

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 PM WORK MEETING  
December 09, 2025

City Building  
55 South State Street  
Clearfield City, Utah

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PRESIDING: Mayor Mark Shepherd

PRESENT: Mayor Mark Shepherd, Councilmember Karece Thompson, Councilmember Nike Peterson, Councilmember Tim Roper, Councilmember Megan Ratchford, Councilmember Dakota Wurth

STAFF PRESENT: City Manager JJ Allen, Assistant City Manager Spencer Brimley, City Attorney Stuart Williams, Community Services Director Eric Howes, Police Chief Kelly Bennett, Public Works Director Adam Favero, Community Development Director Stacy Millgate, Planner Tyson Stoddard, Community Relations Director Shaundra Rushton, City Recorder Nancy Dean, Deputy City Recorder Chersty Titensor

VISITORS: Tony DeMille, Danielle King, David Lewis – DR Horton

**DISCUSSION OF A DEVELOPMENT AGREEMENT REQUEST FOR 175 WEST ANTELOPE DRIVE MIXED USE PROJECT**

Tyson Stoddard, Planner, presented a development agreement request for the property located at 175 West Antelope Drive. The property had previously received approval in February 2025 for a General Plan amendment and rezone to allow a mixed-use development consisting of commercial uses along Antelope Drive and residential townhomes to the rear. The rezone approval was conditioned upon execution of a development agreement, which remained pending.

Mr. Stoddard explained that once the development agreement was executed, the rear portion of the property would be rezoned from C-2 (Commercial) to R-3 (Residential). The agreement outlined requirements for both the commercial and residential components. For the commercial portion, the agreement required a minimum of 9,000 square feet of commercial building floor area. A performance bond and development timeline were included, requiring final completion of the commercial buildings no later than 30 months after execution of the agreement. This approach differed from prior city practice, which typically tied residential occupancy to progress on commercial construction.

For the residential portion, the agreement allowed up to 55 townhomes at a density of just under 13 units per acre. Townhomes were limited to two stories above grade and intended for ownership rather than rental. The draft agreement included a five-year owner-occupancy requirement for all units.

Mr. Stoddard reported that the Planning Commission discussed the owner-occupancy provision extensively. The builder, DR Horton, through representative David Lewis, requested removal of the five-year deed restriction while maintaining an initial owner-occupancy requirement. The Planning Commission voted 5–2 to recommend approval of the development agreement without the five-year owner-occupancy restriction. Commissioners who opposed removal supported the project but favored retaining the five-year requirement.

Mr. Stoddard reviewed housing tenure data, noting Clearfield had a higher percentage of rental households than Davis County overall. He explained that the city's General Plan supported a mix of housing types while also encouraging additional ownership opportunities. Staff identified challenges with enforcing long-term deed restrictions, including tracking compliance and accommodating unforeseen circumstances affecting homeowners.

Mayor Shepherd stated that while the five-year restriction did not prohibit resale, it presented significant enforcement challenges. He expressed support for requiring owner occupancy at the initial sale as a more realistic method to discourage investor purchases while allowing flexibility for homeowners to build equity over time. Councilmember Wurth stated that an initial owner-occupancy requirement would help prevent sales to investors and support first-time homebuyers, acknowledging enforcement limitations. JJ Allen, City Manager, asked how initial owner-occupancy would be enforced. Discussion followed regarding the role of title companies and deed restrictions. Councilmember Ratchford questioned the rationale for selecting a five-year period, noting that any duration appeared arbitrary. Staff confirmed that the five-year timeframe was not based on a specific metric.

Councilmembers and the mayor discussed changes in housing turnover patterns, particularly in relation to military households, and acknowledged that long-term residency patterns had shifted.

Mr. Stoddard reviewed the conceptual site plan, including access points from Antelope Drive and South Main Street. The primary access was proposed on the west side of the site, with a secondary access potentially shared with the adjacent car wash. Mr. Stoddard explained that the Utah Department of Transportation (UDOT) had expressed a preference for relocating the eastern access further west to increase distance from the Antelope Drive and South Main Street intersection, though this would require coordination with the car wash property owner.

Councilmembers raised concerns regarding the feasibility and legality of altering the car wash access. Mr. Stoddard noted that while UDOT suggested the change, the car wash operator was not supportive of losing its existing access, making the shared access shown on the concept plan the most likely outcome. Mr. Stoddard also described a proposed access connection to South Main Street through a potential property swap with the Davis School District to allow shared access with the elementary school overflow parking lot. Councilmembers asked clarifying questions regarding traffic flow, parking lot configuration, and long-term impacts on school operations.

Mr. Stoddard stated that shared access requirements would be finalized during the subdivision and site plan review process, which would be reviewed by the Planning Commission.

Mr. Stoddard explained that the townhome design complied with city parking standards, including garage and driveway parking for certain units and supplemental surface parking for others. Private streets within the development would be constructed to current city standards, with 32-foot drivable widths and required sidewalks for units facing the street. On-street parking would not be permitted on private streets.

A traffic study had been completed for the development. Mr. Stoddard summarized key findings, including that no roadway widening was required for Antelope Drive, though updated striping for turn lanes might be needed. The study acknowledged congestion along Antelope Drive and anticipated future UDOT improvements, including a raised median.

Councilmember Peterson raised concerns regarding traffic assumptions in the study, particularly commercial square footage calculations, growth projections, and the exclusion of peak school dismissal traffic in evening analysis. Additional concerns were expressed regarding congestion on South Main Street, stacking near the school crosswalk, and impacts during school pick-up times.

Mr. Stoddard clarified that the traffic study differentiated between retail and drive-through uses and stated that staff could coordinate further discussion with the City Engineer. Councilmember Peterson requested clarification regarding when final access decisions would be made and was informed that site plan and subdivision approvals would be reviewed by the Planning Commission.

Mr. Stoddard presented the proposed architectural styles for the townhomes, including farmhouse and craftsman designs utilizing fiber cement board, stucco, and stone accents. Sidewalk placement and orientation of units were described.

Mr. Stoddard stated that the work meeting was held December 9, 2025, with a public hearing and policy meeting scheduled for January 13, 2026. Staff would revise the development agreement based on the Council's direction, including potential changes to owner-occupancy language.

Councilmember Peterson expressed concerns regarding the proposed \$500,000 performance bond for the commercial portion, stating that the amount might not sufficiently offset the city's risk if commercial development did not occur. Councilmember Peterson suggested either increasing the bond amount or reverting to a traditional approach tying residential occupancy to commercial construction milestones.

Mayor Shepherd stated that a \$500,000 bond represented a significant financial incentive and acknowledged the challenges developers face with narrow profit margins. Mr. Stoddard clarified that the bond would be provided by the commercial developer, not the residential builder, due to the separation of development responsibilities.

Councilmember Peterson also raised concerns with a provision in the development agreement requiring mediation and arbitration, stating a preference for resolving disputes through existing legal processes. Staff acknowledged the comment and noted the provision could be revised.

Councilmembers continued discussion regarding enforceability, administrative burden, and policy goals related to owner occupancy. Multiple councilmembers expressed concern that long-term deed restrictions were difficult to enforce. Discussion shifted toward requiring that the initial sale of townhomes be to owner-occupants, potentially with a limited one-year occupancy requirement rather than a five-year restriction.

Mr. Allen and Stuart Williams, City Attorney, participated in clarifying how initial sale restrictions could be structured and enforced through title documentation.

No formal direction was finalized, but staff was asked to revise language options for the Council's consideration prior to the January policy meeting.

The work meeting reconvened at 7:45 p.m.

#### DISCUSSION OF A CHATBOT ON THE CITY'S WEBSITE

Shaundra Rushton, Communications Manager, presented information regarding chatbot options, as requested by the Council during the July retreat. Three categories were reviewed: text-based bots, AI-automated chatbots, and human-operated live chat services.

Ms. Rushton explained cost ranges, functionality, integration options, and staffing implications for each type. Examples from other municipalities were provided, including Woods Cross, Box Elder County, Ogden City, and Davis County.

The Council discussed concerns regarding cost, long-term subscription increases, staff workload, accuracy of responses, accessibility, and return on investment. Councilmembers emphasized the importance of ensuring reliable information and avoiding excessive staff oversight that could undermine automation benefits.

Mayor Shepherd and councilmembers requested additional research, including usage statistics and feedback from peer cities, before considering implementation. The Council provided consensus direction for staff to conduct further research and return in January with additional information, including examples from comparable cities, usage data, and cost considerations. No action was taken.

**Councilmember Peterson moved to adjourn at 8:11 p.m., seconded by Councilmember Wurth.**

**RESULT: Passed [5 TO 0]**

YES: Councilmember Thompson, Councilmember Peterson, Councilmember Roper, Councilmember Ratchford, Councilmember Wurth

NO: None

**APPROVED AND ADOPTED**  
**This 13<sup>th</sup> day of January 2026**

**/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, December 09, 2025.

**/s/ Nancy R. Dean, City Recorder**