the Wasatch Front Regional Council (WFRC) had developed a metric that could be used to measure how the City was doing in the various areas.

Mr. Morris stated the team had reviewed the City's existing conditions and talked about paying attention to four nodes in the City as it prepared the General Plan updates. He explained much of the information came from the work Zions Bank had done for the City previously along the civic and downtown corridor. He indicated the team would look at the four nodes to see how each could be more of a benefit to the neighbors around them. He noted the review would focus on what Clearfield needed rather than the entire region.

Annaliese Eichelberger, consultant, reviewed the following public outreach opportunities planned for the project:

- October 2020 – 1<sup>st</sup> visioning survey (virtual open house)
- January 2021 – 2<sup>nd</sup> feedback on initial planning concepts (virtual open house)
- March 2021 – 3<sup>rd</sup> land use, broad policy updates (in-person-distanced open house)

Ms. Eichelberger noted the initial public outreach would start out with a visioning survey for residents and go live by the end of October and be available for two months. She explained in-person open houses held in the past had not generated as much participation as those held virtually or with surveys. She stated the first effort planned would be to engage the public in the process with a twenty questions survey. She pointed out the consultant team had been working with staff to develop those questions.

Councilmember Phipps commented October seemed fairly aggressive to get things started. Mr. Morris replied the team was ready to get started and recently due to the COVID-19 pandemic had switched some of the planning efforts to online surveys and found great success. He noted the great thing about the virtual process was it allowed people to get involved on their own schedule rather than having to meet at a scheduled time. He indicated the public outreach would be as interactive as possible and hopefully by March allow for open house opportunities that were in person.

Mr. Morris indicated there could also be success by including a follow-up survey question with the monthly email to residents and providing updates on the project. Brad McIlrath, Senior Planner, asked if there were any concerns about the planned public outreach.

Councilmember Peterson voiced she was not against public outreach but her worry was regarding the messaging. She explained the City had spent many years tackling huge projects

such as creating the small area downtown plan and Form Based Code (FBC) so she worried when it was publicized the City's General Plan would be updated it would be misinterpreted that the public could re-debate policy that had already been established or it could create friction by a misunderstanding of what was needed by requesting resident input.

Councilmember Peterson expressed her opinion that a public survey would not be the best tool for public outreach with the General Plan updates and felt public meetings through normal noticing for transparency would be the better approach. Mayor Shepherd agreed. He expressed his hesitation in using a survey and felt the better tool would be using the Planning Commission as the vetting body to review and update the General Plan. Councilmember Bush voiced his reluctance for using a survey to obtain public opinion for the General Plan updates as well.

Councilmember Peterson indicated the Planning Commission was the appointed body to vet land use and those meetings were always open to the public. She felt the messaging about the updates planned should be more focused on the why and how. Mayor Shepherd agreed. He pointed out the General Plan was a tool used by boards and commissions to create a safe and livable community. Councilmember Bush said he did not like the survey approach for the General Plan. He felt public input through a survey would be hard to obtain for an area that was already planned like the downtown but it could be useful for creating small area plans as discussed in prior years.

Mr. Brimley stated staff and the consultants looked into small area plans but since the community was seven square miles it did not seem to make sense like it would in Salt Lake City. He acknowledged as the consultants and staff looked at the City, four nodes stood out to be areas to put emphasis on during the General Plan updates. He pointed out that the small areas plans were considered, but felt those would be too difficult to execute effectively. Councilmember Bush commented there were areas of the City where emphasis should be considered and not many changes would be necessary. Mr. Brimley agreed.

Mayor Shepherd acknowledged the means for public involvement should be by joining in during the public meeting process to learn more about General Plan updates. Trevor Cahoon, Communications Coordinator, stated his feelings were similar to those of Councilmember Peterson. He suggested messaging could provide education about what the City was doing in making technical edits to the General Plan. He mentioned after a review of the survey questions, there were none that alarmed him. There was a discussion about public outreach, messaging, and education; the importance of the General Plan as a guiding tool for advisory boards and the Council, the importance of transparency; explaining the why, and how public meetings provided an opportunity for the public to weigh in on matters related to land use.

Councilmember Peterson recommended allowing the Planning Commission as the body to provide input on the General Plan updates and then take it to the residents and let them know why the City was doing it. She expressed her concern with exhausting residents through social media over the General Plan updates after years of much effort in building a relationship of trust with followers on social platforms.

Councilmember Thompson expressed his opinion all the work done by the City Council and Planning Commission came about because of input from the public. He voiced his worry there was a gap when it came to public involvement with the government and hoped if the public was informed it could help close the gap and dispel stigmas. He suggested including the public in the process was a way of building trust and then it would not be a surprise at the end of the process when decisions were made.

Mr. Cahoon said the balance would be in trying to do the outreach and messaging without burning those bridges built with residents through social media. Mayor Shepherd voiced it would not be a good idea to ask for public opinions upfront regarding the General Plan updates. There was a discussion about the City's social media click rates, engagement rates and amount of listeners for the podcasts.

Councilmember Roper commented the City Council was elected to do a job and any vetting of the General Plan should go through the Planning Commission. He agreed the messaging should be about the why and people could be encouraged to come to the meetings if there was a desire for participation in the updating process.

Mr. Morris commented perhaps the consultants and staff could find a way to use the email list of 17,000 as a tool to educate and keep residents informed about the progress with the General Plan updates so there were no surprises at the end.

Councilmember Thompson expressed his desire for the public to get involved with the process and better understand why the City was doing it. He liked the idea of virtual outreach and wondered if there could be a webinar developed that interested persons could visit anytime to learn more. There was a discussion about having an approach to messaging that would be educational, properly manage expectations, avoid misunderstandings, and allow for public involvement.

Councilmember Thompson suggested there be continued messaging that the public was welcome to comment and the forum to do so would be the public meetings. Mr. McIlrath clarified the Council wanted the Planning Commission involved heavily with the process which would require more presentations and time spent reviewing each aspect of the General Plan as it was developed. There was a discussion on the scope of the project and how to utilize public outreach and the Planning Commission to achieve the desired General Plan updates.

Councilmember Phipps expressed his surprise with the messaging efforts planned for the General Plan updates but wanted to hear the presentation to obtain a better understanding of the scope of work anticipated. He commented the last time General Plan updates were completed it was a much different process than what was currently presented. He continued it was more of an internal, academic process working through Title 11 one section at a time. He expressed his opinion the average person would not be interested in participating in the process or even understand it. Councilmember Phipps stated the messaging or outreach should inform the public a technical review of the General Plan would be done rather than asking for public opinions on policy already in place. He explained people could be directed to Title 11 of the City Code and encouraged to read it. He suggested if people still wanted to get involved after reading Title 11

then they could join in during the public meetings of the Planning Commission, rather than making comments on social media platforms.

The consensus of the Council was to eliminate the first public outreach survey and use any messaging efforts to educate and update the public; thus, allowing the Planning Commission to provide much of the public input on the updates to the General Plan as the appointed land use advisory body.

Mr. Brimley thanked the Council for its feedback on the scope and public outreach. He stated staff would be more focused on the General Plan updates as it worked with the Consultants and Planning Commission going forward as well as keeping the public updated about its progress.

Mr. Morris indicated there had been a presentation prepared for the Planning Commission but that would be adjusted based on the discussion so the public outreach portion was removed until it could be fixed. Mayor Shepherd mentioned the Planning Commission should be informed the Council wanted them to be the ones to provide the public input for the General Plan updates. There was a discussion about the Planning Commission responsibilities and roles with the process.

Mr. Morris thanked the Council for its feedback and input.

#### DISCUSSION ON THE CITY'S LAND USE REGULATIONS AND STANDARDS FOR COMMERCIAL STORAGE FACILITIES

Spencer Brimley, Community Development Director, stated the discussion on land use regulations and standards for commercial storage facilities was really perpetuated by the recent application made to the City for amendments to Form Base Code allowing storage units. He indicated the current City Code did not address the development of self-storage facilities. He acknowledged storage was a growing issue and the Council would need to address which zoning district and what regulations should govern it within the municipal boundaries.

Mr. Brimley stated the zone that might be best suited for storage was the manufacturing zone. Councilmember Peterson expressed her concern with Freeport Center and the possibility of opening the door for older buildings to become really good places to store things instead of making things. Mr. Brimley responded standards could be applied to the use and the ordinance could be crafted to address the design standards so it could obtain the desired look and feel.

Councilmember Peterson wondered how an ordinance could be established so it did not allow for an over run of storage facilities in the manufacturing zone. Mr. Brimley answered proximity would be a way to address it. He mentioned there were currently ten existing storage facilities spread within the City, so proximity would limit the ability to develop. Councilmember Peterson felt proximity could be helpful. There was a discussion about creating standards for self-storage.

Brad McIlrath, Senior Planner, stated any standards created would only apply to self-storage units. He pointed out warehousing was an allowed use in the M-1 (Manufacturing) zone. Mayor

Shepherd expressed his opinion staff should craft an ordinance to address self-storage and allow for it in the M-1 zone with a proximity regulation.

Mr. Brimley mentioned there were many resources to utilize in crafting an ordinance for self-storage so it should not be a lengthy process. He stated staff would prepare something for the Planning Commission to review.

Councilmember Bush voiced his opposition to allowing the use along main streets and thoroughfares. Councilmember Peterson agreed. Mr. Brimley indicated regulations could be included to prohibit uses along the main corridors.

**Councilmember Peterson moved to adjourn at 7:32 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED  
This 27<sup>th</sup> day of October, 2020**

**/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 6, 2020.

/s/Nancy R. Dean, City Recorder