

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
July 9, 2019 – WORK SESSION

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.

Clearfield City Hall
55 South State Street
Clearfield, UT 84015

5:30 P.M. WORK SESSION

Leaving Clearfield City Hall to Tour:

Artesian Springs Apartments
4197 South Main Street
Millcreek, Utah 84107

Birkhill Apartment Homes
16 East Gilbride Avenue
Murray, UT 84107

**IMMEDIATELY FOLLOWING THE TOUR RECONVENE IN A MEETING ROOM OF THE
TOURED LOCATION TO CONCLUDE CITY COUNCIL WORK SESSION**

Discussion on the Finish Quality of Multi-family Development

Discussion on the City Code, Title 12, Subdivision Regulations, Chapters 7 and 8
Preliminary Plat and Final Plat

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

**The Regular City Council Meeting
scheduled for Tuesday, July 9, 2019 at
7:00 pm has been
CANCELLED.**

**The next regular meeting will be held
Tuesday, July 23, 2019 at 7:00 p.m.**

Dated this 3rd day of July, 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.



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Spencer W. Brimley, Community Development Director
Brad McIlrath, Senior Planner

MEETING DATE: Tuesday, July 9, 2019

SUBJECT: Discussion on building finishes for multi-family development

RECOMMENDED ACTION

Staff has been asked to facilitate a discussion on finishes for potential and future multi-family building within Clearfield. With the current development slated for the City it is imperative that the look of building is not only timeless but increases the appeal and design of building that are being constructed. The intent of this discussion is assist with the development and redevelopment of properties in and around the State/Main corridor of the City.

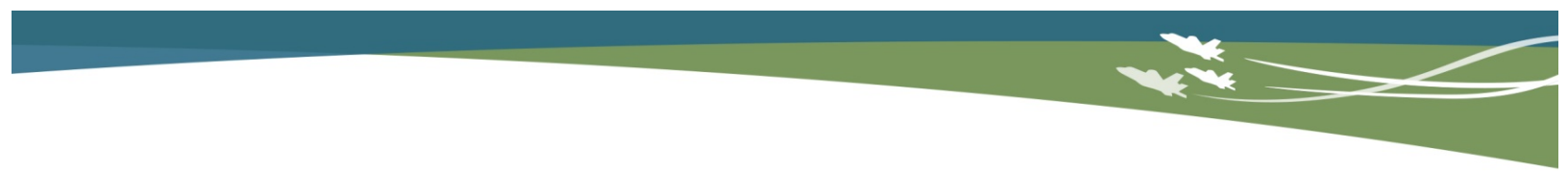
DESCRIPTION / BACKGROUND

Keeping units filled in multi-family buildings can be a challenge. Whether renting or buying, today's residents are looking for amenities that go beyond apartments or condos and out into the front lobby, shared common areas and outside spaces. In the past, Clearfield has experienced multi-family development that is anything by timeless and in many instances undermines current city goals and objectives for design and creating community.

We have seen multi-family developers count on amenity-laden buildings to compensate for shrinking apartments sized to maximize profits. But trends also show that residents across multiple generations are willing to trade other things for unit square footage. Common area space to do everything from work out, pursue hobbies, dine out, groom pets and consume media. They are also looking for a product that is both aesthetic and affordable.

High quality building design is something that has been identified and discussed by the Council. The city has enacted new zoning as a tool to support better design which is only one facet, though an important one, that helps to make this change. The city has also experienced more development agreement on projects to get the product and design they want for the downtown corridor. When Clearfield City adopted the form base code zoning for the downtown corridor, the expectation was increased aesthetics and building design, but there is additional need to look at materials, colors and other design features that the Council would like staff to include with development moving forward. These items could be included with the update to the form based code, as well be address in other section of the City zoning ordinance.

Staff solicited input from the development community, City and Private sector planners and reviewed plans, and ordinances recently vetted and approved by the Citizens, Planning Commission and City Council to provide context on this discussion. We believe we understand what is wanted, but there is some need for additional



clarification on this issue. As we see more and more development taking place staff sees the need to help guide it in the appropriate direction for the City's long term goals and objectives.

Staff is compiling examples and design elements that will be presented at the meeting on July 9th. Staff felt this information would be better suited in a presentation, rather than attached to the report. This information is still being gathered and placed into a presentation for the Council's consideration next week.

CORRESPONDING POLICY PRIORITY (IES)

Improving Clearfield's Image, Livability, and Economy

Staff believes the adoption of an ordinance to address this issue is consistent with the City's overall goal of "Improving Clearfield's Image, Livability and Economy," as well as "Providing Quality Municipal Services," specifically tier 2, Zoning Ordinance Updates.

FISCAL IMPACT

Staff is not able to quantify the value of project that have a high level of design. However, timeless design and high standards for development will set the community apart from others and provide a lasting impact for the community and region. Additional housing will also support and perpetuate economic opportunities for the City. As more units are developed this provides opportunities for economic development, creation of community and destinations within the City.

ALTERNATIVES

This item is set for discussion on July 9th. Staff is interested the direction of the Council and what elements of the design are most pertinent to them.

SCHEDULE / TIME CONSTRAINTS

This as a timely discussion for the Council. There will be a tour of housing projects for the council. Additionally there are many projects proposed, entitled or under construction that have taken a great deal of the Council's time to discuss and vet. Fine tuning design and addressing those building finishes that bring development to the Clearfield standard will help projects move through the process and allow the Council to focus on the needs of the citizenry and other more pressing City matters.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Nick Porter, Management Intern
MEETING DATE: Tuesday, July 9, 2019
SUBJECT: Changes to City Code, Title 12, Subdivision Regulations, Chapters 7 and 8 Preliminary Plat and Final Plat

RECOMMENDED ACTION

Staff is requesting feedback and direction from the Council regarding its role as the land use authority for final and amended plats. Current ordinance requires Council approval of all final subdivision plats as well as amended plats. Staff is proposing a change to the current ordinance that would allow the Planning Commission to act as the Land Use Authority instead of City Council.

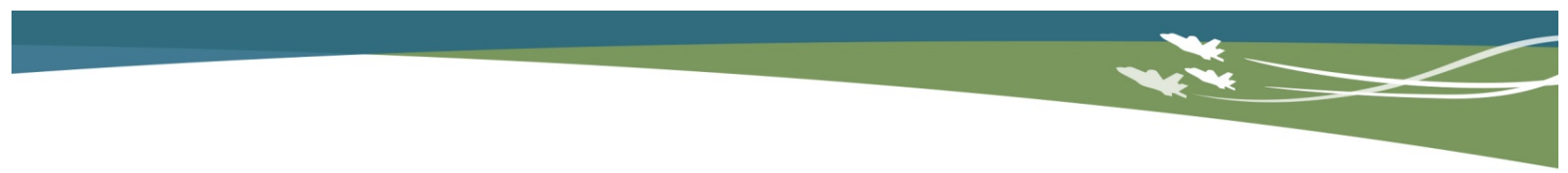
DESCRIPTION / BACKGROUND

On February 9, 2016, Council and staff engaged in a discussion regarding the public and Council's role in regard to subdivision plats. Recently, the Mayor has asked staff to revisit this discussion.

State Law does not require preliminary or final subdivision plats to go through a public hearing for approval. Local ordinances have set individual standards for approval of preliminary and final plats. Clearfield City has, in the past, held hearings for these types of applications, up until recent changes to City Ordinances removed this requirement except as needed for amended plats.

The legislative body for a City has the responsibility to make changes to and accept or reject changes to City Ordinances including amending plats, which may include a petition for the vacation of a public street or other components of a subdivisions plat. In their role as the legislative body, the Council will still have final say over the standards and regulations for the approval of all plats and other associated improvements. This authority is exercised through the review and adoption of a subdivision ordinance, which staff plans to rewrite to conform to State Code standards and to align with public works and planning standards.

The designation of a land use authority is required by State Code. This body has responsibility to oversee land use items and issues approvals for items under their purview. Currently the Planning Commission fills the role of Land Use Authority for all administrative items, except for final plat approvals. Final plats are currently approved by the City Council following a recommendation from the Planning Commission. In its current role, the City Council is making



decisions on items of an administrative nature and is acting as the Land Use Authority for these specific requests. Acting in this role may create some conflict given the Council's role as the legislative body for the City.

Staff reached out to a number of different planners along the Wasatch Front and found a number of cities who have given land use authority to their respective planning commissions. These amendments are still being analyzed and researched for compliance. Staff will present amendments to Title 12 to the Planning Commission prior to presenting to the Council, unless directed to otherwise do so.

CORRESPONDING POLICY PRIORITY

The proposed changes to this process intend to accomplish the first Policy Priority of **“Providing Quality Municipal Services”**. This **effort** to reduce additional steps in the land use process is a means to allow the elected and appointed officials to better respond to matters more consistent with their roles and duties, whether they be as an administrative or legislative body.

ALTERNATIVES

No change – Council remains land use authority for final plats

Council makes necessary changes to Title 12 to allow Planning Commission to act as land use authority for final plats.

SCHEDULE / TIME CONSTRAINTS

This is a City-initiated project and does not have any time constraints or schedule. Staff is considering additional changes to the Title 12, but felt this change was an important first step to properly set the stage for subsequent changes.

LIST OF ATTACHMENTS

1. Title 12

Chapter 7

PRELIMINARY PLAT

12-7-1: SUBDIVISION INFORMATION FORM:

A subdivision information checklist is required by the planning commission. The checklist shall show and include, but is not limited to, the following:

- A. Evidence of vested interest.
- B. Number of copies submitted, twelve (12).
- C. All copies to be on standard nineteen inch by thirty inch (19" x 30") paper.
- D. Subdivision summary form.
- E. List of adjacent landowners.
- F. Contour map at two foot (2') intervals.
- G. Present zoning.
- H. Conformance with master plan.
- I. Proposed storm drain.
- J. Name of subdivision.
- K. Name of subdivider.
- L. Name of engineer or surveyor.
- M. Date.
- N. North point and scale of plat.

O. Boundary of subdivision.

P. Total acreage.

Q. Existing street locations.

R. Existing street names.

S. Existing private access.

T. Proposed street width.

U. Proposed walkways.

V. Proposed easements.

W. Existing easements.

X. Number and dimension of lots.

Y. Land set aside for public use.

Z. Lot width, length and setbacks.

AA. Review county ownership map (to be submitted).

BB. Availability of water.

CC. Street cross section profile to conform to city standards.

DD. Section line indicator.

EE. Existing buildings near proposed rights of way.

FF. Culverts, water mains, hydrants and wells.

GG. Existing watercourses. (Ord., 7-10-1979)

HH. Existing sewer availability. (Ord. 01-07, 4-10-2001)

II. Roadway pattern in relationship to present system.

JJ. Agreement between city and the subdivider.

KK. Copy of city's summary review.

LL. Second access consideration.

MM. Hard surface turnaround on all road stubs.

NN. Payment of preliminary plat fees.

OO. Review copy of proposed protective convenience.

PP. Proof of no delinquent taxes from prior years.

QQ. Road stubs in relation to adjoining property.

RR. Proposed widening of existing streets to establish proper setbacks. (Ord., 7-10-1979)

SS. Geotechnical investigation report prepared by a licensed geotechnical engineer. (Ord. 01-07, 4-10-2001)

12-7-2: FILING:

- A. Number Of Copies Submitted: Whenever a subdivision is to be filed, twelve (12) copies of the preliminary or tentative plat shall be prepared and presented to the planning commission for their approval. (Ord., 7-10-1979)
- B. Time For Filing: The preliminary plat and accompanying information shall be submitted to the planning commission at least fourteen (14) days prior to a regularly scheduled planning commission meeting in order to be considered at said meeting. (Ord., 7-10-1979; amd. 2000 Code)
- C. Fee: At the time the plats are submitted to the city, an appropriate fee, as specified from time to time by the city council, will be charged for city administration and city engineer review. (Ord., 7-10-1979)

12-7-3: FORM AND CONTENTS:

The preliminary plat shall comply with the following requirements:

- A. Description: In a title block located in the lower right hand corner of the sheet shall appear the following:
 - 1. The proposed name of the subdivision.
 - 2. The location of the subdivision, including the address and the section, township and range.
 - 3. The names and addresses of the owner, subdivider if other than the owner, and the surveyor of the subdivision.

4. Date of preparation, scale (not greater than 100 feet to the inch) and north point.

B. Existing Conditions: The plat shall show:

1. The location of the nearest bench mark or monument.
2. The boundary of the proposed subdivision and the acreage included.
3. All property under the control of the subdivider, even though only a portion is being subdivided. Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in the light of existing master street plan or other planning commission studies.
4. The location, width and names of all existing streets within two hundred feet (200') of the subdivision and of all prior platted streets or other public ways, railroad and utility rights of way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements and section and corporation lines, within lands adjacent to the tract.
5. The location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries. (Ord., 7-10-1979)
6. Existing sewers, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred feet (100') beyond the tract boundaries, indicating pipe sizes, grades, manholes and exact location. (Ord., 7-10-1979; amd. 2000 Code)
7. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.
8. Boundary lines of adjacent tracts of unsubdivided land, showing ownership where possible.
9. Contour at vertical intervals of not more than two hundred feet (200'). High water levels of all watercourses, if any, shall be indicated in the same datum for contour elevations.

C. Proposed Plan: The subdivision plan shall show:

1. The layout of streets, showing location, widths and other dimensions of (designated by actual or proposed names and numbers) proposed streets, crosswalks, alleys and easements.
2. The layout, numbers and typical dimensions of lots.
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
4. Building setback lines as required by [title 11](#) of this code.
5. Easements for water, sewers, drainage, utility lines and other purposes.
6. Typical street cross sections and grades of streets where required by the planning commission.
7. A tentative plan or method by which the subdivider proposes to handle storm water and subsurface drainage for the subdivision.

8. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the planning commission. (Ord., 7-10-1979)

12-7-4: APPROVAL OF PRELIMINARY PLAT:

- A. Planning Commission Recommendation: The planning commission, city engineer and other pertinent city departments shall review the preliminary plat and visit the site of the proposed subdivision. Following this investigation, the planning commission shall recommend approval of the preliminary plat as submitted or modified, or disapproval of the plat. The planning commission shall not recommend approval or disapproval of the plan until signed recommendations are received from each of the pertinent city departments.
- B. Distribution Of Copies:
1. If the preliminary plat is recommended for approval, the planning commission shall return one copy of the plat, signed by the planning commission chairperson, to the subdivider with any conditions attached. Other signed copies shall be forwarded to each of the pertinent city departments. The planning commission shall retain one signed copy of the plat for its files. If the preliminary plat is recommended for disapproval, the planning commission shall indicate its disapproval by distributing signed copies of the plat bearing the reasons for disapproval.
 2. One copy of the approved preliminary plat signed by the chairperson of the planning commission shall be retained in the office of building and zoning. One signed copy shall be given to the subdivider.
- C. Authority To Proceed: Receipt of this signed copy shall be authorization for the subdivider to proceed with the preparation of plans and specifications for the minimum improvements hereinafter required by this title and with the preparation of the final plat.
- D. Improvement Plans: Prior to the construction of any improvements required by this title or the establishment of any escrow account, the subdivider shall furnish to the planning commission all plans, information and data necessary for said improvements. These plans shall be examined by the planning commission, city engineer and other pertinent city departments for compliance with the requirements of chapters 9 and 10 of this title.
- E. Permit Issuance: No building permits shall be issued or construction of buildings or improvements begin until after recording the final plat. (Ord., 7-10-1979)

12-7-5: DURATION OF PRELIMINARY APPROVAL:

- A. Specified; Extension: Approval of the preliminary plat by the planning commission shall be valid for a maximum period of twelve (12) months after approval, unless upon application by the developer, the planning commission may grant an extension. If the final plat has not been recorded within the twelve (12) month period or the extension granted, the preliminary plat must again be submitted to the city council or planning commission for reapproval.

- B. Large Tract: Preliminary approval of a large tract shall not be voided if the final plat of the first section thereof is submitted for final approval within one year and an extension of time is granted as to the remainder thereof. (Ord., 7-10-1979)

Chapter 8

FINAL PLAT

12-8-1: FILING:

- A. Time Limit: Within one year after the approval of the preliminary plat or within the time for which an extension to make such filing has been granted, the original plat and three (3) copies of a final plat of such subdivision shall be submitted to the planning commission for final recommendation for approval or disapproval by the city council.
- B. Fee: At the time the plats are submitted to the city, an appropriate fee, as specified from time to time by the city council, will be charged for city administration and city engineer review. (Ord., 7-10-1979)

12-8-2: TIME LIMIT FOR ACTION AFTER SUBMISSION:

- A. Specified: The final plat and accompanying information shall be submitted to the planning commission at least fourteen (14) days prior to a regularly scheduled planning commission meeting in order to be considered at said meeting. (Ord. 01-07, 4-10-2001)
- B. Submission: The final plat, improvement plans and accompanying information in completed form shall be submitted to the building and zoning department for engineering review at least thirty (30) days prior to a regularly scheduled planning commission meeting in order to be processed before submitting it to the planning commission. The final plat will be reviewed by the planning commission at its next regularly scheduled meeting following submittal. After receiving recommendations from the planning commission, the city council must act upon the final plat within thirty (30) days, unless an extension of time is agreed upon by all parties concerned.
- C. Failure To Act: Failure by the city council to act upon the final plat in that time period will be considered approval of the final plat. (Ord., 7-10-1979)

12-8-3: FORM AND CONTENTS:

The final plat must be prepared by a licensed land surveyor on a sheet of approved tracing linen with waterproof black India ink. The top of the plat shall be either north or east, whichever accommodates the drawing best. The plat shall contain all information required on the preliminary plat, except contours and shall comply with the following:

- A. Description And Delineation: The final plat shall show:

1. The name of the subdivision, which name must be approved by the planning commission.
2. Accurate angular and lineal dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features. All dimensions shall be determined by an accurate field survey which shall balance and close within a limit of one to ten thousand (10,000).
3. A numbering system for all lots.
4. Lot lines shall show dimensions in feet and hundredths.
5. The square footage of each lot.
6. The address of each lot as provided on the preliminary plat by the building and zoning department.
7. True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol. Basis for bearings used shall be clearly stated.
8. Radii, internal angles, points and curvatures, tangent bearings and the lengths of all arcs.
9. The accurate location of all monuments to be installed, shown by the appropriate symbol. All United States, State, County or other official bench marks, monuments or triangulation stations in or adjacent to the property, shall be preserved in precise position.
10. The dedication to the City of all streets and highways included in the proposed subdivision.
11. Pipes or iron rod markers shall be placed at each lot corner. When curb and gutter are installed, steel pins shall be placed in the curb to mark property lines.
12. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common use of all owners.
13. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.

B. Standard Forms: The final plat shall require:

1. A licensed land surveyor's certificate of survey.
2. The owner's certificate of dedication.
3. A notary public acknowledgement.
4. The Planning Commission's certificate of approval.
5. The City Engineer's certificate of approval.
6. The City Attorney's certificate of approval.
7. The City Council's certificate of approval.

8. A three inch (3") space in the lower right-hand corner of the drawing for the County Recorder's use.

C. Additional Information: The following information shall also be submitted:

1. A statement that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full, or a letter stating that a satisfactory bond has been filed to secure such payment.
2. An itemized estimate of the cost of all proposed or required improvements, including labor and materials.
3. One copy of the proposed deed restrictions in final form and signed by all of the owners of any interest in the subdivision who sign the final subdivision map. This copy shall be acknowledged by a notary public and shall be recorded in the office of the County Recorder, along with the final plat.
4. One linen original (or linen-quality reproductions, such as mylar) and one sepia copy of the final plat shall be submitted. The sepia copy will be retained for City files and the linen copy will be sent to the County Recorder for final plat recording. (Ord., 7-10-1979)

D. Engineering Data: The subdivider shall cause to be prepared by a registered engineer not employed by the City, a complete set of profiles, construction and design data of all streets, existing and proposed and all utilities to be constructed within the subdivision and furnish such information to the City with the final plat. (Ord., 7-10-1979; amd. 2000 Code)

12-8-4: APPROVAL OF PLAT:

- A. Escrow Account Determination: Before approving and signing the final plat, the City Engineer shall check the engineering requirements of the drawing and determine the amount of the escrow account required in Section [12-9-2](#) of this Title to assure construction of the improvements.
- B. Final Approvals; Recording: After approval and signature by the City Engineer, the plat shall be submitted to the Planning Commission for their final approval. The Planning Commission shall then submit the plat to the City Council. Following City Council approval and before recording, the required escrow account shall be established and approval given by the City Attorney. The final plat, bearing all official approvals as above required, shall be filed in the office of the City Recorder for recording at the expense of the subdivider, who shall be notified when the plat has been recorded in the office of the County Recorder. No construction or building shall begin until after the recording of the final plat.
- C. Recording Required Prior To Sales: No plat shall be recorded in the office of the County Recorder and no lots included in such plat shall be sold or exchanged unless and until the plat is so approved, signed and accepted. (Ord., 7-10-1979)
- D. Alteration Of Plat Prohibited: It shall be unlawful for any person to change the lines, drawings, lot sizes or shapes, or any other provision of a plat after it has received approval by any person whose approval is required. Any plat that is changed in violation of this subsection is void and the City

may compel the person recording the plat to withdraw the plat from the County Recorder's office or to file notice, or the City may itself file a notice, that the recordation of the plat is void. (Ord., 7-10-1979; amd. 2000 Code)

- E. Filing Of Sepia Copy: One sepia copy of said final plat shall be filed in the Department of Building and Zoning for use by the City Engineer or such other personnel as the City Council may designate. (Ord., 7-10-1979)

12-8-5: SANITARY PROVISIONS:

The contractor shall provide and maintain in a neat and sanitary condition such accommodations for the use of his employees as may be necessary to comply with all applicable laws, ordinances and regulations pertaining to public health and sanitation. (Ord., 7-10-1979)