CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
August 27, 2019 – POLICY SESSION
*Revised: August 26, 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 a Request to Amend the City's General Plan Future Land Use Map Designating the Properties Located at Approximately 1040 West 700 South (TIN: 12-026-0011) from Manufacturing to Residential

Discussion on a Request to Rezone a Majority of 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)

Discussion on the Final Subdivision Plat for John Losee Subdivision Located At Approximately 1040 West 700 South (TIN:12-026-0011)

Discussion 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)

Discussion on the Final Subdivision Plat for Towers at Legend Hills Located At Approximately 1300 South 2000 East (TINs: 09-341-0306 and 09-341-0305)

Discussion on a Zoning Text Amendment to Amend City Code § 11-15A-3A – Freeway Signs

*(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 Phipps |
| APPROVAL OF MINUTES: | June 18, 2019 – Work Session |
| | June 25, 2019 – Work Session |
| | June 25, 2019 – Policy Session |
| | July 9, 2019 – Work Session |
| | July 16, 2019 – Joint Work Session |
| | July 16, 2019 – Work Session |
| | July 23, 2019 – Policy Session |
| | July 30, 2019 – Joint Work Session |
| | August 6, 2019 – Work Session |

***PRESENTATION:***

*1.* *PRESENTATION TO TED JONES FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT*

***SCHEDULED ITEMS:***

*2.* 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.

*3.* CONSIDER APPROVAL OF RESOLUTION 2019R-19 AUTHORIZING THE CLEARFIELD CITY COUNCIL RULES OF ORDER AND PROCEDURE

BACKGROUND: Utah Code Annotated § 10-3-606 requires the City Council to adopt Rules of Order and Procedures. The purpose of the policy is intended to govern and prescribe rules for parliamentary order and procedures, ethical behavior, and civil discourse.

RECOMMENDATION: Approve Resolution 2019R-19 authorizing the Clearfield City Council Rules of Order and Procedure and authorize the Mayor's signature to any necessary documents.

*4.* CONSIDER APPROVAL OF ORDINANCE 2019-18 ENACTING A TEMPORARY LAND USE REGULATION REGARDING MOTOR VEHICLE SALES ESTABLISHMENTS APPLICABLE TO COMMERCIALLY ZONED PROPERTIES

BACKGROUND: Motor vehicle sales is a conditional use in the C-2 (Commercial) zone. There are approximately 15 licensed motor vehicle dealership businesses located within the City and a majority are found on older properties that have transitioned from non-auto dealership businesses. In an effort to improve Clearfield's image, livability and economy, staff is recommending a land use moratorium to allow time to perform a review of existing standards and determine if the establishment of new development standards and requirements for motor vehicle dealerships are necessary to promote the revitalization of commercial districts and deteriorating neighborhoods and to serve the best interests of the City's residents, visitors, property and business owners. The ordinance would establish a temporary land use regulation prohibiting the approval, development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City.

RECOMMENDATION: Approve Ordinance 2019-18 enacting a temporary land use regulation regarding motor vehicle sales establishments applicable to commercially zoned properties and authorize the Mayor's signature to any necessary documents.

*5.* CANVASS THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD ON AUGUST 13, 2019

BACKGROUND: State Law requires the governing body verify the results of the Primary Election, which was held on Tuesday, August 13, 2019.

RECOMMENDATION: Verify the official Primary Election results and authorize the city Recorder to report those results to the Lieutenant Governor's office.

*6.* CONSIDER THE AWARD OF BID FOR THE SOUTH MAIN RECONSTRUCTION AND 300 NORTH MAINTENANCE PROJECT

BACKGROUND: The City solicited bids for the South Main Reconstruction and 300 North Maintenance Project. The City received four bids and the lowest responsible bidder was Morgan Industries Inc. with the bid amount of $366,786.95. Staff is recommending contingency and engineering costs of $73,360, which would provide a total project cost of $440,146.95. The project consists of roadway reconstruction including curb and gutter, sidewalk in various locations of South Main from 150 West to approximately 700 South. It also includes mill and overlay from State Street to approximately 300 East on 300 North.

RECOMMENDATION: Approve the award of bid for the South Main Reconstruction and 300 North Maintenance Project to Morgan Industries Inc. for the bid amount of $366,768.95; approve funding for the project bid amount with contingency and engineering costs of $73,360 for a total project cost of $440,146.95; and authorize the Mayor's signature to any necessary documents.

*7.* UPDATE ON THE FISCAL YEAR 2019 YEAR END FINANCIAL STATUS

***COMMUNICATION ITEMS***:

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

***ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA)****

COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) AGENDA

1. CONSIDER APPROVAL OF THE MINUTES FROM THE JUNE 18, 2019 WORK SESSION AND THE JUNE 25, 2019 POLICY SESSION

***SCHEDULED ITEMS:***

2. CONSIDER ADDENDUM #1 TO THE CITY CENTRE TAX INCREMENT PARTICIPATION AGREEMENT

BACKGROUND: Representatives from both City Centre and Argentine Corner inquired if there were any financial assistance available to facilitate the relocation of Argentine Corner to the commercial store front at City Centre. The commercial pad would need to be improved in order to have a restaurant use the space. The CDRA currently has a Tax Increment Participation Agreement with City Centre that specifies how and when it qualifies for the tax increment revenue generated by the development. The addendum would provide $50,000 from RDA 7 tax increment revenue and detail the terms for repayment.

RECOMMENDATION: Approve Addendum #1 to the City Centre Tax Increment Participation Agreement and authorize the Chair's signature to any necessary documents.

***ADJOURN AS THE CDRA****

Dated this 26th day of August, 2019.

/s/Nancy R. Dean, City 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.

# *Planning Commission*
## STAFF REPORT

AGENDA ITEM
**#2**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, August 21, 2019**

**SUBJECT:** Public Hearing, Discussion and Possible Action on **GPA 1907-0004,** a general plan amendment request by John Losee to change the designation for the majority of the subject property from Manufacturing to Residential. **Location:** 1040 West 700 South (TIN: 12-026-0011). **Project Area:** 0.57 Acres. **Planner:** Brad McIlrath **(Legislative Matter).**

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** of **GPA 1907-0004** to the City Council for the proposed general plan amendment to change the general plan designation for this property of 0.57 acres from Manufacturing to Residential. This recommendation is based upon the findings outlined in this report.

**PLANNING COMMISSION RECOMMENDATION OPTIONS:**

Following careful consideration of the information included in this report the commission may decide to vary from Staff's recommendation and may choose to forward the following recommendations:

1. **Move to recommend approval of GPA 1907-0004**, to the Clearfield City Council, a General Plan amendment request by John Losee to change the general plan designation for zero point five seven (0.57) acres of the subject properties from Manufacturing to Residential.
2. **Move to recommend denial of GPA 1907-0004**, to the Clearfield City Council, a General Plan amendment request by John Losee to change the general plan designation for zero point five seven (0.57) acres of the subject properties from Manufacturing to Residential.
3. **Move to table GPA 1907-0004** and request additional time to consider the request.

**BACKGROUND & ANALYSIS**

The applicant is requesting the approval for the General Plan Amendment for 0.57 acres of the subject property from Manufacturing to Residential to be able to rezone that portion of the property from A-1 to R-1-8 (Residential) and subdivide the property to build a single-family residence. The cell tower area and property will be rezoned from A-1 to M-1. The applicant desires to create a separate lot (flag lot) for the existing cell tower at the rear of the property and a residential lot in front, on a separate lote from the cell tower. In order to subdivide this property the property must be rezoned to R-1-8 because it does not comply with the minimum lot width of the A-1 zone. The proposed amendment will leave the area at the back of this property as Manufacturing as it is the location of a cell tower and is adjacent to the M-1 (Manufacturing) Zone and a manufacturing use to the north.

**General Plan and Comprehensive Plan Analysis**
With the exception of the corner property, all of the properties along the north side of 700 South in this area of the City are designated as Manufacturing in the General Plan. The corner property is designated as Commercial in the current General Plan. All of these properties along the north side of 700 South are zoned A-1 (Agricultural) and are either vacant (as is the case with this property) or include a residential use. Due to the residential character of this area of the City, staff recommends that the proposed General Plan amendment be granted.

**Public Comment**
A property notice was posted on August 9th, 2019. Mailed notices were sent to adjacent properties on August 7th, 2019. As of the date of this report, no public comment has been received.

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**GENERAL PLAN ANALYSIS**

The Clearfield City General Plan outlines the overall community vision and provides land use guidelines located in Chapter 2 - Land Use Element, which should be followed throughout the City. The following table provides an analysis of those guidelines with this request.

| LAND USE GUIDELINES REVIEW | | |
|---|---|---|
| | **Guideline** | **Staff Analysis** |
| ***1.*** | *The identity of Clearfield City should be strengthened by land uses which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency.* | The change in designation for this property from Manufacturing to Residential will allow the development of a single-family use and will improve the image of the community and be conducive to long-term residency. |
| ***2.*** | *The relationship of planned uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.* | This area of the City has seen development of single-family residential uses and is limited to manufacturing uses along the east side of 1000 East, with the exception of the pallet manufacturing use to the north. Development of this property as single-family residential will have minimal transportation or fiscal impacts. |
| ***3.*** | *Redevelopment should emphasize the reuse of developed areas and existing community resources in such a way as to increase the livability and aesthetics of the City* | Although not a redevelopment area, with a residential designation the existing community resources will benefit with an additional residence. The livability and aesthetics of this area will be increased with adjacent residential development opposed to manufacturing development. |
| ***4.*** | *The Land Use Plan should provide for a full range and mix of land uses including, residential, commercial, manufacturing, and public use areas.* | This amendment would provide for a greater range of a mix of land uses in this part of the city and with residential that will compliment and fit into the type of residential use that is in this area of the City. |

| | | |
|---|---|---|
| ***5.*** | *Transitions between differing land uses and intensities should be made gradually with compatible land uses, particularly where natural or man-made buffers are not available. Adequate screening and design should be provided to protect existing residential areas for more intense land uses.* | The residential designation would allow for future residential development that would be more compatible to the existing residential uses than a manufacturing use. |
| ***6.*** | *Development approval should be tied to the construction of culinary water, sewer, storm drainage, and circulation systems.* | Public utilities are provided for properties in this area of the City. |
| ***7.*** | *Density increases should be considered only after adequate infrastructure and resources availability have been sufficiently demonstrated.* | This request will have a minor impact on density in this area, as only one single-family lot is proposed. |
| ***8.*** | *An interconnecting public open space system should be provided, including pedestrian linkages, recreational areas, natural areas, on-road cycling facilities, and drainage ways.* | This property is located along 700 South which includes a public sidewalk and width for on-road cycling facilities. |
| ***9.*** | *Commercial and manufacturing uses should be highly accessible, clustered new the center of their service areas, and developed in harmony with the uses and character of surrounding districts.* | As staff evaluates the locations for manufacturing and commercial uses in the City, this property is more desirable for residential use. |
| ***10.*** | *The Land Use Plan should promote and encourage land use patterns that provide high quality of life to all and offer choice in mobility and transportation.* | The change in designation for this area of land to residential promotes a land use part that provides high quality of life. The residential use would be provided with connections to local networks. |
| ***11.*** | *The remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.* | With proposed single-family development to be consistent with the residential in this area, this property will be developed to the highest and best use. |
| ***12.*** | *The quality and usefulness of parks and open space should be maximized. Open spaces that are small, inaccessible, difficult to maintain, or encumbered by utilities, drainage basins, or excessive slopes should not be encouraged.* | By changing the designation to residential there will be little to no impact on open spaces in the area. |
| ***13.*** | *Manufacturing and industrial activities should be limited to those areas already* | This change is supported by this guideline as well as not allowing any other property along |

| | | |
|---|---|---|
| | *zoned for such uses.* | this section of 700 South to be rezoned to Manufacturing. |
| ***14.*** | *Properties registered with the County or State for agricultural or industrial protection should be recognized by the City to allow such land use.* | Not applicable. |
| ***15.*** | *Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding areas.* | With an understanding of the residential uses in this area, this change is supportive of future and existing uses. |

**STAFF RECOMMENDATION/CONCLUSION**

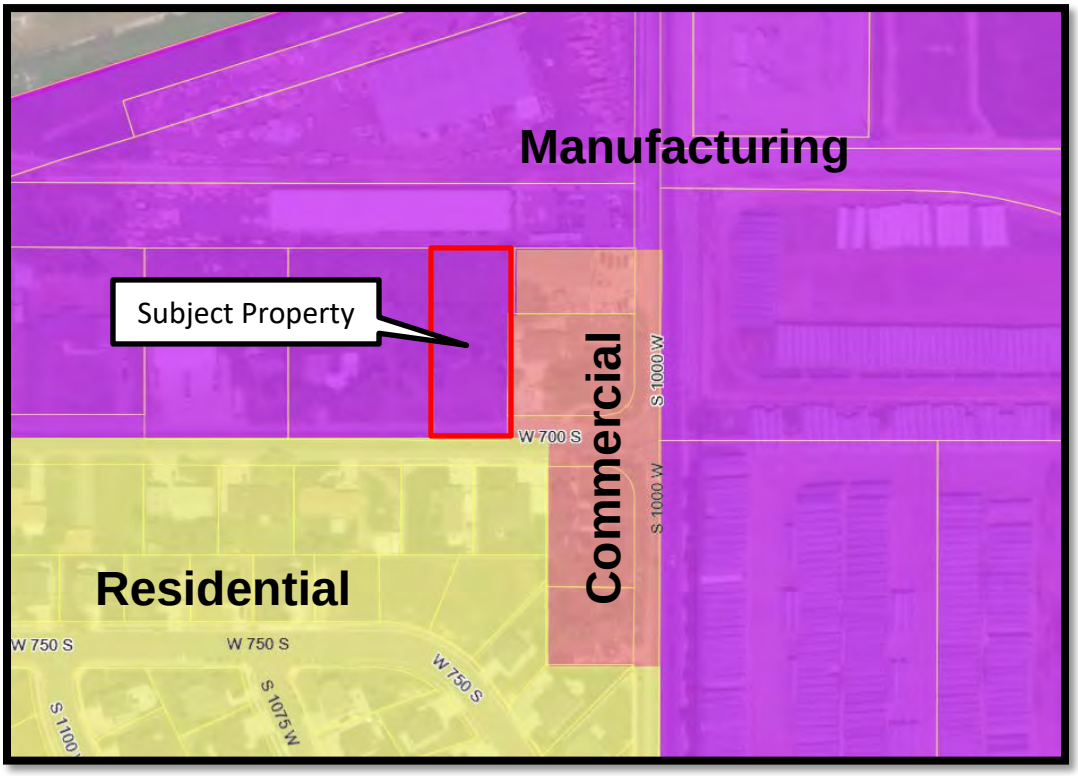
Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed General Plan Amendment, based upon the following findings:

1. The proposed general plan amendment is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed general plan amendment and future development of this area as residential will be consistent with existing residential uses in the area.
3. Development of residential with the existing infrastructure will have minimal impact on City services.

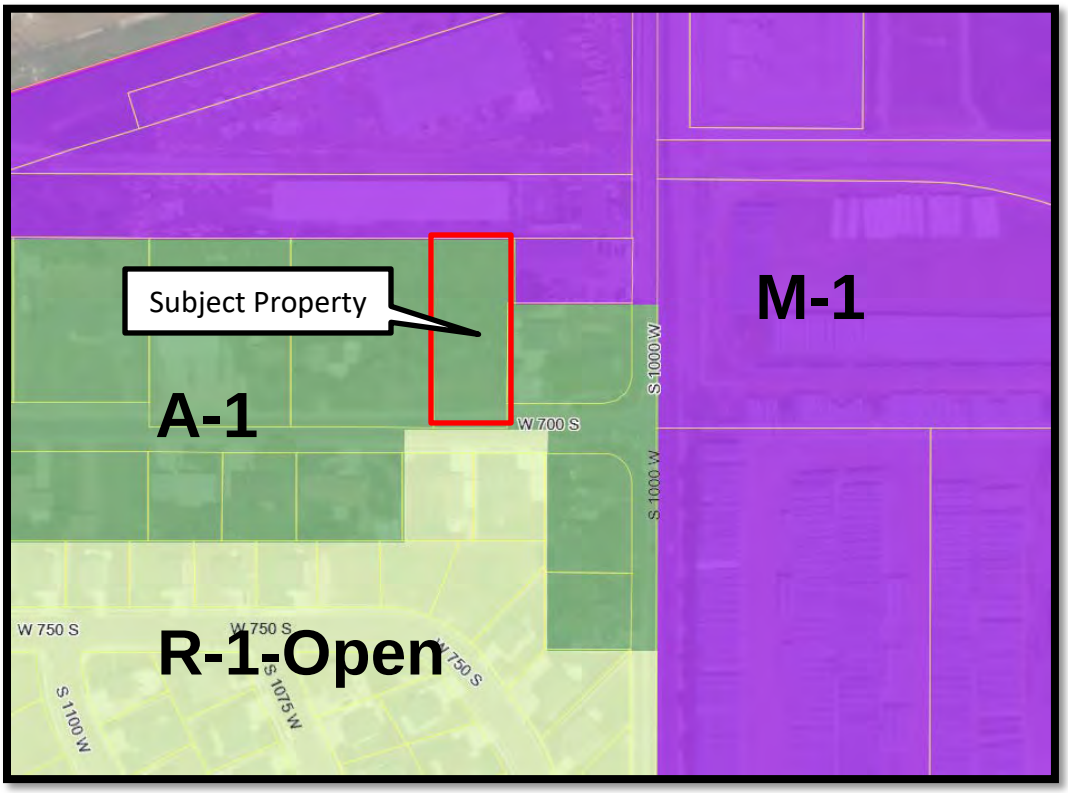
**ATTACHMENTS**

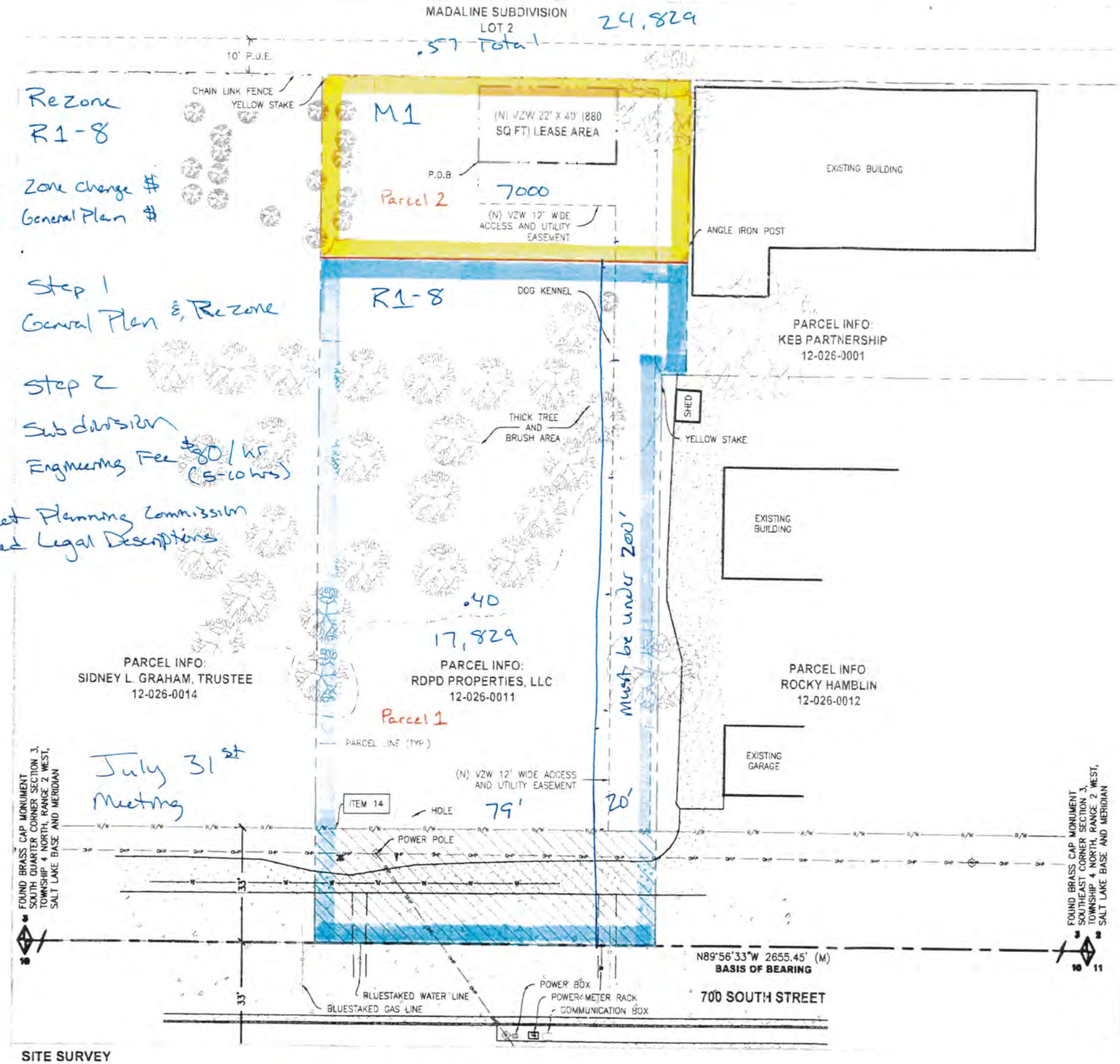
1. General Plan: Future Land Use Map
2. Zoning Map
3. Development Concept

**GENERAL PLAN: FUTURE LAND USE MAP**




**ZONING MAP**






SITE SURVEY

House size 1250 or 1500 w/basement

Front 25 | Side 8 | Side 8 | Back 25 } Setbacks

**CERTIFICATE OF SURVEY:**

I, JERRY FLETCHER, PROFESSIONAL LAND SURVEYOR, STATE OF UTAH, LICENSE NUMBER 6436064, CERTIFY THAT I HAVE SUPERVISED A SURVEY ON THE GROUND AS SHOWN HEREON:

**VERIZON WIRELESS LEASE SITE DESCRIPTION:**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED NORTH 89°56'33" WEST 251.77 FEET ALONG SECTION LINE AND NORTH 225.50 FEET FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 00°03'27" EAST 22.00 FEET; THENCE SOUTH 89°56'33" EAST 40.00 FEET; THENCE SOUTH 00°03'27" WEST 22.00 FEET; THENCE NORTH 89°56'33" WEST 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 880 SQ. FT. OR 0.020 ACRES, MORE OR LESS, (AS DESCRIBED).

**VERIZON WIRELESS ACCESS AND UTILITY EASEMENT DESCRIPTION:**

A 12 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS, AND INSTALLING UNDERGROUND UTILITIES, BEING 6 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT LOCATED NORTH 89°56'33" WEST 251.78 FEET ALONG SECTION LINE AND NORTH 219.50 FEET FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE PARALLEL TO AND SIX FEET PERPENDICULARLY DISTANT FROM THE VERIZON WIRELESS LEASE AREA THE FOLLOWING TWO COURSES; (1) THENCE SOUTH 89°56'33" EAST 46.00 FEET; (2) THENCE NORTH 00°03'27" EAST 28.00 FEET; THENCE SOUTH 00°03'27" WEST 214.50 FEET, MORE OR LESS, TO NORTH RIGHT-OF-WAY LINE OF 700 SOUTH STREET AND TERMINATING.

CONTAINS: 0.070 ACRES, MORE OR LESS, (AS DESCRIBED).

**NARRATIVE:**

(1) THE PURPOSE OF THIS SURVEY IS TO LOCATE AND SURVEY A PROPOSED COMMUNICATIONS TOWER SITE.

(2) THE BASIS OF BEARING USED FOR THIS SURVEY IS AS SHOWN ON THIS PLAT, FROM FOUND MONUMENTS AS LOCATED IN THE FIELD.
(M) = MEASURED BEARING OR DISTANCE.
(R)= RECORDED BEARING OR DISTANCE.
(CALC)= CALCULATED BEARING OR DISTANCE.

(3) PARCEL LINES ARE SHOWN AS REFERENCE PER RECORD INFORMATION AND DOES NOT CONSTITUTE OR PURPORT TO BE A BOUNDARY SURVEY.

(4) REFERENCE PLATS:
(A) MADALINE SUBDIVISION, IN ENTRY NO. 2536113, RECORDED ON JUNE 25, 2010. (PARCEL AND PUBLIC UTILITY EASEMENT NORTH OF SITE AREA)
(B) CLIFFORD PARK PHASE 4, IN ENTRY NO. 2859620, RECORDED ON APRIL 10, 2015. (DEDICATES SOUTH HALF OF 700 SOUTH STREET)

(5) SCHEDULE B NOTES PER STEWART TITLE INSURANCE AGENCY OF UTAH, INC. COMMITMENT NO. 01459-22974, DATED AUGUST 29, 2016:
(A) ITEM 1,3,4,5,6,11,12,13, & 16 – ARE BLANKET EXCEPTIONS NOT SHOWN ON THIS PLAT.
(B) ITEM 2,7,8,9, & 10 – ARE NOT SURVEY MATTERS AND ARE NOT SHOWN ON THIS PLAT.
(C) ITEM 14 – SOUTH 33 FEET OF PARCEL INSIDE 700 SOUTH STREET, SUBJECT TO RIGHTS OF PUBLIC AND OTHERS ENTITLED THERETO. (SHOWN ON PLAT)
(D) ITEM 15 – MOUNTAIN STATES TELEPHONE EASEMENT IN ENTRY NO. 2B040 DOES NOT DESCRIBE AN EXACT AREA AND THEREFORE IS NOT SHOWN ON THIS SURVEY. (BLANKET EASEMENT)

SURVEY MATTERS FROM ABOVE REFERENCED TITLE REPORT HAVE BEEN REVIEWED AND SHOWN OR LISTED AS PROVIDED ON PLAT.

| INFORMATION FOR THE CENTER OF THE VZW LEASE AREA |
|---|
| STATE PLANE COORDINATES – NAD 83 (FT)<br>NORTHING=3562190.73, EASTING=1489910.70 |
| GEODETIC COORDINATES – NAD 83<br>LATITUDE = N 41°06'15.43"<br>LONGITUDE = W 112°02'46.08" |
| GROUND ELEVATION – NAVD88<br>4374' A.M.S.L. |
| STATE OF UTAH, NORTH ZONE |

NORTH

SCALE: 1" = 30'-0"


verizon
9656 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

Technology Associates

UTAH MARKET OFFICE
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

SURVEY PREPARED BY:
SUPERIOR SURVEYING, LLC
PHONE: 801-230-8988
EMAIL: JERRY@SUPERIOR-SURVEYING.COM


DRAWN BY: JERRY F
CHECKED BY: JERRY F

| REV | DATE | DESCRIPTION |
|---|---|---|
| 0 | 10.20.2016 | SITE SURVEY |

PROFESSIONAL LAND SURVEYOR
10-20-16
No. 6436064
JERRY FLETCHER
STATE OF UTAH

SAL – TACTICAL
SE SEC 3, T4N, R2W
1040 WEST 700 SOUTH
CLEARFIELD, UTAH 84015
-- RAWLAND SITE --

SHEET TITLE
SITE SURVEY

SHEET NUMBER
SURV

# Planning Commission
## STAFF REPORT

AGENDA ITEM
**#3**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, August 21, 2019**

**SUBJECT:** Public Hearing, Discussion and Possible Action on **RZN 1907-0004,** a zoning map amendment request by John Losee to rezone the majority of the subject property from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing). **Location:** 1040 West 700 South (TIN: 12-026-0011). **Project Area:** 0.57 Acres. **Planner:** Brad McIlrath **(Legislative Matter).**

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** of **RZN 1907-0004** to the City Council for the proposed rezones of the subject property from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing). This recommendation is based upon the findings outlined in this report.

**PLANNING COMMISSION RECOMMENDATION OPTIONS:**

Following careful consideration of the information included in this report the commission may decide to vary from Staff's recommendation and may choose to forward the following recommendations:

1. **Move to recommend approval of RZN 1907-0004**, to the Clearfield City Council, for the proposed rezones of the subject property from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing).
2. **Move to recommend denial of RZN 1907-0004**, to the Clearfield City Council, for the proposed rezones of the subject property from A-1 (Agricultural) to R-1-8 (Residential) and M-1 (Manufacturing).
3. **Move to table RZN 1907-0004** and request additional time to consider the request.

**BACKGROUND & ANALYSIS**

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. Due to the type of subdivision that this is, the applicant needs to rezone the cell tower area to M-1 (Manufacturing) and single-family lot area to R-1-8 (Residential). Without the approval of these rezones, the cell tower piece would be in violation of the minimum lot size, and the residential piece would not meet the required lot width in the A-1 (Agricultural) Zone. The A-1 Zone requires a minimum lot are of 14,520 square feet and the proposed cell tower lot is 7,000 square feet. The A-1 Zone requires a minimum lot width of one hundred feet (100') and the proposed single-family lot has a width of ninety nine feet (99'). Due to these challenges, the General Plan amendment and rezones are necessary to allow this two lot subdivision to occur, as well as to not violate current zoning regulations.

The request to rezone the cell tower property to M-1 is to match the zoning of the industrial property to the north and to allow for the 7,000 square foot lot size. The request to rezone the residential property to R-1-8 is based upon guidance and recommendation from the General Plan. The surrounding residential properties are zoned A-1 or R-1-Open. The General Plan discourages the continuance of the R-1-Open zone and recommends that the R-1-8 Zone be the primary single-family residential zone that is used in the City. The property could not remain in the A-1 Zone because the property width is too narrow to allow the subdivision of the property.

**General Plan and Comprehensive Plan Analysis**
The Clearfield City General Plan recommends the properties located on the north end of this section of 700 South be rezoned to Manufacturing. The rezone of the cell tower site conforms with this recommendation, and with approval of the General Plan amendment to designate the residential portion of this property to Residential, there will also be conformance to the General Plan. Based upon the large amount of the City that is currently zoned M-1, staff would anticipate this area to be designated as Residential in the upcoming General Plan update instead of the current Manufacturing designation.

**Public Comment**
A property notice was posted on August 9th, 2019. Mailed notices were sent to adjacent properties on August 7th, 2019. As of the date of this report, no public comment has been received.

**GENERAL PLAN ANALYSIS**

| Review Consideration | Staff Analysis |
|---|---|
| The proposed amendment is in accordance with the General Plan and Map; or | If the proposed Residential designation amendment to the General Plan is approved, this rezone will be consistent with the goals and objectives of the General Plan. The General Plan states, the R-1-8 Zone "is Clearfield City's default residential single family zone, and is the preferred zone for future development of single family housing" (p. 4). As currently designated for Manufacturing the rezone of the cell tower property would conform to the General Plan. Based upon this guidance, the proposed rezones are supported by the General Plan. |
| Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title. | With changes to encourage more single-family development when possible, the proposed rezones are appropriate and necessary to allow for the development of a single-family residence at this location. |

**STAFF RECOMMENDATION/CONCLUSION**

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed rezones, based upon the following findings:

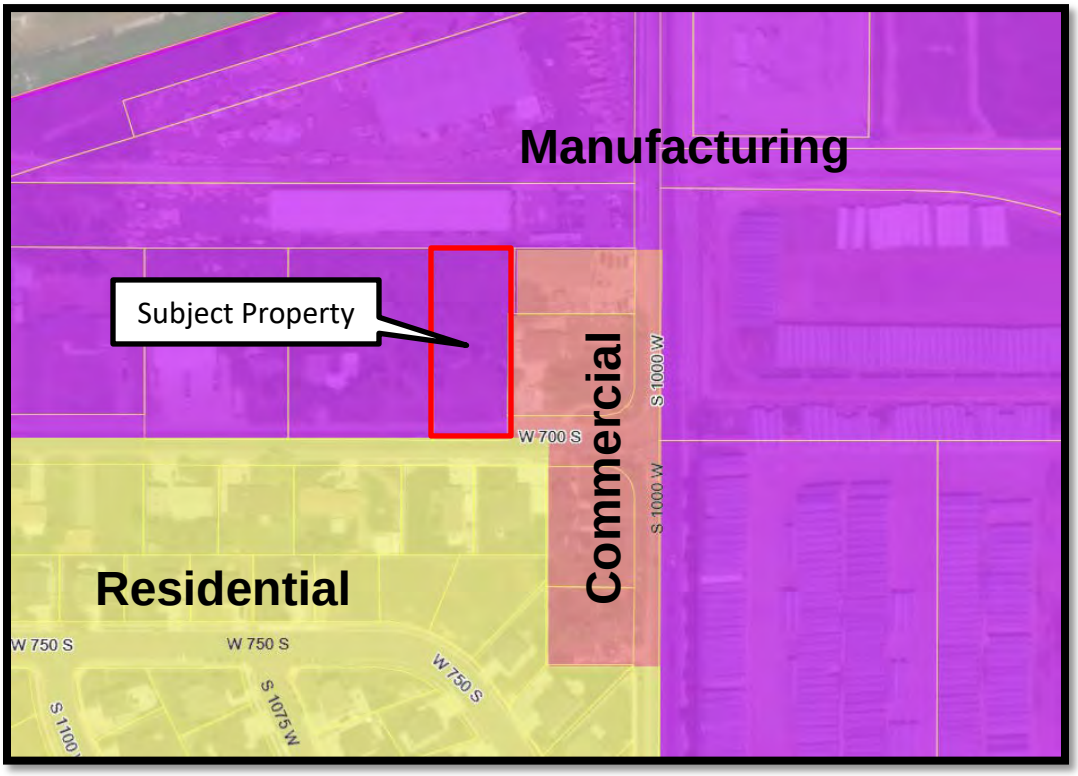
1. The proposed rezone of the cell tower site is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed rezone of the single-family property to R-1-8 will be consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan if the General Plan amendment is approved.
3. With the rezone to R-1-8 and future development of this area as residential the use will be consistent with existing residential uses in the area.
4. Development of residential with the existing infrastructure will have minimal impact on City services.

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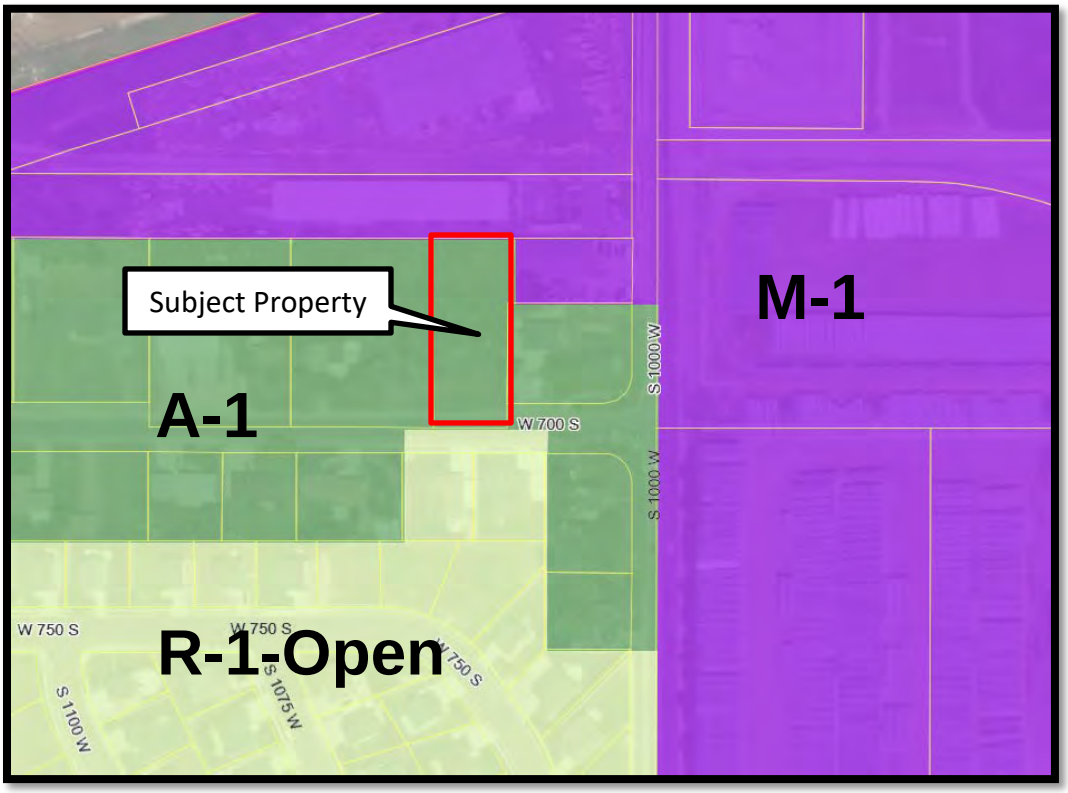
**ATTACHMENTS**

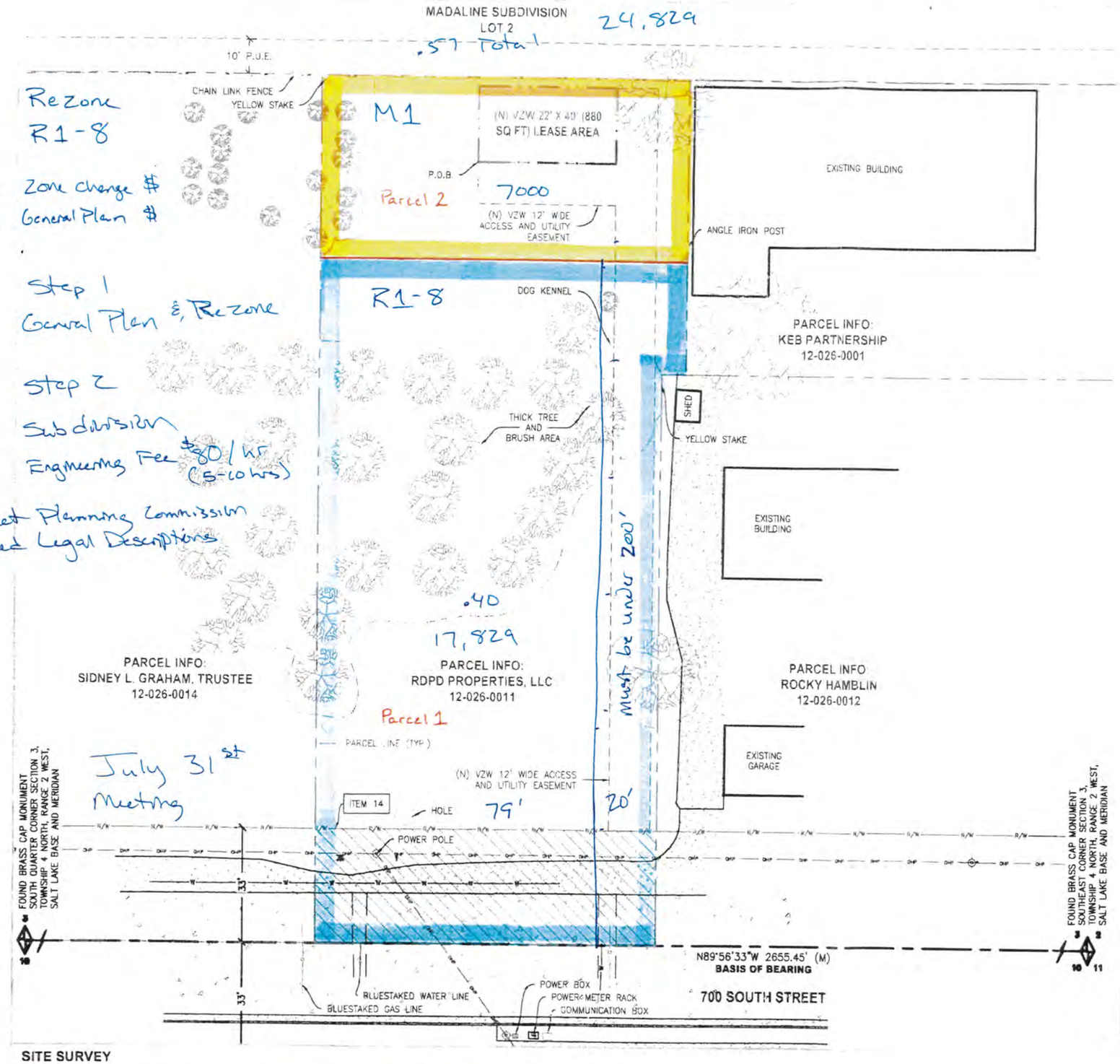
1. General Plan: Future Land Use Map
2. Zoning Map
3. Development Concept

**GENERAL PLAN: FUTURE LAND USE MAP**




**ZONING MAP**






SITE SURVEY

House size 1250 or 1500 w/basement

Front 25 | Side 8 | Side 8 | Back 25 } Setbacks

**CERTIFICATE OF SURVEY:**

I, JERRY FLETCHER, PROFESSIONAL LAND SURVEYOR, STATE OF UTAH, LICENSE NUMBER 6436064, CERTIFY THAT I HAVE SUPERVISED A SURVEY ON THE GROUND AS SHOWN HEREON:

**VERIZON WIRELESS LEASE SITE DESCRIPTION:**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, STATE OF UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED NORTH 89°56'33" WEST 251.77 FEET ALONG SECTION LINE AND NORTH 225.50 FEET FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE NORTH 00°03'27" EAST 22.00 FEET; THENCE SOUTH 89°56'33" EAST 40.00 FEET; THENCE SOUTH 00°03'27" WEST 22.00 FEET; THENCE NORTH 89°56'33" WEST 40.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 880 SQ. FT. OR 0.020 ACRES, MORE OR LESS, (AS DESCRIBED).

**VERIZON WIRELESS ACCESS AND UTILITY EASEMENT DESCRIPTION:**

A 12 FOOT WIDE ACCESS AND UTILITY EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS, AND INSTALLING UNDERGROUND UTILITIES, BEING 6 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT LOCATED NORTH 89°56'33" WEST 251.78 FEET ALONG SECTION LINE AND NORTH 219.50 FEET FROM THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE PARALLEL TO AND SIX FEET PERPENDICULARLY DISTANT FROM THE VERIZON WIRELESS LEASE AREA THE FOLLOWING TWO COURSES; (1) THENCE SOUTH 89°56'33" EAST 46.00 FEET; (2) THENCE NORTH 00°03'27" EAST 28.00 FEET; THENCE SOUTH 00°03'27" WEST 214.50 FEET, MORE OR LESS, TO NORTH RIGHT-OF-WAY LINE OF 700 SOUTH STREET AND TERMINATING.

CONTAINS: 0.070 ACRES, MORE OR LESS, (AS DESCRIBED).

**NARRATIVE:**

(1) THE PURPOSE OF THIS SURVEY IS TO LOCATE AND SURVEY A PROPOSED COMMUNICATIONS TOWER SITE.

(2) THE BASIS OF BEARING USED FOR THIS SURVEY IS AS SHOWN ON THIS PLAT, FROM FOUND MONUMENTS AS LOCATED IN THE FIELD.
(M) = MEASURED BEARING OR DISTANCE.
(R)= RECORDED BEARING OR DISTANCE.
(CALC)= CALCULATED BEARING OR DISTANCE.

(3) PARCEL LINES ARE SHOWN AS REFERENCE PER RECORD INFORMATION AND DOES NOT CONSTITUTE OR PURPORT TO BE A BOUNDARY SURVEY.

(4) REFERENCE PLATS:
(A) MADALINE SUBDIVISION, IN ENTRY NO. 2536113, RECORDED ON JUNE 25, 2010. (PARCEL AND PUBLIC UTILITY EASEMENT NORTH OF SITE AREA)
(B) CLIFFORD PARK PHASE 4, IN ENTRY NO. 2859620, RECORDED ON APRIL 10, 2015. (DEDICATES SOUTH HALF OF 700 SOUTH STREET)

(5) SCHEDULE B NOTES PER STEWART TITLE INSURANCE AGENCY OF UTAH, INC. COMMITMENT NO. 01459-22974, DATED AUGUST 29, 2016:
(A) ITEM 1,3,4,5,6,11,12,13, & 16 – ARE BLANKET EXCEPTIONS NOT SHOWN ON THIS PLAT.
(B) ITEM 2,7,8,9, & 10 – ARE NOT SURVEY MATTERS AND ARE NOT SHOWN ON THIS PLAT.
(C) ITEM 14 – SOUTH 33 FEET OF PARCEL INSIDE 700 SOUTH STREET, SUBJECT TO RIGHTS OF PUBLIC AND OTHERS ENTITLED THERETO. (SHOWN ON PLAT)
(D) ITEM 15 – MOUNTAIN STATES TELEPHONE EASEMENT IN ENTRY NO. 2B040 DOES NOT DESCRIBE AN EXACT AREA AND THEREFORE IS NOT SHOWN ON THIS SURVEY. (BLANKET EASEMENT)

SURVEY MATTERS FROM ABOVE REFERENCED TITLE REPORT HAVE BEEN REVIEWED AND SHOWN OR LISTED AS PROVIDED ON PLAT.

| INFORMATION FOR THE CENTER OF THE VZW LEASE AREA |
|---|
| STATE PLANE COORDINATES – NAD 83 (FT)<br>NORTHING=3562190.73, EASTING=1489910.70 |
| GEODETIC COORDINATES – NAD 83<br>LATITUDE = N 41°06'15.43"<br>LONGITUDE = W 112°02'46.08" |
| GROUND ELEVATION – NAVD88<br>4374' A.M.S.L. |
| STATE OF UTAH, NORTH ZONE |

NORTH

SCALE: 1" = 30'-0"


verizon
9656 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

Technology Associates

UTAH MARKET OFFICE
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

SURVEY PREPARED BY:
SUPERIOR SURVEYING, LLC
PHONE: 801-230-8988
EMAIL: JERRY@SUPERIOR-SURVEYING.COM


DRAWN BY: JERRY F
CHECKED BY: JERRY F

| REV | DATE | DESCRIPTION |
|---|---|---|
| 0 | 10.20.2016 | SITE SURVEY |

PROFESSIONAL LAND SURVEYOR
10-20-16
No. 6436064
JERRY FLETCHER
STATE OF UTAH

SAL – TACTICAL
SE SEC 3, T4N, R2W
1040 WEST 700 SOUTH
CLEARFIELD, UTAH 84015
-- RAWLAND SITE --

SHEET TITLE
SITE SURVEY

SHEET NUMBER
SURV

# Planning Commission
## STAFF REPORT

AGENDA ITEM
**#5**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, August 21, 2019**

**SUBJECT:** Discussion and Possible Action on **FSP 1907-0003,** a preliminary and final subdivision plat request for a two-lot subdivision at this property. **Location:** 1040 West 700 South (TIN: 12-026-0011). **Project Area:** 0.57 Acres. **Zone:** Proposed R-1-8 (Residential) and M-1 (Manufacturing). **Planner:** Brad McIlrath **(Administrative Action).**

**RECOMMENDATION**

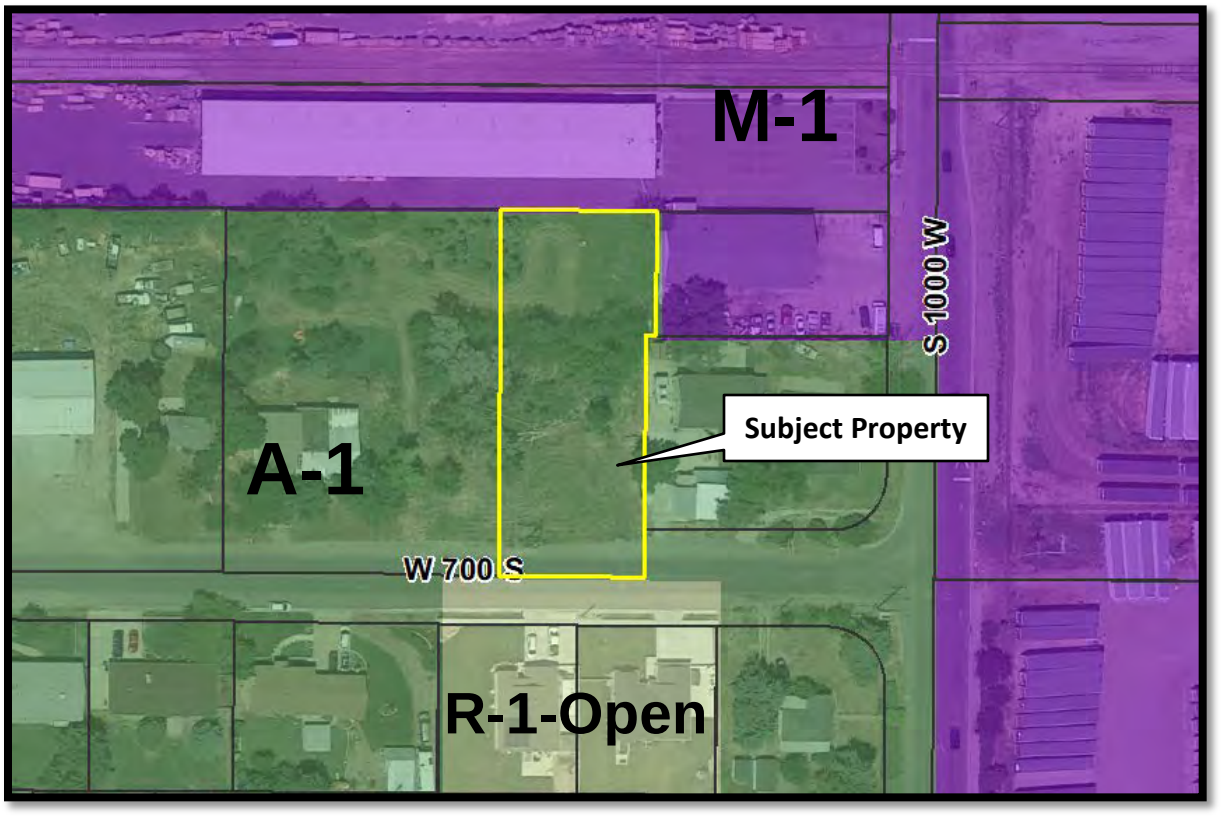
Staff recommends that the Planning Commission recommend **APPROVAL** to the Clearfield City Council for **FSP 1907-0003**, a final subdivision plat request by John Losee for a 2-Lot subdivision for the properties located at approximately 1040 West 700 South (TIN: 12-026-0011). This recommendation is based on the subdivision conditions and findings in the Staff Report.

**PROJECT SUMMARY**

| Project Information | |
|---|---|
| Project Name | John Losee Subdivision |
| Site Location | 1040 West 700 South |
| Tax ID Number | 12-026-0011 |
| Applicant & Owner | John Losee |
| Proposed Actions | Preliminary & Final Subdivision Plat Approval |
| Proposed Zoning | R-1-8 (Residential) and M-1 (Manufacturing) |
| Proposed General Plan Land Use Classification | Residential and Manufacturing |
| Gross Site | 0.57 Acres |

| Surrounding Properties and Uses: | | Current Zoning District | General Plan Land Use Classification |
|---|---|---|---|
| North | Industrial | M-1 (Manufacturing) | Manufacturing |
| East | Residential | A-1 (Agricultural) | Commercial |
| South | Residential | R-1-Open (Residential) | Residential |
| West | Residential | A-1 (Agricultural) | Manufacturing |

**Aerial Image & Zoning**




**BACKGROUND & OVERVIEW**

The applicant is requesting preliminary and final subdivision plat approval for the proposed 2-Lot subdivision. As only a 2-Lot subdivision, preliminary and final subdivision approval can be granted concurrently as a final subdivision plat recommendation to the City Council. This subdivision request will create two lots from the existing parcel with the larger front lot as the location for a future single-family residence and the rear property as the location for a cell tower. The rear lot is a flag lot and will be provided with a twenty foot (20') wide staff portion of the flag lot with an access and utility easement located along the staff portion of the flag lot. The subdivision also includes the formal dedication of street right-of-way along 700 South.

**General Plan and Zoning**

As concurrent applications the applicant is seeking approval to amend the General Plan from Manufacturing to Residential for the front lot area. A rezone is being requested for the residential property to be R-1-8 and the cell tower property to be M-1. The general plan amendment and rezones are necessary in order to subdivide the property. Without those changes the properties would not meet the minimum lot area or width standards for the A-1 zone.

**PRELIMINARY AND FINAL SUBDIVISION PLAT REVIEW**

With a total acreage of 0.57 acres, the majority of 0.33 acres or 14,259 feet will be used to create Lot 1. Lot 2 has a proposed area of 0.18 acres or 7,794 square feet. The proposed plat shows road dedication for 700 South of 0.07 acres or 3,049.2 square feet and a twelve foot (12') wide access and utility easement on Lot 1 in favor of Lot 2. The plat shows a measurement of twenty feet (20') between Lot 1 and the east property line which will be the staff portion or access for Lot 2. This area can be reduced to

fourteen feet (14') which is the minimum requirement for a flag lot. The minimum front setback for a flag lot is twenty feet (20'). Based upon the measurements of the plat and location of the cell tower, the front property line may need to be shifted further south to provide a minimum setback of twenty feet (20').

**Final Plat Materials**
The submitted plans include the subdivision plat with measurements and signature blocks. The applicant will need to resubmit the plat along with improvement drawings as outlined in the review letter by the Clearfield City Engineer. Comments from the Engineer will need to be addressed prior to final approval and signing of the final plat.

**PUBLIC COMMENT**

Public notice was posted along property frontage on August 9th, 2019. The notice sign will remain in place until the final plat review with the City Council is completed. To date an adjacent resident has called to obtain information about the subdivision, but does not have concerns regarding the request.

**CONDITIONS OF APPROVAL**

*The following conditions of approval shall be addressed by the applicant and shown on a set of revised improvement plans and a final plat prior to the issuance of final land use approval. Final land use approval includes, Planning, Engineering, and the North Davis Fire District. An application for a building permit will not be accepted until final land use approval is granted and the plat has been recorded.*

1) Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of that plat.
2) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
3) The subdivision approval shall be contingent upon the General Plan amending and Rezone request.

**ATTACHMENTS**

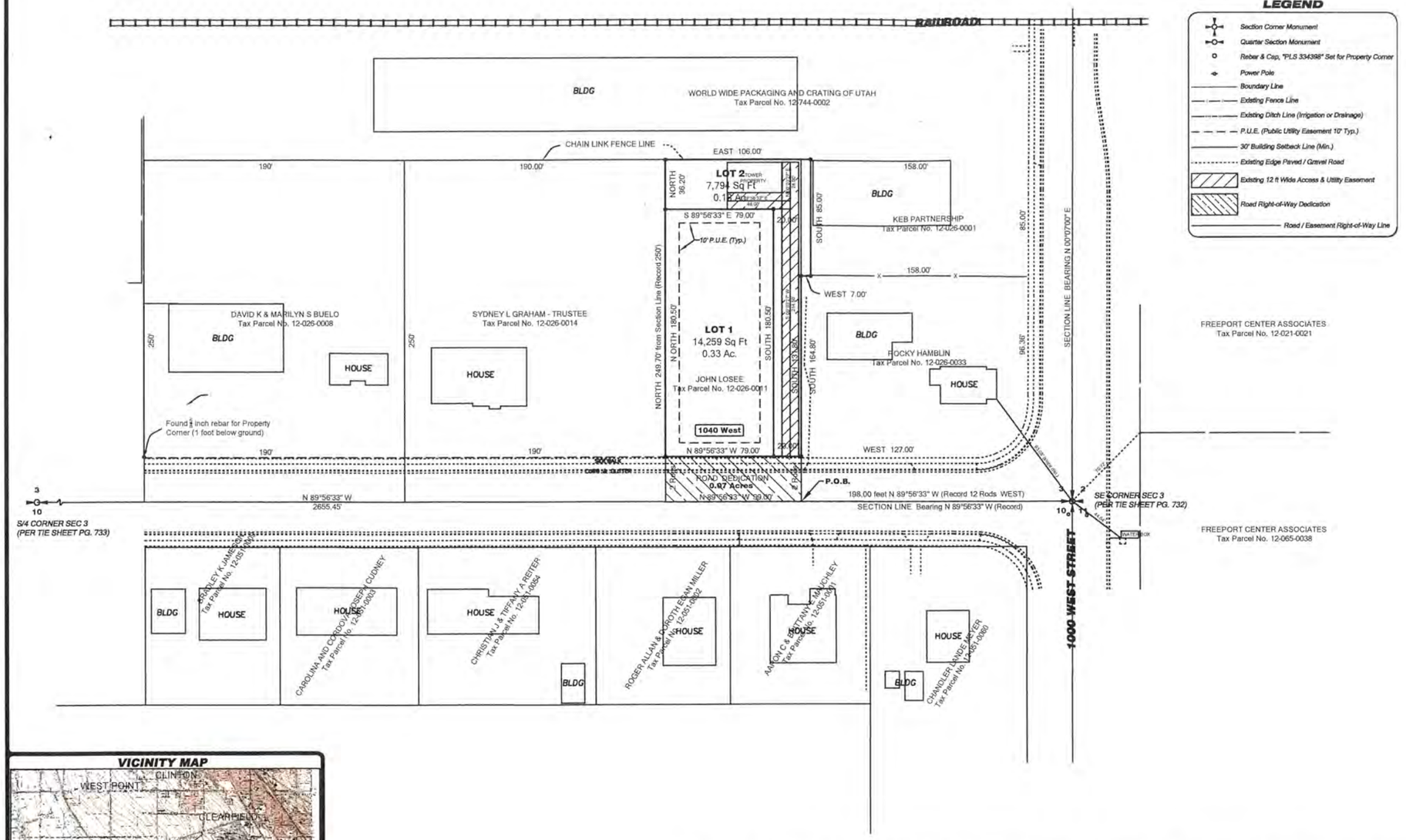
1. Subdivision Plat
2. Engineering Review Letter dated 18 July 2019

# JOHN LOSEE SUBDIVISION

## PART of THE SE/4 of SEC 3 T 4 N, R 2 W, SLB&M

## CLEARFIELD CITY, DAVIS COUNTY, UTAH

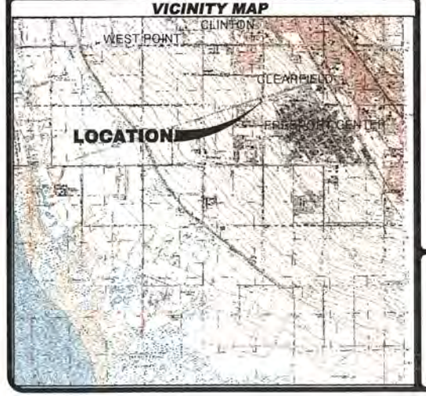
1" = 40'




### LEGEND

- Section Corner Monument
- Quarter Section Monument
- Rebar & Cap, "PLS 334398" Set for Property Corner
- Power Pole
- Boundary Line
- Existing Fence Line
- Existing Ditch Line (Irrigation or Drainage)
- P.U.E. (Public Utility Easement 10' Typ.)
- 30' Building Setback Line (Min.)
- Existing Edge Paved / Gravel Road
- Existing 12 ft Wide Access & Utility Easement
- Road Right-of-Way Dedication
- Road / Easement Right-of-Way Line

### VICINITY MAP




### SURVEYOR'S CERTIFICATE

I, Benjamin W. Johnston, do hereby certify that I am a Licensed Professional Land Surveyor and hold Certificate No. 334398 in accordance with Title 58, Chapter 22, of the Professional Engineers and Professional Land Surveyors Licensing Act; and have completed a survey of the property described on this plat in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements, and have placed monuments as represented on this plat.

REGISTERED PROFESSIONAL LAND SURVEYOR — No. 334398 — BENJAMIN W. JOHNSTON — DATE — STATE OF UTAH

### DESCRIPTIONS

**BOUNDARY LOT 1:**
A PART OF THE SOUTHEAST QUARTER OF SECTION 3, T 4 N, R 2 W, S.L.B.&M.

Beginning on the South Line of said Section 3 at a point 198.00 feet N 89°56'33" W along the section line (Record 12 Rods West) from the Southeast Corner of said Section 3, T 4 N, R 2 W, S.L.B.&M. and RUNNING thence: N 89°56'33" W 99.00 feet along said Section line; thence NORTH 249.70 feet (Record 250.00 feet) to Adjoiner's Southerly Boundary Line (a Chain Link Fence); thence EAST 106.00 feet along said fence line; thence SOUTH 85.00 feet; thence WEST 7.00 feet; thence SOUTH 164.80 feet to the point of beginning. Containing 0.58 acres, more or less.

LESS: The Southerly 2 Rods of the above described property herewith Dedicated to the City of Clearfield to be used for public roadway and utility purposes. Containing 0.07 acres, more or less.

**BASIS OF BEARING:**
The Basis of Bearing is the SOUTH Line of Section 33, Township 4 North, Range W West, SLB&M bearing N 89°56'33" W between the Southeast Corner (Per Ref. Tie Sheet, pg.7 32) and the South Quarter Corner (Survey Mon – Tie Sheet, pg. 733)

**NARRATIVE:**
The purpose of this survey is to subdivide the John Losee Property known as Tax Parcel 12-025-0011 into two lots. Lot 1 to be a building lot and Lot 2 to continue the existing use for a cell phone tower flag lot. Both Lots front 700 South Street. This survey is at the request of owner, John Losee.

### OWNER'S DEDICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND SHOWN ON THE PLAT AND NAME SAID SUBDIVISION JOHN LOSEE SUBDIVISION, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITH SUCH EASEMENTS.

_____ DATE

_____ DATE

### ACKNOWLEDGEMENT

STATE OF UTAH )
ss
COUNTY OF _____ )

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME THE PERSONS SIGNING THE FOREGOING OWNER'S DEDICATION KNOWN TO ME TO BE AUTHORIZED TO EXECUTE THE FOREGOING OWNER'S DEDICATION FOR AND ON BEHALF OF THE OWNERS WHO DULY ACKNOWLEDGED TO ME THAT THE OWNER'S DEDICATION WAS EXECUTED BY THEM ON BEHALF OF THE OWNERS.

_____
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

### CLEARFIELD CITY PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, A.D., 20____.
BY THE CLEARFIELD CITY PLANNING COMMISSION.

_____
CHAIRMAN

### CLEARFIELD CITY ATTORNEY

APPROVED AS TO FORM BY THE CLEARFIELD CITY ATTORNEY
THIS _____ DAY OF _____, A.D., 20____.

_____
COUNTY ATTORNEY

### CLEARFIELD CITY ENGINEER

I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

_____ DATE

_____ CITY ENGINEER

### CLEARFIELD CITY COUNCIL

PRESENTED TO THE CLEARFIELD CITY COUNCIL THIS _____ DAY OF _____ A.D., 20____ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: _____ CITY RECORDER

_____ CITY MAYOR

### COUNTY RECORDER'S ENTRY NO. _____

STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST OF _____ FEE PAID _____
RECORDED IN BOOK _____, PAGE _____
DATE _____
TIME _____

_____ COUNTY RECORDER

| NO. | DATE: | REVISION: |
|---|---|---|
| | | |

DRAWN: BWJ
CHECKED: CJJ
SCALE: 1" = 40'
DATE: 07-10-18

JOHNSTON ENGINEERING P.C.
CIVIL • SURVEYING • STRUCTURAL
844 EAST MAIN | TREMONTON, UT 84337 | 435.257.1156 | 435.257.1188

SHEET 1 of 1 SHEETS

JOB NUMBER 18DA232

CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

18 July 2019

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn: Brad McIlrath, Senior Planner
Proj: **John Losee Subdivision**
Subj: Plat Review #1

Dear Brad,

Attached is our review of the above referenced Subdivision for your consideration:

**General Note:**

1. An **electronic copy** of the Plat and Improvement Drawings and details must be submitted to the Public Work Department via our office for record keeping upon design completion and prior to approval of the Plat drawings from our office.

***2. Please request the Developer or his Engineer, submit a response letter with their re-submittal of drawings answering all Engineering review comments contained herein.***

**Plat Drawing**

1. The Plat does close within the tolerance standards of Clearfield City. The closure areas should be shown in square feet & acreage.

2. The language for the "Clearfield City Engineer" approval/compliance signature block shall be written to match the following:

   *I hereby certify that the "Office of the City Engineer" has examined the foregoing Plat and in our opinion the information conveyed herewith, complies with the Public Works Standards and Specifications of Clearfield City.*

3. Label 700 South Street and provide the width of the right-of-way.

4. Provide bearings & distances for the existing easements inside of lot 2.

5. The name of the owners signing the Plat need their name printed under their signature line.

6. Correct typographical errors on the title, descriptions and basis of bearings.

7. Show the entire boundary (bearing & distances) bolder than the lots and it will include the roadway.

8. The "Basis of Bearing" paragraph needs to be re-written – a bit confusing.

9. A drawing date should be placed under the drawing title – Month & year.

10. The Owner's Dedication mentions storm water detention basins & irrigation. If this is including in the easements, please show on the drawing or if it is not included, please remove these statements from the Owner's Dedication.

11. The boundary description and drawing needs to be in US. Standard Units and not in "rods". Rods can be placed in parentheses if desired. The Description should be labelled as "Boundary Description". The "less amount" should be taken out of the description and re-worded. This boundary description presentation needs to be re-worked.

12. Improvement drawings are required:
    - Show the water meter, water connection and service lateral – location and materials with trench patching details.
    - Show the sanitary sewer connection and service lateral – location and material.
    - Show driveway approach location; with the correct thickness of the concrete and roadbase for the approach & sidewalk.
    - Show nearest fire hydrant and all manholes and power poles within 250 feet of property lines.

13. This roadway (700 South Street) was just built thus the roadway patching will need to be 10" roadbase with 4" of asphalt complete with tack oil and 2-feet of flowable fill.

Should you have any questions feel free to contact our office.

Sincerely,
**CEC, Civil Engineering Consultants, PLLC.**



N. Scott Nelson, PE.
*City Engineer*

Cc. Adam Favero, Public Works Director
Mark Baird, Deputy Public Works Director
Brad Wheeler, Street Superintendent

# Planning Commission
## STAFF REPORT

AGENDA ITEM
**#4**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, August 21, 2019**

**SUBJECT:** Public Hearing, Discussion and Possible Action on **RZN 1907-0008,** a zoning map amendment request by Brock Johnston to rezone 2.74 acres of the subject property from C-2 (Commercial) to R-3 (Residential). **Location:** Approximately 938 S. University Park Blvd. (TIN: 09-302-0009). **Project Area:** 2.74 Acres. **Planner:** Brad McIlrath **(Legislative Matter).**

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** of **RZN 1907-0008** to the City Council for the proposed zoning map amendment request by Brock Johnston to rezone 2.74 acres of the subject property from C-2 (Commercial) to R-3 (Residential). This recommendation is based upon the findings outlined in this report.

### PLANNING COMMISSION RECOMMENDATION OPTIONS:

Following careful consideration of the information included in this report the commission may decide to vary from Staff's recommendation and may choose to forward the following recommendations:

1. **Move to recommend approval of RZN 1907-0008**, to the Clearfield City Council, for the proposed zoning map amendment request by Brock Johnston to rezone 2.74 acres of the subject property from C-2 (Commercial) to R-3 (Residential).
2. **Move to recommend denial of RZN 1907-0008**, to the Clearfield City Council, for the proposed zoning map amendment request by Brock Johnston to rezone 2.74 acres of the subject property from C-2 (Commercial) to R-3 (Residential).
3. **Move to table RZN 1907-0008** and request additional time to consider the request.

### BACKGROUND & ANALYSIS

The applicant Brock Johnston is requesting approval to rezone 2.74 acres of the 3.46 acre property from C-2 (Commercial) to R-3 (Residential). The intent of this rezone request is to then subdivide and development the front 0.73 acres of the property with a commercial use and the back 2.74 acres with thirty nine (39) townhomes. The R-3 Zone allows townhomes and multi-family development with a maximum density of sixteen (16) units to the acre. Based upon the attached concept plan the applicant would construct a development with a density of fourteen point two (14.2) units to the acre. Due to infrastructure limitations in this area and to have a development that is compatible to the residential to the south, Staff recommends that this rezone be limited to townhome development and not allow multi-family development.

**General Plan and Comprehensive Plan Analysis**
The Clearfield City General Plan designates this property as Mixed-Use along with the frontage of the properties to the south along University Park Boulevard. As stated in the General Plan, "Mixed-Use areas are intended to support a broad range of residential, commercial, recreational, entertainment, office, and civic uses within single buildings (vertical mixed-use), or within neighborhoods (horizontal mixed use). The Mixed-Use designation allows for commercial development or commercial and residential development, but not for residential development without a significant commercial component" (p. 8). As shown on the attached concept plan, with this rezone the development would be a horizontal mixed-use development. In addition to the requirement that the residential be a townhome development, Staff recommends that the commercial lot be developed at the same time, or before the townhomes.

**Development Agreement**
To enforce the requirements of the rezone, Staff recommends that the applicant and City execute a development agreement. This agreement should be completed and executed prior to the changing of the zoning designation from C-2 to R-3 on the City's official zoning map. Additionally, the subdivision of the lots for the commercial property and the individual townhomes will not be accepted by Clearfield City until the development agreement has been fully executed.

**Public Comment**
A property notice was posted on August 9th, 2019. Mailed notices were sent to adjacent properties on August 7th, 2019. As of the date of this report, no public comment has been received.

**GENERAL PLAN ANALYSIS**

| Review Consideration | Staff Analysis |
|---|---|
| The proposed amendment is in accordance with the General Plan and Map; or | With a designation of Mixed-Use, this rezone will be consistent with the goals and objectives of the General Plan. As stated in the General Plan, the Mixed-Use designation is intended to allow vertical or horizontal mixed use. This rezone would allow for a horizontal mixed-use development pattern at this location. Based upon this guidance, the proposed rezone is supported by the General Plan. |
| Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title. | With changing conditions in market realities for commercial retail space, this amendment will provide additional household units to support commercial businesses in the area. |

**STAFF RECOMMENDATION/CONCLUSION**

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** to the City Council for the proposed rezones, based upon the following findings:

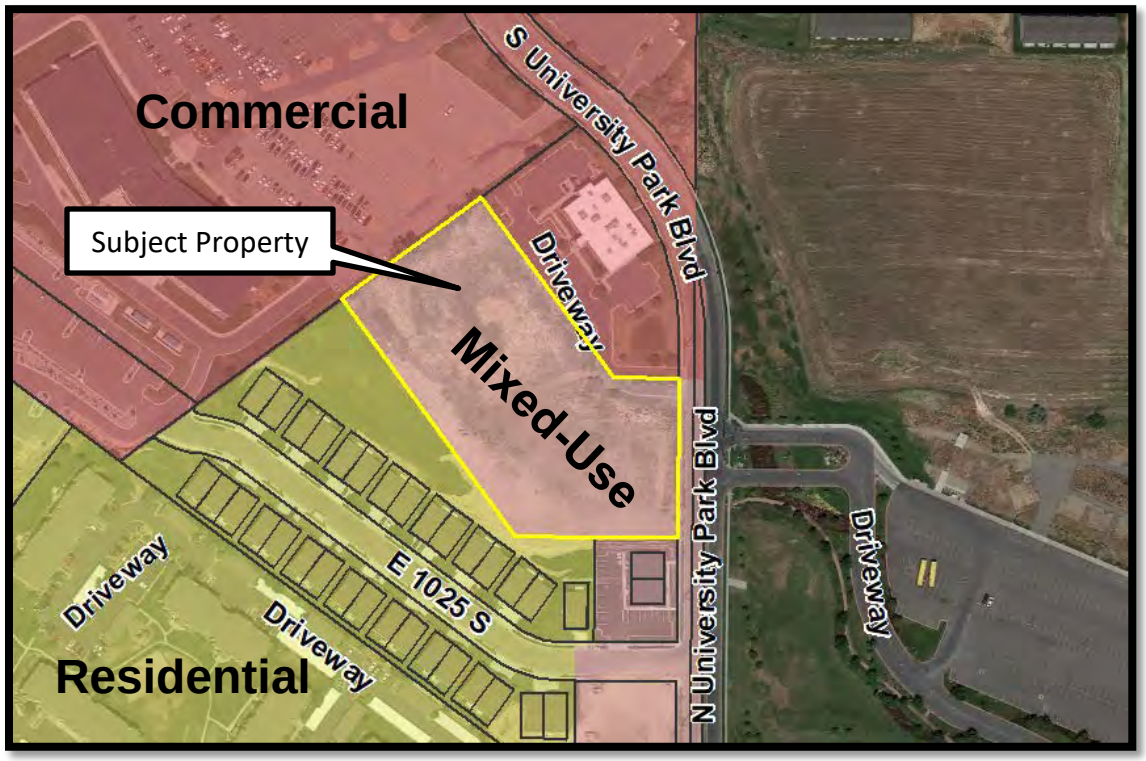
1. The proposed rezone is consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. The proposed rezone from C-2 to R-3 with the frontage area remaining in the C-2 Zone, will be consistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan by encouraging horizontal mixed-use for this location.
3. With the rezone to R-3 and future development of this area as residential the use will be consistent with existing residential uses in the area.
4. Development of residential townhomes is the most appropriate residential development in this area considering the existing infrastructure.

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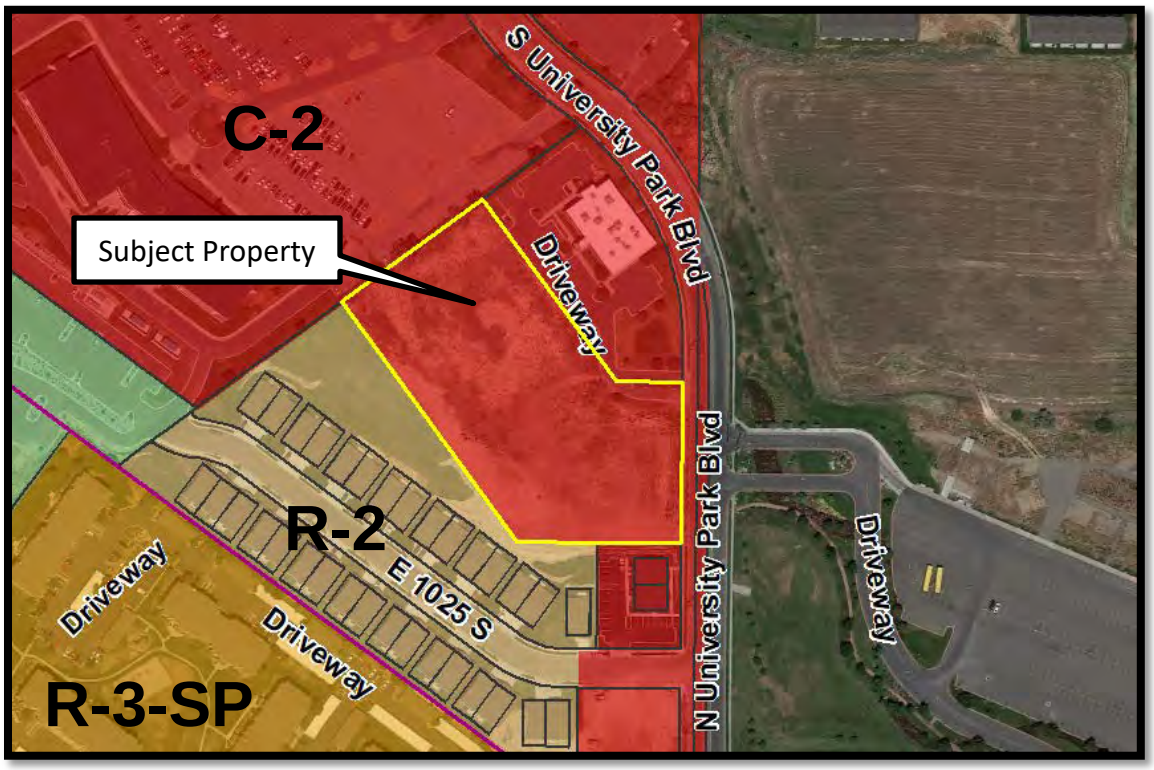
**ATTACHMENTS**

1. General Plan: Future Land Use Map
2. Zoning Map
3. Development Concept
4. North Davis Fire District review letter dated 14 August 2019

**GENERAL PLAN: FUTURE LAND USE MAP**




**ZONING MAP**



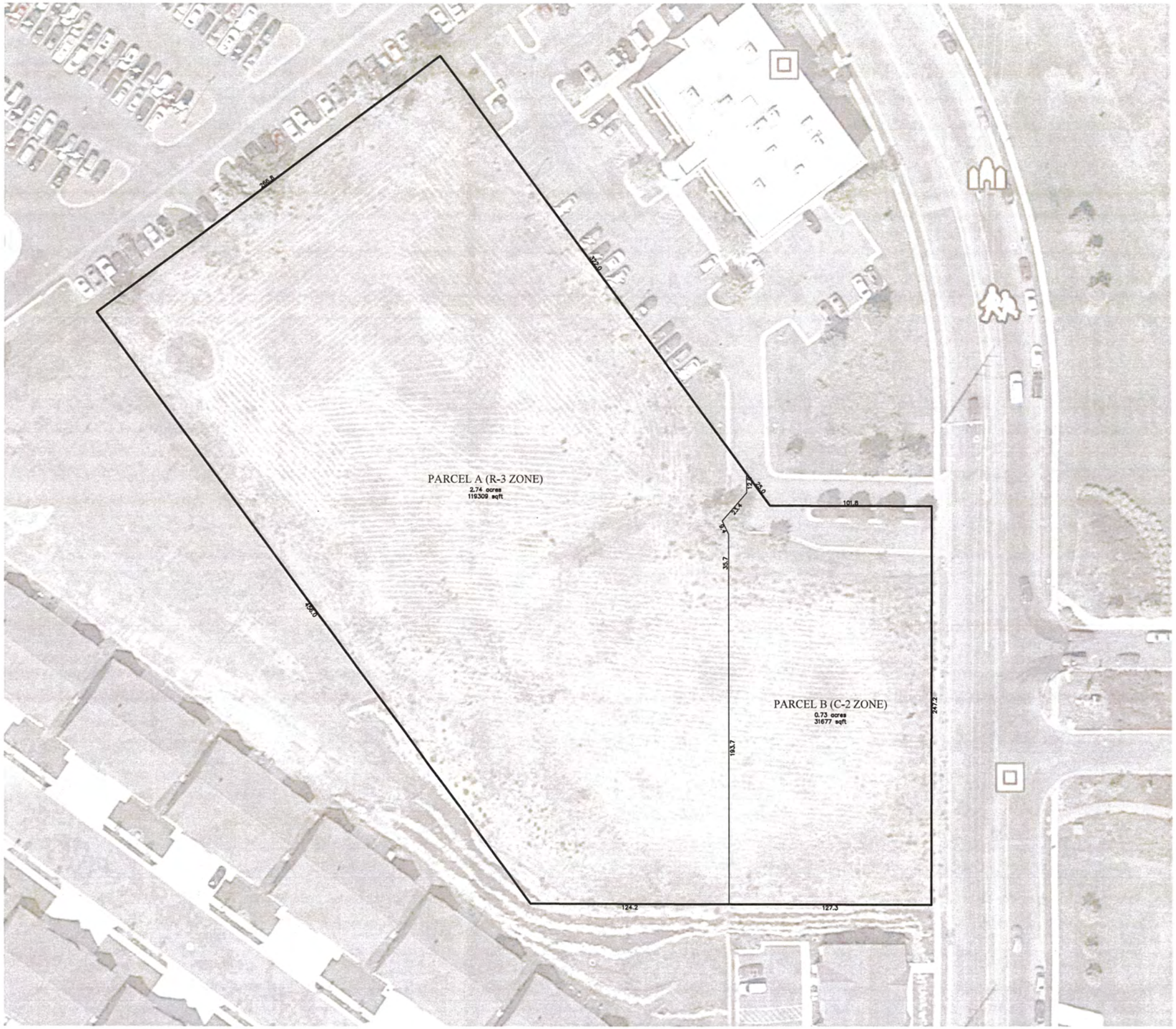
N

S

GRAPHIC SCALE

30 0 15 30 60 120

( IN FEET )
1 inch = 30 ft




## GENERAL NOTE:

INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON. THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY.


FOCUS©
ENGINEERING AND SURVEYING, LLC
6949 S. High Tech Drive Suite 200
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com


# ALTA ESTATES

CLEARFIELD, DAVIS COUNTY

PARCEL EXHIBIT

| REVISION BLOCK | | |
|---|---|---|
| # | DATE | DESCRIPTION |
| 1 | ---- | ---- |
| 2 | ---- | ---- |
| 3 | ---- | ---- |
| 4 | ---- | ---- |
| 5 | ---- | ---- |
| 6 | ---- | ---- |

PARCEL EXHIBIT

Scale: 1"=30' | Drawn: SV
Date: 07/18/2019 | Job #: 19-0152
Sheet: 1 OF 1

L:\2019\19-0152 Clearfield Townhomes\design\19-0152.dwg\exhibits\Parcel Reserve Exhibit.dwg

N

S

GRAPHIC SCALE

30 0 15 30 60 120

( IN FEET )
1 inch = 30 ft.

## CONCEPT NARRATIVE RESIDENTIAL

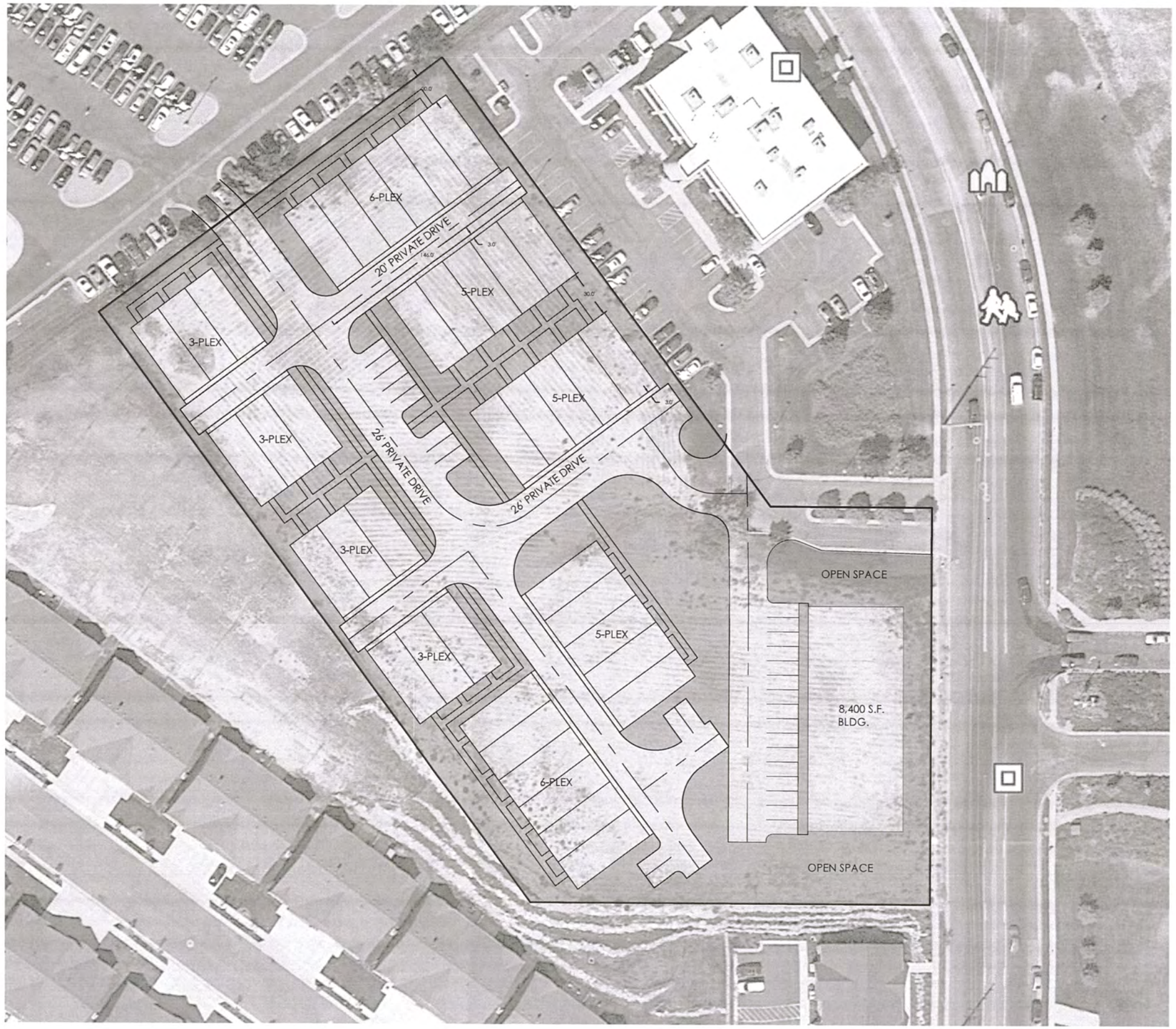
| LOCATED IN: | CLEARFIELD, DAVIS COUNTY |
|---|---|
| ORIGINAL PROPERTY | ±3.5 ACRES |
| RESIDENTIAL AREA | ±2.74 ACRES |
| OPEN SPACE | 1.0 ACRES (36%) |
| MULTIFAMILY UNITS | 39 |
| TOTAL DENSITY | 14.2 UNITS/ACRE |
| GUEST PARKING STALLS PROVIDED | 12 |

## CONCEPT NARRATIVE COMMERCIAL

| LOCATED IN: | CLEARFIELD, DAVIS COUNTY |
|---|---|
| COMMERCIAL AREA | 0.73 ACRES |
| BUILDING AREA | 8,400 SQFT |
| LANDSCAPE AREA | 0.27 ACRES (37%) |
| PARKING STALLS REQUIRED | 13 (1.5 PER 1,000 SF) |
| PARKING STALLS PROVIDED | 16 |




TYPICAL UNIT DIMENSIONS
N.T.S.




## GENERAL NOTE:

INFORMATION PROVIDED ON THIS PLAN IS BASED ON THE BEST AVAILABLE DATA AT THE TIME OF PREPARATION AND MAY CHANGE AT ANYTIME FOR ANY REASON THIS PLAN IS FOR ILLUSTRATIVE PURPOSES ONLY

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MIDVALE, UTAH 84047 PH: (801) 352-0075
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# CLEARFIELD TOWNS & COMMERCIAL

CLEARFIELD, DAVIS COUNTY

CONCEPT PLAN D

REVISION BLOCK

| # | DATE | DESCRIPTION |
|---|---|---|
| 1 | ---- | ---- |
| 2 | ---- | ---- |
| 3 | ---- | ---- |
| 4 | ---- | ---- |
| 5 | ---- | ---- |
| 6 | ---- | ---- |

CONCEPT PLAN D

Scale: 1"=30' | Drawn: SV
Date: 05/31/2019 | Job #: 19-0152
Sheet: 1 OF 1

Z:_2019\19-0152 Clearfield Townhomes\design\19-0152\dwg\concept\Concept D.dwg

Google Maps 110 S 1100 W

Town Home Examples




Image capture: Jul 2017 © 2019 Google

Farmington, Utah

Google

Street View - Jul 2017

Station Park

Google Maps 70 S 1100 W




Image capture: Jul 2017 © 2019 Google

Farmington, Utah

Google

Street View - Jul 2017

*From the Desk of*
*Deputy Chief John Taylor*
**NORTH DAVIS FIRE DISTRICT**
381 NORTH 3150 WEST
OFFICE: (801) 525-2850
FAX: (801) 525-6935
EMAIL: JTAYLOR@NOFIRES.ORG

TO: Brock Johnston / Developer
Brad McIlrath / Clearfield City Planner

FROM: John Taylor / Fire Marshal

RE: Alta Estates Rezone

DATE: August 14, 2019

I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns.

1. The North Davis Fire District has no concerns with the proposed rezone of the property located at 938 S University Park Blvd. from C-2 to R-3.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.

# Planning Commission
## STAFF REPORT

AGENDA ITEM
**#2**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, July 17, 2019**

**SUBJECT:** Discussion and Possible Action on **FSP 1906-0010,** a preliminary and final subdivision plat request by Leslie Mascaro with Wright Development for a 2-Lot subdivision at the subject properties. **Location:** Approximately 1300 South 2000 East (TIN: 09-341-0306 & 09-341-0305). **Parcel Area:** 30.667 Acres. **Zone:** R-3-SP (Residential Special Purpose Overlay) & C-2 (Commercial). **Planner:** Brad McIlrath **(Administrative Action).**

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **APPROVAL** to the Clearfield City Council for **FSP 1906-0010**, a final subdivision plat request by Leslie Mascaro with Wright Development for a 2-Lot subdivision for the properties located at approximately 1300 South 2000 East (TIN: 09-341-0306 & 09-341-0305). This recommendation is based on the subdivision conditions and findings in the Staff Report.

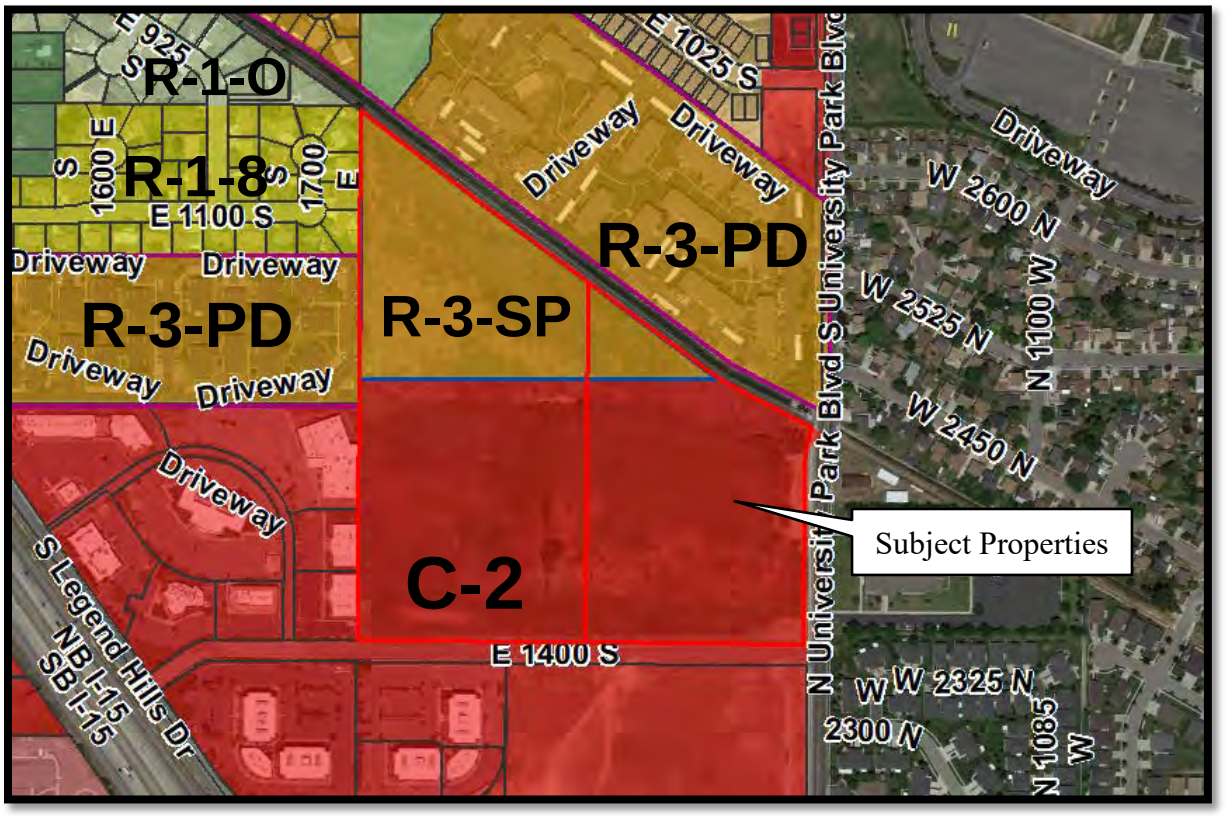
**PROJECT SUMMARY**

| Project Information | |
|---|---|
| Project Name | Towers at Legend Hills |
| Site Location | Approximately 1300 South 2000 East |
| Tax ID Number | 09-341-0306 & 09-341-0305 |
| Applicant | Leslie Mascaro, Wright Development Group |
| Owner | Gary Wright |
| Proposed Actions | Preliminary & Final Subdivision Plat Approval |
| Current Zoning | R-3-SP (Residential Special Purpose Overlay) & C-2 (Commercial) |
| General Plan Land Use Classification | Residential & Commercial |
| Gross Site | 30.667 Acres |

| Surrounding Properties and Uses: | | Current Zoning District | General Plan Land Use Classification |
|---|---|---|---|
| North | Multi-Family Residential | R-3 (Residential) | Residential |
| East | Residential & Religious | N/A Layton City | N/A Layton City |
| South | Commercial Office | C-2 (Commercial) | Commercial |

| | | | |
|---|---|---|---|
| West | Multi-Family Residential & Commercial | R-3 (Residential) & C-2 (Commercial) | Residential & Commercial |

**Aerial Image & Zoning**




**BACKGROUND & OVERVIEW**

The applicant is requesting preliminary and final subdivision plat approval for the proposed 2-Lot subdivision. As only a 2-Lot subdivision, preliminary and final subdivision approval can be granted concurrently as a final subdivision plat recommendation to the City Council. This subdivision request will create two lots from the existing parcels and dedicate a new sixty foot (60') street right of way for access to future development. The two lots will be oriented horizontally with Lot 2 to the north of the right of way dedication and adjacent to the canal, and Lot 1 south and east of the right of way dedication and adjacent to 1400 South and University Park Boulevard.

**General Plan and Zoning**

The Clearfield City General Plan was recently amended to designate the north area of this subdivision as residential and the south area as commercial. The zoning classification of the proposed Lot 2 is R-3-SP (Residential Special Purpose Overlay) and for the proposed Lot 1 is C-2 (Commercial). The subdivision project complies with the goals and objectives of the general plan.

**FINAL SUBDIVISION PLAT REVIEW**

**Prior Subdivision Recordation**

The proposed subdivision plat would be changing the "Legend Hills Subdivision, Phase 3, Lot 302," which was recorded in 2005. In 2008 the property owner split lot 302 into two parcels with a deed which was

not approved by Clearfield City. This is why there are now two parcel id numbers and two parcels. At that time the County Recorder's office did not have limitations on recording parcel splits as they do today. With this proposed subdivision, this illegal parcel split will be corrected; therefore, no further action to rectify this previous parcel split is necessary.

**Lot Configurations and Easements**

The proposed lots comply with the minimum area and frontage requirements of the zones in which they are located. Lot 1 has an area of 19.159 acres or 834,563 square feet and will have frontage along all four sides. For Lot 1, University Park Boulevard is located to the east, 1400 South to the south, and the future right of way to the west and north. Lot 2 has an area of 8.715 acres or 379,629 square feet with frontage along the future right of way to the south. Lot 2 is bounded by the canal and trail to the north, residential to the west and the future right of way to the south.

**Public Right-of-Way Dedications**

As part of the proposed subdivision a sixty foot (60') right of way is proposed that will run between both lots and down the west end of Lot 1 to connect to 1400 South. As required by the subdivision ordinance (Title 12), a minor or local street is required to have a right of way width of sixty feet (60') with sidewalks and park strips designed to meet City Engineer requirements. According to the approved engineering standards, a local street is required to have a minimum four foot and six inch (4'6") park strip and a four foot (4') wide sidewalk on each side. A one foot (1') buffer is required between the back of the sidewalk and the property line for future maintenance area. The proposed right of way complies with these standards.

The proposed subdivision appears to show the construction of the sidewalk along the north side of the right of way, but not along any other stretch. To provide full pedestrian access to the future residential property on Lot 2, staff recommends that the sidewalk improvements also be completed along the west side of the right of way.

**Final Plat Materials**

The submitted plans include civil drawings that address the subdivision and the proposed multi-family development on Lot 2. The plan set includes site plans with city standards, a grading and drainage plan, an erosion control plan, site utility plans, and a preliminary landscape plan for the residential development. The Clearfield City Engineer has reviewed the plat and plans and will be providing a review letter for the benefit of the applicant shortly. Comments from the Engineer will need to be addressed prior to approval of the final plat. The applicant has also provided a traffic impact study and geotechnical report for review by the City Engineer.

---

**CITY DEPARTMENT / AGENCY REVIEW**

The final subdivision plans were sent to the North Davis Sewer District, North Davis Fire District, City Engineer, Building Official, and related public works staff on June 21, 2019. The plans will need to be revised to comply with standards required by those agencies/departments. The North Davis Fire District review letter is attached to this report. The City Engineer review letter will be provided to the applicant shortly. All comments provided will need to be addressed prior to final plat approval and recording of the plat with the Davis County Recorder's office.

**PUBLIC COMMENT**

Public notice was posted along property frontage on July 8, 2019. The notice signs will remain in place until the final plat review with the City Council is completed. No public comment has been received to date regarding this project.

**CONDITIONS OF APPROVAL**

*The following conditions of approval shall be addressed by the applicant and shown on a set of revised improvement plans and a final plat prior to the issuance of final land use approval. Final land use approval includes, Planning, Engineering, and the North Davis Fire District. An application for a building permit will not be accepted until final land use approval is granted and the plat has been recorded.*

1) Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of that plat.

2) The developer shall install of the public right of way improvements required by the subdivision ordinance.

3) The sidewalk shall be installed along the north and west ends of the new right of way as part of the multi-family development to provide pedestrian access for the future residents.

4) A pedestrian connection to the Goldstone Place Apartments to the west shall be provided to provide additional connectivity in this area.

5) The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.

6) An escrow or bond agreement for the public improvements will be subject to approval by the City Engineer and City Attorney and be established prior to any permits being issued for the property or plat being recorded. The financial security shall be established prior to recordation of the Final Plat as outlined in Section 12-4-6 of the Subdivision Ordinance.

**ATTACHMENTS**

1. Subdivision Plat
2. Site Plans
3. Grading and Drainage Plan
4. Erosion Control Plan
5. Site Utility Plans
6. Preliminary Landscape Plan
7. North Davis Fire District Review Letter dated 10 July 2019

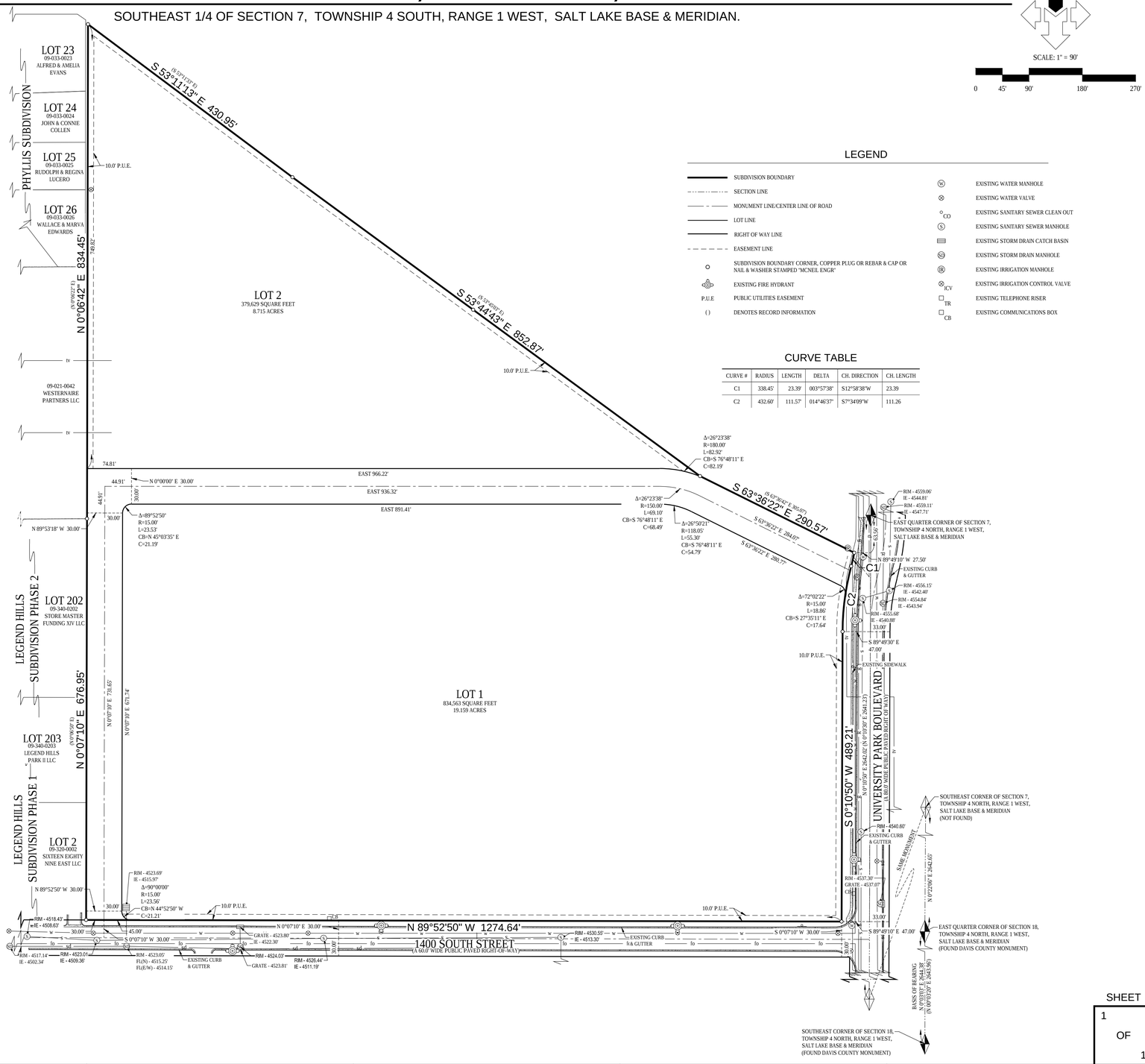
# LEGEND HILLS SUBDIVISION, PHASE 3, LOT 302 AMENDED

SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN.

NORTH

SCALE: 1" = 90'

0 45' 90' 180' 270'




## LEGEND

- SUBDIVISION BOUNDARY
- SECTION LINE
- MONUMENT LINE/CENTER LINE OF ROAD
- LOT LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- SUBDIVISION BOUNDARY CORNER, COPPER PLUG OR REBAR & CAP OR NAIL & WASHER STAMPED "MCNEIL ENGR"
- EXISTING FIRE HYDRANT
- P.U.E. PUBLIC UTILITIES EASEMENT
- ( ) DENOTES RECORD INFORMATION
- EXISTING WATER MANHOLE
- EXISTING WATER VALVE
- EXISTING SANITARY SEWER CLEAN OUT
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM DRAIN CATCH BASIN
- EXISTING STORM DRAIN MANHOLE
- EXISTING IRRIGATION MANHOLE
- ICV EXISTING IRRIGATION CONTROL VALVE
- TR EXISTING TELEPHONE RISER
- CB EXISTING COMMUNICATIONS BOX

## CURVE TABLE

| CURVE # | RADIUS | LENGTH | DELTA | CH. DIRECTION | CH. LENGTH |
|---|---|---|---|---|---|
| C1 | 338.45' | 23.39' | 003°57'38" | S12°58'38"W | 23.39 |
| C2 | 432.60' | 111.57' | 014°46'37" | S7°34'09"W | 111.26 |




## VICINITY MAP

SCALE: N.T.S.

## SURVEYOR'S CERTIFICATE

I, DAVID B. DRAPER DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 6861599, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS:

LEGEND HILLS SUBDIVISION, PHASE 3, LOT 302 AMENDED

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

## BOUNDARY DESCRIPTION

ALL OF LOT 302, LEGEND HILLS SUBDIVISION PHASE 3, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN DAVIS COUNTY RECORDER'S OFFICE;

DATE

DAVID B. DRAPER
LICENSE NO. 6861599

## OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____, THE _____ UNDERSIGNED OWNER( ) OF THE ABOVE DESCRIBED TRACT OF LAND, IN DAVIS COUNTY, UTAH, HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS, PRIVATE STREETS TOGETHER WITH EASEMENTS AS SET FORTH TO BE HEREAFTER KNOWN AS:

LEGEND HILLS SUBDIVISION, PHASE 3, LOT 302 AMENDED

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONEY TO ANY AND ALL PUBLIC UTILITY COMPANIES A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER THE PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND FACILITIES. THE UNDERSIGNED OWNER ALSO HEREBY CONVEYS ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATE AND FOR THE PURPOSES SHOWN HEREON.

IN WTNESS WHEREOF, I HAVE HEREUNTO SET MY/ OUR HAND(S) THIS _____ DAY OF _____, 20_____

BY: _____ _____ _____
(PRINTED NAME) (TITLE) (SIGNATURE)

## LIMITED LIABILITY CORPORATION ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF DAVIS } S.S.

ON THE _____ DAY OF _____ A.D., 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF DAVIS IN SAID STATE OF UTAH, _____, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE _____ OF _____, A LIMITED LIABILITY CORPORATION, AND THAT _____ SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC
RESIDING IN DAVIS COUNTY

## NARRATIVE

1. THE BASIS OF BEARING FOR THIS PLAT IS: NORTH 0°03'03" EAST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 18, T.4N., R.1W., S.L.B.&M.
2. COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS UNLESS SHOWN WITHIN PARENTHESIS, INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM CITED TITLE COMMITMENT, DEEDS OF RECORD, SUBDIVISION PLATS, ROADWAY DEDICATION PLATS, CITY ATLAS PLATS, FILED SURVEYS OR OTHER SOURCES OF RECORD INFORMATION.
3. SUBDIVISION AND LOT CORNERS WERE MONUMENTED WITH A 5/8" REBAR AND RED NYLON CAP STAMPED "MCNEIL ENG.", OR A NAIL AND WASHER BEARING THE SAME INSIGNIA, UNLESS OTHERWISE NOTED HEREON.
4. PRIVATE STREETS ARE DESIGNATED AS UTILITY, DRAINAGE, INGRESS/ EGRESS, AND PUBLIC FIRE ACCESS EASEMENT.
5. ALL INTERIOR ROADS, IMPROVEMENTS, AND RECREATIONAL FACILITIES ARE PRIVATE, AND ARE TO BE MAINTAINED BY THE OWNERS ASSOCIATION.
6. ALL WATER PIPES, HYDRANTS, VALVES, AND SERVICE LATERALS, ARE OWNED AND MAINTAINED BY THE OWNERS ASSOCIATION.

SHEET 1 OF 1

## LEGEND HILLS SUBDIVISION, PHASE 3, LOT 302 AMENDED

SOUTHEAST 1/4 OF SECTION 7,
TOWNSHIP 4 SOUTH, RANGE 1 WEST,
SALT LAKE BASE & MERIDIAN
CLEARFIELD, UTAH

PREPARED BY:
McNEIL ENGINEERING™
Economic and Sustainable Designs, Professionals You Know and Trust
8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

## CITY ATTORNEY CERTIFICATE OF APPROVAL

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20____

CLEARFIELD CITY ATTORNEY

## CITY ENGINEER

I HEREBY CERTIFY THE THE OFFICE OF THE CITY ENGINEER HAS EXAMINED THE FOREGOING PLAT AND IN OUR OPINION THE INFORMATION CONVEYED HEREWITH, COMPLIES WITH THE PUBLIC WORKS STANDARDS AND SPECIFICATIONS OF CLEARFIELD CITY.

DATE: CLEARFIELD CITY ENGINEER

## PLANNING COMMISSION

THIS PLAT HAS BEEN REVIEWED AND APPROVED BY THE CLEARFIELD CITY PLANNING AND ZONING COMMISSION.

DATE

CHAIRPERSON

## CITY COUNCIL

PRESENTED TO CLEARFIELD CITY THIS _____ DAY OF _____ A.D., 20____.

CLEARFIELD MAYOR CLEARFIELD RECORDER

## DAVIS COUNTY RECORDER

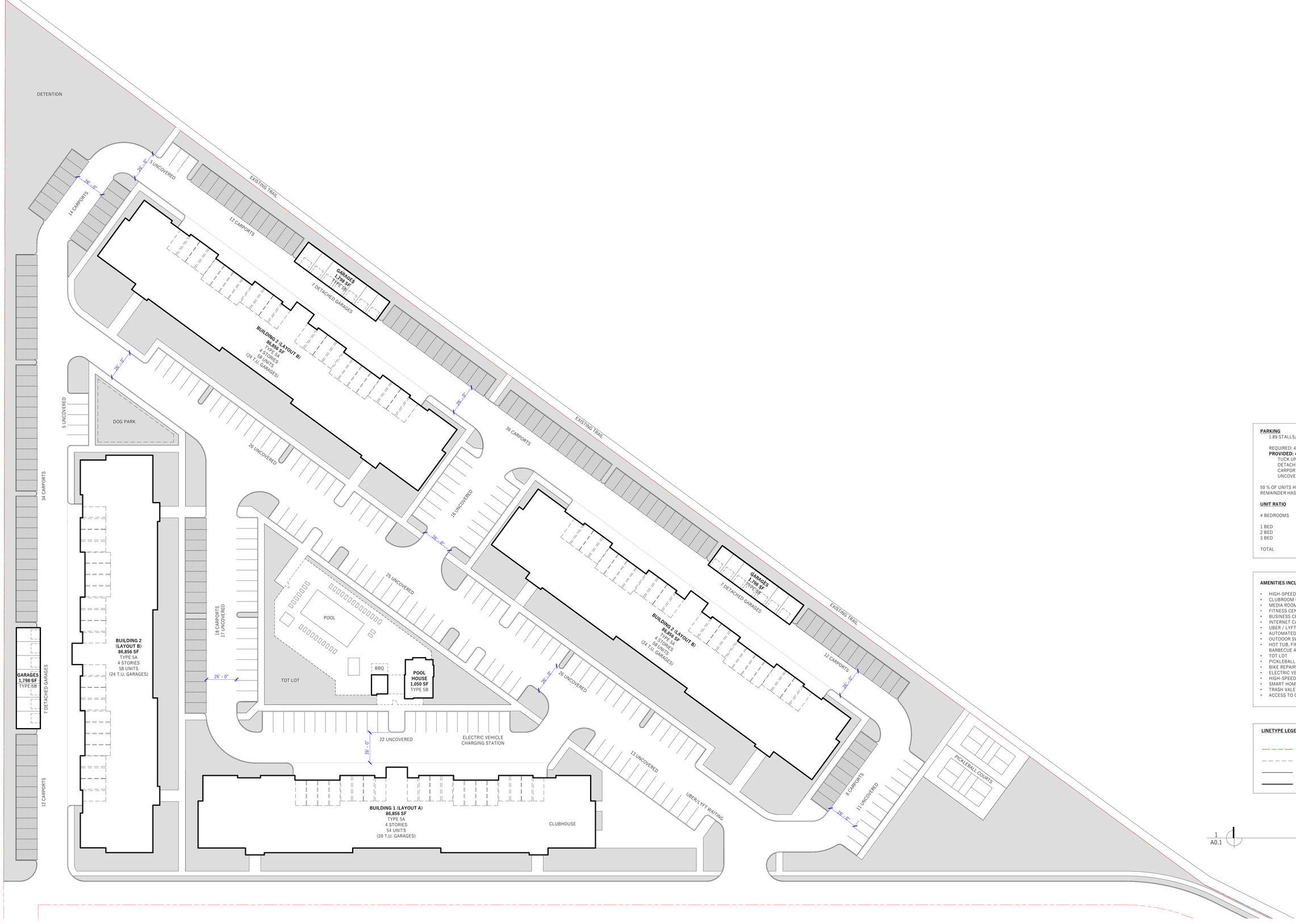
RECORD NO. _____.

STATE OF UTAH, COUNTY OF DAVIS, RECORDED AND FILED AT THE REQUEST OF _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE $ DAVIS COUNTY RECORDER

S:\2019\Files\19318\Survey\Prod Dwg\19318 SP.dwg Jun 19, 2019 - 11:27am




**PARKING**

1.89 STALLS/UNIT

REQUIRED: 406
**PROVIDED: 423**

| | |
|---|---|
| TUCK UNDER GARAGES: | 92 |
| DETACHED GARAGES: | 21 |
| CARPORTS: | 146 |
| UNCOVERED: | 164 |

50 % OF UNITS HAVE GARAGES.
REMAINDER HAS ACCESS TO CARPORTS

**UNIT RATIO**

| # BEDROOMS | QTY. | RATIO |
|---|---|---|
| 1 BED | 105 | 46% |
| 2 BED | 92 | 40% |
| 3 BED | 31 | 14% |
| TOTAL | 228 | |

**AMENITIES INCLUDED IN THE PROJECT:**

- HIGH-SPEED ELEVATORS
- CLUBROOM (KITCHEN/LOUNGE)
- MEDIA ROOM / GAME ROOM
- FITNESS CENTER / KIDS PLAY AREA
- BUSINESS CENTER
- INTERNET CAFE
- UBER / LYFT WAITING AREA
- AUTOMATED PACKAGE RECEIVING ROOM
- OUTDOOR SWIMMING POOL W/ SUN DECK
- HOT TUB, FIRE PIT, SUN DECK, LOUNGING AREAS, BARBECUE AND PICNIC.
- TOT LOT
- PICKLEBALL COURTS
- BIKE REPAIR SHOP
- ELECTRIC VEHICLE CHARGING STATIONS
- HIGH-SPEED INTERNET SERVICE
- SMART HOME APARTMENT AUTOMATION SYSTEM
- TRASH VALET SERVICE
- ACCESS TO CANAL TRAIL

**LINETYPE LEGEND**

- PROPERTY LINE
- SITE SETBACK/EASEMENT LINES
- SITE FEATURES
- ROOF FEATURES

1 / A0.1 — SITE PLAN
1" = 30'-0"

# A0.1
# SITE PLAN
# TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS




1 A2.1 LAYOUT A -FRONT ELEVATION
3/32" = 1'-0"




2 A2.1 LAYOUT A - REAR ELEVATION
3/32" = 1'-0"



5 A2.1 LAYOUT A - LEFT ELEVATION
3/32" = 1'-0"




4 A2.1 LAYOUT A - RIGHT ELEVATION
3/32" = 1'-0"






MASONRY
INTERSTATE BRICK
DESERT SAND



LAP SIDING
WOODTONE
RUSTIC SERIES
SMOKEY ALDER



STOREFRONT
METAL & TRIM
DARK BRONZE



EIFS
SW 7006 PURE WHITE



EIFS
SW 7069 IRON ORE



EIFS
SW 6061 LATTE

# A2.1
# LAYOUT A (BLDG. 1)
# ELEVATIONS
# TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS




1 A2.2 LAYOUT B - FRONT ELEVATION
3/32" = 1'-0"




2 A2.2 LAYOUT B - REAR ELEVATION
3/32" = 1'-0"



5 A2.2 LAYOUT B - LEFT ELEVATION
3/32" = 1'-0"



4 A2.2 LAYOUT B - RIGHT ELEVATION
3/32" = 1'-0"





MASONRY
INTERSTATE BRICK
DESERT SAND



LAP SIDING
WOODTONE
RUSTIC SERIES
SMOKEY ALDER



STOREFRONT
METAL & TRIM
DARK BRONZE



EIFS
SW 7006 PURE WHITE



EIFS
SW 7069 IRON ORE



EIFS
SW 6061 LATTE

# A2.2
# LAYOUT B (BLDG. 2,3,&4) ELEVATIONS
# TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS




R1.1

RENDERING

TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS



R1.2

RENDERING

TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS



R1.3

RENDERING

TOWERS AT LEGEND HILLS

JUNE 19, 2019

135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

JZW ARCHITECTS




R1.4

RENDERING

TOWERS AT LEGEND HILLS

JUNE 19, 2019

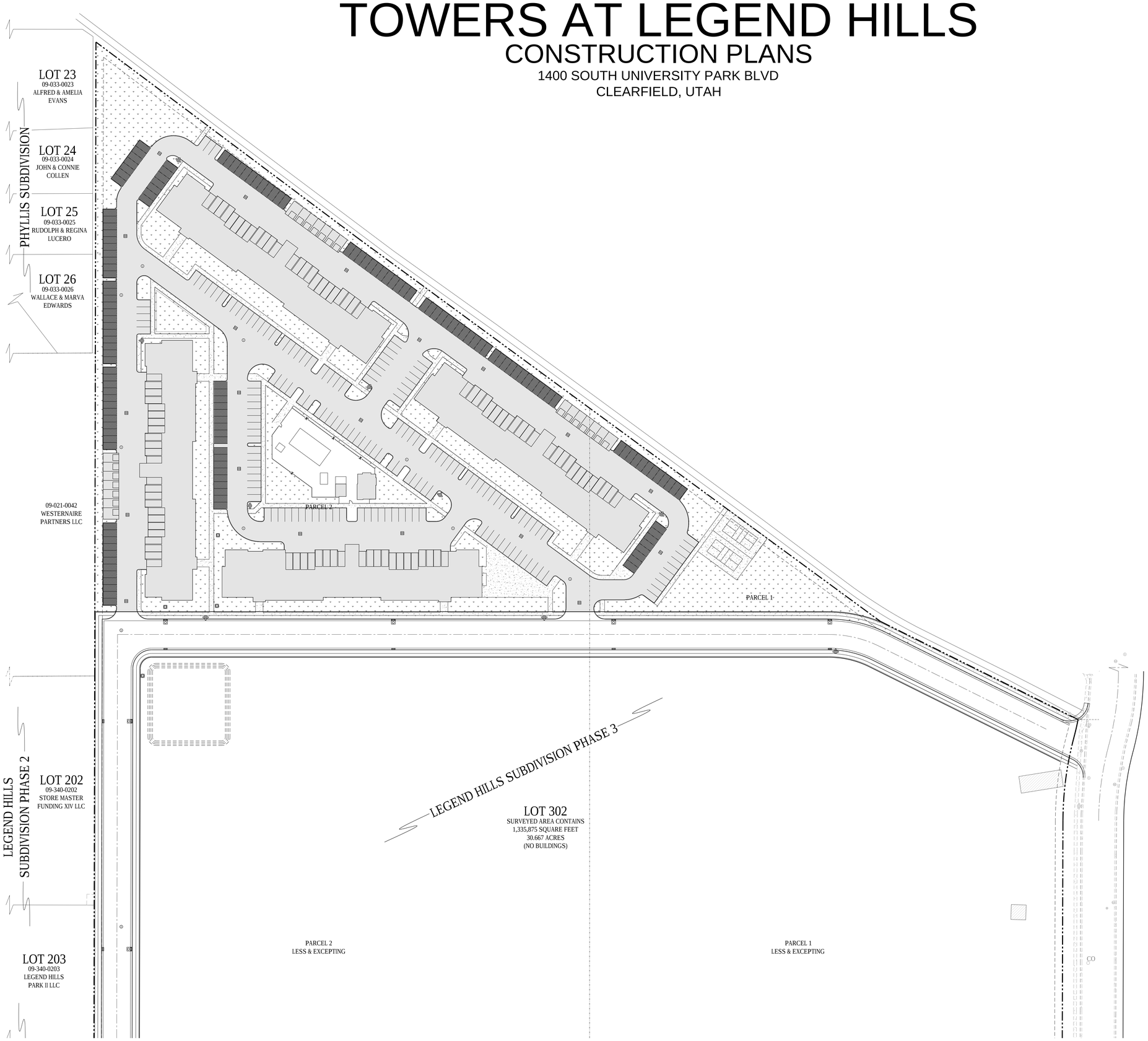
135 E. CENTER STREET, NORTH SALT LAKE, UTAH 84054 | 849 W. HILL FIELD RD. STE. 201 LAYTON, UT 84041 | 150 N. MAIN STREET STE. 101 HEBER CITY, UT 84032 | (801) 936-1343

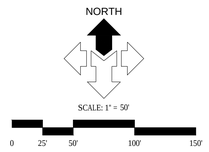
JZW ARCHITECTS

# TOWERS AT LEGEND HILLS

## CONSTRUCTION PLANS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH







VICINITY MAP
SCALE: N.T.S.

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ALL WORK AND MATERIALS FOR WATER MUST CONFORM TO CLEARFIELD CITY WATER STANDARDS AND SPECIFICATIONS

ALL WORK AND MATERIALS FOR SEWER MUST CONFORM TO CLEARFIELD CITY SEWER STANDARDS AND SPECIFICATIONS

ALL WORK AND MATERIALS MUST CONFORM TO APWA STANDARDS AND SPECIFICATIONS

DEVELOPER & OWNER
OWNER: OWNER NAME
DEVELOPER: DEVELOPER NAME
CONTACT: CONTACT NAME
CONTACT STREET ADDRESS
CONTACT CITY, CONTACT SITE CONTACT ZIP CODE
PHONE: CONTACT PHONE


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# GENERAL NOTES

## 1.1 COMPLIANCE

1. ALL WORK TO CONFORM TO GOVERNING MUNICIPALITY'S STANDARDS, SPECIFICATIONS AND REQUIREMENTS.
2. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THESE CONTRACT DOCUMENTS AND THE MOST RECENT, ADOPTED EDITIONS OF THE FOLLOWING: INTERNATIONAL BUILDING CODE (IBC), THE INTERNATIONAL PLUMBING CODE, STATE DRINKING WATER REGULATIONS, APWA MANUAL OF STANDARD PLANS AND SPECIFICATIONS, ADA ACCESSIBILITY GUIDELINES.
3. ALL CONSTRUCTION SHALL BE AS SHOWN ON THESE PLANS. ANY REVISIONS MUST HAVE PRIOR WRITTEN APPROVAL.

## 1.2 PERMITTING AND INSPECTIONS

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED THOROUGHLY REVIEWED PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.
2. CONTRACTOR IS RESPONSIBLE FOR SCHEDULING AND NOTIFYING ARCHITECT/ENGINEER OR INSPECTING AUTHORITY 48 HOURS IN ADVANCE OF COVERING UP ANY PHASE OF CONSTRUCTION REQUIRING OBSERVATION.
3. ANY WORK IN THE PUBLIC RIGHT-OF-WAY WILL REQUIRE PERMITS FROM THE APPROPRIATE, CITY, COUNTY OR STATE AGENCY CONTROLLING THE ROAD AND WITH APPROPRIATE INSPECTIONS.

## 1.3 COORDINATION & VERIFICATION

1. ALL DIMENSIONS, GRADES & UTILITY DESIGNS SHOWN ON THE PLANS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ARCHITECT/ENGINEER OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN OR GRADE CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS, IF NOT VERIFIED AND NOTIFICATION OF CONFLICTS HAVE NOT BEEN BROUGHT TO THE ATTENTION OF THE ARCHITECT/ENGINEER.
2. CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS BEFORE BIDDING AND BRING UP ANY QUESTIONS BEFOREHAND. NO ALLOWANCE WILL BE MADE FOR DISCREPANCIES OR OMISSIONS THAT CAN BE EASILY OBSERVED.
3. CONTRACTOR TO COORDINATE WITH ALL OTHER DISCIPLINES, INCLUDING BUT NOT LIMITED TO: LANDSCAPE PLANS, SITE ELECTRICAL SITE LIGHTING PLANS AND ELECTRICAL SERVICE TO THE BUILDING(S), MECHANICAL PLANS FOR LOCATION OF SERVICES TO THE BUILDING(S), INCLUDING FIRE PROTECTION, ARCHITECTURAL SITE PLAN FOR DIMENSIONS, ACCESSIBLE ROUTES, ETC., NOT SHOWN ON CIVIL PLANS.
4. CONTRACTOR IS TO COORDINATE LOCATION OF NEW TELEPHONE SERVICE, GAS SERVICE, CABLE, ETC. TO BUILDING WITH THE APPROPRIATE UTILITY COMPANY. FOR TELEPHONE, CONTRACTOR TO FURNISH CONDUIT, PLYWOOD BACKBOARD, AND GROUND WIRE, AS REQUIRED.

## 1.4 SAFETY AND PROTECTION

1. CONTRACTOR IS SOLELY RESPONSIBLE FOR THE MEANS AND METHODS OF CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR THE SAFETY OF THE PROJECT AND SHALL MEET ALL OSHA REQUIREMENTS.
3. CONTRACTOR IS RESPONSIBLE FOR CONFORMING TO LOCAL AND FEDERAL CODES GOVERNING SHORING AND BRACING OF EXCAVATIONS AND TRENCHES, AND FOR THE PROTECTION OR WORKERS AND PUBLIC.
4. CONTRACTOR SHALL TAKE ALL MEASURES NECESSARY TO PROTECT ALL EXISTING PUBLIC AND PRIVATE PROPERTY, ROADWAYS, AND UTILITY IMPROVEMENTS. DAMAGE TO EXISTING IMPROVEMENTS CAUSED BY THE CONTRACTOR MUST BE REPAIRED BY THE CONTRACTOR AT HIS/HER EXPENSE TO THE SATISFACTION OF THE OWNER OF SAID IMPROVEMENTS.
5. CONTRACTOR IS REQUIRED TO KEEP ALL CONSTRUCTION ACTIVITIES WITHIN THE APPROVED PROJECT LIMITS. THIS INCLUDES, BUT IS NOT LIMITED TO, VEHICLE AND EQUIPMENT STAGING, MATERIAL STORAGE AND LIMITS OF TRENCH EXCAVATION.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN PERMISSION AND/OR EASEMENTS FROM THE APPROPRIATE GOVERNMENT AGENCY AND/OR INDIVIDUAL PROPERTY OWNER(S) FOR WORK OR STAGING OUTSIDE OF THE PROJECT LIMITS.
7. CONTRACTOR SHALL PROVIDE BARRICADES, SIGNS, FLASHERS, OTHER EQUIPMENT AND FLAG PERSONS NECESSARY TO INSURE THE SAFETY OF WORKERS AND VISITORS. ALL CONSTRUCTION SIGNING, BARRICADING, AND TRAFFIC DELINEATION SHALL CONFORM TO THE 'MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES', LATEST EDITION.
8. CONTRACTOR SHALL COMPLY WITH LOCAL NOISE ORDINANCE STANDARDS.
9. CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL ACCORDING TO GOVERNING AGENCY STANDARDS.
10. CONTRACTOR SHALL TAKE ALL NECESSARY AND PROPER PRECAUTIONS TO PROTECT ADJACENT PROPERTIES FROM ANY AND ALL DAMAGE THAT MAY OCCUR FROM STORM WATER RUNOFF AND/OR DEPOSITION OF DEBRIS RESULTING FROM ANY AND ALL WORK IN CONNECTION WITH CONSTRUCTION. SUBMIT A STORM WATER POLLUTION PREVENTION PLAN, IF REQUIRED.
11. WORK IN PUBLIC STREETS, ONCE BEGUN, SHALL BE PROSECUTED TO COMPLETION WITHOUT DELAY AS TO PROVIDE MINIMUM INCONVENIENCE TO ADJACENT PROPERTY OWNERS AND TO THE TRAVELING PUBLIC.
12. CONTRACTOR SHALL PROVIDE ALL NECESSARY HORIZONTAL AND VERTICAL TRANSITIONS BETWEEN NEW CONSTRUCTION AND EXISTING SURFACES TO PROVIDE FOR PROPER DRAINAGE AND FOR INGRESS AND EGRESS TO NEW CONSTRUCTION.
13. NATURAL VEGETATION AND SOIL COVER SHALL NOT BE DISTURBED PRIOR TO ACTUAL CONSTRUCTION OF A REQUIRED FACILITY OR IMPROVEMENT. MASS CLEARING OF THE SITE IN ANTICIPATION OF CONSTRUCTION SHALL BE AVOIDED. CONSTRUCTION TRAFFIC SHALL BE LIMITED TO ONE APPROACH TO THE SITE. THE APPROACH SHALL BE DESIGNATED BY THE OWNER OR GOVERNING AGENCY.
14. THE CONTRACTOR SHALL TAKE REASONABLE MEASURE TO PROTECT EXISTING IMPROVEMENTS FROM DAMAGE AND ALL SUCH IMPROVEMENTS DAMAGED BY THE CONTRACTOR'S OPERATION SHALL BE REPAIRED OR RECONSTRUCTED TO THE ENGINEER/OWNER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.

## 1.5 MATERIALS

1. SITE CONCRETE SHALL BE A MINIMUM 6.5 BAG MIX, 4000 P.S.I. @ 28 DAYS, 4" MAXIMUM SLUMP WITH 5 + OR - 1% AIR ENTRAINMENT, UNLESS SPECIFIED OTHERWISE. -SEE SPECIFICATION
   A. SLABS-ON-GRADE WILL BE TYPICALLY SCORED (1/4 THE DEPTH) AT INTERVALS NOT TO EXCEED THEIR WIDTH OR 12 TIMES THEIR DEPTH, WHICHEVER IS LESS. SCORING WILL BE PLACED TO PREVENT RANDOM CRACKING. FULL DEPTH EXPANSION JOINTS WILL BE PLACED AGAINST ANY OBJECT DEEMED TO BE FIXED, CHANGES IN DIRECTION AND AT EQUAL INTERVALS NOT TO EXCEED 50 FEET.
   B. CONCRETE WATERWAYS, CURBWALLS, MOWSTRIPS, CURB AND GUTTER, ETC. WILL TYPICALLY BE SCORED (1/4 THE DEPTH AT INTERVALS NOT TO EXCEED 10 FEET AND HAVE FULL DEPTH EXPANSION JOINTS AT EQUAL SPACING NOT TO EXCEED 50 FEET.
   C. UNLESS OTHERWISE NOTED, ALL SLABS-ON-GRADE WILL HAVE A MINIMUM 8" TURNED-DOWN EDGE TO HELP CONTROL FROST HEAVE.
   D. UNLESS OTHERWISE NOTED, ALL ON-GRADE CONCRETE WILL BE PLACED ON A MINIMUM 4" GRAVEL BASE OVER A WELL COMPACTED (90%) SUBGRADE.
   E. ALL EXPOSED SURFACES WILL HAVE A TEXTURED FINISH, RUBBED OR BROOMED. ANY 'PLASTERING' OF NEW CONCRETE WIL BE DONE WHILE IT IS STILL 'GREEN'.
   F. ALL JOINTS (CONTROL, CONSTRUCTION OR EXPANSION JOINTS, ETC.) WILL BE SEALED WITH A ONE PART POLYURETHANE SEALANT (SEE SPECIFICATION).
2. ASPHALTIC CONCRETE PAVEMENT SHALL BE A MINIMUM 3" OVER 6" OF COMPACTED (95%) ROAD BASE OVER PROPERLY PREPARED AND COMPACTED (90%) SUBGRADE, UNLESS NOTED OTHERWISE. -SEE SPECIFICATIONS, AND DETAIL 'D1' SHEET C5.01
   A. ASPHALT COMPACTION SHALL BE A MINIMUM 96% (MARSHALL DESIGN).
   B. SURFACE COARSE SHALL BE ½" MINUS. MIX DESIGN TO BE SUBMITTED FOR APPROVAL AT LEAST TWO WEEKS PRIOR TO ANTICIPATED PAVING SCHEDULE.
   C. AC PAVEMENT TO BE A ¼" ABOVE LIP OF ALL GUTTER AFTER COMPACTION.
   D. THICKNESSES OVER 3" WILL BE LAID IN TWO LIFTS WITH THE FIRST LIFT BEING AN APPROVED ¾" MINUS DESIGN.

## 1.6 GRADING / SOILS

1. SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT, WHICH BY REFERENCE ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL TAKE PRECEDENCE, UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS, OR IN THE SPECIFICATIONS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCY BETWEEN THE SOILS REPORT AND THESE PLANS AND SPECIFICATIONS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT, YIELDING OR UNSUITABLE MATERIALS AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE SOILS REPORT.
3. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED TO 95% OF MODIFIED PROCTOR MAXIMUM DENSITY PER ASTM TEST D-1557, EXCEPT UNDER BUILDING FOUNDATIONS WHERE IT SHALL BE 98% MIN. OF MAXIMUM DENSITY. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL NOT EXCEED 2% ABOVE NOR 3% BELOW OPTIMUM.
4. CONTRACTOR SHALL SUBMIT A COMPACTION REPORT PREPARED BY A QUALIFIED REGISTERED SOILS ENGINEER, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITH THE BUILDING PAD AREA AND AREAS TO BE PAVED, HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT.
5. SITE CLEARING SHALL INCLUDE THE LOCATING AND REMOVAL OF ALL UNDERGROUND TANKS, PIPES, VALVES, ETC.
6. ALL EXISTING VALVES, MANHOLES, ETC. SHALL BE RAISED OR LOWERED TO GRADE AS REQUIRED.

# GENERAL NOTES: CONTINUED

## 1.7 UTILITIES

1. THE LOCATIONS OF UNDERGROUND FACILITIES SHOWN ON THESE PLANS ARE BASED ON FIELD SURVEYS AND LOCAL UTILITY COMPANY RECORDS. IT SHALL BE THE CONTRACTOR'S FULL RESPONSIBILITY TO CONTACT THE VARIOUS UTILITY COMPANIES EITHER DIRECT OR THROUGH BLUE STAKE TO LOCATE THEIR FACILITIES PRIOR TO STARTING CONSTRUCTION.
2. CONTRACTOR TO VERIFY BY POTHOLING BOTH THE VERTICAL AND HORIZONTAL LOCATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLING ANY NEW LINES. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.
3. CONTRACTOR MUST START AT LOW END OF ALL NEW GRAVITY UTILITY LINES. MECHANICAL SUB-CONTRACTOR MUST BE PROVIDED CIVIL SITE DRAWINGS FOR COORDINATION AND TO CHECK THE FLOW FROM THE LOWEST POINT IN BUILDING TO THE FIELD VERIFIED CONNECTION AT THE EXISTING MAIN. NO EXTRA COMPENSATION IS TO BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO FAILURE TO COMPLY WITH THESE REQUIREMENTS.
4. CONTRACTOR IS TO VERIFY LOCATION, DEPTH, SIZE, TYPE, AND OUTSIDE DIAMETERS OF UTILITIES IN THE FIELD BY POTHOLING A MINIMUM OF 300 FEET AHEAD, PIPELINE CONSTRUCTION TO AVOID CONFLICTS WITH DESIGNED PIPELINE GRADE AND ALIGNMENT. EXISTING UTILITY INFORMATION SHOWN ON PLANS OR OBTAINED FROM UTILITY COMPANIES OR BLUE STAKED MUST BE ASSUMED AS APPROXIMATE, REQUIRING FIELD VERIFICATION.
5. CULINARY WATER AND FIRE SERVICE LINES TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS AND SPECIFICATIONS.
6. SANITARY SEWER MAINS AND LATERALS TO BE CONSTRUCTED IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY SEWER DISTRICT STANDARDS AND SPECIFICATIONS..
7. STORM SEWER TO BE CONSTRUCTED IN ACCORDANCE WITH THE GOVERNING MUNICIPALITY STANDARDS AND SPECIFICATIONS.
8. ALL STORM DRAIN AND IRRIGATION CONDUITS SHALL BE INSTALLED WITH WATER TIGHT JOINTS AND CONNECTIONS.
9. ALL STORM DRAIN PIPE PENETRATIONS INTO BOXES SHALL BE CONSTRUCTED WITH WATER TIGHT SEALS ON THE OUTSIDE AND GROUTED SMOOTH WITH A NON-SHRINK GROUT ON THE INSIDE. CONDUITS SHALL BE CUT OFF FLUSH WITH THE INSIDE OF THE BOX.
10. NO CHANGE IN THE DESIGN OF UTILITIES AS SHOWN WILL BE MADE BY THE CONTRACTOR WITHOUT THE WRITTEN APPROVAL OF THE GOVERNING MUNICIPALITY, OR OTHER AUTHORITY HAVING JURISDICTION OVER THAT UTILITY.
11. ALL STORM DRAIN CONDUITS AND BOXES SHALL BE CLEAN AND FREE OF ROCKS, DIRT, AND CONSTRUCTION DEBRIS PRIOR TO FINAL INSPECTION.

## 1.8 SURVEY CONTROL

1. CONTRACTOR MUST PROVIDE A REGISTERED LAND SURVEYOR OR PERSONS UNDER THE SUPERVISION OF A REGISTERED LAND SURVEYOR TO SET STAKES FOR THE ALIGNMENT AND GRADE OF EACH MAIN AND/OR FACILITY AS SHOWN ON THE PLANS. THE STAKES SHALL BE MARKED WITH THE HORIZONTAL LOCATION (STATION) AND VERTICAL LOCATION (GRADE) WITH CUTS AND/OR FILLS TO THE APPROVED GRADE OF THE MAIN AND OR FACILITY AS SHOWN ON THE PLANS.
2. THE CONTRACTOR SHALL PROTECT ALL STAKES AND MARKERS FOR VERIFICATION PURPOSES.
3. CONTRACTOR WILL BE RESPONSIBLE FOR FURNISHING, MAINTAINING, OR RESTORING ALL MONUMENTS AND REFERENCE MARKS WITHIN THE PROJECT SITE.

## 1.9 AMERICAN DISABILITIES ACT

1. PEDESTRIAN / ADA ROUTES SHALL MEET THE FOLLOWING SPECIFICATIONS:
   *ROUTES SHALL HAVE A 2.00% (1:50) MAXIMUM CROSS SLOPE.
   *ROUTES SHALL HAVE A 5.00% (1:20) MAXIMUM RUNNING SLOPE.
   *RAMPS SHALL HAVE A 8.33% (1:12) MAXIMUM RUNNING SLOPE.
2. ADA PARKING STALLS AND ADJACENT ROUTES SHALL HAVE A 2.00% MAXIMUM SURFACE SLOPE IN ANY DIRECTION.
3. THE CONTRACTOR SHALL ADHERE TO THE ABOVE SPECIFICATIONS. IN THE EVENT OF A DISCREPANCY IN THE CONSTRUCTION DOCUMENTS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT/ENGINEER PRIOR TO ANY CONSTRUCTION.

# LEGEND

| NEW | EXISTING | |
|---|---|---|
| | | MONUMENT LINE |
| | | CENTER LINE |
| | | SUBJECT PROPERTY LINE |
| | | ADJACENT PROPERTY LINE |
| | | EASEMENT LINE |
| | | DITCH FLOWLINE |
| X | X | FENCE LINE |
| ATMS | atms | ATMS CABLE |
| TV | tv | CABLE TV LINE |
| C | c | COMMUNICATIONS LINE |
| FO | fo | FIBER-OPTIC CABLE |
| F | f | FIRE LINE |
| IRR | irr | IRRIGATION LINE |
| G | g | NATURAL GAS LINE |
| OHC | ohc | OVERHEAD COMMUNICATIONS |
| OHP | ohp | OVERHEAD POWER LINE |
| OHT | oht | OVERHEAD TELEPHONE LINE |
| OHTV | ohtv | OVERHEAD TELEVISION LINE |
| P | p | POWER LINE |
| P/C | p/c | POWER/COMMUNICATIONS LINE |
| P/T | p/t | POWER/TELEPHONE LINE |
| P/TC | p/t/c | POWER/TELE/COMM LINE |
| RD | rd | ROOF DRAIN LINE |
| SW | sw | SECONDARY WATER LINE |
| S | s | SANITARY SEWER LINE |
| ST | st | STEAM LINE |
| SD | sd | STORM DRAIN LINE |
| T | t | TELEPHONE LINE |
| T/C | t/c | TELEPHONE/COMM LINE |
| UD | ud | UNDERDRAIN |
| UGC | ugc | UNDERGROUND COMMUNICATIONS |
| UGP | ugp | UNDERGROUND POWER LINE |
| UGT | ugt | UNDERGROUND TELEPHONE LINE |
| UGTV | ugtv | UNDERGROUND TELEVISION |
| W | w | WATER LINE |
| 72 | 6572 | CONTOUR LINE |
| | | CURB & GUTTER (STD) |
| | | CURB & GUTTER (OUTFALL) |
| | | CONCRETE PAVEMENT |
| | | STD. DUTY ASPHALT |
| | | HEAVY DUTY ASPHALT |

| NEW | EXISTING | |
|---|---|---|
| | | SECTION CORNER (FOUND) |
| | | SECTION CORNER (NOT FOUND) |
| | | STREET MONUMENT |
| | | BRASS CAP MONUMENT |
| | | POWER POLE |
| | | UTILITY POLE |
| GUY | GUY | GUY ANCHOR |
| TRANS | TRANS | POWER TRANSFORMER |
| | | TRAFFIC SIGNAL CABINET |
| | | LIGHT POLE |
| TR | TR | TELEPHONE RISER |
| | | TELEPHONE MANHOLE |
| | | TRAFFIC SIGNAL BOX |
| | | WATER MANHOLE |
| | | WATER VALVE |
| | | WATER METER |
| | | FIRE HYDRANT |
| | | SANITARY SEWER MANHOLE |
| SSCO | SSCO | SANITARY SEWER CLEANOUT |
| | | STORM DRAIN MANHOLE |
| | | STORM DRAIN CURB INLET |
| | | STORM DRAIN CATCH BASIN |
| | | STORM DRAIN CLEANOUT |
| | | STORM DRAIN COMBO BOX |
| MB | MB | MAILBOX |
| | | SIGN |
| | | FLOW DIRECTION |
| 44.00 TOC | 44.00 EX TOC | SPOT ELEVATION |
| | | CONIFEROUS TREE |
| | | DECIDUOUS TREE |

# ABBREVIATIONS

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| AC | ACRE | E | EAST | GV | GAS VALVE | PP | POWER POLE |
| ADA | AMERICANS WITH DISABILITIES ACT | EB | ELECTRIC BOX | HDPE | HIGH DENSITY POLYETHYLENE | PRC | POINT OF REVERSE CURVE |
| ATMS | ADVANCED TRAFFIC MGMT. SYSTEM | EGL | ENERGY GRADE LINE | HG | HEADGATE | PRK | PARKING STRIPE |
| B&C | BAR & CAP | ELEV | ELEVATION | HGL | HYDRAULIC GRADE LINE | POC | POINT OF CONNECTION |
| BC | BUILDING CORNER | EM | ELECTRIC METER | HP | HIGH POINT | PT | POINT OF TANGENCY |
| BLUE | BLUE STAKED ELECTRIC | EMH | ELECTRIC MANHOLE | HW | HEADWALL or HIGH WATER | PWR | POWER |
| BLUFO | BLUE STAKED FIBER OPTIC | EOA | EDGE OF ASPHALT | HWY | HIGHWAY | PVC | POLYVINYL CHLORIDE PIPE |
| BLUG | BLUE STAKED NATURAL GAS | EOC | EDGE OF CONCRETE | ICD | IRRIGATION CLEANOUT | R | RANGE |
| BLUIRR | BLUE STAKED IRRIGATION | EOG | EDGE OF GRAVEL | ICV | IRRIGATION CONTROL VALVE | RCP | REINFORCED CONCRETE PIPE |
| BLUSD | BLUE STAKED STORM DRAIN | EOL | EDGE OF LAWN | IE | INVERT ELEVATION | RD | ROOF DRAIN |
| BLUSS | BLUE STAKED SANITARY SEWER | EX or EXIST | EXISTING | IRR | IRRIGATION | REV | REVISION |
| BLUT | BLUE STAKED TELEPHONE | F | FIRE | LF | LINEAR FEET | ROW | RIGHT-OF-WAY |
| BLUW | BLUE STAKED WATER | FC | FOUNDATION CORNER | LIP | LIP OF GUTTER | RR | RAILROAD |
| BM | BENCHMARK | FD | FOUND | LP | LOW POINT or LIGHT POLE | S | SOUTH |
| BOB | BOTTOM OF BOX | FDC | FIRE DEPT. CONNECTION | MAX | MAXIMUM | SAD | SEE ARCHITECTURAL DRAWINGS |
| BOL | BOLLARD | FDMN | FOUND MONUMENT | MIN | MINIMUM | SD | STORM DRAIN |
| BOV | BLOW-OFF VALVE | FDSC | FOUND SECTION CORNER | MON | MONUMENT | SDCB | STORM DRAIN CATCH BASIN |
| BOW | BACK OF WALK | FFE | FINISHED FLOOR ELEVATION | MP | METAL PIPE | SDCO | STORM DRAIN CLEDONOUT BOX |
| BW | BOTTOM OF WALL | FG | FINISHED GRADE | MW | MONITORING WELL | SDMH | STORM DRAIN MANHOLE |
| ℄ | CENTERLINE | FH | FIRE HYDRANT | N | NORTH | SEC | SECTION |
| CATV | CABLE TELEVISION | FL | FLOW LINE | NG | NATURAL GROUND | SPECS | SPECIFICATIONS |
| CBR | CONCRETE BARRIER | FNC | FENCE | NGRET | NG AT RETAINING WALL | SL&BM | SALT LAKE BASE & MERIDIAN |
| CC | CURB CUT | FNCCL | CHAIN LINK FENCE | NR | NAIL & RIBBON | SQ | SQUARE |
| COL | COLUMN | FNCIRN | IRON FENCE | NW | NAIL & WASHER | SQFT | SQUARE FEET |
| COMM | COMMUNICATIONS | FNCVYL | VINYL FENCE | NTS | NOT TO SCALE | SQYD | SQUARE YARD |
| CONC | CONCRETE | FNCWD | WOOD FENCE | OG | ORIGINAL GROUND | SS | SANITARY SEWER |
| CONST | CONSTRUCTION | FNCWR | WIRE FENCE | OH | OVERHANG | SSCO | SANITARY SEWER CLEANOUT |
| CMP | CORRUGATED METAL PIPE | FO | FIBER OPTIC | OHC | OVERHEAD COMMUNICATIONS | SSMH | SANITARY SEWER MANHOLE |
| CP | CONTROL POINT | FOW | FRONT OF WALK | OHP | OVERHEAD POWER | ST | STEAM |
| CTREE | CONIFEROUS TREE | FT | FEET | OHT | OVERHEAD TELEPHONE | STA | STATION |
| CUFT | CUBIC FOOT | G | NATURAL GAS | OHTV | OVERHEAD TELEVISION | STD | STANDARD |
| CUYD | CUBIC YARD | GAR | GARAGE | ℄ | PROPERTY LINE | STM | STORM |
| DEL | DELINEATOR | GB | GRADE BREAK | PB | POWER BOX | SYL | SOLID YELLOW LINE |
| DIA or Ø | DIAMETER | GL | GROUND LIGHT | PC | POINT OF CURVATURE | SWL | SOLID WHITE LINE |
| DIP | DUCTILE IRON PIPE | GM | GAS METER | PCC | POINT OF COMPOUND CURVE | T | TOWNSHIP |
| DTREE | DECIDUOUS TREE | GMH | GAS MANHOLE | PI | POINT OF INTERSECTION | TBC | TOP BACK OF CURB |
| DYL | DOUBLE YELLOW LINE | GUY | GUY WIRE | PM | PARKING METER | TELE | TELEPHONE |
| | | | | | | TFC | TOP FACE OF CURB |
| | | | | | | TL | TREE LINE |
| | | | | | | TMH | TELEPHONE MANHOLE |
| | | | | | | TOA | TOP OF ASPHALT |
| | | | | | | TOC | TOP OF CONCRETE |
| | | | | | | TOE | TOE OF SLOPE |
| | | | | | | TOP | TOP OF SLOPE or TOP OF PIPE |
| | | | | | | TOW | TOP OF WALK |
| | | | | | | TR | TELEPHONE RISER |
| | | | | | | TV | TELEVISION |
| | | | | | | TW | TOP OF WALL |
| | | | | | | TRANS | TRANSFORMER |
| | | | | | | TSP | TRAFFIC SIGNAL POLE |
| | | | | | | TSB | TRAFFIC SIGNAL BOX |
| | | | | | | UD | UNDERDRAIN |
| | | | | | | UGC | UNDERGROUND COMMUNICATIONS |
| | | | | | | UGP | UNDERGROUND POWER |
| | | | | | | UGT | UNDERGROUND TELEPHONE |
| | | | | | | UGTV | UNDERGROUND TELEVISION |
| | | | | | | U.N.O. | UNLESS NOTED OTHERWISE |
| | | | | | | UP | UTILITY POLE |
| | | | | | | VCP | VITRIFIED CLAY PIPE |
| | | | | | | VP | VERTICAL PIPE |
| | | | | | | W | WEST or WATER |
| | | | | | | WM | WATER METER |
| | | | | | | WMH | WATER MANHOLE |
| | | | | | | WS | WATER SURFACE |
| | | | | | | WTR | WATER |
| | | | | | | WV | WATER VALVE |
| | | | | | | WW | WATERWAY |


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TOWERS AT LEGEND HILLS
1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

| REVISIONS | | |
|---|---|---|
| REV | DATE | DESCRIPTION |

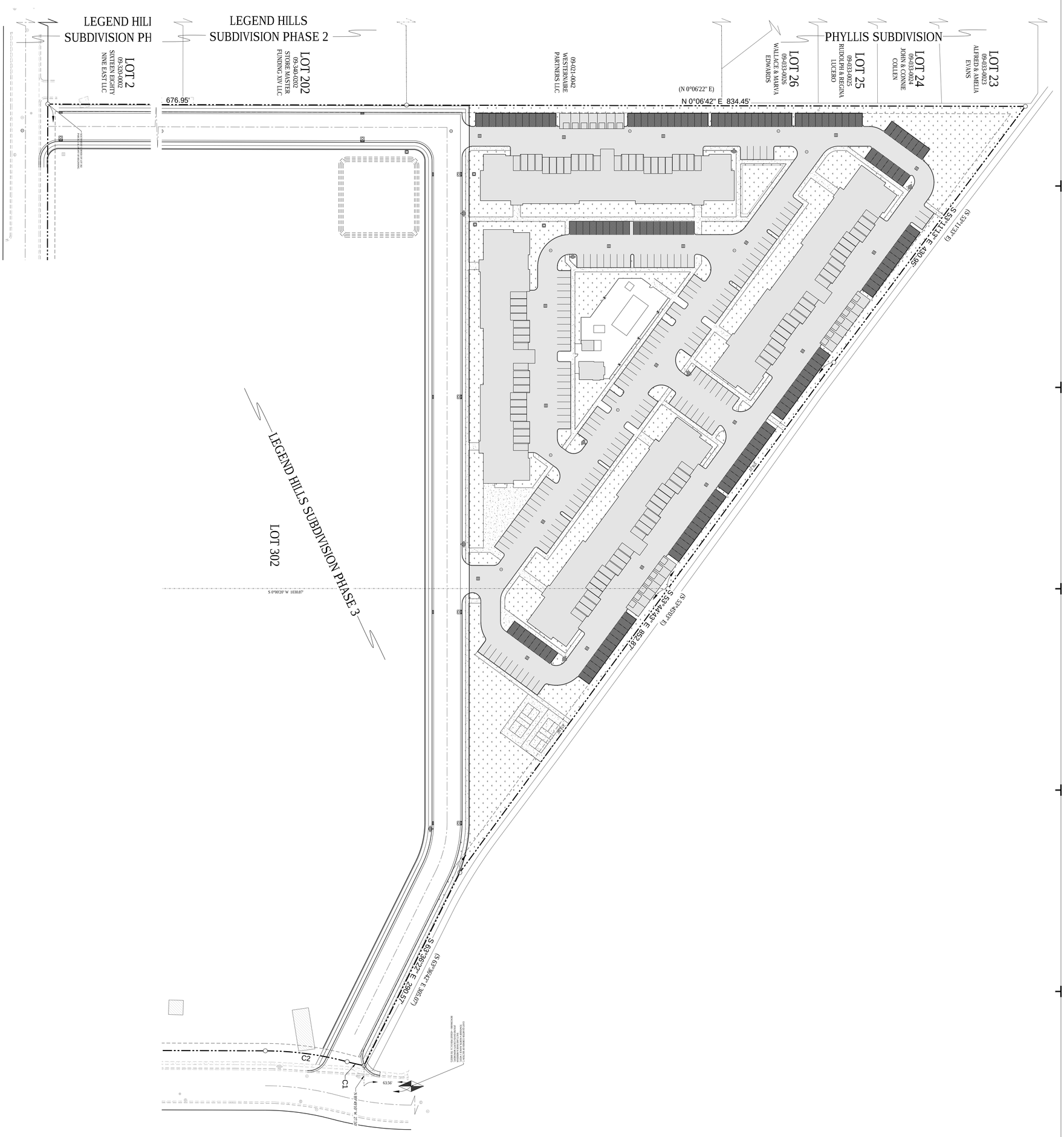
PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

GENERAL NOTES LEGEND AND ABBREVIATIONS

C0.01

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S:\2019Files\19318\Civil\Prod Dwg\19318 - pln.dwg Daniel Jun 19, 2019 - 10:43am





Blue Stakes of Utah 811
Call before you dig
811 or 1-800-662-4111
bluestakes.org

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION, PRESERVATION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, WHETHER OR NOT SHOWN ON THESE PLANS.


0 25' 50' 100' 150'
SCALE: 1" = 50'
NORTH

**C1.00**

**OVERALL SITE PLAN**

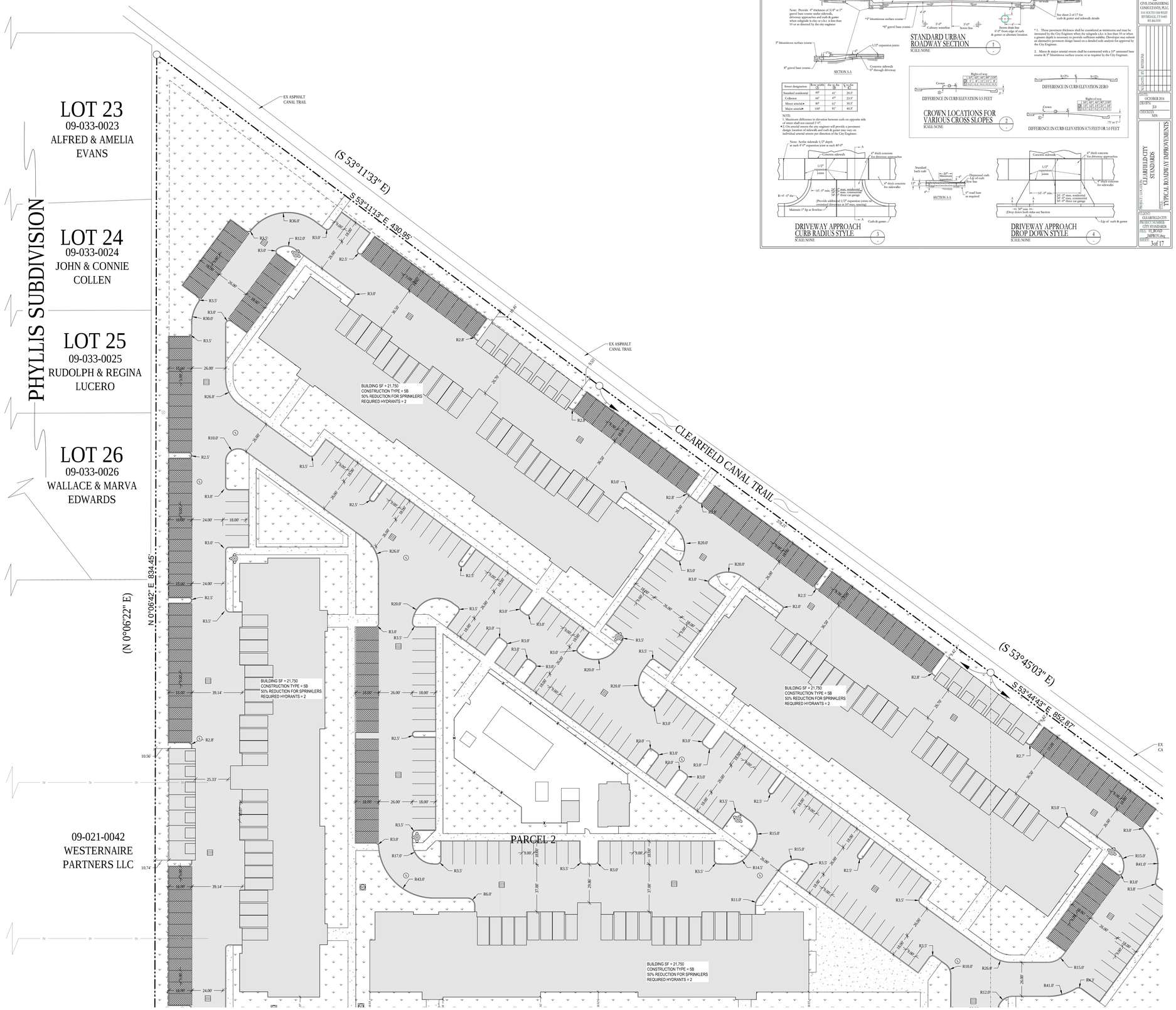
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19
PROJECT NO: 19318

| REVISIONS | | |
|---|---|---|
| REV | DATE | DESCRIPTION |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |

# TOWERS AT LEGEND HILLS

## 1400 SOUTH UNIVERSITY PARK BLVD
## CLEARFIELD, UTAH


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| Street designation | Row width | the 1/2 the ROW | 1/2 the pvmt width |
|---|---|---|---|
| Standard residential | 60' | 43' | 20.5' |
| Collector | 66' | 47' | 23.5' |
| Minor arterial* | 80' | 63' | 30.5' |
| Major arterial* | 100' | 81' | 40.5' |

NOTE:
1. Maximum difference in elevation between curb on opposite side of street shall not exceed 18".
2. On arterial streets the city engineer will provide a pavement design, location of sidewalk and curb & gutter may vary on individual arterial streets per direction of the City Engineer.

CIVIL ENGINEERING CONSULTANTS, PLLC
5141 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0593

| NO. | BY | REVISIONS |
|---|---|---|

STATE: OCTOBER 2014
DRAWN: JLS
CHECKED: NNN

PROJECT LOCATION: CLEARFIELD CITY STANDARDS

TYPICAL ROADWAY IMPROVEMENTS

CLIENT: CLEARFIELD CITY
PROJECT NUMBER: CITY STANDARDS
FILE: TC_ROAD IMPROV.dwg
SHEET: 3of 17

NORTH
SCALE: 1" = 30'
0 15' 30' 60' 90'

| DESCRIPTION | AREA | % |
|---|---|---|
| HARDSCAPE | 180,589 SQFT | 48% |
| LANDSCAPE | 105,265 SQFT | 28% |
| BUILDINGS | 93,950 SQFT | 25% |
| TOTAL | 379,804 SQFT | 100% |

## GENERAL NOTES:

ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED

SEE ARCHITECT'S SITE PLAN FOR ADDITIONAL INFORMATION

SEE LANDSCAPE PLANS FOR IRRIGATION AND PLANTING

ALL WORK TO COMPLY WITH GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS

ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. STANDARD DUTY ASPHALT PAVEMENT WITH GRANULAR BASE PER DETAIL 'D1', SHEET C5.01.
2. CONCRETE SIDEWALK, PER APWA PLAN NO. 231.
3. LANDSCAPED AREA, SEE LANDSCAPING PLANS FOR DETAILS.
4. NEW PROPOSED BUILDING, SEE ARCHITECTS PLANS FOR DETAILS.
5. NEW PROPOSED COVERED PARKING CARPORT, SEE ARCHITECTS PLANS FOR DETAILS.
6. ASPHALT T-PATCH, PER APWA PLAN NO. 255.
7. CONCRETE OPEN DRIVE APPROACH, PER APWA PLAN NO. 225.
8. CONCRETE CURB WALL. SEE DETAIL 'C2', SHEET C5.01.
9. 24' CONCRETE CURB AND GUTTER. SEE DETAIL 'D2', SHEET C5.01.
10. 24' CONCRETE RELEASE CURB AND GUTTER. SEE DETAIL 'D3', SHEET C5.01.
11. ADA RAMP WITH DETECTABLE WARNING SURFACE. SEE APWA PLAN NO. 236.3, FOR RAMP DETAIL AND APWA PLAN NO. 238 FOR DETECTABLE WARNING SURFACE DETAIL.
12. ADA PARKING SIGN. SEE DETAIL 'D6', SHEET C5.01.
13. PAINTED ADA SYMBOL. SEE DETAIL 'D5', SHEET C5.01.
14. 4" WIDE SOLID YELLOW PARKING STALL STRIPE LINES.
15. 4" WIDE SOLID YELLOW PEDESTRIAN STRIPE LINES.
16. 4" WIDE SOLID WHITE LANE STRIPE.
17. 4" WIDE DASHED WHITE LANE STRIPE.
18. DOUBLE 4" WIDE SOLID YELLOW LANE STRIP
19. DUMPSTER ENCLOSURE. SEE ARCHITECTURAL PLANS FOR DETAILS.

| ITEM | AREA | % OF TOTAL |
|---|---|---|
| SITE TOTAL GROSS ACREAGE | 379,804 SQ FT = 8.72 ACRES | 100% |
| PROPOSED BLDGS COVERAGE | 93,950 SQ FT | 25% |
| LANDSCAPING / OPEN SPACE REQUIRED | 105,265 SQ FT | 28.0% 25% MINIMUM REQUIRED |
| TOTAL # OF RESIDENTIAL UNITS | 228 UNITS | 100% |
| 1 BED | 105 UNITS | 46% |
| 2 BED | 92 UNITS | 40% |
| 3 BED | 31 | 14% |
| REQUIRED # OF PARKING STALLS | 406 STALLS | |
| PROVIDED # OF PARKING STALLS | 423 STALLS | 100% |
| UNCOVERED | 164 STALLS | 39% |
| CARPORTS | 146 STALLS | 34% |
| DETACHED GARAGES | 21 STALLS | 5% |
| TUCK UNDER GARAGES | 92 STALLS | 22% |
| PARKING RATIO | 423 STALLS / 228 UNITS | 1.86 STALLS / UNIT |
| GARAGE PARKING RATIO | 113 GARAGE STALLS / 228 UNITS | 0.50 GARAGE STALLS / UNIT 50% |

ZONE - CLEARFIELD CITY R - 3 WITH SP OVERLAY ZONE
BUILDING USE - RESIDENTIAL APARTMENTS

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

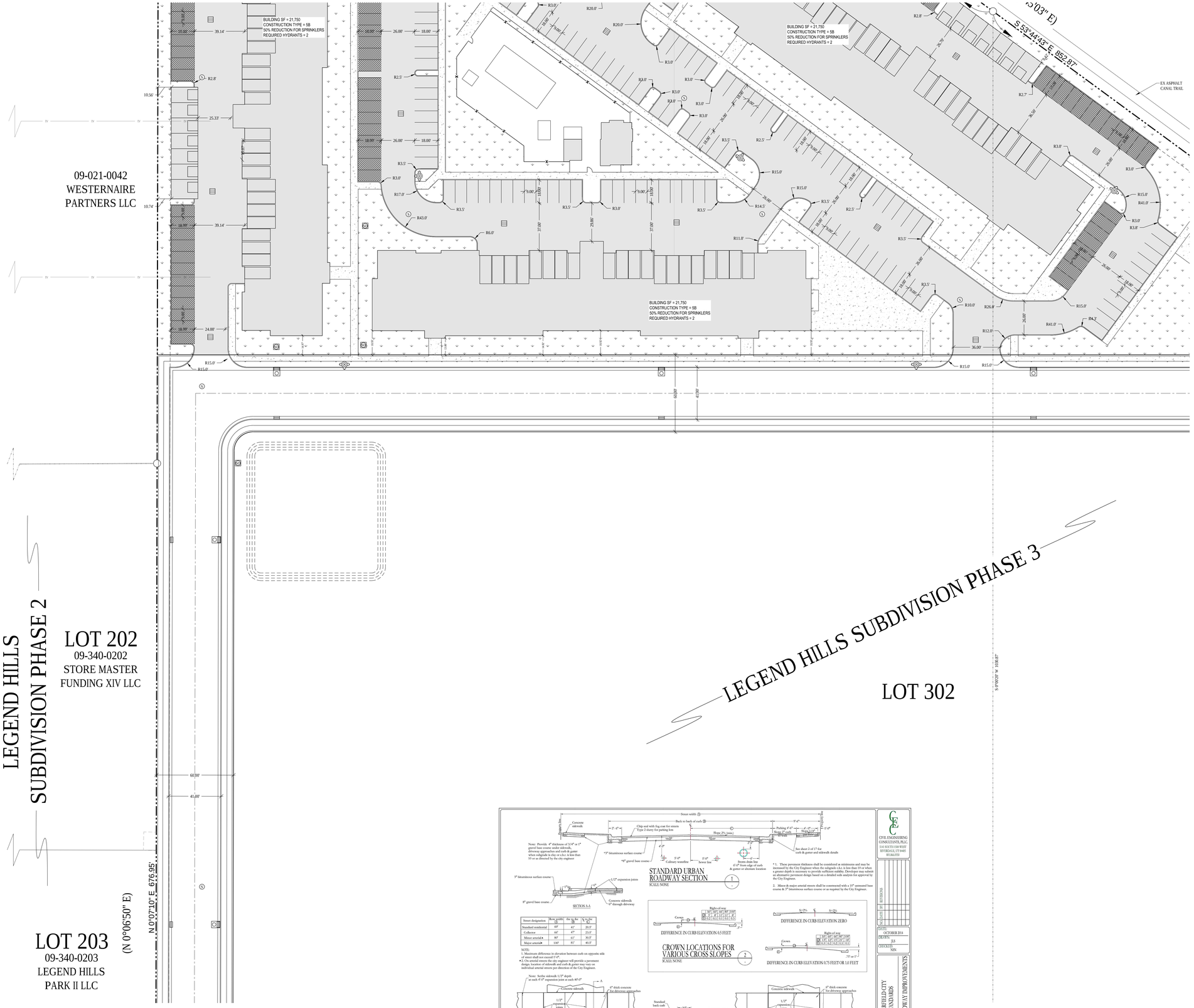
| REV | DATE | REVISIONS DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE PLAN

C1.01

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NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

| DESCRIPTION | AREA | % |
|---|---|---|
| HARDSCAPE | 170,500 SQFT | 43% |
| LANDSCAPE | 130,504 SQFT | 33% |
| BUILDINGS | 93,949 SQFT | 24% |
| TOTAL | 394,953 SQFT | 100% |

## GENERAL NOTES:

ALL DIMENSIONS ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED

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SEE LANDSCAPE PLANS FOR IRRIGATION AND PLANTING

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5. NEW PROPOSED COVERED PARKING CARPORT, SEE ARCHITECTS PLANS FOR DETAILS.
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7. CONCRETE OPEN DRIVE APPROACH, PER APWA PLAN NO. 225.
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9. 24' CONCRETE CURB AND GUTTER. SEE DETAIL 'D2', SHEET C5.01.
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13. PAINTED ADA SYMBOL. SEE DETAIL 'D5', SHEET C5.01.
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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

| REVISIONS | | |
|---|---|---|
| REV | DATE | DESCRIPTION |

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE PLAN

C1.02

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NOTICE!

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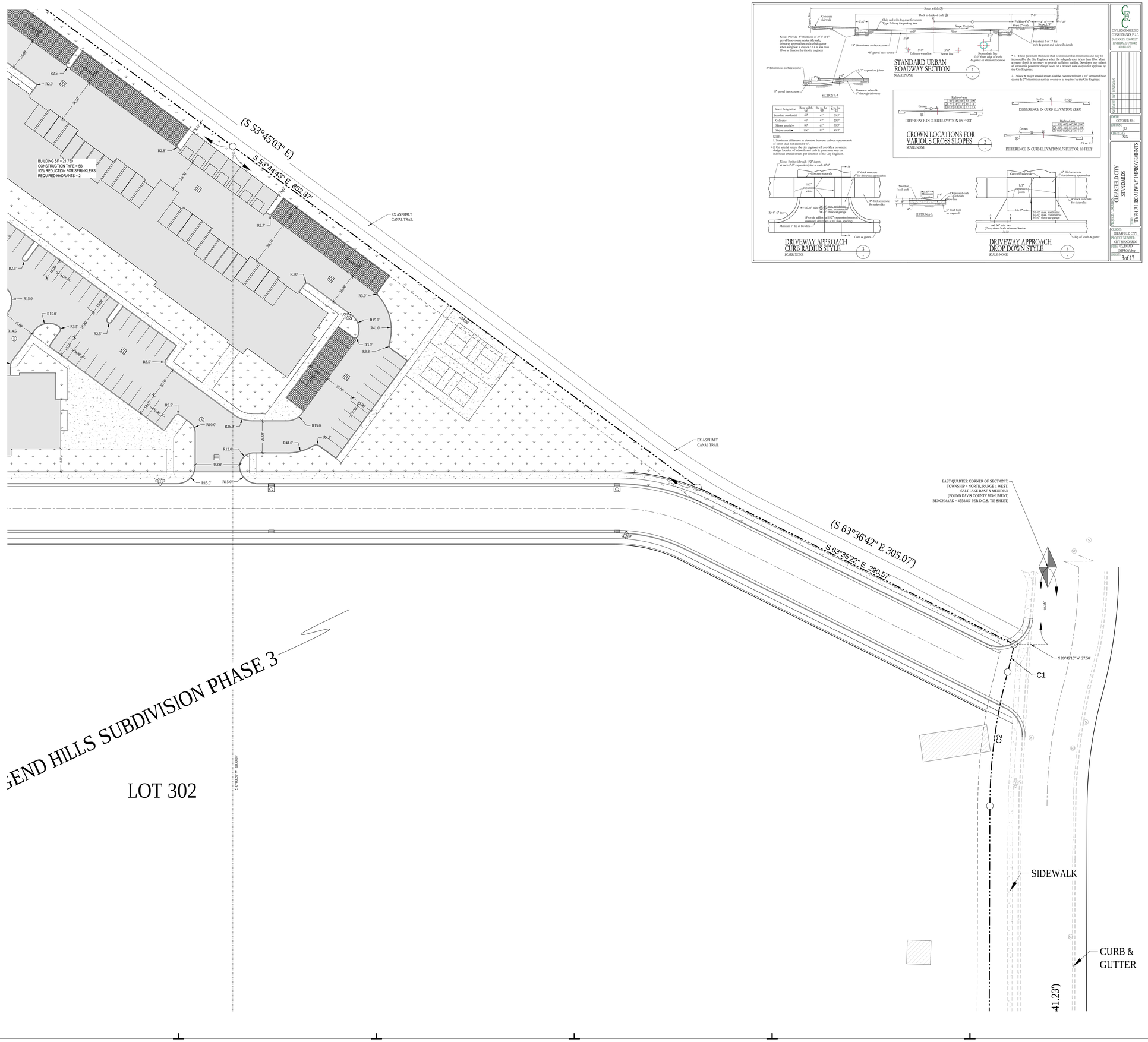
CIVIL ENGINEERING CONSULTANTS, PLLC
3141 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0703

REVISIONS
NO. DATE
DATE: OCTOBER 2014
DRAWN: JLS
CHECKED: NNN

PROJECT LOCATION: CLEARFIELD CITY STANDARDS
TYPICAL ROADWAY IMPROVEMENTS

CLIENT: CLEARFIELD CITY
PROJECT NUMBER: CITY STANDARDS
FILE: TH_ROAD 2MPROV.dwg
SHEET: 3of 17

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CE
CIVIL ENGINEERING CONSULTANTS, PLLC
314 SOUTH 1500 WEST
RIVERDALE, UT 84405
801.866.0331

| NO. | BY | REVISIONS |
|---|---|---|

DATE: OCTOBER 2014
DRAWN: JLS
CHECKED: NSN

PROJECT LOCATION: CLEARFIELD CITY STANDARDS

TYPICAL ROADWAY IMPROVEMENTS

CLIENT: CLEARFIELD CITY
PROJECT NUMBER: CITY STANDARDS
FILE: TC_ROAD IMPROV.dwg
SHEET: 3of 17

NORTH
SCALE: 1" = 30'
0 15' 30' 60' 90'

| DESCRIPTION | AREA | % |
|---|---|---|
| HARDSCAPE | 170,500 SQFT | 43% |
| LANDSCAPE | 130,504 SQFT | 33% |
| BUILDINGS | 93,949 SQFT | 24% |
| TOTAL | 394,953 SQFT | 100% |

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Blue Stakes of UTAH 811 Bluestakes.org

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

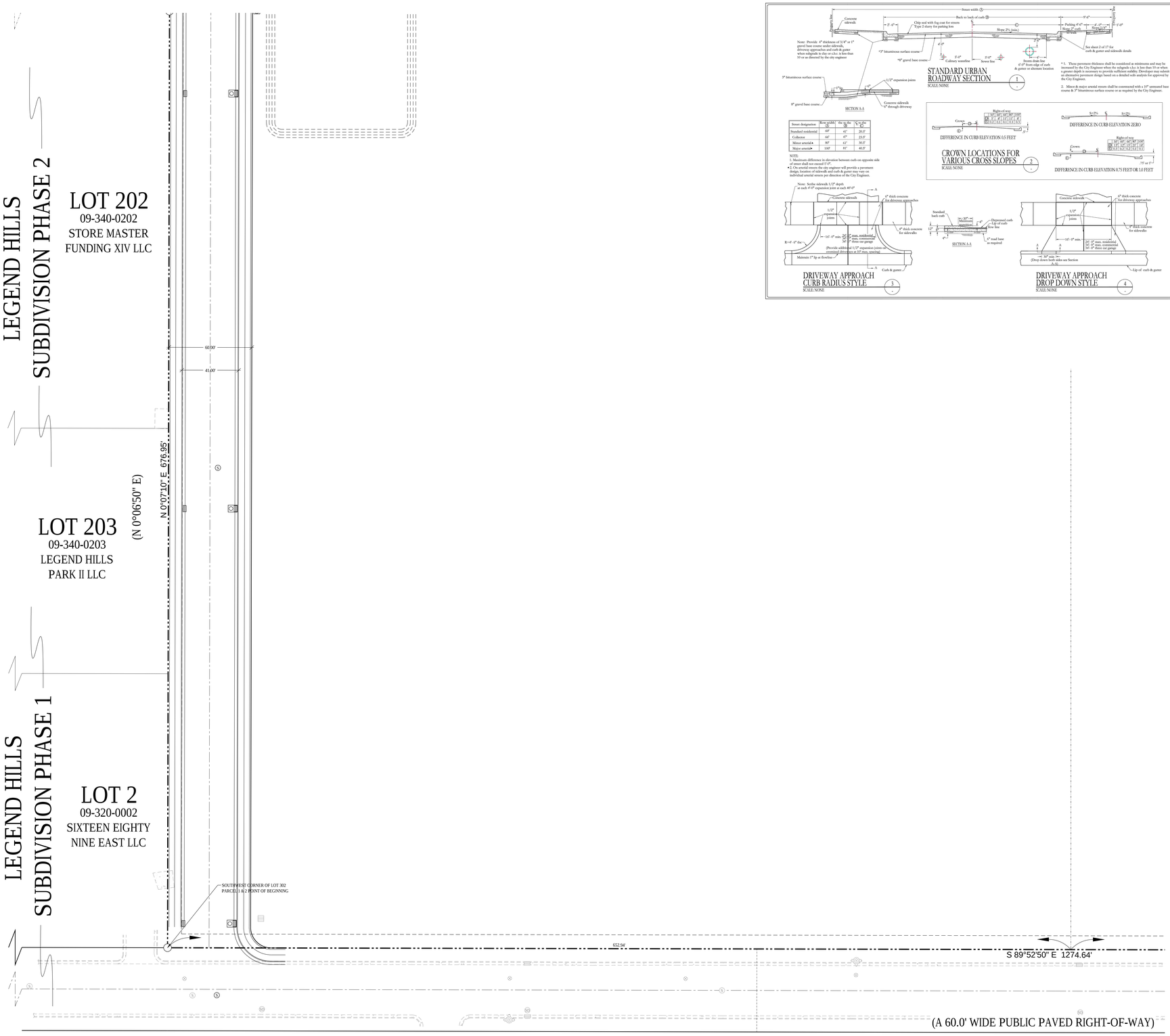
| REV | DATE | REVISIONS DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE PLAN

C1.03

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CIVIL ENGINEERING CONSULTANTS, PLLC.
314 SOUTH 1100 WEST
RIVERDALE, UT 84405
801.866.0181

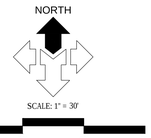
| NO. | REVISIONS | BY |
|---|---|---|

DATE: OCTOBER 2014
DRAWN: JLS
CHECKED: NNS

PROJECT LOCATION: CLEARFIELD CITY STANDARDS

TYPICAL ROADWAY IMPROVEMENTS

CLIENT: CLEARFIELD CITY
PROJECT NUMBER: CITY STANDARDS
FILE: TC_ROAD IMPROV.dwg
SHEET: 3of 17




| DESCRIPTION | AREA | % |
|---|---|---|
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Blue Stakes of UTAH 811 Bluestakes.org

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

| REV | DATE | DESCRIPTION |
|---|---|---|

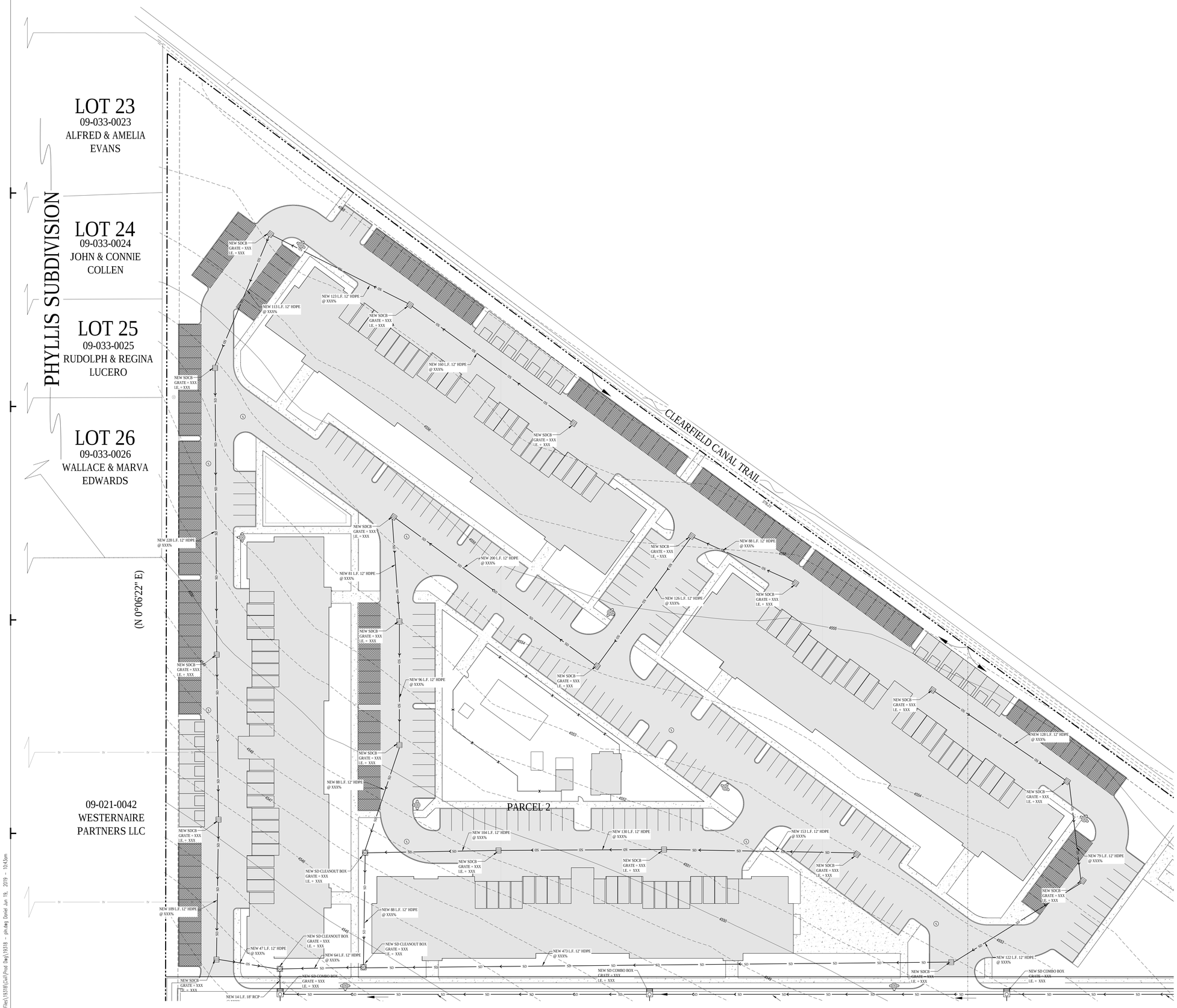
REVISIONS

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE PLAN

C1.02

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NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

## GENERAL NOTES:

SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT, YIELDING OR UNSUITABLE MATERIALS AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE SOILS REPORT. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED TO 95% OF MODIFIED PROCTOR MAXIMUM DENSITY PER ASTM TEST D-1557 EXCEPT UNDER BUILDING FOUNDATION WHERE IT SHALL BE 98% MIN. OF MAXIMUM DENSITY. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL NOT EXCEED 2% ABOVE NOR 3% BELOW OPTIMUM. CONTRACTOR SHALL SUBMIT A COMPACTION REPORT PREPARED BY A QUALIFIED REGISTERED SOILS ENGINEER, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED, HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS & SPECS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT.

THE CONTRACTOR IS TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT. SPECIFIC DETAILS SHOWN ON SHEET C2.10 SHALL BE USED IN COMBINATION WITH OTHER ACCEPTED LOCAL PRACTICES.

EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THOSE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF CONTRACTOR'S FAILURE TO VERIFY LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT.

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. GRADE SITE TO ELEVATIONS AND CONTOURS SHOWN ON PLAN.
2. CORE-CONNECT NEW STORM DRAIN LINE TO EXISTING STORM DRAIN STRUCTURE.
3. STORM DRAIN CATCH BASIN WITH HEAVY DUTY BICYCLE SAFE GRATE.
4. STORM DRAIN GUTTER INLET WITH HEAVY DUTY BICYCLE SAFE GRATE.
5. STORM DRAIN COMBO BOX WITH HEAVY DUTY BICYCLE SAFE GRATE.
6. STORM DRAIN CLEANOUT BOX. SEE DETAIL 'A5', SHEET C5.02.
7. 8" DIAMETER HDPE STORM DRAIN LINE. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING DETAIL.
8. 12" DIAMETER HDPE STORM DRAIN LINE. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING DETAIL.
9. 18" DIAMETER RCP STORM DRAIN LINE. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING DETAIL.

Blue Stakes of UTAH 811 Bluestakes.org

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

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Structural Engineering • Land Surveying & HDS

# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

REVISIONS

| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

GRADING AND DRAINAGE PLAN

C2.01

S:\2019\Plans\19318\Civil\Prod Dwg\19318 - pln.dwg Plotted: Jun 19, 2019 - 10:43am

09-021-0042
WESTERNAIRE
PARTNERS LLC

PARCEL 2

NEW SDCB
GRATE = XXX
I.E. = XXX

NEW 109 L.F. 12" HDPE
@ XXX%

NEW SD CLEANOUT BOX
GRATE = XXX
I.E. = XXX

NEW 104 L.F. 12" HDPE
@ XXX%

NEW 130 L.F. 12" HDPE
@ XXX%

NEW 153 L.F. 12" HDPE
@ XXX%

NEW 79 L.F. 12" HDPE
@ XXX%

NEW 88 L.F. 12" HDPE
@ XXX%

NEW 47 L.F. 12" HDPE
@ XXX%

NEW 64 L.F. 12" HDPE
@ XXX%

NEW 473 L.F. 12" HDPE
@ XXX%

NEW 122 L.F. 12" HDPE
@ XXX%

NEW SD COMBO BOX
GRATE = XXX
I.E. = XXX

NEW 14 L.F. 18" RCP
@ XXX%

NEW 295 L.F. 18" RCP
@ XXX%

NEW 285 L.F. 18" RCP
@ XXX%

NEW 31 L.F. 18" RCP
@ XXX%

NEW SD CURB INLET BOX
GRATE = XXX
I.E. = XXX

NEW 45 L.F. 18" RCP
@ XXX%

NEW 58 L.F. 18" RCP
@ XXX%

NEW 30 L.F. 18" RCP
@ XXX%

TOP OF DITCH

TOP OF PIPE - 4547.64'
FL(E) - 4545.66'

TOP OF PIPE - 4547.58'
FL(W) - 4545.58'

TOP OF PIPE - 4546.01'
FL(S) - 4544.42'

TOP OF PIPE - 4545.50'
FL(N) - 4544.28'

DETENTION POND FOR 9 ACRES TO NORTH PLUS E-W PUBLIC STREET
APPROXIMATELY 35,000 CF
3 FEET DEEP
11,667 SF REQUIRED
108' x 108' SHOWN

LEGEND HILLS SUBDIVISION PHASE 2

LOT 202
09-340-0202
STORE MASTER
FUNDING XIV LLC

LEGEND HILLS SUBDIVISION PHASE 3

LOT 302
SURVEYED AREA CONTAINS
1,335,875 SQUARE FEET
30.667 ACRES
(NO BUILDINGS)

PARCEL 2
LESS & EXCEPTING

LOT 203
09-340-0203
LEGEND HILLS
PARK II LLC

LEGEND HILLS PHASE 1

S:\2019\Files\19318\Civil\Prod Dwg\19318 - plot.dwg Dated: Jun 19, 2019 - 10:43am

NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

## GENERAL NOTES:

SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT, YIELDING OR UNSUITABLE MATERIALS AND REPLACING WITH SUITABLE MATERIALS AS SPECIFIED IN THE SOILS REPORT. ALL EXCAVATED OR FILLED AREAS SHALL BE COMPACTED TO 95% OF MODIFIED PROCTOR MAXIMUM DENSITY PER ASTM TEST D-1557 EXCEPT UNDER BUILDING FOUNDATION WHERE IT SHALL BE 98% MIN. OF MAXIMUM DENSITY. MOISTURE CONTENT AT TIME OF PLACEMENT SHALL NOT EXCEED 2% ABOVE NOR 3% BELOW OPTIMUM. CONTRACTOR SHALL SUBMIT A COMPACTION REPORT PREPARED BY A QUALIFIED REGISTERED SOILS ENGINEER, VERIFYING THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PAVED, HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS & SPECS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT.

THE CONTRACTOR IS TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT. SPECIFIC DETAILS SHOWN ON SHEET C2.10 SHALL BE USED IN COMBINATION WITH OTHER ACCEPTED LOCAL PRACTICES.

EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THOSE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF CONTRACTOR'S FAILURE TO VERIFY LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT.

## KEYED NOTES:

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2. CORE-CONNECT NEW STORM DRAIN LINE TO EXISTING STORM DRAIN STRUCTURE.
3. STORM DRAIN CATCH BASIN WITH HEAVY DUTY BICYCLE SAFE GRATE.
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TOWERS AT LEGEND HILLS

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CLEARFIELD, UTAH

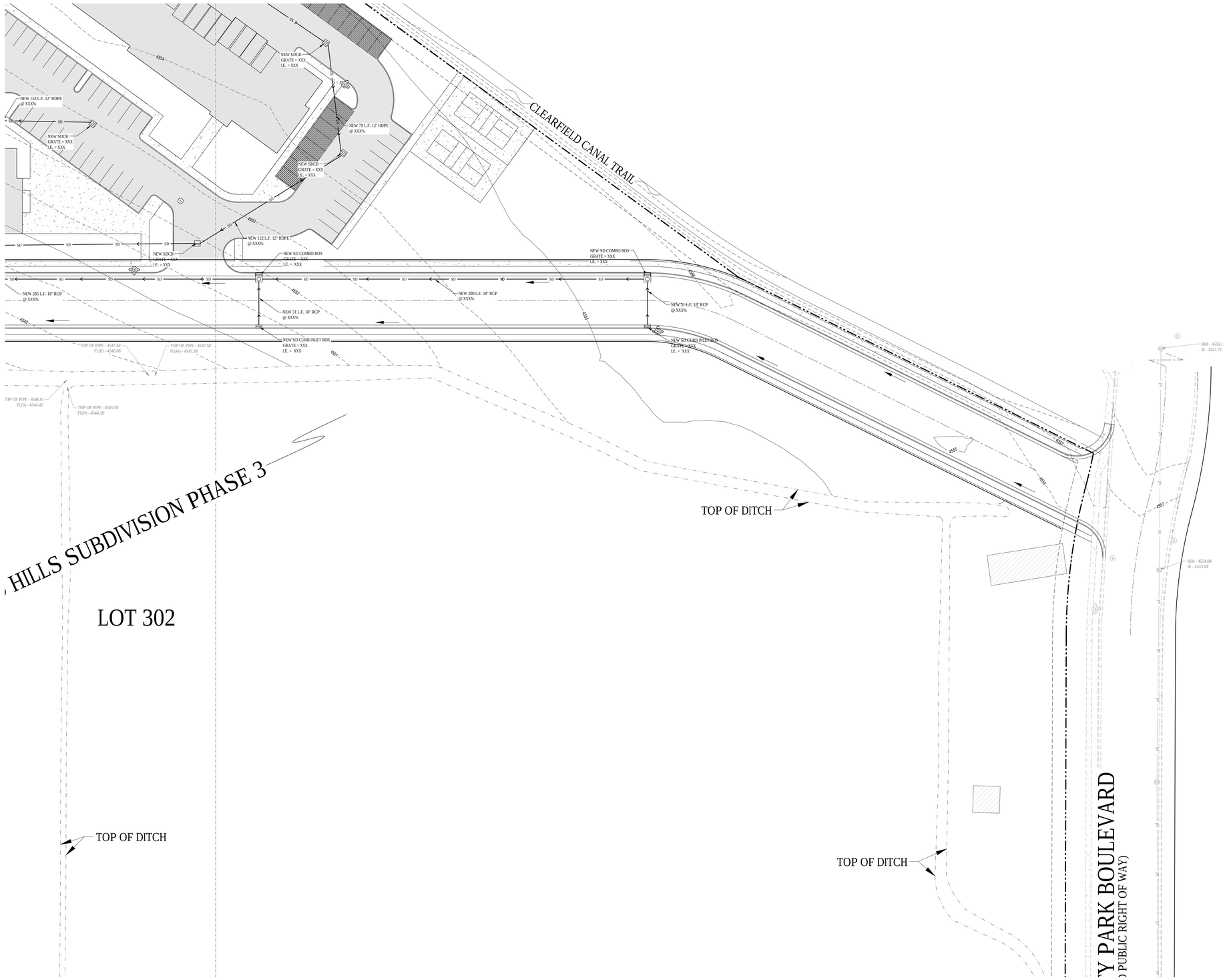
REVISIONS

| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

GRADING AND DRAINAGE PLAN

C2.02




NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

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CLEARFIELD, UTAH

REVISIONS

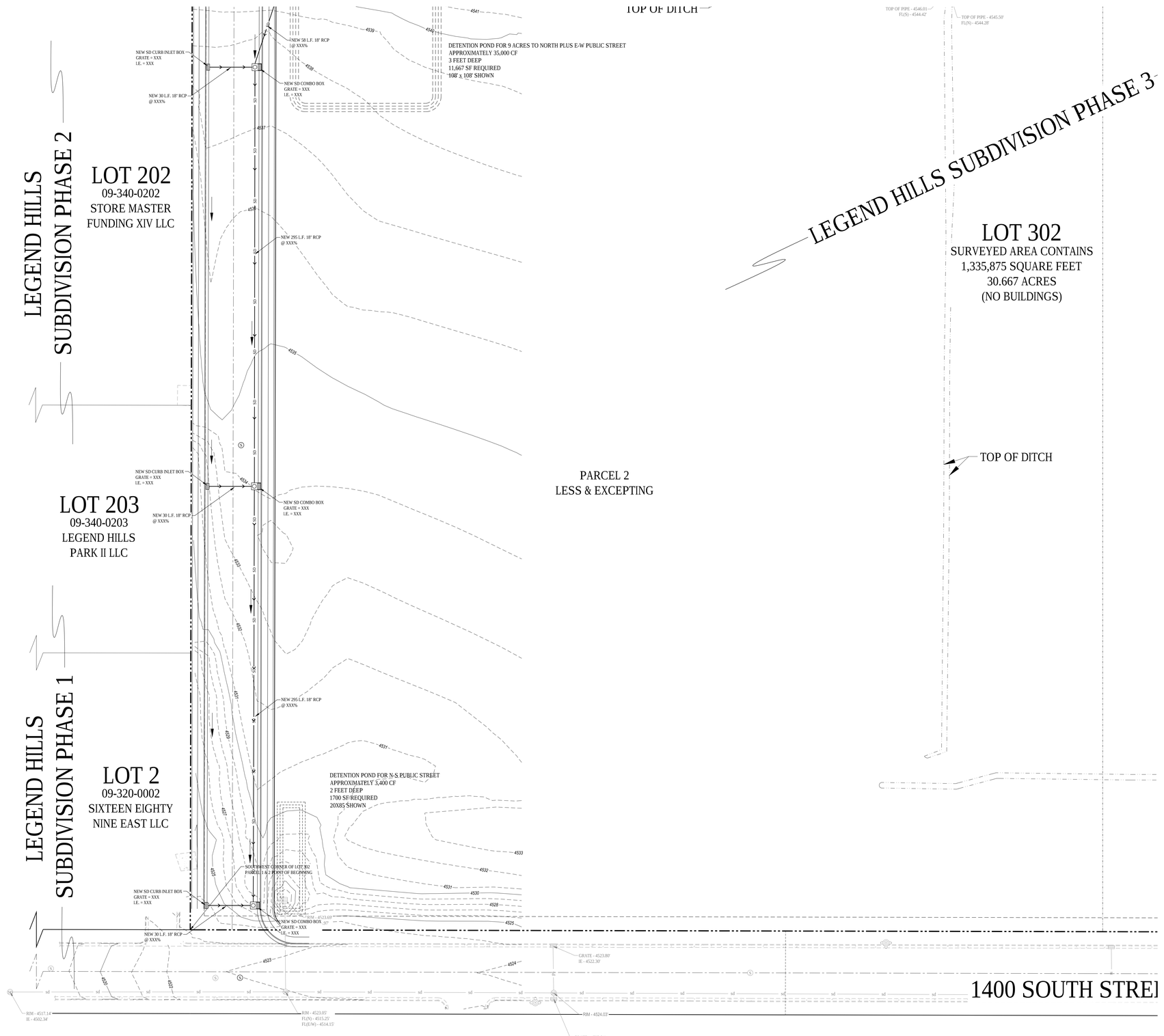
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

GRADING AND DRAINAGE PLAN

C2.03

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NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

REVISIONS

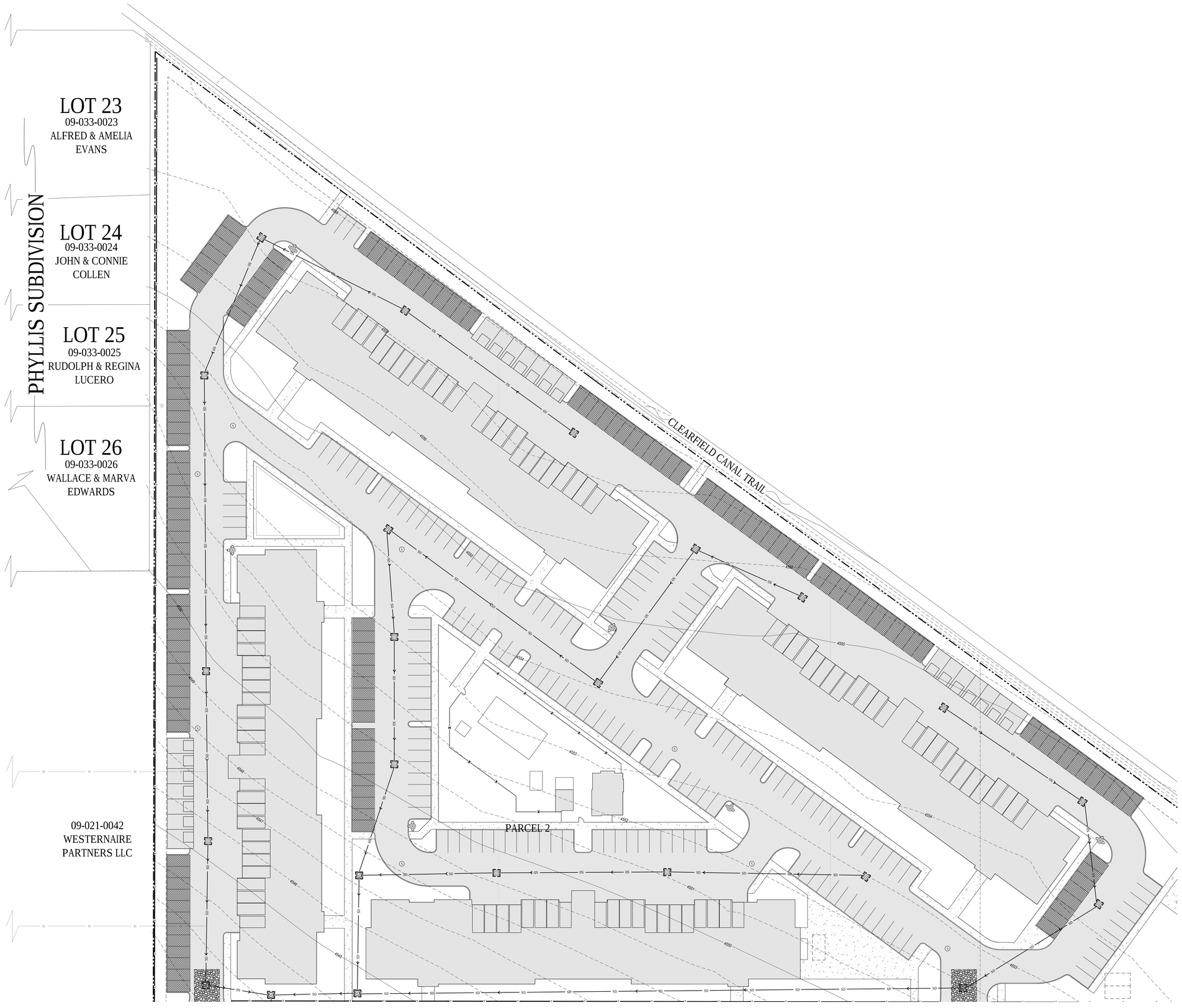
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

GRADING AND DRAINAGE PLAN

C2.04

S:\2019\Files\19318\Civil\Prod Dwg\19318 - plot.dwg, Daniel Jun 19, 2019 - 10:43am




NORTH

SCALE: 1" = 20'

0 10' 20' 40' 60'

## GENERAL NOTES:

THE CONTRACTOR IS TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT. SPECIFIC DETAILS SHOWN ON SHEET C5.04 SHALL BE USED IN COMBINATION WITH OTHER ACCEPTED LOCAL PRACTICES.

ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE LOCAL AGENCY'S EROSION CONTROL STANDARDS AND SPECIFICATIONS AND ALL WORK SHALL BE SUBJECT TO INSPECTION BY THE AGENCY HAVING JURISDICTION. ALSO INSPECTORS WILL HAVE THE RIGHT TO CHANGE THE FACILITIES AS NEEDED.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATIONS OF ALL EXISTING UTILITIES. IF CONFLICTS OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.

THE CONTRACTOR SHALL PROVIDE ADEQUATE DUST CONTROL.

WHEN GRADING OPERATIONS HAVE BEEN COMPLETED AND THE DISTURBED GROUND SHALL BE LEFT 'OPEN' FOR 30 DAYS OR MORE THE AREA SHALL BE FURROWED PARALLEL TO THE CONTOURS OF THE AREA.

THE CONTRACTOR SHALL MODIFY EROSION CONTROL MEASURES TO ACCOMMODATE PROJECT PLANNING.

## MAINTENANCE:

THE OWNER'S REPRESENTATIVE SHALL MAKE ROUTINE CHECKS ON ALL EROSION CONTROL MEASURES TO DETERMINE IF REPAIRS OR SEDIMENT REMOVAL IS NECESSARY. DUE TO CONDITIONS THAT MAY ARISE IN THE FIELD, ADDITIONAL CONTROL MAY BE DETERMINED TO BE NECESSARY.

SILT FENCE BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT THE LEAST DAILY DURING PROLONGED RAINFALL.

CLOSE ATTENTION SHALL BE PAID TO THE REPAIR OF DAMAGED SILT FENCES, END RUNS, AND UNDERCUTTING BENEATH SILT FENCING.

NECESSARY REPAIRS TO BARRIERS OR REPLACEMENT OF SILT FENCING SHALL BE ACCOMPLISHED PROMPTLY.

SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. SILT FENCE AS SHOWN ON PLAN. SEE DETAIL 'C3', SHEET C5.04.
2. INLET PROTECTION AROUND EXISTING OR NEW STORM DRAIN CATCH BASINS OR CURB INLETS. SEE DETAIL 'A1', SHEET C5.04.
3. TEMPORARY CONSTRUCTION ENTRANCE. SEE DETAIL 'C1', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
4. CONCRETE WASHOUT AREA. CREATE A MIN. 10'X10' AREA WITH A 1' HIGH BERM. LINE AREA WITH PLASTIC. DISCARD WASTE IN DUMPSTER WHEN FULL AND LEGALLY DISPOSE OF. SEE DETAIL 'A3', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
5. CONSTRUCTION DUMPSTER. CHECK LEVEL DAILY, LEGALLY DISPOSE OF WASTE AS NEEDED. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
6. PORTABLE CONSTRUCTION TOILET. TOILET TO BE PROPERLY SECURED TO PREVENT TIPPING. BUILD 6" BERM AROUND TOILET TO CONTAIN ANY SPILLS OR LEAKAGE. CHECK LEVEL DAILY. LEGALLY DISPOSE OF WASTE AS NEEDED. SEE DETAIL 'C5', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
7. MATERIAL STORAGE AND STOCK PILE AREA. SEE DETAIL 'A5', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.

FLOW PATH OF 100-YEAR STORM EVENT.

Blue Stakes of UTAH811 bluestakes.org

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# TOWERS AT LEGEND HILLS

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CLEARFIELD, UTAH

REVISIONS

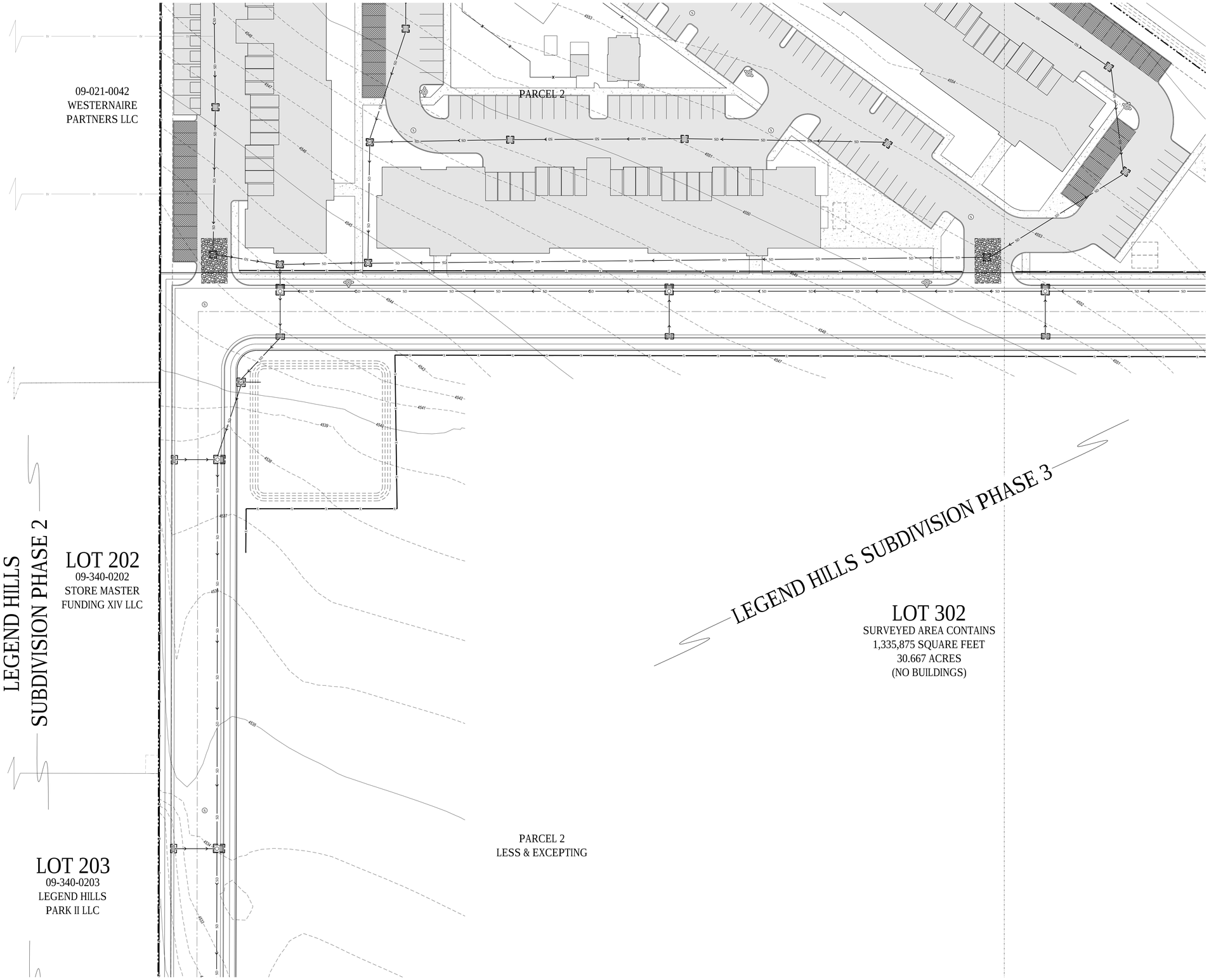
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

EROSION CONTROL PLAN

C3.01

S:\2019\Final\19318\Civil\Prod Dwg\19318 - ph1.dwg Donal Jun 19, 2019 - 10:43am




NORTH

SCALE: 1" = 20'

0 10' 20' 40' 60'

## GENERAL NOTES:

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2. INLET PROTECTION AROUND EXISTING OR NEW STORM DRAIN CATCH BASINS OR CURB INLETS. SEE DETAIL 'A1', SHEET C5.04.
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FLOW PATH OF 100-YEAR STORM EVENT.


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Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS


# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

| REVISIONS | | |
|---|---|---|
| REV | DATE | DESCRIPTION |

| | |
|---|---|
| PROJECT NO: | 19318 |
| DESIGNED BY: | DJC |
| CHECKED BY: | RJP |
| DATE: | 6-19-19 |

EROSION CONTROL PLAN

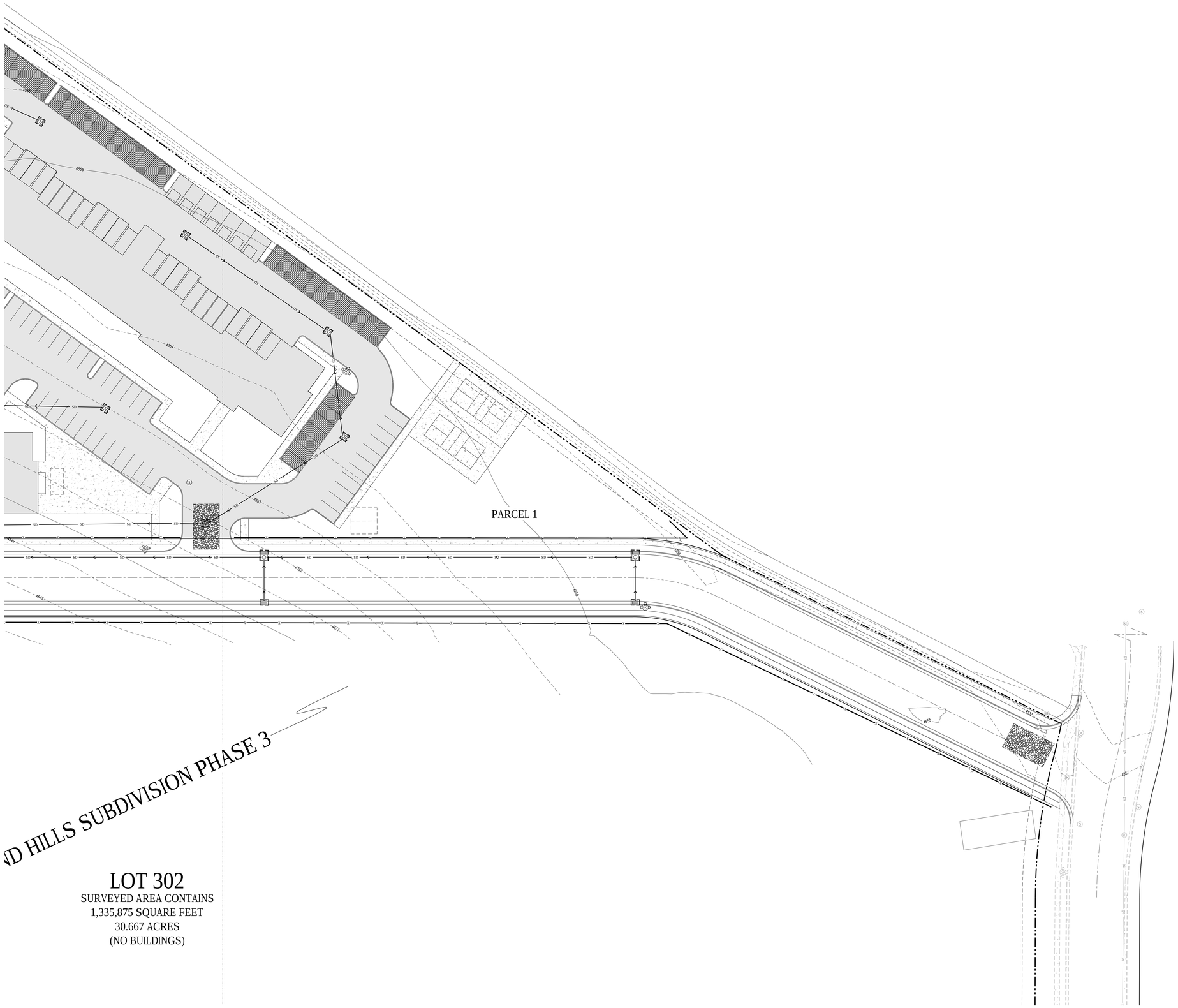
C3.02

Blue Stakes of UTAH 811 bluestakes.org

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

S:\2019\Plats\19318\Civil\Prod Dwgs\19318 - grd.dwg Tbonel Jun 19, 2019 - 10:43am




NORTH

SCALE: 1" = 20'

0 10' 20' 40' 60'

## GENERAL NOTES:

THE CONTRACTOR IS TO USE BEST MANAGEMENT PRACTICES FOR PROVIDING EROSION CONTROL FOR CONSTRUCTION OF THIS PROJECT. SPECIFIC DETAILS SHOWN ON SHEET C5.04 SHALL BE USED IN COMBINATION WITH OTHER ACCEPTED LOCAL PRACTICES.

ALL MATERIALS AND WORKMANSHIP SHALL CONFORM TO THE LOCAL AGENCY'S EROSION CONTROL STANDARDS AND SPECIFICATIONS AND ALL WORK SHALL BE SUBJECT TO INSPECTION BY THE AGENCY HAVING JURISDICTION. ALSO INSPECTORS WILL HAVE THE RIGHT TO CHANGE THE FACILITIES AS NEEDED.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFYING THE LOCATIONS OF ALL EXISTING UTILITIES. IF CONFLICTS OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.

THE CONTRACTOR SHALL PROVIDE ADEQUATE DUST CONTROL.

WHEN GRADING OPERATIONS HAVE BEEN COMPLETED AND THE DISTURBED GROUND SHALL BE LEFT 'OPEN' FOR 30 DAYS OR MORE THE AREA SHALL BE FURROWED PARALLEL TO THE CONTOURS OF THE AREA.

THE CONTRACTOR SHALL MODIFY EROSION CONTROL MEASURES TO ACCOMMODATE PROJECT PLANNING.

## MAINTENANCE:

THE OWNER'S REPRESENTATIVE SHALL MAKE ROUTINE CHECKS ON ALL EROSION CONTROL MEASURES TO DETERMINE IF REPAIRS OR SEDIMENT REMOVAL IS NECESSARY. DUE TO CONDITIONS THAT MAY ARISE IN THE FIELD, ADDITIONAL CONTROL MAY BE DETERMINED TO BE NECESSARY.

SILT FENCE BARRIERS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT THE LEAST DAILY DURING PROLONGED RAINFALL.

CLOSE ATTENTION SHALL BE PAID TO THE REPAIR OF DAMAGED SILT FENCES, END RUNS, AND UNDERCUTTING BENEATH SILT FENCING.

NECESSARY REPAIRS TO BARRIERS OR REPLACEMENT OF SILT FENCING SHALL BE ACCOMPLISHED PROMPTLY.

SEDIMENT DEPOSITS SHOULD BE REMOVED AFTER EACH RAINFALL. THEY MUST BE REMOVED WHEN THE LEVEL OF DEPOSITION REACHES APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. SILT FENCE AS SHOWN ON PLAN. SEE DETAIL 'C3', SHEET C5.04.
2. INLET PROTECTION AROUND EXISTING OR NEW STORM DRAIN CATCH BASINS OR CURB INLETS. SEE DETAIL 'A1', SHEET C5.04.
3. TEMPORARY CONSTRUCTION ENTRANCE. SEE DETAIL 'C1', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
4. CONCRETE WASHOUT AREA. CREATE A MIN. 10'X10' AREA WITH A 1' HIGH BERM. LINE AREA WITH PLASTIC. DISCARD WASTE IN DUMPSTER WHEN FULL AND LEGALLY DISPOSE OF. SEE DETAIL 'A3', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
5. CONSTRUCTION DUMPSTER, CHECK LEVEL DAILY, LEGALLY DISPOSE OF WASTE AS NEEDED. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
6. PORTABLE CONSTRUCTION TOILET. TOILET TO BE PROPERLY SECURED TO PREVENT TIPPING. BUILD 6" BERM AROUND TOILET TO CONTAIN ANY SPILLS OR LEAKAGE. CHECK LEVEL DAILY. LEGALLY DISPOSE OF WASTE AS NEEDED. SEE DETAIL 'C5', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.
7. MATERIAL STORAGE AND STOCK PILE AREA. SEE DETAIL 'A5', SHEET C5.04. LOCATION SHOWN IS SUGGESTIVE. CONTRACTOR TO RELOCATE AS NEEDED.

FLOW PATH OF 100-YEAR STORM EVENT.

Blue Stakes of UTAH 811 Bluestakes.org

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CLEARFIELD, UTAH

REVISIONS

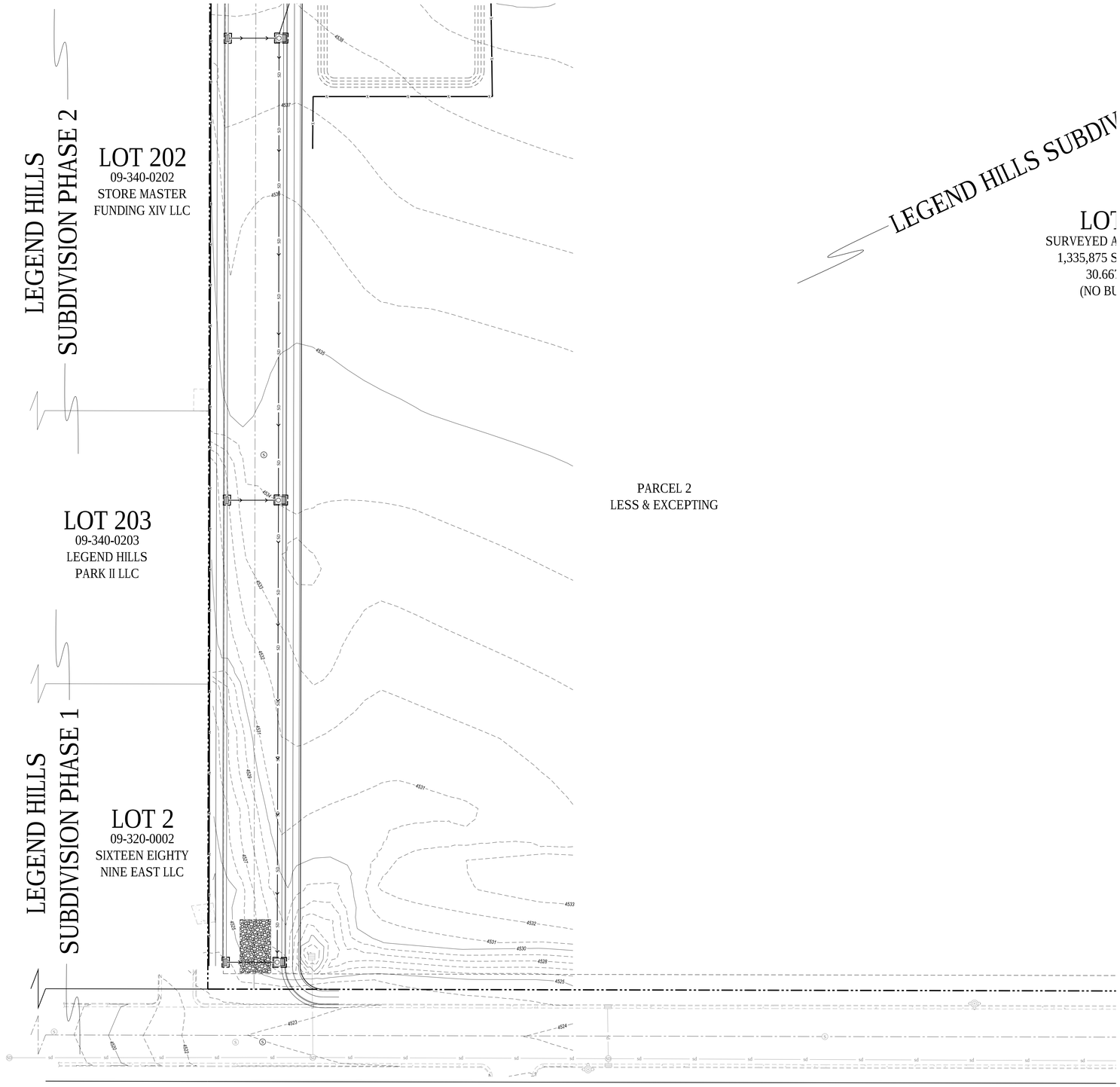
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

EROSION CONTROL PLAN

C3.03

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NORTH

SCALE: 1" = 20'

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REVISIONS

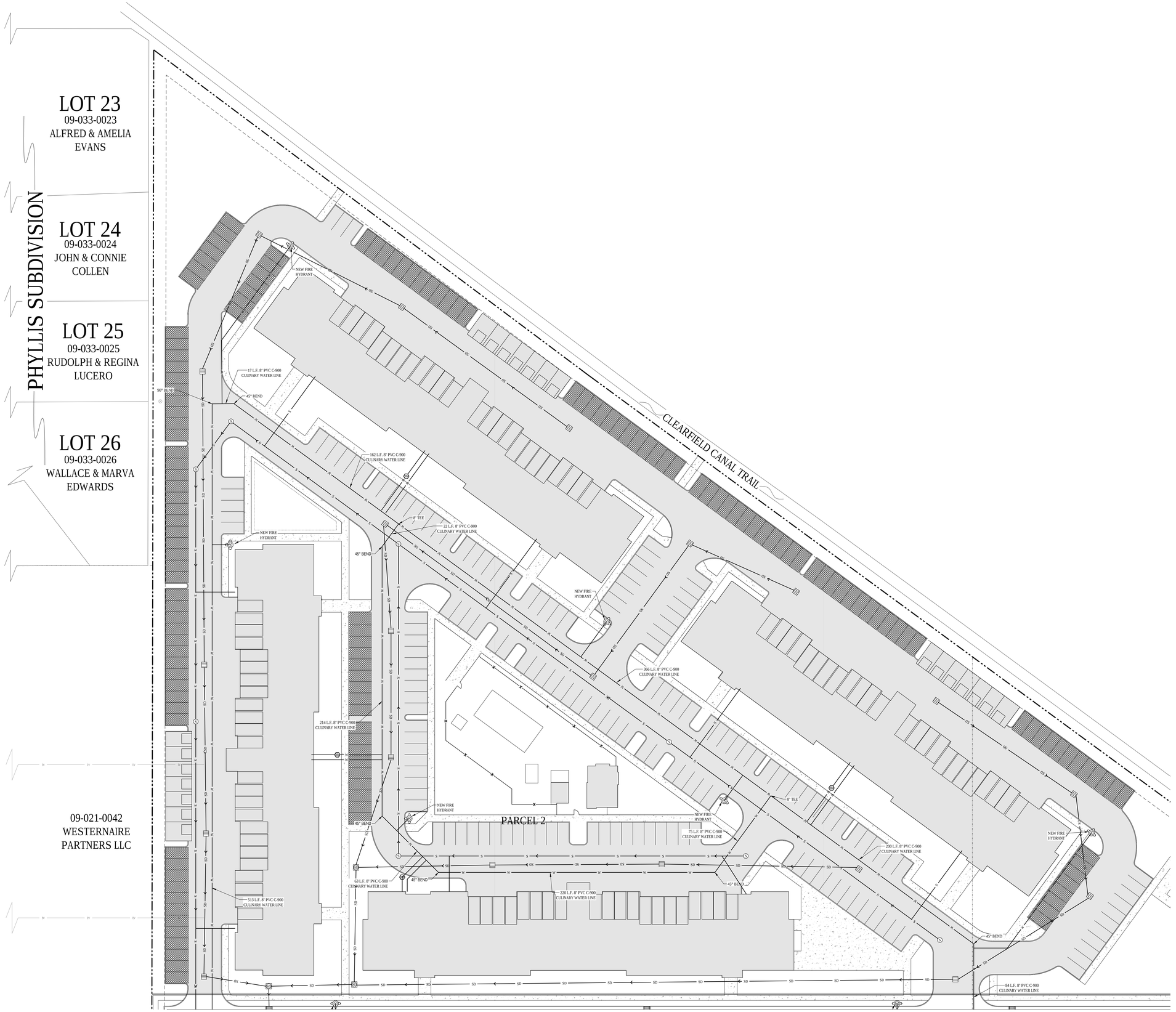
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

EROSION CONTROL PLAN

C3.04

S:\2019Files\19318\Civil\Prod Dwg\19318 - plot.dwg Daniel Jun 19, 2019 - 10:43am




NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

## GENERAL NOTES:

CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL DRAWINGS.

ALL NEW WATER CONSTRUCTION TO BE DONE IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS & SPECIFICATIONS.

ALL NEW SANITARY SEWER CONSTRUCTION TO BE DONE IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS & SPECIFICATIONS.

CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY SEWER LINES.

FOUR FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.

MAINTAIN A MINIMUM OF 48 INCHES OF COVER ON ALL WATER LINES.

CONTRACTOR IS TO COORDINATE LOCATIONS OF NEW TELEPHONE SERVICE TO BUILDING WITH CENTURY LINK. A PVC CONDUIT, PLYWOOD BACKBOARD, AND GROUND WIRE IS REQUIRED FOR SERVICE THROUGH PROPERTY. COORDINATE SIZES AND LOCATION WITH CENTURY LINK.

CONTRACTOR IS TO SUBMIT SITE PLAN TO DOMINION ENERGY FOR DESIGN OF GAS LINE SERVICE TO BUILDING. CONTRACTOR TO COORDINATE WITH DOMINION ENERGY FOR CONTRACTOR LIMITS OF WORK VERSUS DOMINION ENERGY LIMITS.

LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE LOCATIONS. CONTRACTOR IS TO VERIFY CONNECTION POINTS WITH EXISTING UTILITIES. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING UTILITIES AND UTILITY STRUCTURE THAT ARE TO REMAIN.

UTILITY PROVIDERS:
- WATER: CLEARFIELD CITY
- SEWER: CLEARFIELD CITY
- NATURAL GAS: DOMINION ENERGY
- ELECTRICAL POWER: ROCKY MOUNTAIN POWER
- TELEPHONE: CENTURY LINK

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. 8" BLUE PVC C-900 DR-18 WATER LINE, INCLUDING ALL FITTINGS AND THRUST BLOCKING. SEE DETAIL 'C4', SHEET C5.03 FOR TRENCHING AND APWA PLAN NO. 561 FOR THRUST BLOCKING.
2. 6" DIP CLASS 52 FIRE LINE WRAPPED IN AWWA APPROVED POLYETHYLENE ENCASEMENT (POLYWRAP), INCLUDING ALL FITTINGS AND THRUST BLOCKING. SEE DETAIL 'C4', SHEET C5.03 FOR TRENCHING AND APWA PLAN NO. 561 FOR THRUST BLOCKING.
3. CONNECT NEW 1-1/2" TYPE 'K' COPPER WATER SERVICE LINE TO EXISTING __' WATER MAIN, PER APWA PLAN NO. 552.
4. CONNECT NEW 8" PVC C-900 DR-18 WATER LINE TO EXISTING __' WATER MAIN, PER GOVERNING BODY STANDARDS AND SPECIFICATIONS.
5. FIRE HYDRANT ASSEMBLY COMPLETE, PER APWA PLANS NO. 511.
6. 8" GATE VALVE WITH VALVE BOX. SEE DETAIL 'B2', SHEET C5.03.
7. 1-1/2" CORPORATE STOP VALVE, PER APWA PLAN NO. 552.
8. 1-1/2" WATER SERVICE METER SET, PER APWA PLANS NO. 522 & 505.
9. 1-1/2" IRRIGATION SERVICE METER SET, PER APWA PLANS NO. 522 & 505.
10. 1-1/2" TYPE 'K' COPPER WATER SERVICE LINE, PER APWA PLAN NO. 541.
11. 5' DIAMETER SANITARY SEWER MANHOLE, PER APWA PLAN NO. 411.
12. 8" PVC SDR-35 SANITARY SEWER LINE, INCLUDING ALL FITTINGS. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING.
13. 6" PVC SDR-35 SANITARY SEWER LATERAL, INCLUDING ALL FITTINGS. CLEANOUTS AT 100-FOOT MAXIMUM SPACING. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING. SEE APWA PLAN NO. 431 FOR CLEANOUTS.
14. SANITARY SEWER CLEANOUT, PER APWA PLAN NO. 431.
15. APPROXIMATE LOCATION OF NEW NATURAL GAS LINE. CONTRACTOR TO COORDINATE SIZE, DESIGN AND INSTALLATION BY DOMINION ENERGY WITH OTHER CONSTRUCTION.
16. APPROXIMATE LOCATION OF NEW NATURAL GAS METER(S). CONTRACTOR TO COORDINATE SIZE, DESIGN AND INSTALLATION WITH DOMINION ENERGY AND WITH MECHANICAL PLANS.
17. TELEPHONE LINE. CONTRACTOR TO PROVIDE TRENCHING 30" DEEP X 24" WIDE FOR CENTURY LINK AND THEN BACKFILL AS REQUIRED.

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# TOWERS AT LEGEND HILLS

## 1400 SOUTH UNIVERSITY PARK BLVD / PARK BLVD CLEARFIELD, UTAH

REVISIONS

| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

Blue Stakes of UTAH 811 Bluestakes.org

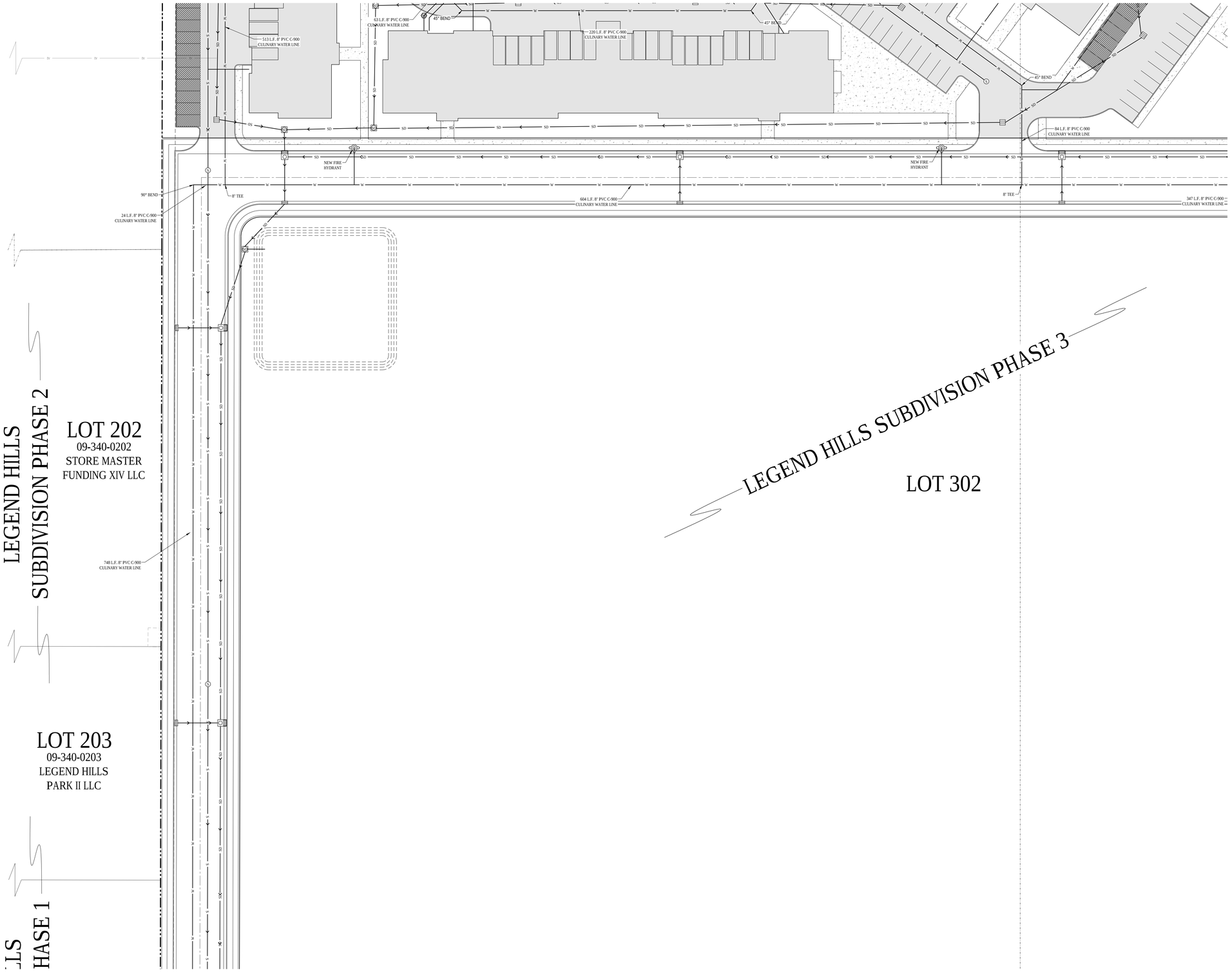
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# SITE UTILITY PLAN

# C4.01

S:\2019\Plat\19318\Civil\Prod Dwg\19318 - plt.dwg Daniel Jun 19, 2019 - 10:44am




NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

## GENERAL NOTES:

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ALL NEW SANITARY SEWER CONSTRUCTION TO BE DONE IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS & SPECIFICATIONS.

CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY SEWER LINES.

FOUR FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.

MAINTAIN A MINIMUM OF 48 INCHES OF COVER ON ALL WATER LINES.

CONTRACTOR IS TO COORDINATE LOCATIONS OF NEW TELEPHONE SERVICE TO BUILDING WITH CENTURY LINK. A PVC CONDUIT, PLYWOOD BACKBOARD, AND GROUND WIRE IS REQUIRED FOR SERVICE THROUGH PROPERTY. COORDINATE SIZES AND LOCATION WITH CENTURY LINK.

CONTRACTOR IS TO SUBMIT SITE PLAN TO DOMINION ENERGY FOR DESIGN OF GAS LINE SERVICE TO BUILDING. CONTRACTOR TO COORDINATE WITH DOMINION ENERGY FOR CONTRACTOR LIMITS OF WORK VERSUS DOMINION ENERGY LIMITS.

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5. FIRE HYDRANT ASSEMBLY COMPLETE, PER APWA PLANS NO. 511.
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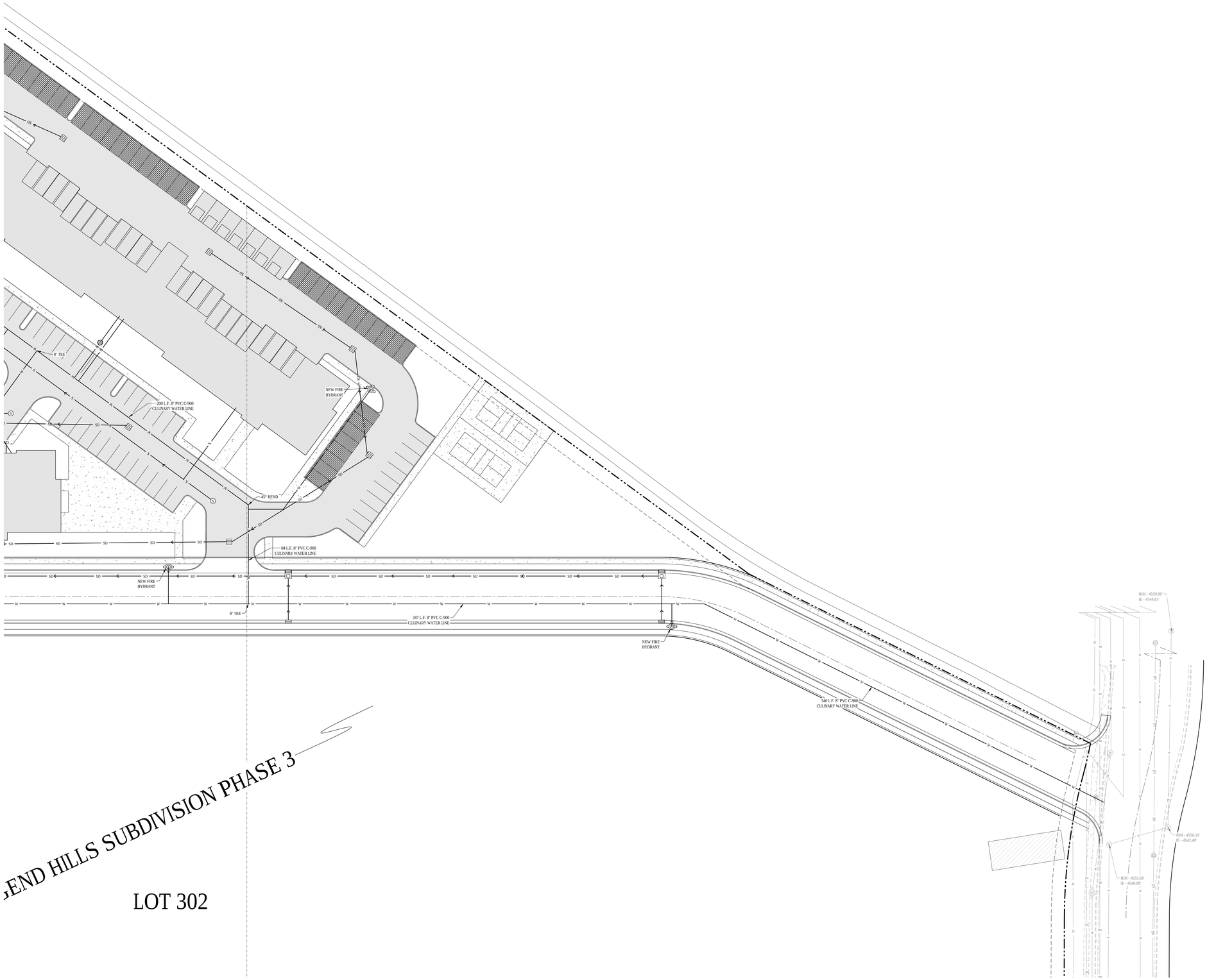
| REVISIONS | | |
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SITE UTILITY PLAN

C4.02

S:\2019\Files\19318\Civil\Prod Dwg\19318 - plot.dwg Dated Jun 19, 2019 - 10:44am




LEND HILLS SUBDIVISION PHASE 3

LOT 302

NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

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12. 8" PVC SDR-35 SANITARY SEWER LINE, INCLUDING ALL FITTINGS. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING.
13. 6" PVC SDR-35 SANITARY SEWER LATERAL, INCLUDING ALL FITTINGS. CLEANOUTS AT 100-FOOT MAXIMUM SPACING. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING. SEE APWA PLAN NO. 431 FOR CLEANOUTS.
14. SANITARY SEWER CLEANOUT, PER APWA PLAN NO. 431.
15. APPROXIMATE LOCATION OF NEW NATURAL GAS LINE. CONTRACTOR TO COORDINATE SIZE, DESIGN AND INSTALLATION BY DOMINION ENERGY WITH OTHER CONSTRUCTION.
16. APPROXIMATE LOCATION OF NEW NATURAL GAS METER(S). CONTRACTOR TO COORDINATE SIZE, DESIGN AND INSTALLATION WITH DOMINION ENERGY AND WITH MECHANICAL PLANS.
17. TELEPHONE LINE. CONTRACTOR TO PROVIDE TRENCHING 30" DEEP X 24" WIDE FOR CENTURY LINK AND THEN BACKFILL AS REQUIRED.

Blue Stakes of UTAH811 Bluestakes.org

NOTICE!

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

REVISIONS

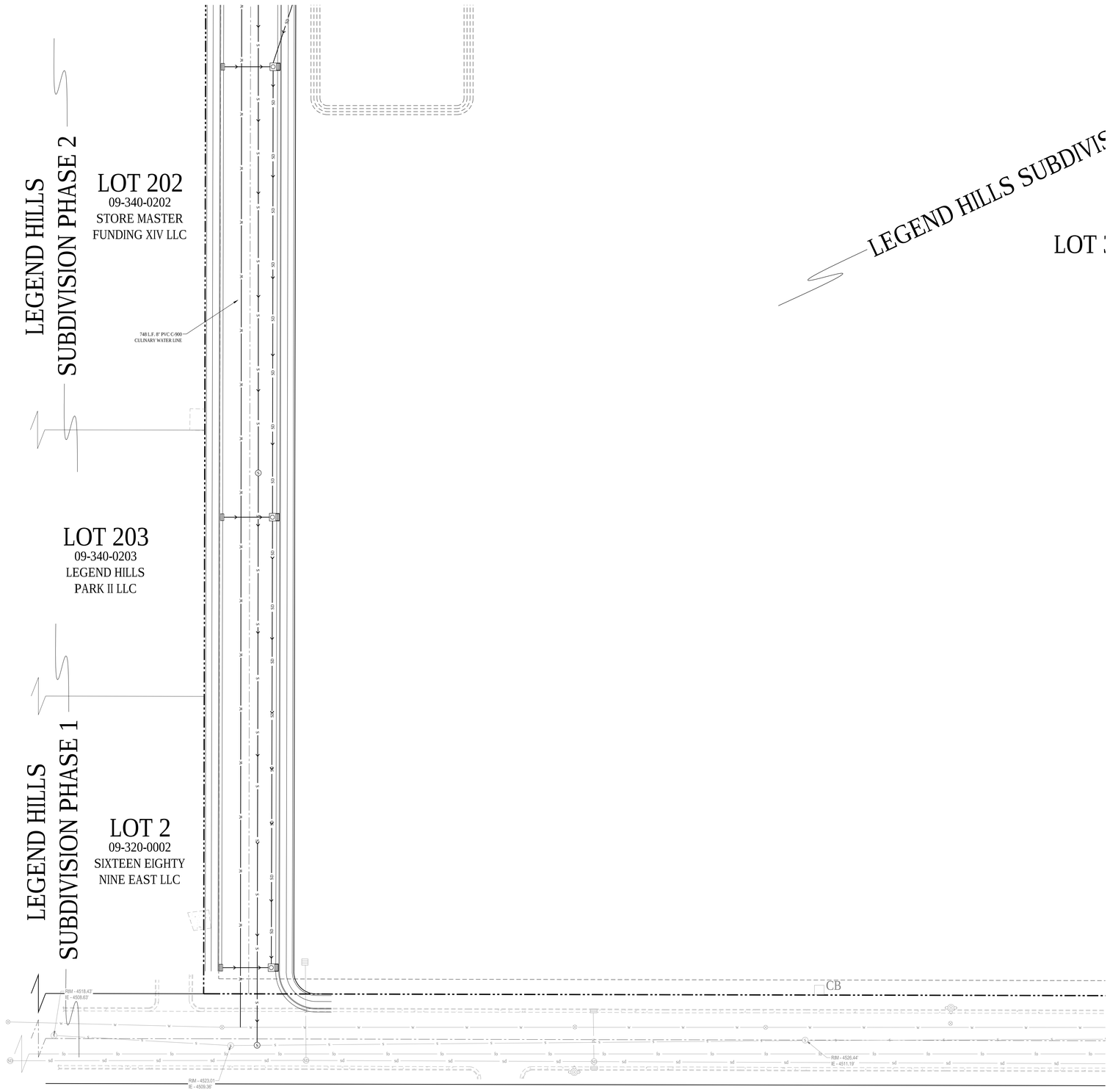
| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE UTILITY PLAN

C4.03

S:\2019\Files\19318\Civil\Prod Dwg\19318 - plt.dwg Dated Jun 19, 2019 - 10:44am




NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

## GENERAL NOTES:

CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL DRAWINGS.

ALL NEW WATER CONSTRUCTION TO BE DONE IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS & SPECIFICATIONS.

ALL NEW SANITARY SEWER CONSTRUCTION TO BE DONE IN ACCORDANCE WITH LOCAL GOVERNING MUNICIPALITY STANDARDS & SPECIFICATIONS.

CONTRACTOR SHALL FIELD VERIFY LOCATIONS AND INVERT ELEVATIONS OF EXISTING MANHOLES AND OTHER UTILITIES BEFORE STAKING OR CONSTRUCTING ANY SEWER LINES.

FOUR FEET OF COVER IS REQUIRED OVER ALL SEWER LINES.

MAINTAIN A MINIMUM OF 48 INCHES OF COVER ON ALL WATER LINES.

CONTRACTOR IS TO COORDINATE LOCATIONS OF NEW TELEPHONE SERVICE TO BUILDING WITH CENTURY LINK, A PVC CONDUIT, PLYWOOD BACKBOARD, AND GROUND WIRE IS REQUIRED FOR SERVICE THROUGH PROPERTY. COORDINATE SIZES AND LOCATION WITH CENTURY LINK.

CONTRACTOR IS TO SUBMIT SITE PLAN TO DOMINION ENERGY FOR DESIGN OF GAS LINE SERVICE TO BUILDING. CONTRACTOR TO COORDINATE WITH DOMINION ENERGY FOR CONTRACTOR LIMITS OF WORK VERSUS DOMINION ENERGY LIMITS.

LOCATION OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE LOCATIONS. CONTRACTOR IS TO VERIFY CONNECTION POINTS WITH EXISTING UTILITIES. CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO EXISTING UTILITIES AND UTILITY STRUCTURE THAT ARE TO REMAIN.

UTILITY PROVIDERS:
- WATER: CLEARFIELD CITY
- SEWER: CLEARFIELD CITY
- NATURAL GAS: DOMINION ENERGY
- ELECTRICAL POWER: ROCKY MOUNTAIN POWER
- TELEPHONE: CENTURY LINK

## KEYED NOTES:

PROVIDE, INSTALL AND/OR CONSTRUCT THE FOLLOWING PER THE SPECIFICATIONS GIVEN OR REFERENCED AND THE DETAILS NOTED AND AS SHOWN ON THE CONSTRUCTION DRAWINGS:

1. 8" BLUE PVC C-900 DR-18 WATER LINE, INCLUDING ALL FITTINGS AND THRUST BLOCKING. SEE DETAIL 'C4', SHEET C5.03 FOR TRENCHING AND APWA PLAN NO. 561 FOR THRUST BLOCKING.
2. 6" DIP CLASS 52 FIRE LINE WRAPPED IN AWWA APPROVED POLYETHYLENE ENCASEMENT (POLYWRAP), INCLUDING ALL FITTINGS AND THRUST BLOCKING. SEE DETAIL 'C4', SHEET C5.03 FOR TRENCHING AND APWA PLAN NO. 561 FOR THRUST BLOCKING.
3. CONNECT NEW 1-1/2" TYPE 'K' COPPER WATER SERVICE LINE TO EXISTING __' WATER MAIN, PER APWA PLAN NO. 552.
4. CONNECT NEW 8" PVC C-900 DR-18 WATER LINE TO EXISTING __' WATER MAIN, PER GOVERNING BODY STANDARDS AND SPECIFICATIONS.
5. FIRE HYDRANT ASSEMBLY COMPLETE, PER APWA PLANS NO. 511.
6. 8" GATE VALVE WITH VALVE BOX. SEE DETAIL 'B2', SHEET C5.03.
7. 1-1/2" CORPORATE STOP VALVE, PER APWA PLAN NO. 552.
8. 1-1/2" WATER SERVICE METER SET, PER APWA PLANS NO. 522 & 505.
9. 1-1/2" IRRIGATION SERVICE METER SET, PER APWA PLANS NO. 522 & 505.
10. 1-1/2" TYPE 'K' COPPER WATER SERVICE LINE, PER APWA PLAN NO. 541.
11. 5' DIAMETER SANITARY SEWER MANHOLE, PER APWA PLAN NO. 411.
12. 8" PVC SDR-35 SANITARY SEWER LINE, INCLUDING ALL FITTINGS. SEE APWA PLANS NO. 381 & 382 FOR TRENCHING.
13. 6" PVC SDR-35 SANITARY SEWER LATERAL, INCLUDING ALL FITTINGS. CLEANOUTS AT 100-FOOT MAXIMUM SPACING, SEE APWA PLANS NO. 381 & 382 FOR TRENCHING. SEE APWA PLAN NO. 431 FOR CLEANOUTS.
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Blue Stakes of UTAH 811 Bluestakes.org

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# TOWERS AT LEGEND HILLS

1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

REVISIONS

| REV | DATE | DESCRIPTION |
|---|---|---|

PROJECT NO: 19318
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19

SITE UTILITY PLAN

C4.02

S:\2019\Plats\19318\Civil\Prod Dwg\19318 - ph.dwg Donal Jun 19, 2019 - 10:44am

S:\2019Files\19318\Civil\Prod Dwg\19318 - pln.dwg Daniel Jun 19, 2019 - 10:44am

C5.01

CIVIL DETAILS

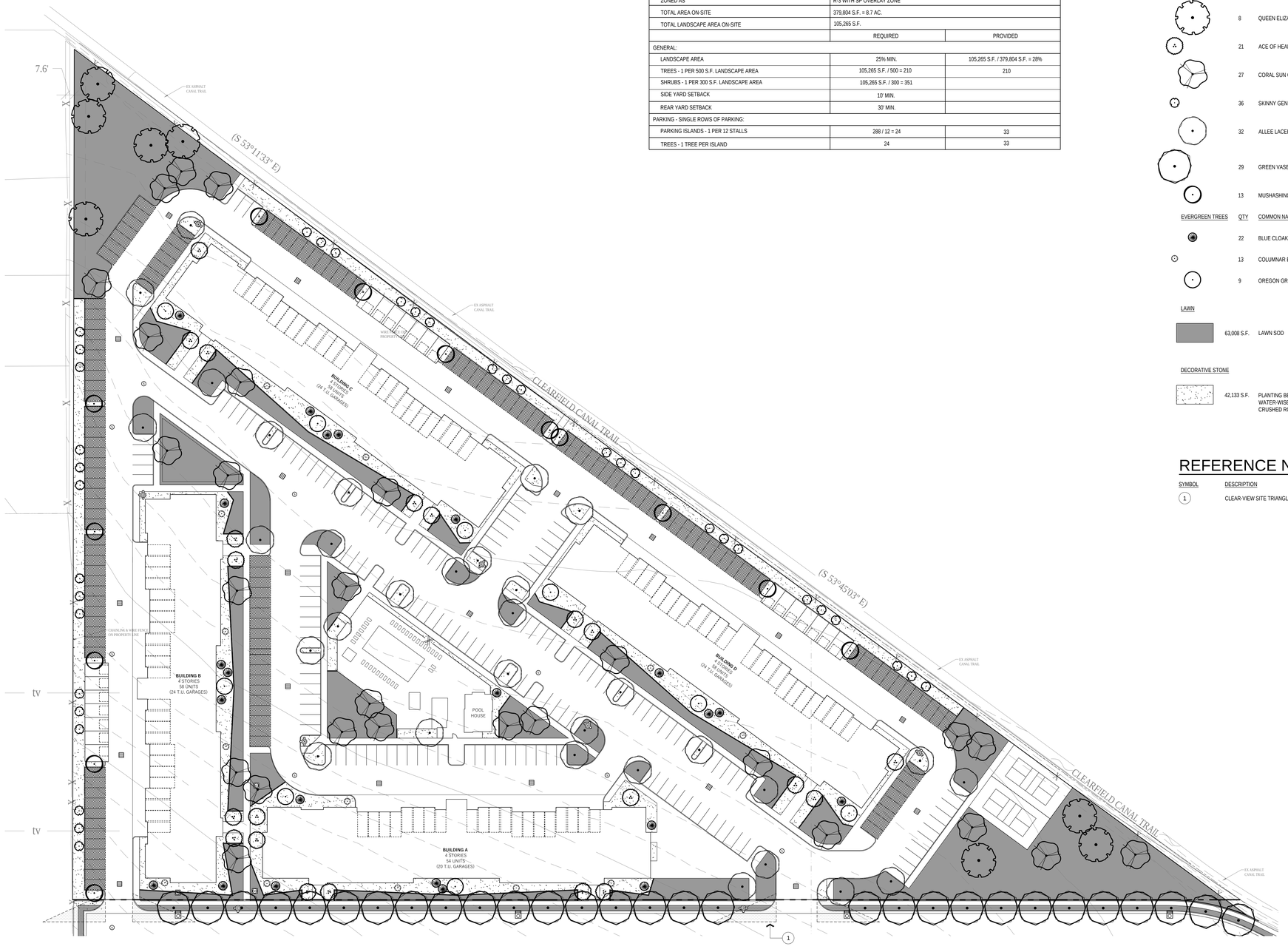
DESIGNED BY: DJC
CHECKED BY: RJP
DATE: 6-19-19
PROJECT NO: 19318

| REVISIONS | | |
|---|---|---|
| REV | DATE | DESCRIPTION |
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |

# TOWERS AT LEGEND HILLS

## 1400 SOUTH UNIVERSITY PARK BLVD
CLEARFIELD, UTAH

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## LANDSCAPE SUMMARY DATA

CLEARFIELD, UT
CHAPTER 11-13-23 - LANDSCAPING STANDARDS & REQUIREMENTS

| | | |
|---|---|---|
| ZONED AS | R-3 WITH SP OVERLAY ZONE | |
| TOTAL AREA ON-SITE | 379,804 S.F. = 8.7 AC. | |
| TOTAL LANDSCAPE AREA ON-SITE | 105,265 S.F. | |
| | REQUIRED | PROVIDED |
| GENERAL: | | |
| LANDSCAPE AREA | 25% MIN. | 105,265 S.F. / 379,804 S.F. = 28% |
| TREES - 1 PER 500 S.F. LANDSCAPE AREA | 105,265 S.F. / 500 = 210 | 210 |
| SHRUBS - 1 PER 300 S.F. LANDSCAPE AREA | 105,265 S.F. / 300 = 351 | |
| SIDE YARD SETBACK | 10' MIN. | |
| REAR YARD SETBACK | 30' MIN. | |
| PARKING - SINGLE ROWS OF PARKING: | | |
| PARKING ISLANDS - 1 PER 12 STALLS | 288 / 12 = 24 | 33 |
| TREES - 1 TREE PER ISLAND | 24 | 33 |

## PLANT SCHEDULE

| TREES | QTY | COMMON NAME | BOTANICAL NAME | SIZE |
|---|---|---|---|---|
| | 8 | QUEEN ELIZABETH HEDGE MAPLE | ACER CAMPESTRE `QUEEN ELIZABETH` | 2" CAL |
| | 21 | ACE OF HEARTS REDBUD | CERCIS CANADENSIS `ACE OF HEARTS` | 8`-10` CLUMP |
| | 27 | CORAL SUN GOLDEN RAIN TREE | KOELREUTERIA PANICULATA `CORAL SUN` | 2" CAL |
| | 36 | SKINNY GENES COLUMNAR OAK | QUERCUS ROBUR `SKINNY GENES` | 2" CAL |
| | 32 | ALLEE LACEBARK ELM | ULMUS PARVIFOLIA `ALLEE` | 2" CAL |
| | 29 | GREEN VASE SAWLEAF ZELKOVA | ZELKOVA SERRATA `GREEN VASE` | 2" CAL |
| | 13 | MUSHASHINO COLUMNAR ZELKOVA | ZELKOVA SERRATA `MUSASHINO` | 2" CAL |
| EVERGREEN TREES | QTY | COMMON NAME | BOTANICAL NAME | SIZE |
| | 22 | BLUE CLOAK WHITE FIR | ABIES CONCOLOR `BLUE CLOAK` | 6` HT |
| | 13 | COLUMNAR BLUE ATLAS CEDAR | CEDRUS ATLANTICA `FASTIGIATA` | 6` HT |
| | 9 | OREGON GREEN PINE | PINUS NIGRA `OREGON GREEN` | 6` HT |

LAWN

63,008 S.F. LAWN SOD

DECORATIVE STONE

42,133 S.F. PLANTING BED CONSISTING OF WATER-WISE PLANT MATERIAL, CRUSHED ROCK, AND DRIP IRRIGATION

## REFERENCE NOTES

| SYMBOL | DESCRIPTION |
|---|---|
| 1 | CLEAR-VIEW SITE TRIANGLE, 25`X55` |

AVOID CUTTING UNDERGROUND UTILITIES. IT'S COSTLY.
Call BEFORE YOU Dig
1-800-662-4111

NOTICE!
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NORTH

SCALE: 1" = 30'

0 15' 30' 60' 90'

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STATE OF UTAH
06/18/2019
SCOTT A. SCHOONOVER
340757
LICENSED LANDSCAPE ARCHITECT

# TOWERS AT LEGEND HILLS
## 1400 SOUTH & UNIVERSITY PARK BOULEVARD
## CLEARFIELD, UTAH

REVISIONS

| REV | DATE | DESCRIPTION |
|---|---|---|

| | |
|---|---|
| PROJECT NO: | 19318 |
| DESIGNED BY: | TG |
| CHECKED BY: | SS |
| DATE: | JUNE 2019 |

PRELIMINARY LANDSCAPE PLAN

L0.01

S:\2019Files\19318\Landscape\Prod Dwg\19318 LND.dwg Taylor Jun 18, 2019 - 9:22pm

CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

18 July 2019

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn: Brad McIlrath, Senior Planner
Proj: **Towers at Legend Hills**
Subj: Review #1

Dear Brad,

Attached is our review of the above referenced Site Improvement Drawings for your consideration. The drawings are somewhat preliminary, and the following comments are somewhat general until we get more detail drawings:

**General Notes:**

***Please request the Developer or his Engineer, submit a response letter with their re-submittal of drawings answering all Engineering review comments contained herein.***

**Plat**

1. A Plat will need to be created to dedicate the proposed City Streets, the utility easements (culinary water – transmission pipeline, City outfall storm drain piping from the North) and the Public Utility Easements.

2. All other Plat requirements.

**Improvement Drawings**

1. Notes need to be placed on the Site Plan Improvement Drawings indicating all deteriorated, damaged or missing surface improvements surrounding the perimeter of the development and on-site be replaced or installed; i.e., curb and gutter, sidewalk, landscaping park strip improvements, asphalt patching, landscaping replacement, site lighting, dumpster screening, concrete improvement, etc.

2. No structures may be placed atop existing utilities. Structures will need to be located a minimum of 10 feet from all underground utilities.

3. **Traffic Concerns**

- The submitted "Traffic Study" is somewhat preliminary and will need to be completed.
- The traffic study must be prepared under the direction and signed by a licensed "Professional Traffic Operations Engineer – PTOE".
- The proposed easterly public roadway must enter "University Parkway – 2000 East Street" at a 90˚ connection. Since the roadway connection is not in direct alignment to 2450 North Street – Layton City; the intersection needs to be located to the south a minimum distance (200 feet +/-) or as per requirements of AASHTO guidelines from the existing Layton City intersection (2450 North Street / 2000 East Street).
- Sidewalk and handicap access / ramps are required to be installed for connection to the Clearfield City Canal Trail.
- A 3-directional stopping will be required and the proposed westerly roadway intersection.
- Streetlights will be required along the new roadways.
- Fire hydrants and future waterlines, storm water piping and sanitary connection piping will be required to be installed in the new North-South roadway.

4. **Storm Water Issues:**

- The Storm Water Calculations and the Orifice Calculations need to be submitted for review.
- City storm water must not be collected and discharged into the private development storm water detention basins.
- An 18" diameter rcp storm water pipeline will need to be extended from 1400 South Street to the northerly property line of the development and must be located in the proposed City Street and then within an easement through the private property with complete access.
- The storm water discharge from the private storm water detention basin will need to be connected into the new 18" diameter pipe.
- In order to check the storm water calculations which have been presented in the drawings we will need to have tabulated the following areas:

Hard Surfacing Areas - _____ total square footage.
Roof Areas - _____ total square footage.
Landscaping Areas - _____ total square footage.

- The strength class of the storm water pipe needs to be shown on the drawings.
- An over-flow spillway will need to be designed and installed and cannot discharge storm water across property lines.

- The detention basin will be required to have a 12" tall perimeter "free board" and the finish contours need to be shown.
- Following installation of all storm water storage facilities the Design Engineer must survey and certify to Clearfield City the capacity storage provided.
- There are several boxes and structures which are shown in the drawings. The boxes and manholes need dimensions for height, width, invert elevations and access stairs.
- All the storm water will be required to be routed to 1400 South Street and then connected with a current City storm water system.
- Complete the project development interior storm water collection system.

**Culinary Water:**

- This development must be connected with two-culinary water sources within the same pressure zone.
- This development cannot connect to the culinary water "Transmission" pipeline on the westerly side of the site. The 18" diameter pipeline is a main line transmission pipeline to supply water to the westerly areas of Clearfield City.
- All water meter vaults will need to be 4" diameter piping, meters, check valves and all associated vault facilities (3" diameter piping is not approved).
- All irrigation water systems which are to receive culinary water for irrigation use, must be connected to the culinary water system utilizing a double-check ("RP") assembly testing connection and associated facilities.
- No structures may be placed atop existing culinary water transmission pipeline. Structures will need to be located a minimum of 12 feet from the transmission pipeline.

5. The westerly property immediately North of 1400 South Street should be master planned to avoid cutting roadways in the future to install utilities.

6. Prepare plan and profile drawings of utilities and roadways need to be prepared and submitted.

Should you have any questions, feel free to contact our office.
Sincerely,
**CEC, Civil Engineering Consultants, PLLC.**



N. Scott Nelson, P.E., S.E.
*City Engineer*

Cc. Adam Favero, Public Works Director
Mark Baird, Deputy Public Works Director
Brad Wheeler, Street Superintendent

*From the Desk of*
*Deputy Chief John Taylor*
**NORTH DAVIS FIRE DISTRICT**
**381 NORTH 3150 WEST**
**OFFICE: (801) 525-2850**
**FAX: (801) 525-6935**
**EMAIL: JTAYLOR@NOFIRES.ORG**

TO: Brad McIlrath/ Clearfield City Planner
Leslie Mascaro/ Wright Development

FROM: John Taylor / Fire Marshal

RE: Towers at Legend Hills

DATE: July 10, 2019

I have reviewed the site plan submitted for the above referenced project. The Fire Prevention Division of this Fire District has the following comments/concerns.

1. The International Fire Code requires that any building that exceeds 30 feet in height be provided with a 26' wide aerial access road 26' wide parallel to one ***entire*** side of the building (2018 IFC Section D 105) as well a fire access roads with a fire hydrant shall be 26' wide, exclusive of shoulders (2018 IFC Section D103). The access road on the east side of building 2 does not provide access to the entire side of the building and the roadway on the west side, which also contains a fire hydrant, is reduced down to 24 feet wide. I would like some discussion on this issue with Clearfield City as well as a representative from Wright Development.

2. The roadway that extends south from the project and intersects with 1450 South does not contain any fire hydrants. It is understood that this roadway is being developed for the access to this project and for the easement of utilities. If the city is okay with the omission of hydrants until lot 1 is developed, and some sort of documentation stating that the development of lot 1 will require the installation of fire hydrants spaced as per IFC requirements at the time of development, can be written, then our department will be okay without installing them at this time.

3. The minimum fire flow requirement is 1500 gallons per minute for 60 consecutive minutes for residential one and two family dwellings. Fire flow requirements may be increased for residential one and two family dwellings with a building footprint equal to or greater than 3,600 square feet or for buildings other than one and two family dwellings. Provide documentation that the fire flow has been confirmed through the Clearfield City water dept.

4. Fire hydrants and access roads shall be installed prior to construction of any buildings. All hydrants shall be placed with the 4½" connection facing the point of access for Fire

Department Apparatus. Provide written assurance that this will be met.

5. Prior to beginning construction of any buildings, a fire flow test of the new hydrants shall be conducted to verify the actual fire flow for this project. The Fire Prevention Division of this Fire District shall witness this test and shall be notified a minimum of 48 hours prior to the test.

6. All fire apparatus access roads shall be a minimum all-weather, drivable and maintainable surface. There shall be a minimum clear and unobstructed width of not less than 26 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. Dead-end roads created in excess of 150 feet in length shall be provided with an approved turn-around.

7. If grades exceed 8%, approval from the City Engineer and the Fire District is required.

These plans have been reviewed for Fire District requirements only. Other departments must review these plans and will have their requirements. This review by the Fire District must not be construed as final approval from Clearfield City.

# *Planning Commission*
## STAFF REPORT

AGENDA ITEM
**#1**

**TO:** **Clearfield City Planning Commission**

**FROM:** **Brad McIlrath, Senior Planner**
**brad.mcilrath@clearfieldcity.org**
**(801) 525-2784**

**MEETING DATE:** **Wednesday, August 21, 2019**

**SUBJECT:** Public Hearing, Discussion and Possible Action on **ZTA 1907-0002,** a zoning text amendment by Rick Rapp with Maverik Inc. to amend Section 11-15A-3A, to allow the maximum height sixty feet (60') for freeway oriented signs to be based off of the freeway grade. **Planner:** Brad McIlrath **(Legislative Matter).**

---

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission forward a recommendation of **APPROVAL** for **ZTA 1907-0002** to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-15A-3A as proposed. This recommendation is based upon the information and findings outlined in this report.

**RECOMMENDATION OPTIONS**

1. **Move to recommend approval of ZTA 1907-0002** to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-15A-3A as proposed.
2. **Move to recommend denial of ZTA 1907-0002** to the City Council, a zoning text amendment to amend Land Use Ordinance Section 11-15A-3A as proposed.
3. **Move to table ZTA 1907-0002** to request additional information for consideration.

The Planning Commission may also make a recommendation that is different than those listed above such as a modified recommendation of approval.

---

**BACKGROUND & ANALYSIS**

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 interchange. In addition to on site signage that is outlined in Chapter 15 of the Land Use Ordinance, this chapter (15A) allows for businesses to have a pole mounted sign that is oriented towards the freeway. Maps showing the radius from each freeway interchange in Clearfield are included with this report for reference.

The applicant, Rick Rapp 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 (60') measured from the freeway grade. This would be a change from the current measurement location of the adjacent grade or location of where the sign is located on a property. As can be seen on the attached maps, the site of the future Maverik business on 700 South is located within this overlay zone and would allow for this type of sign. Due to development regarding this site, the property

elevation has dropped eight to ten feet (8'-10') in some places. With the development of this site, the grade of the freeway, the sound barrier wall, and existing vegetation in the area, a freeway oriented sign for this business will have very little visibility if constructed at the allowed height of sixty feet (60') from site grade. With these challenges, the applicant is requesting the change in ordinance height as well as a way to establish a common measuring point for all freeway oriented signs.

---

**PROPOSED ORDINANCE AMENDMENT LANGUAGE**

**11-15A-3: STANDARDS AND REQUIREMENTS:**

A. Maximum Height: Sixty feet (60') in height as measured from freeway grade. Lawful existing pole signs taller than sixty feet (60') may continue to exist as legal nonconforming signs. No pole sign may be raised. New signs within this overlay zone are limited to sixty feet (60') in height as measured from freeway grade.

B. Maximum Sign Area: Three hundred (300) square feet per side, six hundred (600) square feet maximum.

C. Location: Ground or pole sign may be located in any required yard but shall not extend over any lot line or within fifteen feet (15') of any point of vehicular access from a zoning lot to a public roadway.

D. Reader Boards: Reader boards, changeable copy areas, and electronic message centers shall not exceed thirty three percent (33%) of the total sign copy area on each side of the sign (maximum reader board, changeable copy area, and electronic message centers shall not exceed 100 square feet per side).

E. Flashing Signs: Signs shall not flash, and must have a dwell time of at least four (4) seconds.

F. Illumination:

1. Electronic message centers in all zones shall come equipped with an automatic dimming, photocell, which automatically adjusts the display's brightness based on ambient light conditions.

2. The brightness level in all zones shall not increase by more than 0.3 foot-candle (or 3.23 lumens per square meter or lux) (over ambient levels) as measured using a foot-candle meter at a preset distance.

3. Brightness measurement process for electronic message centers shall be as follows:

a. At least thirty (30) minutes past sunset, use a foot-candle meter to record the ambient light reading for the area. This is done while the electronic message center is off or displaying all black copy;

b. The reading should be taken with the meter aimed directly at the electronic message center at the appropriate preset distance. Measurement distance criteria for zero to one hundred (100) square foot signs to be measured one hundred feet (100') from source;

c. Turn on the electronic message center to full white copy and take another reading; and

d. If the difference between the readings is 0.3 foot-candle or less, the brightness is properly adjusted.

4. The owners of such signs shall include a signed letter accompanying their permit application, certifying that they will comply with the prescribed brightness limitations set by this chapter. (Ord. 2013-14, 12-10-2013)

**PUBLIC COMMENT**

Public notice was placed in the newspaper on August 11, 2019, on the State of Utah public notice website, and on the City's website. No public comment has been received to date.

**GENERAL FINDINGS**

**Zoning Ordinance Text Amendment**
Clearfield Land Use Ordinance Section 11-6-3 establishes the following findings the Planning Commission shall make to approve Zoning Ordinance Text Amendments. The findings and staff's evaluation are outlined below:

| | Review Consideration | Staff Analysis |
|---|---|---|
| 1) | The proposed amendment is in accordance with the General Plan and Map; or | The proposed amendment is not contradictory to the General Plan. The General Plan encourages continual evaluation and modifications to adopted ordinances as circumstances require. |
| 2) | Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title. | With changed conditions to sites adjacent to the freeway and in an effort to provide a consistent measurement point the proposed amendment is necessary and will contribute to the general well-being of the community. |

**FINDINGS OF FACTS & CONCLUSION**

1. With a common measuring point, freeway oriented signs will be located at a similar height and sight line along Interstate 15.
2. Measuring height from freeway grade will ensure that all freeway oriented signs are treated with a consistent standard with no advantage or disadvantage granted or imposed on businesses because of the property location.

**ATTACHMENTS**

1. Applicant Information
2. Freeway Oriented Signage Overlay Maps

Rick Rapp, 775-848-5854 rick.rapp@maverik.com

# CLEARFIELD CITY ZONING MAP OR LAND USE ORDINANCE TEXT AMENDMENT CHECKLIST

Community Development Department, 55 South State Street, (801) 525-2780

**PROJECT NAME:** _____ **DATE:** 07/08/2019

**APPLICANT:** Maverik **CURRENT ZONING:** _____

| | YES | NO |
|---|---|---|
| Does the proposed amendment conform to the General Plan? *(If "NO," the application cannot be processed.)* | ☒ | ☐ |
| Does the proposed amendment require a change to the Zoning Map? | ☐ | ☐ |
| Does the proposed amendment require a change to the Land Use Ordinance (text)? | ☐ | ☐ |

**DESCRIPTION OF PROPOSED MAP OR TEXT AMENDMENT:** _____

Code 11-15A-3, Standards and requirements: Item 'A' should be amended to state: Maximum Height: Sixty Feet (60') in height as measured from the freeway grade.

If the amendment requires a text change, please indicate the sections to be changed and attach additional sheets with the proposed language.

**REQUIRED INFORMATION:**

This checklist is intended to assist the applicant in preparation and submittal of a complete application. Certain items may not be applicable and may be waived by the Planning and Zoning Administrator. If you have questions regarding any of the application materials or how to obtain them, please contact the Planning and Zoning Administrator at (801) 525-2784.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED AND WILL NOT BE PLACED ON A PLANNING COMMISSION AGENDA UNTIL COMPLETE

1. **PUBLIC NOTICING REQUIREMENTS**
   - ☐ Provide a list from the Davis County Recorder's Office with the parcel ID number, name, and mailing address of property owners for all properties within 300 feet of the subject property for the public notices.
   - ☐ Stamped and addressed envelopes that match mailing list (Return mailing address will be provided by Clearfield City).
2. **DEVELOPMENT REVIEW MEETING:**

   All applications for new development shall be reviewed by City staff in a Development Review Meeting prior to submittal of the project for Planning Commission review.
   - ☐ Development Review Meeting Date:_____
3. **APPLICATION MATERIALS:**
   - ☐ Completed Land Use Development Application Form
   - ☐ Property Owner's Affidavit/Agent Authorization Form
   - ☐ Electronic version of a PDF of all plans.
   - ☐ Legal Description for subject property or properties.
   - ☐ Site exhibit.

# Chapter 15A
# FREEWAY ORIENTED SIGNAGE OVERLAY ZONE (S-O)

## 11-15A-1: PURPOSE:

The purpose of the freeway oriented on premises signage overlay zone is to promote economic development and business promotion for areas of the city near Interstate 15 interchanges. These provisions are intended to allow greater flexibility for on premises signs having the specified freeway visibility. (Ord. 2013-14, 12-10-2013)

## 11-15A-2: LOCATION DESIGNATION:

Areas within commercial zoning designations that reside within a seven hundred foot (700') radius of the center point of Interstate 15 interchanges are included in the overlay zone. Interchanges affected are 650 North and 700 South. These standards shall only apply in commercially zoned areas within the required distance from a freeway interchange, and do not provide any additional signage provisions for residentially zoned properties. (Ord. 2013-14, 12-10-2013)

## 11-15A-3: STANDARDS AND REQUIREMENTS:

A. Maximum Height: Sixty feet (60') in height. Lawful existing pole signs taller than sixty feet (60') may continue to exist as legal nonconforming signs. No pole sign may be raised. New signs within this overlay zone are limited to sixty feet (60') in height.

B. Maximum Sign Area: Three hundred (300) square feet per side, six hundred (600) square feet maximum.

C. Location: Ground or pole sign may be located in any required yard but shall not extend over any lot line or within fifteen feet (15') of any point of vehicular access from a zoning lot to a public roadway.

D. Reader Boards: Reader boards, changeable copy areas, and electronic message centers shall not exceed thirty three percent (33%) of the total sign copy area on each side of the sign (maximum reader board, changeable copy area, and electronic message centers shall not exceed 100 square feet per side).

E. Flashing Signs: Signs shall not flash, and must have a dwell time of at least four (4) seconds.

F. Illumination:

1. Electronic message centers in all zones shall come equipped with an automatic dimming, photocell, which automatically adjusts the display's brightness based on ambient light conditions.

## 11-15A-3: STANDARDS AND REQUIREMENTS:

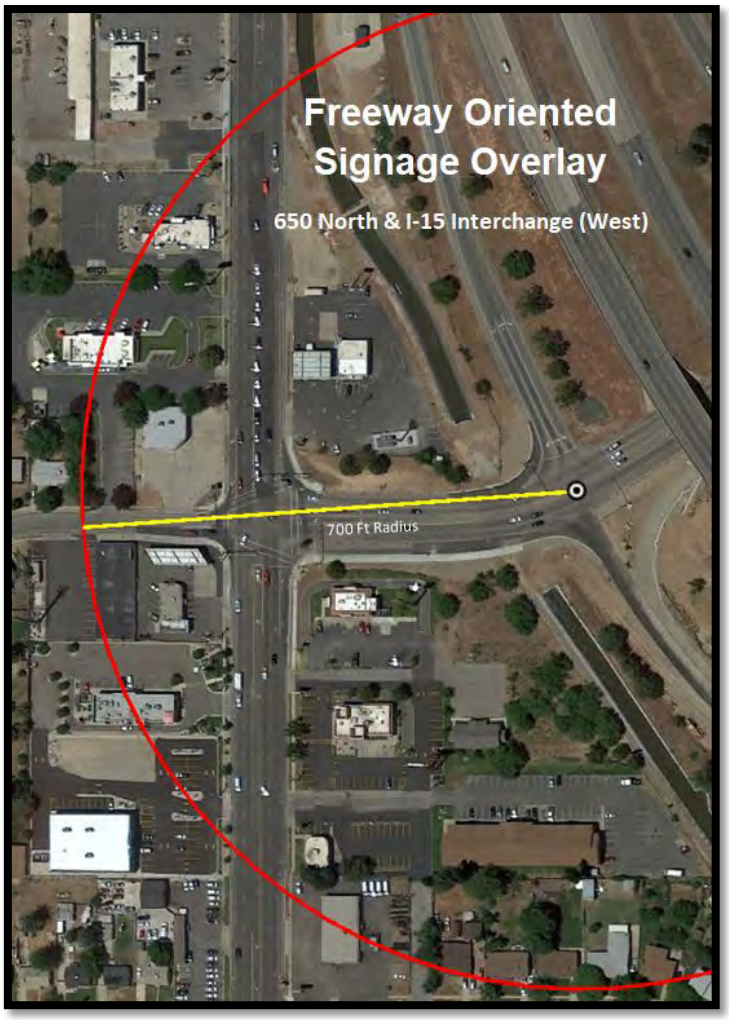
A. Maximum Height: Sixty feet (60') in height as measured from the freeway grade. Lawful existing pole signs taller than sixty feet (60') may continue to exist as legal nonconforming signs. No pole sign may be raised. New signs within this overlay zone are limited to sixty feet (60') in height.

B. Maximum Sign Area: Three hundred (300) square feet per side, six hundred (600) square feet maximum.

C. Location: Ground or pole sign may be located in any required yard but shall not extend over any lot line or within fifteen feet (15') of any point of vehicular access from a zoning lot to a public roadway.

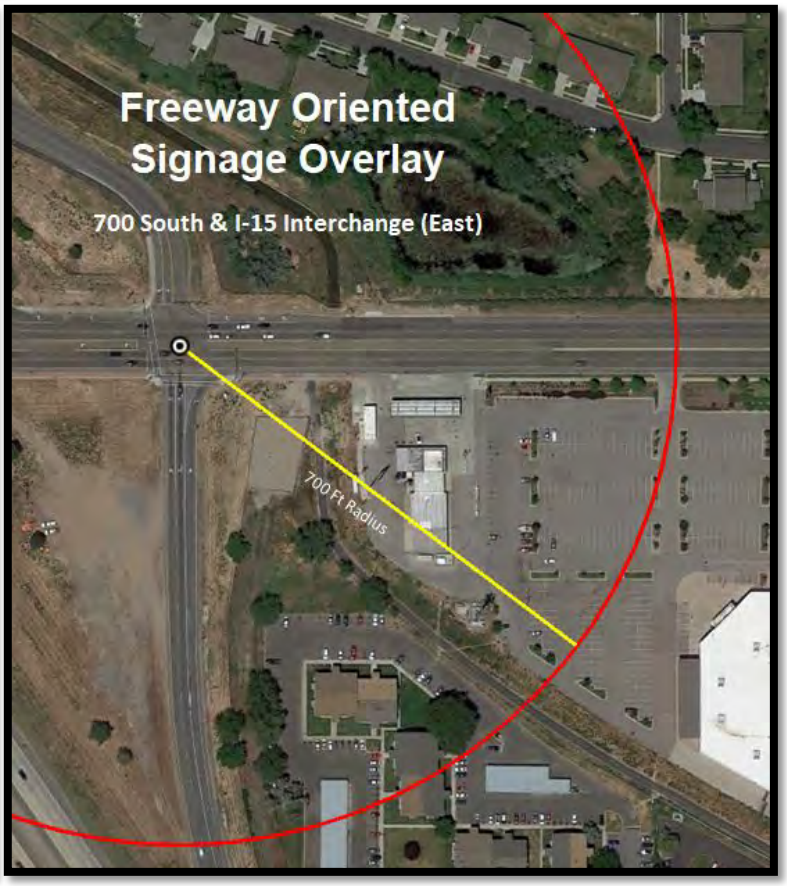
D. Reader Boards: Reader boards, changeable copy areas, and electronic message centers shall not exceed thirty three percent (33%) of the total sign copy area on each side of the sign (maximum reader board, changeable copy area, and electronic message centers shall not exceed 100 square feet per side).

E. Flashing Signs: Signs shall not flash, and must have a dwell time of at least four (4) seconds


Freeway Oriented
Signage Overlay
650 North & I-15 Interchange (West)
700 Ft Radius


Arizona St
Elder Ln
Cedar
Wood Ave
Freeway Oriented
Signage Overlay
650 North & I-15 Interchange (East)
650 N St
700 Ft Radius


Freeway Oriented
Signage Overlay
700 South & I-15 Interchange (West)
700 Ft Radius


Freeway Oriented
Signage Overlay
700 South & I-15 Interchange (East)
700 Ft Radius

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 18, 2019

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Mark Shepherd | Mayor |
| PRESENT: | Kent Bush | Councilmember |
| | Nike Peterson | Councilmember |
| | Vern Phipps | Councilmember |
| | Tim Roper | Councilmember |
| | Karece Thompson | Councilmember |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Kelly Bennett | Police Chief |
| | Mark Baird | Interim Public Works Director |
| | Eric Howes | Community Services Director |
| | Curtis Dickson | Community Services Deputy Dir. |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Lee Naylor | Accountant |
| | Trevor Cahoon | Communications Coordinator |
| | Nancy Dean | City Recorder |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | Stuart Williams | City Attorney |

VISITORS: Devin Prouty, Chris Uccardi, Michael Rolow, Ruth Jones

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

DISCUSSION ON THE AWARD OF BID FOR THE 1045 SOUTH 1350 WEST STORM WATER IMPROVEMENT PROJECT

Mark Baird, Interim Public Works Director, stated the City solicited bids for the 1045 South 1350 West Storm Water Improvement Project which included the installation of storm drain pipes and inlet boxes at the intersection of 1350 West 1045 South. He noted the project also included the removal of the existing waterways and the installation of ADA accessible ramps at the intersection. Mr. Baird indicated Nezhoni Construction was the lowest responsible bidder with a bid amount of $97,000. He commented staff recommended the Council award the bid to Nezhoni Construction and approve funding for the bid amount, along with contingency and engineering costs of $20,000, for a total project cost of $117,000.

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Councilmember Bush pointed out the staff report identified the fiscal impact would be $95,000 to the fiscal year 2019 (FY19) Storm Water fund. He asked if the remaining funds would come from the FY20 budget. Mr. Baird responded the project itself was under budget and after talking to staff it did not appear there would be any cost savings if the project were rebid; so, any additional funding necessary could come from the FY20 budget.

DISCUSSION ON THE AUTUMN RIDGE PHASE 5 FINAL SUBDIVISION PLAT LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TINS: 12-019-0103 AND 12-019-0117)

Brad McIlrath, Senior Planner, stated a request was received to consider approval of the Autumn Ridge Phase 5 Final Subdivision Plat at approximately 875 West 200 North. He stated the project would be the fifth and final phase of the Autumn Ridge single-family development and it was currently zoned R-1-Open which was consistent with the zoning of the other four phases. He pointed out the plat included a storm water detention basin that would be managed by a Home Owners Association (HOA). He explained phase five would have an HOA and those documents had been submitted and were under review; however, he noted phase four had not established an HOA for its management. Mr. McIlrath explained the developer was planning to add an amenity such as a tot lot to the detention basin to incentivize ownership in the HOA for phase five. JJ Allen, City Manager, asked how many lots were in Phase 4. Mr. McIlrath recalled there were about 24 lots. He continued to review the subdivision plat and improvement plans. He pointed out all the utilities were already in place. He said the detention basin would be an improvement to the subdivision which had been neglected over the past few years.

Mr. McIlrath reported the Planning Commission reviewed the plat at its meeting on June 5, 2019 and forwarded a recommendation of approval subject to six conditions outlined in the staff report. He stated a development agreement was required for the area because of its zoning and it would be brought to the City Council at a future date for its review. He indicated the development agreement and the HOA documents once in order would be recorded with the plat. Mr. Allen confirmed the zoning of the property was the reason it required a development agreement. Mr. McIlrath responded yes, the R-1-Open Zone required a development agreement to govern the development and maintenance of the open space.

Councilmember Bush expressed his concerns regarding the depth of the neighboring property to the north and its access which could be limited by the subdivision should it be redeveloped in the future. He asked if there were any known plans for redevelopment of the neighboring property belonging to the Ball family. Mr. McIlrath responded the City had not received any formal requests but had been told by a family relative there was an interest in rezoning the property along 300 North to commercial once the final phase of the subdivision was completed. Mr. McIlrath acknowledged the depth of the parcel could make it difficult to support some types of commercial use due to the limited access, but there were types that would not require store frontage and could be viable for the area.

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DISCUSSION ON THE CITY'S MODERATE INCOME HOUSING OBJECTIVES

Spencer Brimley, Community Development Director, mentioned Senate Bill 34 (SB34) was the most recent legislation of the State to help municipalities balance growth issues and housing affordability. He indicated the purpose of the current discussion would be for staff to gather feedback from the Council on the objectives for the City's Moderate Income Housing Plan. He reviewed the Housing Gap Challenge presentation by the Housing Gap Collation.

Mr. Brimley explained there was a deficiency in the number of households versus the number of units available statewide. He mentioned the staff report identified the requirements the City would need to meet to be in compliance with the new legislation. He reviewed what affordable meant as defined by the State concerning housing. Mr. Brimley highlighted the information related to the City's gap analysis discussed previously in the fall of 2018 with the Council. He pointed out Clearfield had both availability and affordability issues. Mr. Brimley stated the gap analysis showed the City with 91 percent of its renters in the extremely low income tier cost burdened and 72 percent of its renters were in the extremely-low income tier severely cost burdened.

He acknowledged the City would need to have a plan in place by December 1, 2019, then continue to report annually on the implementation of the plan, and update it every five years. He stated SB34 was meant to help inform municipalities of the requirements that should be in the plan. He added in conjunction with the plan, the General Plan would need to be updated to connect with the Moderate Income Housing Plan (MIHP) so some revisions would be necessary. He continued the Council had approved budget funds in FY20 to help with the General Plan updates.

Councilmember Peterson wondered if the additional budget amendment for a $20,000 increase for General Plan updates was due to the mandates of MIHP legislation. Mr. Brimley explained consultants were aware of the requirements of SB34, which might limit the number of vendors willing to get involved with City's General Plan updates. He continued when staff contacted consultants about estimates for the project it became aware the project might cost closer to $100,000. He indicated staff requested the budget amendment for General Plan updates be increased $20,000 for a total budget of $95,000. JJ Allen, City Manager added the budgeted funds were only programmed for the General Plan updates, not the costs associated with the MIHP. Mr. Brimley continued the City's General Plan was smaller than many and would be updated by a consultant; however, the MIHP would be done in-house by staff.

There was a discussion on the requirements to report on the MIHP annually, efforts being made towards a consolidation of the reporting form, and the process and purposes for its review by the State. Mr. Brimley commented many of the details were not yet known about the review process; however, the City would need to have a report submitted prior to December 1, 2019 to avoid impacts to its State transportation funding opportunities.

Mr. Brimley indicated the SB34 summary and list of strategies referred to as "menu items" were included in the agenda packet. He pointed out there was a review meeting planned for July 30, 2019 so the objectives could be reviewed to determine if the key areas for focus had been

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addressed properly. There was a discussion about the City's efforts to date to save and preserve areas of the City and focus its efforts towards future development or redevelopment along the corridor.

Mr. Brimley identified the City would need to implement either (G) or (H) of the menu items because it had a fixed guideway public transit station. He expressed his opinion that the City was already doing both of these:

- (G) Encourage higher density or moderate income residential development near major transit investment corridors.
- (H) Eliminate or reduce parking requirements for residential development where a resident was less likely to rely on their own vehicle, e.g. residential development near major transit investment corridors or senior living facilities.

There was a discussion on the City's efforts towards both options and how the data, once reported, would be used by the State whether as a "stick" or "carrot" approach. Councilmember Phipps expressed his opinion the methods for which the reported data would be used should influence the manner in which menu items were selected and implemented. Mr. Brimley indicted he felt the legislation had been designed as a "carrot" approach but there were some "stick" elements.

Mr. Brimley reviewed the menu items and identified the following as items the City was already doing:

- (A) rezone for densities necessary to assure the production of Moderate Income Housing (MIH)
- (E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones
- (F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers
- (G) encourage higher density or moderate income residential development near major transit investment corridors
- (L) preserve existing MIH
- (V) utilize a MIH set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency.

There was a discussion about whether additional items should be included that had been missed or which four items should be selected. Councilmember Thompson expressed his concern there had been a hyperbolic approach to the MHIP. He reviewed data from his studies of the City's household sizes, the predominance of females as the head of households, income levels, challenges with home ownership affordability, and opportunities in the City for multi-family living transitioning to home ownership. He felt the City should revisit townhome ownership because it might be a tool that was underutilized as a housing stock option in the City.

Councilmember Thompson expressed his opinion that many of the apartments or multi-family conversations thus far had been dehumanizing and he refused to tolerate it going forward. He mentioned his desire for the MIHP and future discussions of the Council to focus on finding ways to increase upward mobility and economic viability for the City. There was a discussion on the current housing market and wages not keeping up with it, as well as the other influences that

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were affecting housing ownership and affordability. Councilmember Thompson expressed his desire to lead out as a City with the MIHP rather than just completing the requirements of the State.

Mayor Shepherd pointed out the City was doing a good job in comparison to other cities with housing types and affordability and would meet many of the State's requirements. Mr. Brimley noted the policy body, through its MIHP, would be involved in the planning efforts important for the City's future. He stated the City was a leader given what it had done whether intentional or otherwise. He suggested the City's MIHP could speak to those things that the City had accomplished as well as identify those priorities for its long term approach to address the issues of housing affordability. There was a discussion on the efforts necessary to create an environment with all the integral parts within the community so it could grow not only in its mobility but also its economic vitality while differentiating it from neighboring cities. Councilmember Thompson voiced his view that it would be important to review the data and incorporate the information into the City's planning efforts in order to create the most impact with the legislated reporting process.

Mr. Brimley asked if there were any of the menu items other than those staff had identified that should be considered for incorporating into the City's MIHP. Councilmember Bush expressed his opinion that item "I" be added to the City's list (allowing for single room occupancy developments) should be added to the list because there were studio apartments in the Pepper Ridge Apartments. Mr. Brimley responded further clarification might be necessary on that item to determine what types of single room occupancy would meet the requirement. There was a discussion about what the best approach would be for the City's MIHP. The consensus of the Council was to choose four of the menu items for the City's Plan that demonstrated the City had made a dramatically clear effort towards addressing its housing issues.

Mr. Brimley reviewed the accountability requirements of SB34 and the impacts on funding with the State Transportation Investment Fund (TIF) or the Transit Transportation Investment Fund (TTIF). He reported staff would be using the following methods to measure or determine the City's needs: Census data; the City's Consolidated Action Plan; the City's Analysis of Impediments; and other resources that tied in to HUD for the CDBG program. Mr. Brimley stated Wasatch Front Regional Council (WFRC) also had a geographic information system (GIS) tool which could be helpful in obtaining projection data such as population and job growth. There was a discussion about the housing appreciation process and difficulty in forecasting it. Mr. Brimley expressed appreciation for the Council's participation and efforts with the discussion.

DISCUSSION ON AMENDMENTS TO THE FISCAL YEAR 2019 (FY19) BUDGET

Lee Naylor, Accountant, distributed an updated list of fiscal year 2019 (FY19) budget amendments proposed by staff. He reviewed the following amendments for the General Fund:

- Customer Service Center retired employee payout - $20,000
- Police Administration retired employee payout - $40,000

Councilmember Phipps asked if there was any accounting regularly in place for the unused sick leave of retirees. Mr. Naylor stated sick leave was not a liability for the City unless the employee

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retired; however, vacation time was considered a liability and that accounting was regularly in place. He continued his review.

- Fleet Management accounting for health insurance costs a previous employee had not elected to take - $7,000
- Parks and Open Space changed allocation for an employee from Manager to Superintendent – there was an increase and decrease of $20,000; thus, net zero affect
- Finance bank sweeping account with higher fees; the City earned more in interest but the amendment would account for increased fees not previously budgeted - $6,000
- CDBG pass through expense account items were not accounted for in the FY19 budget - $126,000

Mr. Naylor explained the following item was not included with the agenda packet:

- Building account was affected by the City's change in its contract for janitorial services in February; thus, affecting the annual costs which increased - $26,000

DISCUSSION ON AMENDMENTS TO THE CITY'S CONSOLIDATED FEE SCHEDULE

Nancy Dean, City Recorder, reviewed the proposed amendments to the City's Consolidated Fee Schedule (CFS) for finance, police, and GRAMA fees. She indicated the fee increases for finance were to implement of the next three years of the new rates as recommended by a previous study.

Councilmember Peterson requested a change be made to the fees associated with the mobile food vendor license to denote the fees would only be charged when applicable. Ms. Dean stated the language could be adjusted.

She noted there were changes to the Government Records Access Management Act (GRAMA) fees as well as police fees for records. Ms. Dean pointed out the challenges associated with recent records requests and redaction efforts. She suggested the City would need to address how to redact video because currently it was requiring a lot of time and expertise to redact police video. She noted the GRAMA fees had been increased from $14 to $30 which would help account for the Recorder's time processing the records.

Kelly Bennett, Police Chief, explained the contracted services for police officers had last been adjusted four year ago so the increase was necessary to offset the increase in wages of the officers. He mentioned a new police registration fee of $25 was added due to the requirement of the City to register individuals on the Child Abuse Registry which was similar to the Sex Offender registrations.

Spencer Brimley pointed out there were a few symbols that were unintentionally left in the document which would be removed from the final draft. He reviewed the proposed increases and changes to the CFS for changes to planning, code enforcement and licensing fees. He pointed out the paragraph added under the building permit and development fees section came as a result of the Syracuse City water tower project. Mr. Brimley indicated in order to be considerate to Syracuse City's request as well as other municipalities for public infrastructure projects and funding sources, staff drafted changes that could allow for a reduction in fees while not

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eliminating them entirely. He added any costs to the City would still be assessed and billed appropriately.

Councilmember Bush asked what would determine whether or not fees would be added for massage therapists as mentioned in the staff report. Mr. Brimley answered the City had a temporary land use ordinance in place for massage parlors. He stated as part of the review period it would be evaluated as to whether or not fees should be applied for the application process because of its increased administration. He indicated there would be a future discussion about fees that were relative to the ordinance once it was finalized in the coming months.

Mr. Brimley pointed out there was not a change in the Vehicle Restoration Permit fees; however, staff wondered if it was something the City wanted to continue to offer. Chief Bennett indicated permits were allowed by City Code. There was a discussion about what the second permit was for either an extension of time or an additional permit. The Council requested the fees remain but the language be amended so it was clear the second vehicle restoration permit fee of $50 was for an extension of time on the original permit not an additional permit.

**Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in work session at 7:59 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.**

***The minutes for the CDRA are in a separate location***

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CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 P.M. WORK SESSION
June 25, 2019

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Nike Peterson | Mayor Pro Tem |
| EXCUSED: | Mark Shepherd | Mayor |
| PRESENT: | Kent Bush | Councilmember |
| | Vern Phipps | Councilmember |
| | Tim Roper | Councilmember |
| | Karece Thompson | Councilmember |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Brie Brass | Assistant City Attorney |
| | Kelly Bennett | Police Chief |
| | Mark Baird | Interim Public Works Director |
| | Adam Favero | Utility Specialist |
| | Eric Howes | Community Services Director |
| | 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 |
| EXCUSED: | Stuart Williams | City Attorney |

VISITORS: Kathryn Murray, Savannah Peterson, Michael Rolow, Ruth Jones

Mayor Pro Tem Peterson called the meeting to order at 6:30 p.m.

DISCUSSION ON THE AWARD OF PROPOSAL FOR THE FEMA LETTER OF MAP REVISION (LOMR) PROJECT

Mark Baird, Interim Public Works Director, explained there were two areas in the City designated by Federal Emergency Management Agency (FEMA) as flood plain areas. He noted staff found no explanation or evidence to support the designation of the floodplain areas; consequently, the City desired to have those designations removed from the flood plain maps. He indicated if approval was granted by FEMA, expenses could be reduced for both the City and landowners.

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Mr. Baird reported the City solicited requests for proposals (RFP) and three engineering firms responded for the FEMA Letter of Map Revision (LOMR) project. He mentioned each of the proposals was evaluated by staff and HCF Civil Engineering was selected as the highest scoring proposal for the cost of $16,880.

Councilmember Peterson wondered if the City had worked with the engineering firm that had provided the lowest cost proposal. Mr. Baird responded the City had worked with Gilson Engineering in the past but not on a similar type project.

Councilmember Peterson asked what the time frame would be for the process. Mr. Baird answered HCF Civil Engineering planned to have the LOMR submitted to FEMA in the fall of 2019, but anticipated it could take another six months to a year before FEMA finalized its process.

DISCUSSION ON A TEMPORARY LAND USE REGULATION FOR MOTOR VEHICLE SALES

Brad McIlrath, Senior Planner, reviewed a map with the auto sales business locations in the City. He pointed out Westgate Auto would be moving its location soon to another lot where another dealership had gone out of business. He stated the City currently did not have many standards in place regulating motor vehicle sales. He mentioned it was a conditional use in the C-2 (Commercial) zone which was predominantly located along State/Main Street north and south of the downtown Form Based Code (FBC) area and along Antelope Drive.

Mr. McIlrath pointed out any changes in new development standards for this type of use would only apply to new dealerships and any existing businesses that requested to have major site changes, not those that were currently in operation. He explained the current challenges the City was experiencing with this type of use and specified some areas where the types of use were currently allowed or not allowed. He indicated staff recommended a moratorium be put in place for the businesses until some land use regulations could be proposed for consideration.

Spencer Brimley, Community Development Director, stated staff felt having standards in place for that use would improve Clearfield's image, livability and economy. He mentioned having a temporary land use regulation in place would allow staff to address the issue and have a united approach going forward to help improve the image along the City streets. There was a discussion about conditional use permits, a shift in the various types of businesses, impacts of enacting a temporary land use regulation, goals of the City including aesthetics versus revenues, and types of standards to consider for motor vehicle sales uses.

Councilmember Thompson arrived at 6:45 p.m.

Mayor Pro Tem Peterson expressed her opinion it would be good moving forward to have standards that were more aesthetically pleasing, had a larger footprint requirement and a restriction on the type of building, plus have a date specific element so there was a hard line going forward of the new standards.

Mayor Pro Tem Peterson expressed her opinion it would be good for the City to stop, review, and create a standard that would be best for the City's future with the least amount of disruption along the corridor, so it could be further considered by the Council. Mr. Brimley indicated staff would evaluate other cities' regulations and find out what had been effective. He pointed out the review and study of the use was not an effort to hinder economic development, but would be used as an opportunity to improve the benefits to the City with those types of uses. He reminded the Council that a conditional use permit could have standards applied to it but was not sure what the City's standards would be without further research. He added the standards would likely vary among cities based on differing economic outlook for those types of uses.

**Councilmember Bush moved to adjourn the work session and reconvene in policy session at 6:51 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

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CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
June 25, 2019

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Nike Peterson | Mayor Pro Tem |
| EXCUSED: | Mark Shepherd | Mayor |
| PRESENT: | Kent Bush | Councilmember |
| | Vern Phipps | Councilmember |
| | Tim Roper | Councilmember |
| | Karece Thompson | Councilmember |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Brie Brass | Assistant City Attorney |
| | Kelly Bennett | Police Chief |
| | Mark Baird | Interim Public Works Director |
| | Adam Favero | Utility Specialist |
| | Eric Howes | Community Services Director |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Shane Crowton | Code Compliance Officer |
| | Rich Knapp | Finance Manager |
| | Trevor Cahoon | Communications Coordinator |
| | Nancy Dean | City Recorder |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | Stuart Williams | City Attorney |

VISITORS: Paul Thomas, Bob Bercher, Michael Rolow, Savannah Peterson, Kathryn Murray, Ruth Jones, Jason Hamblin

Mayor Pro Tem Peterson called the meeting to order at 7:00 p.m.

Mayor Pro Tem Peterson informed the audience that if they would like to comment during the Public Hearing or Open Comment Period there were forms to fill out by the door.

Councilmember Bush led the opening ceremonies.

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APPROVAL OF THE MINUTES FROM THE FEBRUARY 26, 2019 WORK SESSION; THE MAY 7, 2019 JOINT WORK SESSION; THE MAY 28, 2019 POLICY SESSION; THE MAY 28, 2019 WORK SESSION; THE JUNE 11, 2019 POLICY SESSION; AND THE JUNE 11, 2019 WORK SESSION

**Councilmember Thompson moved to approve the minutes from the February 26, 2019 work session; the May 7, 2019 joint work session; the May 28, 2019 policy session; the May 28, 2019 work session; the June 11, 2019 Policy Session; and the June 11, 2019 work session; as written, seconded by Councilmember Bush . The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET

Rich Knapp, Finance Manager, noted staff had identified expenditures necessary for City operations which were not included in its current budget. He mentioned the proposed amendments for the Fiscal Year 2019 budget were discussed during the work session on June 18, 2019 with the Council. He reviewed the proposed budget amendments including the two new identified since the last discussion which included the General Obligation (GO) debt service interest of $600 and Risk Fund claims and damages of $6,800.

Mayor Pro Tem Peterson opened the public hearing at 7:06 p.m.

Mayor Pro Tem Peterson asked for public comments.

There were no public comments.

**Councilmember Thompson moved to close the public hearing at 7:07 p.m. seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper and Thompson. Voting NO – None.**

OPEN COMMENT PERIOD

*Paul Thomas*, resident, stated he had concerns about the City's policies regarding camp trailers and related codes for parking on the streets. He mentioned the challenges associated with abiding by the City's ordinance which required his camp trailer not be parked on the City's streets for longer than 24 hours. He suggested the City consider offering permits for an extension of time to those with similar circumstances. He expressed his opinion the City was a great place to live and thanked the Council for its time and consideration on the matter. Mayor Pro Tem Peterson thanked him for making the Council aware of the concern.

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APPROVAL OF RESOLUTION 2019R-17 AUTHORIZING AMENDMENTS TO THE FISCAL YEAR 2019 (FY19) BUDGET

**Councilmember Roper moved to approve Resolution 2019R-17 authorizing amendments to the Fiscal Year 2019 budget and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF ORDINANCE 2019-17 AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE UPDATING THE FEES FOR UTILITIES, BUSINESS LICENSE, POLICE, GRAMA, PLANNING AND ZONING, BUILDING PERMIT AND DEVELOPMENT, AND CODE ENFORCEMENT

Nancy Dean, City Recorder, indicated the City's fees for municipal services were recently reviewed to ensure the fees adequately recovered the costs associated with providing municipal services. She reviewed the proposed amendments to the City's Consolidated Fee Schedule for fees related to utilities, business license, police, GRAMA, planning and zoning, building permit and development, and code enforcement. She mentioned the proposed amendments were reviewed by the Council during its work session meeting on June 18, 2019.

Councilmember Phipps apologized for not bringing up his concerns sooner. He stated he was troubled there was a regularly scheduled increase in the utility fees. He wondered if regularly scheduled increases were best and if the study should be updated since it was conducted years ago. Rich Knapp, Finance Manager, responded the study was conducted in 2007 and a refresh was conducted in 2010 by a third party. He pointed out the study factored in a two percent personnel wage increase which was conservative, and a three percent increase for operation costs, plus projected the City's capital projects for ten plus years and all factors were used as a basis to determine the increases necessary to offset the associated operational costs for the next ten years. He pointed out some of the fees were increased to bring the rates more in line with the recommended standards and ratios so the City could, over time, meet the ratios where it was deficient. He explained there was a lot of analysis that went into the proposed utility fees and it was not simply a percentage increase. Mr. Knapp indicated the FY20 budget included a three percent merit increase for employee wages which was below the assumptions factored into the study. He commented the discrepancies with the wage percentages were currently not enough to warrant another study, but felt staff could internally monitor the increases and data until the next three years of scheduled increases identified in the study were implemented.

Councilmember Phipps wondered if the City was following its Capital Improvement Plan for water. Mr. Knapp indicated it was following the Plan. He added the consultant had recommended incremental increases in the rates would be an alternate solution if the City did not wish to bond for as much in the future for some of its major projects. He explained it was a hybrid approach which the Council had discussed previously. He clarified the rate increase would not take effect until January 1, 2020, except for the Wasatch Integrated pass through increases for garbage can charges. There was a discussion on how any changes in the utility rates would impact the FY20 budget which had been planned with the proposed increases in mind.

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Councilmember Phipps apologized for the lateness in questioning the matter but he had desired to make sure the increases were justified. He expressed appreciation for the information.

**Councilmember Roper moved to approve Ordinance 2019-17 amending the City's Consolidated Fee Schedule updating the fees for utilities, business license, police, GRAMA, planning and zoning, building permit and development, and code enforcement; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE AUTUMN RIDGE PHASE 5 FINAL SUBDIVISION LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TINS: 12-019-0103 AND 12-019-0117)

Brad McIlrath, Senior Planner, stated Hamblin Investments was proposing to develop a 13-lot single family subdivision called Autumn Ridge Phase 5 located at approximately 875 West 200 North. He indicated the other phases were developed under the R-1-Open zone and Phase 5 was recently rezoned to match the existing development. He reviewed the plat, zoning maps and photos of the area. Mr. McIlrath mentioned the detention basis would be shared with Phase 4 but it would be expanded and improved. He noted the Planning Commission reviewed the plat at its meeting on June 5, 2019, and recommended its approval based on six conditions included with the agenda packet.

Councilmember Bush pointed out many residents of the City were against multi-family development but this development was one of five single-family developments the Council had recently approved.

**Councilmember Bush moved to approve the Final Subdivision Plat for the Autumn Ridge Phase 5 Final Subdivision located at approximately 875 West 200 North with the six conditions as recommended by the Planning Commission on June 5, 2019; and authorize the Mayor's signature to any necessary documents.** Councilmember Thompson asked if the subdivision included lighting. Mr. McIlrath responded the subdivision ordinance addressed light standards and this development would be compliant with those standards. **Seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF THE AWARD OF BID FOR THE 1045 SOUTH 1350 WEST STORM WATER IMPROVEMENT PROJECT

Mark Baird, Interim Public Works Director, stated the City solicited bids for the 1045 South 1350 West Storm Water Improvement Project. He reported the City received five bids and the lowest responsible bidder was NeZhoni Construction with the bid amount of $97,000. He indicated staff was recommending the award of bid to NeZhoni Construction, with contingency and engineering costs of $20,000, which would provide a total project cost of $117,000. He reviewed the project with the Council.

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Councilmember Phipps asked what the engineer's estimate was for the project. Mr. Baird answered the City had budgeted $95,000 for the project. Councilmember Roper commented there had been a few residents reach out to him about the project. He expressed his opinion they would be excited to have the work done.

**Councilmember Thompson moved to approve the award of bid for the 1045 South 1350 West Storm Water Improvement Project to NeZhoni Construction for the bid amount of $97,000; approve funding for the project bid amount with contingency and engineering costs of $20,000 for a total project cost of $117,000; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF RESOLUTION 2019R-16 AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) RELATING TO THE LIFETIME PRODUCTS CRA (COMMUNITY REINVESTMENT AREA)

Summer Palmer, Assistant City Manager, indicated the Resolution would authorize an Interlocal Agreement between the City and the Community Development and Renewal Agency (CDRA) for the Lifetime Products CRA (Community Reinvestment Area). She reported the CDRA had discussed the multiple agreements with taxing entities during a work session meeting on June 18, 2019. She noted all the other taxing entities had approved Interlocal Agreements with the CDRA by resolution and the City would be the final entity to consider taking action. There was a discussion about the opportunity for the City by keeping Lifetime in Clearfield. Ms. Palmer stated the portions of tax increment collected by the CRA would be used to incentivize Lifetime Products for its expansion and creation of additional jobs within the City.

**Councilmember Phipps moved to approve Resolution 2019R-16 authorizing an Interlocal Agreement between the City and the CDRA relating to the Lifetime Products CRA and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

COMMUNICATION ITEMS

***Mayor Pro Tem Peterson***

1. Attended the event held by Open Doors in conjunction with the City's Youth Commission at Kiwanis Park over the weekend.
2. Reported the North Davis Fire District was officially reorganized as a Local District Service Area at its last Board meeting after recently annexing Sunset City into its boundaries. She noted the Board recommended Sunset City as a full partner which was also approved.
3. Thanked staff in advance for its efforts with the Fourth of July celebration preparation.

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***Councilmember Bush***
1. Attended a patriotic event on June 14, 2019, with the Davis County Republican Women in Kaysville at which a flag was retired.
2. Reported attending a lunch at the Davis Technical College with Clearfield Job Corp to help build community relations.
3. Participated in a breakfast briefing on "Building Community into Growth" hosted by Utah Foundation on June 20, 2019. He mentioned there was a panel of experts and the discussion topic was about how the State could maintain connectivity, community, and quality of life in the face of rapid population growth. He reviewed Utah statistics on family units, housing stock and development trends over the past decade. He explained housing affordability was a large factor in the trend towards multi-family development throughout the nation.

***Councilmember Phipps*** reported the Transfer Station of Wasatch Integrated was complete and its Material Recovery Facility was underway.

***Councilmember Roper*** reminded residents for the next few years there would be construction along I-15 for the expressway expansion. He commented the crews were working to mitigate the construction impacts but if there were concerns any could be brought to the attention of the committee.

***Councilmember Thompson*** updated the Council on the efforts of the Mosquito Abatement District – Davis. He reviewed the statistics for treatment applications and both County and City calls for services to date. He encouraged residents to protect themselves against West Nile Virus. He highlighted the changes with the District's tax rate and the increases in its growth as well as the difficultly the District was having in finding and retaining employees to spray.

STAFF REPORTS

***JJ Allen, City Manager*** - requested the department heads update the Council on the Fourth of July, the rapid needs assessment training, and Clearfield Station.

***Nancy Dean, City Recorder*** –reviewed the Council's schedule:

- No meeting on July 2, 2019
- Work Session tour on July 9, 2019
- Joint Work Session with the Parks and Recreation Commission on July 16, 2019
- Policy Session on July 23, 2019
- Joint Work Session with the Planning Commission on July 30, 2019

***Summer Palmer, Assistant City Manager*** – updated the Council about the progress of Clearfield Station. She reported that she, Mr. Brimley, and Mayor Shepherd were part of the selection committee for the Request For Qualified Proposals (RFPQ) process that Utah Transit Authority (UTA) held to determine who the developer would be for the Clearfield Station site. She mentioned the developer had been selected but everything was not yet official so the name of the developer would not be announced yet. She stated the process would continue to move forward for the next 12 to 18 months during a negotiation period with the developer to allow time to work out the details of the development. Councilmember Bush wondered if the selected developer planned to develop all 60 acres. Ms. Palmer responded yes, the contractor would be overseeing the entire project.

***Trevor Cahoon, Communications Coordinator*** – updated the Council on the events scheduled in conjunction with the City's Fourth of July celebration. He pointed out proceeds from the t-shift sales, the

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pancake breakfast, and a few other fundraising efforts would go towards the Veteran's Memorial. He reviewed the following upcoming events:

- Painting the Center Street bridge on June 26, 2019
- Patriotic Concert at Bicentennial Park on July 2, 2019
- Summer Pool Bash and Movie in the Park on July 3, 2019
- Freedom 5K Run, Pancake Breakfast, Hometown Parade, Festival at Fisher Park, and fireworks on July 4, 2019

He expressed appreciation to the Youth Commission for helping with the water table during the 5K run. He reported there would be free activities and lots of swag to engage the audience in attendance at the celebration held at Fisher Park. He noted the Pepsi trailer would also be at the festival and any proceeds from those drinks would go towards the Youth Commission and Veteran's Memorial.

***Kelly Bennett, Police Chief*** – reported there were eight participants from the City who attended the State's rapid needs assessment training on June 12, 2019. He indicated the main goal of the training was to identify the resources needed to support life-saving operations during an emergency. He stated the City was well represented at the training and would continue to focus on efforts of emergency preparedness.

**Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in work session at 8:01 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None.**

***The minutes for the CDRA are in a separate location***

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CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
July 9, 2019

Artesian Springs Apartments
4197 South Main Street
Millcreek, UT 84107

| | | |
|---|---|---|
| PRESIDING: | Mark Shepherd | Mayor |
| PRESENT: | Kent Bush | Councilmember |
| | Nike Peterson | Councilmember |
| | Vern Phipps | Councilmember |
| | Tim Roper | Councilmember |
| | Karece Thompson | Councilmember |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Stuart Williams | City Attorney |
| | Devin Rogers | Assistant Police Chief |
| | Adam Favero | Public Works Director |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Nick Porter | Management Intern |
| | Trevor Cahoon | Communications Coordinator |
| | Nancy Dean | City Recorder |
| EXCUSED: | Summer Palmer | Assistant City Manager |
| | Eric Howes | Community Services Director |

VISITORS: Ruth Jones, Chris Uccardi, Michael Rolow, Joe Torman, Matt Blocker, David Miner

Mayor Shepherd called the meeting to order at 6:30 p.m.

TOUR OF ARTESIAN SPRINGS APARTMENTS AND BIRKHILL APARTMENT HOMES

Mayor Shepherd, members of the City Council, staff, and visitors participated in a tour of the Artesian Springs Apartments located at 4197 South Main Street, Millcreek, Utah and the Birkhill Apartment Homes located at 16 East Gilbride Avenue. The tour was conducted by Joe Torman, LOTUS Company. Lotus Company was a proposed developer for the Mabey Place project and had indicated a desire to use Low Income Housing Tax Credits (LIHTC) to help fund the development. The purpose of the tour was to show the City a successful project which had been developed using the tax credits. Mr. Torman described the construction materials used for the projects. He stated market rate rents for the area were about $1,100 per month.

Matt Blocker, LOTUS Company, explained the diversity in living type: one-bedroom, two-bedroom, and three-bedroom units. He continued LIHTC required a diversity of living types and the low income tenants were required to be dispersed between all the living types. He added the

management company also had to meet specific qualifications. Councilmember Thompson asked if the developer had seen any single family property value growth because of the social capital created through the use of LIHTC. He commented studies indicate there could be such growth in equity for the homeowner if their neighborhood is on the lower income size. Dave Miner, LOTUS, pointed out income targeting was tied to the area median income, which for Davis County was $85,000. He continued the subsidies for the project would likely be based on 60 percent of the area median income, which translated to a family of four earning $51,000 qualifying for a subsidy. He noted that scenario would provide a broader range of tenants as well for the Mabey Place project, but smaller subsidies than seen in other projects. Mr. Torman added that the Birkhill project was a catalyst for the sustained growth in the area of various types of housing products.

JJ Allen, City Manager, asked for the developer's perspective on the preference of LIHTC financing compared to other forms of financing. Mr. Miner explained the tax credits gave the developer substantial equity for the projects. He continued the tax credits could offset seventy to eighty percent of the capital costs of a highly subsidized project. He informed the Council that the tax credits were expected to offset the costs of the Mabey Place project by about thirty to forty percent. He added by reducing the costs of the project the developer was able to offer the rents required by the program. He also stated there was a cap on how much profit there could be on any given project and Utah Housing made sure that developers didn't make more than allowed by the program. Mr. Allen asked if the projects would include quality finishes and upgrades if they were financed through other means. Mr. Torman commented it would be very difficult to build a true market project with the same quality finishes and upgrades. He indicated that all the finishes the Council was seeing were the same as the ones being proposed for the Mabey Place project. Mr. Blocker added it was in the developer's best interest to use quality products because they needed to last and sustain their quality in accordance with the financing source. Mr. Torman also explained that the tax credit lenders performed semi-annual inspections in order to ensure continued compliance.

Councilmember Thompson asked what advantages there were to having a management company for the projects. Mr. Blocker explained the developer was required by LIHTC to have a management company experienced in processing low income tenants. He stated it was a compliance factor. Councilmember Thompson asked what the average length of occupancy was for the projects being toured. Mr. Blocker indicated the average stay was eighteen months. He added the affordable unites turned over slower than the market rate units. Mr. Torman added the occupancy rate for the facilities was high at approximately ninety-seven percent.

Mayor Shepherd asked how the Mabey Place project would compare to the projects toured by the Council. Mr. Torman indicated the finishes and exteriors would be very similar to the projects toured but there was no structured parking proposed. He added that structured parking added significantly to the overall costs of the project and thereby the cost of each unit. He stated the developer intended to include the amenities viewed during the tour in the Mabey Place project as well as quality exterior and interior, which should also boost rents. He stated the developer's hope for Mabey Place was to develop a quality project that would boost rents. He continued the proposed master plan for the project included a lot of surface parking for phases

one and two while creating a project that would boosts rents so future phases could include the desired structured parking.

Mr. Miner shared a handout that identified the maximum incomes by size of households that might qualify for the reduction in rents as well as the net max rents possible based on the Area Median Income (AMI) for Davis County. He provided information on how Clearfield currently compared to other communities with similar projects funded with the assistance of LIHTC. He commented it appeared Clearfield was in the middle of the pack with seven current LIHTC projects for a total of 598 units, not the highest or lowest number of projects or units on the list.

Mr. Allen asked how the City should explain or reconcile the tax credit program and its stringency and management with the list of projects in Clearfield currently benefiting from the LIHTC program. He noted the projects currently existing in Clearfield were very different especially from quality standard. Mr. Miner suggested the standards of the program had changed for the better over the last few decades. He added tenants demanded a higher quality project as well. He also explained that the developer wouldn't make its money by building the project rather by managing it over the long term, which was one of the incentives for building a quality project. He added the program required the owner of the unit to set aside in escrow a defined amount of the rent for capital improvements (not maintenance), which guaranteed the longevity of the quality of the development.

Councilmember Petersen commented the developer's presentation had identified that the program included incentives to the developer for maintaining a quality project over a long period of time. She commented that had not been the City's experience from its current stock of LIHTC funded projects. She added the aesthetics of the existing projects was a constant complaint from residents both living in the facilities, as well as those living near the facilities, and elsewhere in the community. Mr. Miner surmised that earlier projects might not have used quality products and performed proper upkeep. He indicated Utah Housing had learned from those types of projects and now required a substantial investment in rehabbing those properties. He expressed his opinion that there were failures in the early days of the program. He acknowledged standards changed and it was difficult for a twenty year old project to compete with a brand new project, but even the older project should be well maintained, clean, and updated often. He added then the project reaches about fifteen years old, developers can apply for additional tax credits to make improvements to the property. He suggested using quality projects from the beginning would make a considerable difference as well. Mr. Torman added a good management staff was key to the maintenance of the property.

Councilmember Bush asked if landscaping maintenance was part of the upkeep requirement. Mr. Torman responded landscaping maintenance was a component of the standards required by the program.

Councilmember Thompson asked about the continued maintenance standards after the first fifteen years. Dave explained there were several options available to owners to keep the project vibrant and viable for the long term.

Councilmember Petersen asked if there was anything built into the structure of the LIHTC program that would ensure the maintenance was consistent. She acknowledged the toured facilities were beautiful but Clearfield had not experienced that with other projects already in its community. She asked for some assurance that the Mabey Place project would be something the City and its residents could look to with pride. Mr. Miner responded the City would still need to approve the plans for the project. Mr. Allen suggested the question was meant for the long term of the project. Councilmember Petersen agreed and cited the experience of failures on that point from the City's past. Councilmember Roper expressed his opinion the proposed project would set a higher standard, which in turn would create the necessity for proper maintenance over the life of the project. He suggested the Mabey Place project had the potential to set Clearfield apart from every other community, in particular on its response to the issues of handling housing and growth. He described his experience in Los Angeles, California, with the National League of Cities tour where they had used similar types of financing to incentivize the community atmosphere while attempting to meet the housing affordability issue.

Mr. Allen informed the Council that the proposed master plan for the development of Mabey Place currently proposed LIHTC for phase one. Mr. Torman acknowledged that was the current plan.

DISCUSSION ON THE FINISH QUALITY OF MULTI-FAMILY DEVELOPMENT

Spencer Brimley, Community Development Director, led a discussion on the building finishes for multi-family development. He provided a handout that highlighted different samples of windows, cornices, entryways, facades, amenities, and overall development standards. He explained staff wanted to make sure the discussion was about things the City could regulate that had the potential to be pleasing to the eye aesthetically and stand the test of time because of its quality.

*Windows*

There was a discussion on what types of windows were desired for development: big windows, those that bring a lot of light into the dwelling, etc. Councilmember Phipps stated the type of window was not as important as the energy efficiency it created. Mr. Brimley suggested the City could use that as a factor for development because it was a livability component. Councilmember Petersen agreed and commented design should be flexible for the developer. Brad McIlrath, Senior Planner, added the Form Based Code (FBC) currently required a specific type of window that required additional design and increased construction costs. Councilmember Peterson asked if the City had a glazing requirement. Mr. McIlrath responded the City Code defined glazing by calling it transparency, which was set by building type.

*Cornices*

Mr. Brimley explained that cornices referred to the design of the roof line. He suggested the roof line articulation could add a lot of value to a project. Mr. McIlrath explained the FBC included requirements for parapets. He suggested the parapet was not as important as the cornice.

Councilmember Phipps expressed his opinion that breaking the roof line up was most important to him. Councilmember Peterson agreed.

*Entryways*

Mr. McIlrath shared examples of entryway designs that were allowed in the FBC. He asked the Council if there were any strong opinions on what entryways should look like in the FBC. He also asked if the Council wanted to allow the development community more flexibility on that design as well. Mr. Brimley added that pedestrian scale was important to look at when designing entryways and possibly allowing creativity. Councilmember Peterson commented she liked allowing creativity but was also interested in flat fronts. She added some of the architectural features might create a visibility issue for businesses. Mr. McIlrath suggested if there were flat fronts there should be requirements for some feature to cover the entryway like a canopy or awning. Councilmember Peterson asked if allowing creativity created too much ambiguity in the Code. Mr. McIlrath suggested there were entry way designs that were better used with certain types of building designs and the flexibility would allow him to help developers make those determinations. A majority of the Council appeared comfortable with allowing creativity while paying attention to how the design blended with the project.

*Facades*

Mr. Brimley explained that façade was about the materials and colors of a development. He commented the current trend of the industry was very little variation in building design. Mr. McIlrath explained the FBC called out materials approved for facades but there was still ambiguity that needed to be resolved. Mr. Brimley added the current conversation would help guide the FBC consultant in preparing meaningful amendments to the Code. Councilmember Peterson commented she would like to get away from buildings with a high percentage of one building material. She suggested requiring a variety of levels of vertical and horizontal articulation as well as multiple types of building materials. She expressed her opinion that she would like to see the City move away from a high percentage of stucco on projects. Mr. McIlrath asked if the Council had any objections to the use of metal materials. There appeared to be a general level of comfort with metal materials. Councilmember Bush asked that balconies facing main corridors be enclosed so any clutter would be obstructed from view.

Councilmember Phipps expressed his suggestion for a couple of guiding principles:

- Maintaining the building over the long term, and,
- Creating variety to the look and feel of development.

There appeared to be a general level of comfort from the members of the Council to allow creativity on projects under the direction of the staff.

*Amenities*

Mr. Brimley suggested attractive amenities brought value to a project as well as long term viability. Mr. McIlrath shared examples of communities using a point scale as a way of requiring amenities with a project. Mr. Brimley added density was a factor in what types of amenities

might be appropriate as well. Mr. McIlrath suggested the list of amenities could be tied to unit count. Councilmember Bush agreed and added the type of market would play a role as well.

*Overall*

Councilmember Bush suggested parking requirements be reviewed. Mr. Brimley agreed parking requirements needed constant attention given the constantly changing environment and public services.

Mr. McIlrath encouraged the Council to review the handouts and let staff know if there were any other items that needed to be discussed.

JJ Allen, City Manager, asked if there needed to be a discussion about the interiors of multi-family residential buildings. Mayor Shepherd expressed his opinion that if a developer was going to refer to a development as luxury apartments the interiors need to be distinctive. He suggested the City needed to develop a set of standards that could be applied to developments wanting to claim the distinction of being luxury units. He commented tenants would expect high end interiors and amenities in those types of developments. Councilmember Bush suggested a minimum standards list be created and adopted as part of the FBC. Councilmember Peterson referred to the General Plan and its stated objective to diversify the City's housing stock. She commented a set of standards would be a good way to implement the objective.

DISCUSSION ON THE CITY CODE, TITLE 12, SUBDIVISION REGULATIONS, CHAPTERS 7 AND 8 PRELIMINARY PLAT AND FINAL PLAT

Staff solicited feedback and direction from the Council regarding its role as the land use authority for final and amended subdivision plats. There was consensus from the Council that the land use authority for final and amended subdivision plats should be the Planning Commission because the action was administrative in nature. Councilmember Bush asked if street vacations would change. Brad McIlrath, Senior Planner, commented that designation would not change because it was legislative according to State Law. Councilmember Bush asked if the subdivision standards were being changed. Mr. McIlrath responded there were currently no changes proposed to the subdivision standards.

**Councilmember Peterson moved to adjourn at 9:30 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

CLEARFIELD CITY COUNCIL AND PARKS AND RECREATION
COMMISSION MEETING MINUTES
6:00 P.M. WORK SESSION
July 16, 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: | Stuart Williams | City Attorney |
| | Kelly Bennett | Police Chief |
| | Adam Favero | Public Works Director |
| | Eric Howes | Community Services Director |
| | Curtis Dickson | Community Services Deputy Dir. |
| | Brad McIlrath | Senior Planner |
| | Trevor Cahoon | Communications Coordinator |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Spencer Brimley | Community Development Director |
| | Nancy Dean | City Recorder |

PARKS AND RECREATION COMMISSION MEMBERS: Jim Cordeiro, Thomas Mayer – Vice Chair, Nathan Wimmer – Chair, Andrea Bush, Bob Bercher, Jeff Baker, Kristi Bush

NOT PRESENT: Connie Dooley, Paul Taylor, David Greaves

VISITORS: Michael Rolow, Devin Prouty, Ruth Jones

Mayor Shepherd called the meeting to order at 6:02 p.m.

INTRODUCTIONS AND DISCUSSION REGARDING VISION AND GOALS FOR THE PARKS AND RECREATION COMMISSION

Trevor Cahoon, Communications Coordinator, requested the Mayor, Council, Parks and Recreation Commissioners, staff and visitors participate in an activity which included introducing themselves, reporting their role in the City, and sharing their favorite City park,

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recreation, or aquatics activity. There was a discussion about the favorite activities within the City and how each person has a role within the community. Mr. Cahoon explained each person working together or individually could make a difference in the community. He added the exercise showed how each person was interconnected and important no matter the role.

Eric Howes, Community Services Director, distributed handouts which included the Parks and Recreation Commission's vision, mission statement, and goals, as well as its bylaws. He explained the change in the agenda was to help the Council and the Commission better understand the goals for the Commission before moving forward with discussions in other areas. He pointed out several of the bylaws coincided with many of the goals of the Parks and Recreation Commission. Mr. Howes stated the Parks and Recreation Commission had identified its purpose over the years and staff was working towards helping the Commission accomplish its goals.

Mr. Howes reviewed the goals which included standardization of park amenities, closer integration with the operations of the parks and recreation department, community involvement and feedback, and appreciation and thanks for coaches, athletes, teams making a positive impact for Clearfield. He reported the Parks and Recreation Commission had being utilized to implement the goals and it would continue to work towards their accomplishment. He identified the following ways the Commission was working to accomplish its goals: providing input and making recommendations to the Council for standardizing the park amenities; providing input on PARAT tax projects; reviewing program proposals to ensure the details are the level of quality desired; participation, involvement, and taking an active role in the community through enhancing the yard of the year program and others; providing park watch reports; becoming integrated with staff through having the division managers attend the Parks and Recreation Commission meetings twice a year to open lines for better communication; by its volunteering efforts; and providing recognition to the City's volunteers.

Mr. Howes stated staff was aware of the four goals of the Commission and planned to work on implementation and supporting the Commission with its goals. He asked if there were things the Council would like to see the Commission and staff work on or if there was anything the Commission could do to better support the Council with its role. Mayor Shepherd expressed his appreciation to the Parks and Recreation Commission. He pointed out the City was known for the quality of its parks and recreation programs. He explained the Commission was an additional set of eyes and ears for the Council and to continue in its focus on the expressed goals. He added he would trust the recommendations made by the Commission.

Councilmember Bush commented one of the amenities the City did not currently have was a dog park; however, there was property set aside for it and suggested one of the next steps could be to get it established. Mr. Howes responded staff had tried to work with a contractor to get the fencing installed with some excess money before the end of the fiscal year; however, due to time and scheduling constraints it was unable to happen as desired. He mentioned staff would continue to look for ways to move projects forward when possible with the available resources.

Councilmember Bush recommended the City utilize the help of its residents when parks were installed. Mr. Howes indicated community build projects were a great way to involve the

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residents, build community pride, and even seemed to decrease vandalism. He reported staff had improved its efforts over the years finding ways to utilize the labor of volunteers and felt it would be good to continue to do when possible.

Councilmember Peterson asked the commissioners what would help them feel more included as part of the process from the beginning to the end. Commissioner Kristi Bush responded it would be helpful if the Council continued to seek input from the Parks and Recreation Commission about PARAT tax spending, keep the Commission updated about its decisions, and allowed the Commission to be more included in the decision making process. Mr. Howes stated the role of the Commission was to be an advisory board to the Council which was the decision making body. He mentioned the Commission had been involved through committee participation at times and recently when the new playgrounds were designed and colors were selected. He noted there was always room for improvement.

Vice Chair Mayer indicated staff often provided many details and information which helped the Commission make better and informative decisions. Mr. Howes stated staff valued the commissioners' opinions and feedback because they lived in the City. Commissioner Bercher expressed his appreciation for the details provided by staff at Commission meetings. Commissioner Kristi Bush agreed and indicated because of the details shared at the last meeting she was better able to realize the needs of keeping the parking lot of the church clean and spent time cleaning up following the City's Fourth of July celebration so the use of the parking lot would continue into the future.

Mr. Cahoon reported there were three members of staff now working on marketing and communication needs so some of the gaps should be covered and it would allow time for more public involvement. Mayor Shepherd pointed out the City was working on its website redesign and wondered if it would affect the Parks and Recreation Commission. Mr. Cahoon responded the new website should be ready by March of 2020. He indicated it would have better accesses and also provide a visual element. He stated feedback would be helpful so it could be designed to help the public better access the data. Commissioner Andrea Bush asked if beta testing would be done. Mr. Cahoon answered it would be done to test the functionality and content of the site.

Mr. Howes announced the restrooms would be installed soon at the Cornerstone Park. Commissioner Baker commented he would appreciate an opportunity to chime in on some of the upcoming development projects and be invited to participate in the process. There was a discussion about projects where committees were used to help in the planning and design process. Mayor Shepherd explained there were times when residents, groups, committees, staff or the Council were involved in the planning phases, but often the City or residents were not able to be involved with other agencies or developers in the decision processes. Commissioner Baker requested if there was a project in the future where resident involvement was desired, he would like to be involved.

Mayor Shepherd expressed appreciation to the members of the Parks and Recreation Commission for joining the meeting and thanked them for the role they play in the community.

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There being no further business to come before the Council and the Commission, **Councilmember Thompson moved to adjourn the joint work session and reconvene in work session at 6:59 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, and Thompson. Voting NO – None.** Councilmember Roper was not present for the vote.

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CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
July 16, 2019

City Building
55 South State Street
Clearfield City, Utah

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

VISITORS: Michael Rolow, Devin Prouty, Ruth Jones, Andrea Bush, Kristi Bush

Mayor Shepherd called the meeting to order at 7:04 p.m.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE MODA CLEARFIELD TOWNHOMES LOCATED AT APPROXIMATELY 180 SOUTH STATE STREET

Brad McIlrath, Senior Planner, stated the Planning Commission reviewed the Final Subdivision Plat for the MODA Clearfield Townhomes at its meeting on July 10, 2019. He mentioned the applicant was proposing at 41-unit townhome subdivision for the property located at approximately 180 South State Street which was previously known as the site of a Wells Fargo bank. He indicated the Planning Commission recommended its approval subject to the seven conditions included in the staff report.

Mr. McIlrath pointed out the conditions which were not standard included park strip improvements as part of the public rights-of-way for 200 South and State Street to meet the Form

Based Code (FBC) requirements. He noted there was enough room for the sidewalk and furnishing zone but the dedication would need to be identified on the plat. Mayor Shepherd stated the sidewalk and furnishing zones allowed for a 14-foot area which was designed to create a walkable downtown. He wondered if it would be preferred to increase the sidewalk area and decrease the furnishing zone sizes so it was more functional on the project. Mr. McIlarth responded grass was showing on the plan, but the developer would still need to meet the same cross section along State Street when it put in the furnishing zone so there should not be much of a change between the residential and commercial projects. He added 200 South would have a smaller sized sidewalk and furnishing zone because it was a residential street.

Councilmember Thompson expressed his concern that the project could negatively impact Talia's Event Center if approved. He also mentioned negatively affecting the quality of life for the residents in the townhomes due to the characteristic decibel levels experienced by neighboring an event center. He felt the property was not appropriately zoned and should be commercial. He commented his worry was there should be continuity for the area; however, with its current zoning designation there was not much that could be done to prevent the development. Mr. McIlrath expressed appreciation for the comments. He indicated staff had been working with the consultants on the updates to FBC and there could be a review of the zones to determine if there were some changes needed along the corridor.

Councilmember Peterson stated she was sympathetic to the concerns of not wanting either project to fail, but the factors related to its location and neighboring residential uses have been in place since its inception. She expressed her view the project was a win. She stated it allowed FBC to do what it was designed to do and take properties past their prime and livability to become projects that infused the downtown not only with construction but with a type of housing that addressed the need for entry level homes. Councilmember Peterson pointed out the development would be owner occupied; so for those that were concerned about the turnover, it was a project that was more likely to allow people to put down roots in the City. She acknowledged the entitlements and zoning were in place for the project and other than making small adjustments through the land use entitlement process there was not much else that could be done. She agreed with Mayor Shepherd's point that functionality of the sidewalk and furnishing zone would be important. Mayor Shepherd indicated he would prefer to see a larger sidewalk and have any grass space reduced in size and next to the building.

There was a discussion about the challenges associated with the development of the property because of its former use as a bank, economic development and franchise opportunities within the City, zoning, market changes, and redevelopment opportunities. Mayor Shepherd redirected the attention to the agenda item. Councilmember Bush suggested there be a work session discussion in the future to discuss the FBC area and its zoning to assist in identifying properties that should be rezoned. Mayor Shepherd responded there would be an opportunity for future discussions because updates to the FBC would be reviewed by the Council in the coming months.

Councilmember Thompson asked if the Council was comfortable with a certain decibel level for the neighboring event center to meet. Mayor Shepherd responded it was much less than in prior years but the City did not have a noise ordinance that specified allowed decibel levels. There was

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a discussion about the positive and negative side effects of having an event center and townhomes neighboring one another.

Councilmember Phipps asked about the open space requirement of the development because it seemed to be small. Mr. McIlrath explained there would be a central pocket park and some open space on the corner which totaled .14 of an acre and met the requirements based on his measurements.

Ruth Jones, Planning Commissioner, reported during the Planning Commission meeting when this subdivision plat was discussed, it was learned the developer intended to rent rather than sell the townhomes. There was a discussion about the preparation and cost for the developer to set each unit up individually so it could be sold in the future, costs associated with the project due to demolition, the advantages of having a management company responsible for its upkeep along a main thoroughfare, and the City's lack of authority to legally control ownership versus rentals. Ms. Jones thanked Mayor Shepherd for allowing her comments. She expressed her desire to inform the Council because she had not felt the developer was upfront with its intentions.

DISCUSSION ON PROPOSED AMENDMENTS TO THE BUSINESS LICENSE REQUIREMENTS FOR MASSAGE PARLORS

Stuart Williams, City Attorney, stated the Council approved a land use moratorium on the establishment and/or relations of massage parlors on March 12, 2019, which was set to expire on September 12, 2019. He reported staff had conducted an in depth review of other municipalities' codes, both local and national. He indicated staff proposed a specific licensing section within Title 4 of the City Code that would provide future massage parlor business license applicants with a more clear understanding of expectations, procedure, and punishments specific to the industry. He mentioned staff was planned to have a new ordinance ready for the Council's consideration on August 27, 2019.

Mr. Williams commented the proposed ordinance included in the agenda packet should cover due process for the applicant as well as the City. He noted the future commercial massage parlor business license application fees had not yet been proposed; however, staff recommended the fee cover the associated costs of those multiple individuals tasked with reviewing each commercial massage parlor business license application.

Councilmember Thompson asked if there was something that could be required by massage parlors similar to the bonding of sexually oriented businesses to help ensure legitimacy. Mr. Williams responded it could be researched; however, it might be an overly cumbersome process for businesses that were operating legitimately. There was a discussion about finding balance to ensure the City remained business friendly but also had the ability to stop and prevent further illegal activity if it continued to be an issue.

Mr. Williams indicated one of the biggest differences with the proposed ordinance was its impact to the property and the individual found operating illegally. He pointed out the drafted ordinance proposed if there was a violation on a given property there could not be another massage parlor

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allowed at the same location for three years. There was a discussion about public perception and the City's efforts in dealing with a national issue.

Councilmember Peterson wondered when the estimated fees would be available for the Council's review. Mr. Williams responded it would be ready prior to the Council's consideration of the ordinance on August 27, 2019; but if necessary fees could be discussed in a work session prior to the policy session.

**Councilmember Peterson moved to adjourn at 7:46 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, and Thompson. Voting NO – None.** Councilmember Roper was not present for the vote.

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CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
July 23, 2019

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Mark Shepherd | Mayor |
| PRESENT: | Kent Bush | Councilmember |
| | Nike Peterson | Councilmember |
| | Vern Phipps | Councilmember |
| | Tim Roper | Councilmember |
| | Karece Thompson | Councilmember |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Kelly Bennett | Police Chief |
| | Adam Favero | Public Works Director |
| | Curtis Dickson | Community Services Deputy Dir. |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Jenn Wiggins | Digital Marketing Specialist |
| | Nancy Dean | City Recorder |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | Stuart Williams | City Attorney |
| | Eric Howes | Community Services Director |
| VISITORS: | Michael Rolow, Kathryn Murray, Bob Bercher, Ruth Jones, | |

Mayor Shepherd called the meeting to order at 7:00 p.m.

Mayor Shepherd informed the audience that if they would like to comment during Open Comment Period there were forms to fill out by the door.

Councilmember Peterson invited Josh Carrion, Legacy Roofing, resident and local business owner to lead the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE JANUARY 17, 2019 WORK SESSION; THE MARCH 26, 2019 WORK SESSION; AND THE APRIL 9, 2019 WORK SESSION

Councilmember Peterson requested the minutes from the January 17, 2019 work session be amended on page 5, 8 and 11 from *"Staff Identified Priorities"* to *"Ongoing Identified Priorities."*

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**Councilmember Peterson moved to approve the minutes from the January 17, 2019 work session; as amended, the March 26, 2019 work session and the April 9, 2019 work session; as written, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PRESENTATION TO TED JONES FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

This item was rescheduled for August 27, 2019.

OPEN COMMENT PERIOD

There were no public comments.

CONFIRM THE CITY MANAGER'S APPOINTMENT OF ADAM FAVERO AS THE PUBLIC WORKS DIRECTOR

JJ Allen, City Manager, stated there were three internal candidates for the Public Works Director position and there was an extensive evaluation process which made for a difficult decision. He explained there was a moment of clarity that Adam Favero should be the Public Works Director. He requested the Council's confirmation of his appointment of Adam Favero as the Public Works Director.

**Councilmember Phipps moved to confirm the City Manager's appointment of Adam Favero as the Public Works Director and authorized the Mayor's signature to any necessary documents, seconded by Councilmember Roper.** Mayor Shepherd stated he had received a letter from a resident about raccoons in the storm drain, which was a problem. He provided the new director with the letter requesting the issue be addressed. Mr. Favero expressed his appreciation for the opportunity and felt optimistic with the direction of the City. He voiced his excitement for being able to work with the management team to help departments and projects come together. **The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

Adam Favero was sworn in as the Clearfield City Public Works Director by City Recorder, Nancy Dean.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE MODA CLEARFIELD TOWNHOMES LOCATED AT APPROXIMATELY 180 SOUTH STATE STREET

Brad McIlrath, Senior Planner, indicated JF Capital was proposing to develop a 41-unit townhome subdivision called MODA Clearfield Townhomes located at approximately 180 South State Street. He reviewed the plat. He noted the Planning Commission recommended approval of final subdivision plat based on the following seven conditions outlined in the July 10, 2019 meeting:

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1. Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of that plat.
2. The applicant shall record the Covenants, Conditions, and Restrictions (CC&R's) for the homeowner's association (HOA) with the final subdivision plat.
3. The developer shall install of the public right of way improvements required by the Downtown Clearfield Form-Based Code (FBC) for the frontages along 200 South and State Street.
4. The final subdivision plat shall dedicate all sidewalk and park strip improvements as part of the public right of ways for 200 South and State Street. All sidewalks required as part of the street improvements shall be located within a public right of way.
5. The subdivision civil and improvement drawings shall be revised to match the final approved site plan drawings once that approval is granted. This includes all streetscape designs, private amenities, landscaping plans, etc.
6. The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
7. An escrow or bond agreement for the public improvements will be subject to approval by the City Engineer and City Attorney and be established prior to any permits being issued for the property or plat being recorded. The financial security shall be established prior to recordation of the Final Plat as outlined in Section 12-4-6 of the Subdivision Ordinance.

Mr. McIlrath stated the developer's plan was to own the project, but in the future when the return on investment was captured possibly sell off the individual units.

Councilmember Phipps asked what the consequences would be if the subdivision plat were denied. Mr. McIlrath explained that the applicant could appeal the decision with the district court because it was an administrative decision by the City or the applicant could reapply with the City. JJ Allen, City Manager, added if it were to be denied and appealed to district court the odds for the City losing the case would be very high.

Councilmember Phipps was concerned about the lack of open space but noted it was in compliance with City Code. Councilmember Roper replied it was hard to process because growing up he wanted a big yard but many people were now looking for a little green space and less yard to maintain. Councilmember Peterson, regarding Councilmember Phipps' concern, pointed out that when looking at open space was it just there to be there or was it usable was a valid concern. She continued saying that the Form-Based Code (FBC), which would be reviewed in future sessions, would be a great place to make revisions that enhanced the entire corridor and helped open spaces include more amenities rather than just grass.

Mayor Shepherd said he looked at the requirements of a tenth of an acre park and wondered if it could be increased, however his concern with the proposed project was the decorative corner piece, viewable by the public, would be lost entering into the subdivision if the requirement were increased. He concluded, for the proposed project, he would choose the corner aesthetics over the other. Mayor Shepherd affirmed the piece did meet the current codes.

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Councilmember Thompson expressed his concern with the proposed project because there wasn't continuity within the zoning. He continued he felt residents wanted balance and wasn't sure the proposed project exhibited that. He stated if the action before the council was not administrative, he would probably not support it. He expressed a desire to see more commercial aspects to it.

Councilmember Bush expressed his opinion that the parcel of land would be hard to redevelop as discussed during work session on July 16, 2019, as it was a bank and had a vault section that would be difficult to remove, so selling the existing building to another commercial business would be difficult. He agreed that residential use of the property was not his first choice either.

Councilmember Peterson said it meets the requirements of the City Code and to deny it stepped outside the ability of the governing body, the appropriate venue to address concerns was in the FBC revisions. Councilmember Bush added it would be wasting residents' money by going to court.

**Councilmember Roper moved to approve the Final Subdivision Plat for the MODA Clearfield Townhomes located at approximately 180 South State Street with the seven conditions as recommended by the Planning Commission on July 10, 2019 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF RESOLUTION 2019R-18 APPROVING VOTING CENTERS AND APPOINTING POLL WORKERS FOR THOSE VOTING CENTERS FOR THE MUNICIPAL ELECTIONS TO BE HELD ON AUGUST 13, 2019 AND NOVEMBER 5, 2019

Nancy Dean, City Recorder, explained Clearfield City was holding its Municipal Elections primarily by mail. She noted Utah State Law allowed the City to provide voting centers on election days for registered voters who might choose to vote with another method. She stated the City needed to designate its voting centers and poll workers prior to the election and formally approve them by resolution. Ms. Dean mentioned there was a clause in the resolution to allow for a change if there was an unforeseen issue with one of the poll workers on election day so there could be a replacement, if necessary.

**Councilmember Thompson moved to approve Resolution 2019R-18 approving voting centers and appointing poll workers for those voting centers for the Municipal Elections to be held August 13, 2019 and November 5, 2019 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

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COMMUNICATION ITEMS

***Mayor Shepherd***

1. Attended the change in command ceremony for Ogden Air Logistics Complex where General Stacy Hawkins had moved on and would be replaced by Callie VonHoffman.
2. Announced the Clearfield Community Band would be participating with a multi-community performance in North Ogden on July 24, 2019. He explained he would not be able to attend due to other commitments. He asked if there was a member of the Council who could attend and introduce the band in his absence. Councilmember Peterson volunteered.
3. Asked by David Pearson, a representative of the Church of Jesus Christ of Latter-day Saints to start up an interfaith council and needed a liaison. Councilmember Peterson requested to assist with it. She felt it was an opportunity to help all faiths work together and welcome them into the community. JJ Allen, City Manager, mentioned if there was a need for any funding it should be brought to staff and Council's attention during the next budgeting cycle.

***Councilmember Bush –*** updated the Council on the last Sewer Board meeting where it was discussed to move water from Farmington Bay to Gilbert Bay to help reduce costs for taking phosphorus out of the water. This would help save money in the long run even with the high initial cost.

***Councilmember Peterson***

1. Acknowledged it had been a busy fire season and glad all of the Fire District personnel came home safe.
2. Thanked staff for its efforts with the Fourth of July celebration.
3. Welcomed Adam Favero as the Public Works Director.
4. Reported the prefabricated bathroom at Cornerstone Park was moved into place and thanked the Parks department for its efforts.

***Councilmember Phipps***

1. Indicated the Fourth of July went off well despite facing adversity.
2. Wasatch Integrated did not meet in July.
3. Reported on the Restoration Advisory Board quarterly meeting. The extraction of methane near the north end of Clearfield was still ongoing and not a risk to Clearfield. Emerging contaminants Perfluorooctanesulfonic acid (PFOS) and Perfluorooctanoic acid (PFOA) prevalent in the groundwater around Hill Air Force Base - implication was it could end up in culinary water. The City's well is not within the area of risk but it might be a benefit to the City to test the City's well.

***Councilmember Roper***

1. Congratulated Adam Favero on new position with the City.
2. Thanked staff for the Fourth of July.
3. Expressed appreciation for a resident being willing to conduct the opening ceremony.

***Councilmember Thompson***

1. Thanked staff for the many hours put into place with the Fourth of July.
2. Mosquito Abatement District needed qualified drone pilots to help keep drones in the sky. There had been issues with the granular distributor clogging. The District was in the process of increasing the weight limit for the drone to help cover the acreage. The District was finding better ways to do things.
3. Reported on his attendance at the Weber State University Community Development and Reinvestment Areas (CDRA) conference.
4. Lights Out Boxing announcement for show on Saturday, July 27, 2019

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STAFF REPORTS

***JJ Allen, City Manager***

1. Expressed congratulations to Adam Favero as the City's new Public Works Director.
2. Announced the City offices would be closed on Pioneer Day, July 24, 2019.
3. Thanked the Council for allowing him to take a vacation.
3. Shared a letter from Ben Frye, Parks and Open Space Manager, about a landscaping project on Center Street and SR 193.

***Nancy Dean, City Recorder*** –reviewed the Council's schedule:

- Joint Work Session with the Planning Commission on July 30, 2019
- No meeting on August 13, 2019 – Primary Election Day
- Mid-year Retreat on August 23, 2019
- Policy Session on August 27, 2019

There being no further business to come before the Council, **Councilmember Bush moved to adjourn at 7:51 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

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CLEARFIELD CITY COUNCIL AND PLANNING COMMISSION
JOINT MEETING MINUTES
6:00 P.M. WORK SESSION
July 30, 2019

City Building
55 South State Street
Clearfield City, Utah

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

PLANNING COMMISSION MEMBERS: Brady Jugler – Chair, Kathryn Murray, Nicole Bigelow, Robert Browning, David Bloomfield, Chris Uccardi

VISITORS: Bryan Turner – Davis County School District, Adam Zetterquist – Design West Architects, Keni Althouse – Design West Architects, Michael Rolow, Susie Petheram, FFKR Architects, Cheryl Phipps – Davis County School District

Mayor Shepherd called the meeting to order at 6:03 p.m.

PRESENTATION BY THE DAVIS SCHOOL DISTRICT ON THE PLANS TO REBUILD SOUTH CLEARFIELD ELEMENTARY LOCATED AT 990 EAST 700 SOUTH

Brian Turner, Davis County School District, introduced Adam Zetterquist and Keni Althouse with Design West Architects and welcomed Cheryl Phipps one of the District's board members. He explained there was new growth expected for the area; consequently, the District would be rebuilding South Clearfield Elementary to allow for the anticipated increase in students. Ms.

Althouse reviewed the site plans and explained the challenges associated with its design due to the restrictions of its surroundings. Mr. Zetterquist highlighted the building design, utilization of space, elevations and constraints of the project. There was a discussion about the project including the differences in capacity, parking, drop off queuing; as well as the project's schedule; notification process for neighbors; and anticipated impacts due to construction.

Commissioner Uccardi asked what the current and projected student capacity was for the school. Mr. Turner responded the current number of students was around 600 but the capacity of the new design would allow for up to 900 students.

Councilmember Peterson wondered how the District would accommodate for the parking during the construction period. Mr. Turner explained the District planned to construct an overflow parking area on the property to the east at the north end of the high school property for teachers to use during the construction period and following the completion of the project the overflow parking would be utilized by Clearfield High School for additional parking.

Commissioner Browning questioned how the parent drop off area would be impacted during the construction. Ms. Althouse answered the current drop off would still be accessible during the construction.

Councilmember Phipps asked what the planned schedule would be for the project. Mr. Turner indicated the contractor selection should be completed by August 9, 2019, and designs would be completed by the end of October, bidding in November with a ground breaking planned for December 2019. He reported the construction should begin in 2020 followed by demolition of the existing school. He anticipated the project would be completed so the school would be functional by the beginning of the school year in 2021.

Councilmember Peterson questioned how much queuing in the drop off area would be available with the new design in comparison to its current configuration. Ms. Althouse responded there was space for six to seven cars now but there should be enough room for about 30 vehicles to que in drop off area once the project was completed.

Councilmember Peterson wondered how the District worked with surrounding homes or businesses to inform them of the project and its process. Mr. Turner explained there would be an open house held and neighbors would be invited. He noted the biggest anticipated challenge would be finding an area for the contractor to stage during the construction period; however, it was likely a portion of the playground would be utilized.

Councilmember Bush asked if there would be any disruptions with any after school programs. Mr. Turner did not think the construction would impact any of the school's programs.

Commissioner Bigelow wondered if the District had plans to expand any of the other schools in the City. Mr. Turner responded rebuilding South Clearfield Elementary was the last project on the list to utilize the funding obtained through the District's last bond, but growth and need would continue to be evaluated throughout the District.

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Mayor Shepherd reported the new design would impact the City's Fourth of July fireworks display, so in future meetings there could be a discussion on how to address the impacts as the City moved forward with its planning of the event.

Councilmember Thompson asked how the new design would impact emergency efforts. Mr. Turner highlighted the design features that would allow for safety of the students and faculty. There was a discussion about whether or not the school would be renamed and its process. Cheryl Phipps commented if the school was renamed, Clearfield would be the only city in the District not recognizing the city's name in an elementary school. Mayor Shepherd suggested the school could be changed to Clearfield Elementary rather than South Clearfield Elementary.

DISCUSSION ON AMENDMENTS TO THE FORM-BASED CODE

Brad McIlrath, Senior Planner, introduced Susie Petheram with FFKR Architects, who was working on amendments to the City's Form Based Code (FBC). He provided background information on the creation of the original Form Based Code, which had been developed as a result of one of the goals in the Downtown Clearfield Small Area Plan. That goal was to modernize downtown zoning and the implementation of FBC was the strategy to accomplish it. He explained the implementation of the original FBC identified there were needed revisions in order to meet the original vision. He stated FFKR Architects was selected after the City completed a Request for Proposal. (RFP) for the project. He indicated the recommended amendments should be ready for the Council's review by the end of October 2019.

Mr. McIlrath reviewed the adopted zoning designations for properties within the FBC area. He acknowledged there was currently a lot of residential development taking place in specified areas because of market demand. He highlighted the areas designated as the Town Commerce (TC) zone. He explained the Depot Crossing project on 700 South was in the TC zone and would be developing both commercial and residential projects. He informed the Council that it would be reviewing a proposed development agreement for the site in the near future because the commercial project needed to begin construction prior to the residential portion's development.

Planning Commissioner Uccardi asked if those types of requirements for the TC zone were already in the current FBC or if they would be allowed through development agreements. Mr. McIlrath said it was currently part of the FBC, but staff anticipated changes to the TC zone as part of the update. He indicated staff was currently studying whether there should be any residential along 700 South.

Councilmember Bush acknowledged the efforts made in developing the current FBC. He agreed there were areas where the zoning should be further studied because the current designation did not appear to fit the overall goal. He cited the probable expansion of Dicks Boat Shop as a good example of that problem. He suggested that property might be better zoned as Corridor Commerce (CC) since it was a corner piece, which would also allow a single story building. He commented it was important to not be too strict but include as part of the review what type of zoning was appropriate for individual lots. Councilmember Peterson commented the City wanted to be sensitive to long time businesses but cautioned about the perception of spot zoning. She added the City spent considerable time reviewing how specific areas would develop and what

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zoning designations should be applied. She suggested it was bad policy for the City to disrupt what was best for an entire area because of one lot. She acknowledged it was a balancing act and suggested it might be more appropriate to deal with the unique characteristics of a lot through a development agreement rather than a spot zone in the middle of a specific area. Councilmember Bush commented he was only talking about the corner parcel which would extend the CC zone just a little further than currently designated. Mr. McIlrath responded zoning designations would be part of a larger discussion with the City Council in the near future.

Mr. McIlrath stated the strength of a form based code was regulating the public realm and its relation to the private realm. He reviewed potential changes:

- Reviewing zoning designations and their placements.
- Matching zoning on each side of a street when trying to create a specific look and feel.
- Looking at building types and whether they should be expanded.
- Reviewing other areas that might need to be included or excluded from the FBC.
- Basic changes to the chapters and document layout. There was consensus that the new format for the document was a positive change.

Councilmember Thompson suggested expanding the pedestrian lanes. Mr. McIlrath explained there had been some discussion with the Utah Department of Transportation about that possibility and it appeared to be likely. There was a discussion about how that would add barriers that would act as a physical separation for pedestrian and vehicular traffic.

Mr. McIlrath shared some examples of proposed streetscape elements, urban landscaping options, and the possibility of allowing shared public and private spaces. There was a discussion specific to streetscape elements, urban landscaping, public and private spaces, and the possibility of establishing a fee in lieu for streetscape and open space. The fee in lieu option would allow developers to pay a fee to the City that would then be used for streetscape and open space development. The following points were discussed specific to establishing a fee in lieu streetscape option:

- The determination of a fee in lieu was proposed to be based on a calculation tied to the lineal frontage of a development.
- Another option would be to have the developer develop the streetscape and open space that would then be transferred to the City for maintenance.
- There was a general sense that a fee in lieu option could be a good way to create a consistent and common approach to streetscape and open space no matter which properties were being developed or by whom.
- The downside to a fee in lieu option might be costs escalating while the City waited for enough money to make the desired improvements.
- There was a suggestion to require powerlines be buried at the time of development to enhance the streetscape. It would be an expensive undertaking for the developer but doable.
- There was a desire to create landscaping and open space through a fee in lieu in a way that made it usable space as opposed to creating it just to meet a requirement.

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There appeared to be consensus about proceeding with establishing a fee in lieu for streetscape, landscaping, and open space. The also appeared to be consensus with the idea of creating a common streetscape to revitalize an area.

Mr. McIlrath discussed the options for buildings in the FBC. He highlighted the following considerations:

- Siting / Location
- Form / Massing
- Details / Openings
- Materials / Look

Mr. McIlrath commented it was important to consider how each item listed interacted with the public realm. Susie Petheram, FFKR Architects, added it was important to consider what products had longer permanence as far as location, height, and materials when talking about building types. Mr. McIlrath suggested the City be more open than restrictive on design features. There was a discussion about streetscape and the importance of working with UDOT to determine appropriate widths and features to accommodate bike lanes, maintenance, and sufficient space to not hamper rights-of-way and plowing issues. There was also a discussion about street frontage, consolidation of driveways, movement of traffic, intensity, pedestrian traffic, and mobility.

Mr. McIlrath discussed zoning and districts in the FBC. He highlighted the following considerations:

- Building Types
- Height / Massing / Siting
- Street Frontage / Streetscape

There was a discussion about expanding the FBC zoning to 650 North for continuity in development, the intensity of different areas, the appropriate designation for the Corridor Commerce (CC) zone, access management points, intersections, crosswalks, and traffic signal locations, all of which were described as important to building types, height, massing, siting, street frontage, and streetscapes. Ms. Petheram explained UDOT required the City to document there was a demand for pedestrian crosswalks because of increased pedestrian traffic. She added that type of documentation would be aided by developing streetscapes and traffic calming features.

Commissioner Uccardi asked what percentage of the FBC was proposed to be zoned Town Residential (TR). Mr. McIlrath estimated the TR zone was proposed for about 50 percent of the area. Councilmember Thompson proposed keeping the TR zone to a medium density product by proposing more of a townhome zone. Mr. McIlrath explained that Wasatch Front Regional Council population predictions suggested the City's corridor would likely become a boulevard with four to five story buildings. He stated it was good planning practice to plan housing on a regional level. Ms. Petheram suggested the City review what building types it would like to see in which areas and that would help address density. She suggested side streets off the main corridor might be a good place for those types of buildings. She stated the City could have that same forum but different scale and massing based on where it was in the FBC area.

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Councilmember Roper wanted to make sure the determinations considered scaling as part of the evaluation criteria. Commissioner Uccardi added it was important to consider buffering and height restrictions where necessary as well.

Mr. McIlrath pointed out the property behind Kents grocery store was not originally included in the FBC area. He asked if there were any objections to including it. Ms. Petheram stated it was good area for townhome development because it included access to downtown and the Frontrunner Station. There were no objections voiced. Mr. McIlrath asked what zone was preferred for the area around 650 North. There appeared to be consensus to consider the CC zone for that area. Ms Petheram commented that type of zoning would create consistency. Mayor Shepherd commented the area from 300 North to 800 North would have to be redeveloped because there was currently active use of those properties and that was not likely to happen soon but rather in the long term. Mr. McIlrath suggested the benefit was the continuation of the streetscape that would set Clearfield apart from other communities along the corridor.

Mr. McIlrath commented the Downtown Small Area Plan talked about consolidating areas. He asked if a minimum parcel or lot size was something that needed to be addressed in the FBC. Councilmember Peterson responded she wanted to look at that type of requirement. Commissioner Bigelow expressed her concern that the requirement might slow development.

Councilmember Bush asked that balconies be screed when they faced the frontage. Mr. McIlrath responded that could be considered as staff moved further through the process.

The Council and Planning Commission took a break at 7:45 p.m.

The meeting resumed at 7:50 p.m.

OPEN MEETING TRAINING

Nancy Dean, City Recorder; Wendy Page, Deputy Recorder; and Spencer Brimley, Community Development Director, provided a training exercise for the Council and Planning Commission to review and discuss open meeting law in accordance with State Law.

DISCUSSION ON THE MODERATE INCOME HOUSING OBJECTIVES

Spencer Brimley, Community Development Director, stated last month the Council met in a work session to discuss current legislation to identify the appropriate approach for the City regarding moderate income housing and compliance with required laws. He reported the "menu items" had been included with the agenda packet; however, the staff report had identified the four items staff had selected to include in the City's plan. He explained staff had not yet completed the analysis or pulled that data, but that would be reviewed with the Council in the coming months.

Mr. Brimley pointed out developing the plan would be a legislative matter and asked if the Council had any concerns with the following selected items:

1. (A) rezone for densities necessary to assure the production of moderate income housing

2. (F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers
3. (G) encourage higher density or moderate income residential development near major transit investment corridors
4. (L) preserve existing moderate income housing

Councilmember Thompson questioned if the School Board had any projections on the generational increases and felt it could be helpful to obtain information which could be incorporated into planning. There was a discussion about housing stock in the City, the legislation along with its evolutionary process, example legislation from the State of Florida, and the impacts on the school systems from growth. Councilmember Thompson expressed his opinion that the City should explore options similar to the State of Florida so the City's plan could address the issue, lead out for other cities, and find balance related to its housing stock and affordability. Mr. Brimley requested the Council share any reports or information which could assist staff moving forward in developing its plan. Councilmember Thompson asked if it would be possible to get the information used by the School District for growth projections. Mr. Brimley stated it could be possible to get information from the School District and Wasatch Front Regional Council (WFRC) would also have information on growth projections.

Mr. Brimley asked again if there were any concerns with the menu items as outlined. The consensus of the Council was to move forward with those listed. Mr. Brimley highlighted the future meetings planned for discussion on the MIHP. He explained the final completion and adoption should be by December 1, 2019, but if further vetting was necessary there would be time.

Councilmember Peterson asked if the number crunching would be done internally or where the City would obtain its information. Mr. Brimley responded WFRC had a database that could be utilized during the process, but most of the information would come from the Census. He noted there were many data sources that could be used and the plan would be done internally not through a consultant.

DISCUSSION ON AMENDMENTS TO TITLE 11, CHAPTER 4 – CONDITIONAL USE PERMITS (CUPS)

Nick Porter, Management Intern, stated historically Conditional Use Permits were a way to discriminate against certain uses by imposing arbitrary conditions before a permit was granted. He indicated since 2012, the Utah State Legislature had updated the Land Use, Development, and Management Act (LUDMA) section on conditional uses. He explained it required that standards be set forth by the City for each zone and if there were no identifiable standards contained there would not be a basis for denying a permit. He noted staff had been working on updating the conditional use chapter of the City's Code to establish standards required by the State.

Mr. Porter reviewed the proposed changes affecting three sections of the City's Code which included § 11-4-4, § 11-4-5 and § 11-4-6. He pointed out there would be more work necessary to develop standards where there were some gaps. He reported staff felt the reviewed changes were

necessary to comply with State Statutes. Mr. Porter noted the proposed zoning text amendment would be reviewed by the Planning Commission and a recommendation would be presented to the Council in an upcoming meeting.

DISCUSSION ON AMENDMENTS TO TITLE 11 BY ESTABLISHING A CHAPTER TO GOVERN ACCESSORY DWELLING UNITS

Nick Porter, Management Intern, stated in response to the recent discussion on housing affordability, staff researched the possibility of the City allowing Accessory Dwelling Units (ADUs) as a permitted use for single-family residential zones. He explained ADUs were separate dwelling units on single-family lots. He continued ADUs appeared to be a good element that would enhance the City's housing affordability plan. He stated allowing them would also provide homeowners with an avenue to make improvements to their homes or lots while providing a source of revenue. He commented many ADUs were currently being used as mother-in-law apartments. He indicated staff felt it would be a good time to add a chapter to the City Code so the use could be properly regulated.

Mr, Porter reviewed the proposed procedures for allowing the use. He emphasized the use would need to owner occupied. There was a discussion on the purpose of requiring owner occupancy and its need to protect pride in ownership and preservation of the single family integrity of neighborhoods. There was also a discussion on compliance and enforcement. JJ Allen, City Manager, explained a rental license and inspections would be required.

There was a discussion about the costs associated with building a detached ADU and the costs associated with meeting building codes for an integrated ADU. Councilmember Bush added owners should still be subject to impact fees when developing ADUs.

Spencer Brimley, Community Development Director, explained the City did not want to create a two family dwelling in a single family zone. He continued the City did want to consider a phased opportunity that acknowledged it was currently being done but there were things to be done to protect the owner and the renter. Councilmember Phipps explained rental properties had been a real problem in the past and residents complained about parking and noise issues. He suggested the ordinance was a way to create a framework to enforce the use properly. He expressed concern that establishing procedures might also increase the use and negatively impact neighboring properties. Mayor Shepherd commented the purpose was not to encourage the use but rather to create a mechanism to control it. He suggested owner occupancy made a difference. He added there were still issues to address like sufficient parking. Councilmember Phipps agreed.

Councilmember Peterson commented that growth was coming to the entire community and would trickle down to single family residential properties. She expressed her opinion that allowing ADUs was not encouraging the use but rather helping the City be proactive in addressing legal ways to address it. She commented it did allow a property owner the ability to meet affordability issues and created standards that addressed impacts and safety.

Mr. Porter explained the proposed ordinance also addressed the appearance of ADUs in single family residential neighborhoods to make sure the architecture matched the main dwelling. He continued the setbacks would remain the same as required for the principal dwelling unit and there were size restrictions as well. He also reviewed the entrance and parking recommendations. There was a discussion on appropriate parking regulations. Councilmember Phipps requested the parking requirement not be associated to the availability or location of UTA transit routes.

Mr. Porter stated staff discussed how the utilities should be addressed. He said the recommendation was to prohibit separate utility meters to maintain the single family integrity of the dwelling. There appeared to be consensus for that recommendation.

Mr. Porter addressed the building requirements for firewalls separating each unit. He explained staff was still working on addressing how to bring existing uses into compliance given the cost to install a firewall. He suggested getting existing ADUs into compliance was a priority so it would need to be addressed. There was a discussion about whether to incentivize the compliance or not. Mayor Shepherd expressed his opinion an incentive would be necessary to get compliance.

**Councilmember Peterson moved to adjourn at 9:35 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

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

City Building
55 South State Street
Clearfield City, Utah

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

VISITORS: Michael Rolow, Chris Uccardi, Ruth Jones

Mayor Shepherd called the meeting to order at 6:01 p.m.

DISCUSSION ON THE AWARD OF BID FOR THE SOUTH MAIN STREET RECONSTRUCTION AND 300 NORTH MAINTENANCE PROJECT

Brad Wheeler, Street Superintendent, stated staff's recommendation for the bid of the South Main Street Reconstruction and 300 North Maintenance Project be awarded to Morgan Industries Inc. for the bid amount of $366,786.95. He noted the estimated contingency and engineering costs were $73,360.00 for a total project price of $440,146.95. Mr. Wheeler reviewed the proposed project which consisted of roadway reconstruction including curb and gutter, sidewalk in various locations of South Main from 150 West to approximately 700 South. He explained the mill and overlay would be from State Street to approximately 300 East on 300 North.

Councilmember Bush asked if the work would stop at 300 East rather than extending up to the end of the road near the freeway. Mr. Wheeler indicated the proposed project bid included the

work up to 300 East; however, depending on the various change orders with the proposed project and additional costs it could be added if there were enough contingency funds remaining.

Councilmember Bush wondered if there would be any impact to the railroad tracks. Mr. Wheeler answered due to the recent improvements to the tracks, it would be necessary to work around them and not disturb those lines.

Councilmember Bush questioned if the gas company would be putting a station as once anticipated near 300 North. Mr. Wheeler responded the gas company was contacted prior to the construction project design but it anticipated it would be several years before the gas line would be addressed.

Mr. Wheeler stated the award of bid would be on the policy session agenda for Council's consideration during its meeting on August 27, 2019.

DISCUSSION ON THE UPDATED CULINARY WATER CAPITAL FACILITIES PLAN

Adam Favero, Public Works Director, stated the purpose of the Culinary Water System Capital Facilities Plan was to provide Clearfield City with a working document to plan for future capital improvement projects in the Culinary Water System. The Culinary Water Capital Facilities Plan worked in conjunction with other documents of its kind to insure proper and efficient planning of the City's infrastructure. The Capital Facilities Plan included cost estimates, construction time table schedules, possible funding sources for culinary water utilities, additional storage needs, and computer modeling.

Mr. Favero expressed the importance of the continued use of the Geographic Information Systems (GIS) computer modeling application as it would keep information needed to create models and maps for future use. He discussed how the Public Works Department utilized and maintained the GIS application.

JJ Allen, City Manager, wondered how the City ensured precise locations for its utility lines. Mr. Favero stated the maps were within a few feet of the utility lines, imagery software would also help, however, staff currently felt the expense was not needed for such software.

Councilmember Bush wondered about Freeport Center having abandoned lines and how the City worked with those. Mr. Favero stated when the City found those they updated the GIS with the information.

Councilmember Peterson asked for clarification on the Equivalent Resident Connection (ERC) prediction. Mr. Favero stated the numbers were obtained from Wasatch Front Regional Council (WFRC) and were used to help predict future needs in the City.

Councilmember Bush asked about the projects being prioritized. Mr. Favero affirmed that the projects were prioritized, but also stated the Capital Facilities Plan was a working document, when problematic issues occurred the priority of other projects could change. He said working with other utilities was also a factor in the prioritization process.

Councilmember Phipps expressed concern that the ERCs seemed low. Mr. Allen agreed that the ERC prediction did seem low and would possibly need revision. However even if the prediction did change, the list of potential projects would not be affected unless something major came up.

Rich Knapp, Finance Manager, also pointed out the speed of the potential projects correlated to the finances available.

Mr. Favero said the Plan would be on an upcoming policy session for consideration of the Council.

DISCUSSION ON THE CITY ENGINEER POSITION

JJ Allen, City Manager, stated with the recent resignation of the City's Staff Engineer, Kamilla Schultz, staff assessed the effectiveness of bringing engineering in-house. He noted staff believed the City would best be served by converting the Staff Engineer position into City Engineer. The new position would allow authorizing final approvals, stamps and signatures on plans. He mentioned there could be an enhancement in the services but there was no guarantee of cost savings. Mr. Allen expressed his opinion the City needed an engineer in-house and it would help efficiencies. He pointed out making the necessary changes to the position would likely be an increase to the budget of $25,000.

He explained three years previous the Council approved funding for the position and it was created with the intent to allow for greater freedom from contracted services and greater ability to meet the growing development demand. There was a discussion about the impacts of having a City Engineer, the anticipated approach for engineering design, if there were any contracted outsourcing requirements, what portion of the cost increase would be for benefits, the expected time period before realization of any improvements or efficiencies; and the probability of hiring and retaining a City Engineer.

Mr. Allen asked if there were any concerns moving in the direction as discussed. He noted if the Council was favorable to making the change in the position then staff would move forward, but a budget amendment would be necessary in the future to make the adjustment. There was consensus from the Council that staff should move forward shifting to a City Engineer position.

**Councilmember Bush moved to adjourn at 6:30 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

# STAFF REPORT

**TO:** Mayor Shepherd and City Council Members

**FROM:** Nancy Dean, City Recorder

**MEETING DATE:** August 27, 2019

**SUBJECT:** Clearfield City Council Rules of Order and Procedure

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## RECOMMENDED ACTION

Consider approval of the Clearfield City Council Rules of Order and Procedure.

## DESCRIPTION / BACKGROUND

Utah Code Annotated § 10-3-606 requires the City Council to adopt Rules of Order and Procedure. The purpose of the policy is intended to govern and prescribe rules for parliamentary order and procedure, ethical behavior, and civil discourse. The City is currently using City Code, Title 1, Chapter 6 to meet that requirement.

In an effort to more fully address the rules and procedures for the Council, staff prepared the draft Clearfield City Council Rules of Order and Procedures which was discussed during a work session on April 9, 2019. Some adjustments have been made to the document since that time as a result of that discussion and redistributed to the Council for its review and feedback.

The Rules of Order and Procedure have been drafted to address some changes to what is currently known as the opening ceremonies for policy sessions by including a serious moment of reflection and guidelines for members of the community to follow when participating in that process.

Following the Council's consideration of the Council Rules of Order and Procedure, staff will prepare some adjustments to City Code Title 1, Chapter 6 so the two policies complement each other and then present those changes for consideration by the Council at a later date.

## CORRESPONDING POLICY PRIORITY (IES)

This item enhances providing quality municipal services by addressing transparency and ethics.

## FISCAL IMPACT

There is no fiscal impact.

**ALTERNATIVES**

n/a

**SCHEDULE / TIME CONSTRAINTS**

n/a

**LIST OF ATTACHMENTS**

- Resolution 2019R-19
- City Council Rules of Order and Procedure

# CLEARFIELD CITY RESOLUTION 2019R-19

**A RESOLUTION APPROVING THE CLEARFIELD CITY COUNCIL RULES OF ORDER AND PROCEDURE**

WHEREAS, the Clearfield City Council finds that it is authorized by State Law to adopt rules of order and procedure to govern conduct of the governing body under certain circumstances; and,

WHEREAS, the City Council has reviewed the proposed City Council Rules of Order and Procedure during a previous work session and provided it input on the matter;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that the attached City Council Rules of Order and Procedure is hereby adopted to govern the conduct of the governing body under certain circumstances.

Passed and adopted by the City Council at its regular meeting on August 27, 2019.

ATTEST

_____
Nancy R. Dean, City Recorder

CLEARFIELD CITY CORPORATION

_____
Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

# Clearfield City Council
# Rules of Order and Procedure

The Clearfield City Council hereby adopts, pursuant to the Utah Code Annotated § 10-3-606, as amended, the following rules of order and procedure to govern the meetings of the City Council and the elected official thereon. The City Council has not adopted the formality of the Robert's Rules of Order. However, the following rules are based on Robert's Rules of Order, with modifications, and more fully suit the needs of the Clearfield City Council. These are not the only rules followed by the City Council. They are in addition to rules set forth in Utah Code Annotated (Title 10, Utah Municipal Code, and Title 52, Chapter 4, Open and Public Meetings). All rules and procedures of the Clearfield City Council must remain consistent with the Utah Code. These rules shall be made available to the public at each public meeting held by the Council, and shall be posted on the City's website.

## I. PURPOSE.

The policies and procedures in this document provides guidelines and direction for the members of the Clearfield City Council and the Mayor in the performance of their duties and conducting their meetings. In addition to these rules, the City Council and Mayor shall be governed by the provisions of all applicable city ordinances and state statutes.

## II. SCHEDULING AND CALLING OF MEETINGS.

Pursuant to Utah Code Annotated § 52-4-202(2)(a), as amended, and City Code § 1-6-4, the City Council shall give public notice of its annual policy session meeting schedule. Any additional meeting of the City Council shall be called or scheduled in accordance with Utah Code Annotated § 52-4-201, *et. seq.*

A. Place. Unless identified otherwise in the notice and agenda, meetings of the City Council will be held at City Hall, 55 South State, Clearfield, Utah.

B. Policy Session. Policy Sessions are formal meetings wherein the City Council may consider and take formal action on items properly presented before them pursuant to these Rules of Order and Procedure, city ordinance, and state law. All Policy Sessions of the City Council shall be open to the public and include the opportunity for the public to provide comment during a scheduled "Open Comment Period" of the meeting. Policy Sessions of the City Council are generally scheduled for the second and fourth Tuesday of each month, beginning at 7:00 p.m.

C. Work Sessions. Work Sessions may be held in addition to Policy Sessions, as determined by the Mayor or two City Council members for the purpose of discussion or study of issues or topics that may or may not come before the City Council for action in a future Policy Session. All Work Sessions of the City

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Council shall be open to the public. A Work Session is a less formal meeting than a Policy Session, and shall not include an "Open Comment Period" during the meeting. However, at the discretion of the Mayor, limited public comment may be allowed to assist in the furtherance of discussion on a properly noticed and scheduled item. After discussion, items may be referred to a future Policy Session for final action or to a future Work Session if the matter needs further discussion. No action (vote) on items discussed will be taken at a Work Session.

D. Special Sessions. Pursuant to Utah Code Ann. § 10-3-502, as amended, and City Code § 1-6-4, the Mayor or two City Council members may order the convening of a Special Session, if the business of the city requires it. Under this circumstance, the City Recorder shall provide notice of the Special Session to each City Council member by delivering the notice personally or by leaving it at each council member's usual place of abode. Utah Code Annotated § 10-3-502, as amended. Notice of the Special Session may also be conveyed by a telephone conversation, voice mail, or electronic notice if personal delivery is not accomplished. All other notice and voting requirements shall be as required by Utah Code Annotated § 52-4-202, as amended.

E. Emergency Sessions. Pursuant to Utah Code Ann. § 52-4-202, as amended, and City Code § 1-6-4, the Mayor or two City Council members may call an Emergency Session for matters of an emergency or urgent nature. An attempt will be made to notify all City Council members of the Emergency Session and the best notice practicable shall be given. Pursuant to Utah Code Ann. 52-4-202(5) a majority of the City Council members must vote in the affirmative to hold the meeting.

F. Closed Sessions. In certain circumstances, the Mayor or two City Council members may deem it advisable to take certain matters under discussion into a Closed Session with only the Mayor, City Council members, and city staff essential to the meeting present. Such meetings may be held upon the affirmative vote of 2/3 of the City Council members present at such a meeting. The vote must be taken in open meeting. Closed meetings may only be held for purposes deemed lawful under Utah Code Annotated § 52-4-205, as amended.

G. Quorum. Pursuant to City Code § 1-6-3, three (3) City Council members shall constitute a quorum thereof for the transaction of all business except where otherwise required. The Mayor and each City Council member shall attend Policy and Work Sessions of the City Council unless duly excused or unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the City Recorder's office. The City Recorder's office shall call the same to the attention of the Mayor. In accordance with the procedures set forth in City Code § 1-6-4(H), the Mayor and City Council members may request to participate in a meeting via electronic means prior to publication of the agenda. If for any reason a City Council member must leave prior to the adjournment of a regularly scheduled Policy or Work Session, excluding extenuating emergency

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circumstances, said City Council member must first gain permission from the Mayor. If for any reason the Mayor must leave prior to the adjournment of a regularly scheduled Policy or Work Session, excluding extenuating emergency circumstances, said Mayor must first gain permission from two City Council members. The Mayor and City Council members may not ask to be excused from all or part of a Policy Session to avoid voting on an item lawfully before the elected body. If there is a recess during a Policy Session, the Mayor and the City Council members should not discuss any item on the Policy Session agenda until the Policy Session resumes.

H. Content. Discussion during City Council meetings is to be limited to agenda items and issues reasonably related thereto.

Open Comment Period. The Open Comment Period shall be scheduled to take place during each Policy Session, and is intended to provide the public with the opportunity to address the Mayor and City Council regarding concerns or ideas on any topic. All comments and presentations are limited to relevant issues to the city, and each participating individual shall state his or her name for the record. In order to ensure that the meetings proceed in a timely and orderly manner, a three minute time frame will be provided for such comments or presentations. Additional time may be granted by a majority vote of the City Council. Pursuant to Utah Code Ann. § 52-4-301, any person who disrupts the meeting by exceeding a time limit, discussing irrelevant issues, or otherwise, may be removed at the direction of the Mayor. The Open Comment Period is not intended, nor shall it be, the forum in which the public and elected officials or city staff engage in dialogue or debate. At the discretion of the Mayor, limited clarifying questions or dialogue between the public and elected officials may occur through the Mayor, with special care given by the Mayor to ensure that the intent of the Open Comment Period is not compromised.

I. Recess. The Mayor, or two Council Members may call a recess to any City Council meeting. All recesses should attempt to minimize disruption, be limited in time, and include an expression of when the meeting will be reconvened into order.

J. Additional Guidelines. In addition to these Rules of Order and Procedures, the City Council may invoke additional guidelines as necessary to address issues as they arise, so long as they are consistent with the nature and intent with the content herein.

## III. PREPARATION OF THE AGENDA AND DELIVERY OF INFORMATION PACKETS TO THE CITY COUNCIL MEMBERS

For each City Council meeting, the City Recorder's office will prepare an agenda under the direction of the Mayor and City Manager. Under usual circumstances, the Mayor and City Council members will receive a packet containing the agenda of such meeting and

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information pertaining to items on the agenda. To allow the Mayor and City Council members adequate time to study the items for consideration at the upcoming meeting, all information for the agenda and packet will typically be delivered or made available electronically by the City Recorder's office no later than noon on the Thursday preceding the Tuesday meeting.

The agenda and packet is also published online, at the City's webpage, www.clearfieldcity.org, and online at the Utah Public Notice Website, www.utah.gov.

## IV. COMPUTERS, CELL PHONES AND TABLETS FOR CITY COUNCIL MEMBERS

The Mayor and City Council members may acquire and maintain computers, tablets, cell phones, etc. for ease of access to all pertinent city information, such as email, city code, web sites, and agenda packets. The cost allotted for such equipment, including maintenance and service, will be addressed and decided by the City Council members each year during budget discussions. The amount decided upon will be included as a line item in the general fund.

## V. SERIOUS MOMENT FOR REFLECTION

A. Each City Council meeting will begin with a Serious Moment for Reflection comprised of a prayer, other supplication, moment of silence, inspirational thought, an inspirational reading, etc. The Serious Moment for Reflection will be led by or under the direction of the Mayor, an assigned City Council member, or a volunteer community member. The Mayor or a City Council member may delegate their assigned Serious Moment for Reflection to an individual or group that agrees to provide the Serious Moment for Reflection in accordance with Section V, subsection E, of these Rules of Order and Procedure. A volunteer community member may not delegate a scheduled Serious Moment for Reflection.

B. Upon timely request, the Serious Moment for Reflection may be conducted by any person having a significant connection to the Clearfield City community, including residents, city business leaders, city educational leaders, city religious leaders, city civic leaders, etc. The request must be delivered to the City Recorder no later than noon on the Tuesday one week prior to the City Council meeting for consideration for placement on the next available agenda. The request shall contain the following information:

1. The name and address of the individual requesting to present the Serious Moment for Reflection;

2. The person's connection to the Clearfield City community; and

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3. The general nature of the presentation, i.e., prayer, supplication, inspirational thought, moment of silence, or will specify if other than these types.

C. Upon receiving the request, if no other person has made an earlier request, the person will be placed on the agenda to present the Serious Moment for Reflection at the next available scheduled City Council meeting. If multiple requests are received, each person making a request shall be scheduled to present at an upcoming City Council meeting according to the order in which the request is made.

D. Each person who files a request with the City Recorder's office will be given a copy of the guidelines for presenting the Serious Moment for Reflection outlined below in E.

E. The person providing the Serious Moment for Reflection shall adhere to the following:

1. The purpose of the Serious Moment for Reflection is to set the tone for the proceedings of the City Council. It may consist of a prayer, supplication, inspirational thought, inspirational reading, a moment of silence, or other appropriate activity.

2. It should promote thoughtful attention to public duty and high moral and ethical standards.

3. It should promote peace, unity, and tolerance in the community.

4. It is not a time to disparage the beliefs of others or to promote one's own beliefs or point of view.

5. It should not degrade any person because of religion, race, ethnic background, national origin, sex, sexual orientation, or philosophy.

6. It should not be crude, vulgar, or offensive to the public sense of decency.

7. It is not a time to demean or criticize local leaders.

8. If it is the person's intent to argue, complain, criticize, etc., the Open Comment Period of each City Council meeting is the time to do so, not the Serious Moment for Reflection.

9. The presentation may not exceed three minutes.

10. The presenter must be in attendance and prepared to proceed on time.

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11. A presenter may only present once in a six-month period of time.

12. The presenter must abide by the City Council's rules of decorum as set forth in Section IX of these Rules of Order and Procedure.

F. To provide equal access to participate, the opportunity to present the Serious Moment for Reflection at City Council meetings will be advertised to the community by the following methods:

1. An invitation to the public to participate will be posted at city hall outside the City Council chambers.

2. An invitation to the public to participate will be posted on the city's website.

3. The invitation will be substantially in this form:
"The Clearfield City Council invites all city residents, city business leaders, city education leaders, city civic leaders, city religious leaders, or any other person with a significant connection to the Clearfield City community to participate at an upcoming City Council meeting by presenting during the Serious Moment for Reflection at the commencement of the meeting. Persons interested in volunteering for this public service should contact the City Recorder's office no later than noon on the Tuesday preceding a scheduled City Council meeting."

G. If an interested community member fails to timely volunteer, or, having volunteered, fails to timely appear, the Mayor will assign a City Council member to present the Serious Moment for Reflection.

## VI. ORDER OF BUSINESS AND ORGANIZATION OF CITY COUNCIL AGENDA

The City Council generally considers business at its scheduled Policy Sessions in the following order:

A. Opening Ceremonies.

1. Welcome/Introductions – Acknowledge Visitors. The Mayor will call the meeting to order and welcome those in attendance and acknowledge visitors.

2. Serious Moment for Reflection/Pledge of Allegiance. The Mayor will announce the name of the person scheduled to present during the Serious Moment for Reflection and pledge of allegiance. As outlined in Section V of these Rules of Order and Procedure, a person may volunteer and be scheduled to present the Serious Moment for Reflection and/or pledge of allegiance by notifying the City Recorder.

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B. Approval of the Minutes. The Mayor will ask if there are any changes or corrections for the draft minutes. When changes and corrections have been made, the Mayor will call for a motion and second to adopt the minutes. Once the minutes have been adopted, no alterations may be made and they become the official record of the meeting.

C. Special Presentations. Occasionally, ceremonial tasks or presentations from outside agencies are needed at the beginning of the City Council meeting. Normally, such items do not require a motion.

D. Public Hearings. Some legislative items require Public Hearings for the City Council to receive public comment prior to taking action on the items. Public comment during a Public Hearing may only be received after proper notice has been made by the City Recorder. The Mayor will declare the Public Hearing open, call for public comments, and give all individuals desiring to comment the opportunity to address the City Council on the matter. A Public Hearing shall only take place during a Policy Session, and is intended to provide the public with the opportunity to provided limited comments, testimony, or opinion. The Public Hearing portion of a Policy Session is not intended, nor shall it be, the forum in which the public and elected officials or city staff engage in dialogue or debate on the specific item scheduled for a Public Hearing. At the discretion of the Mayor, limited clarifying questions or dialogue between the public and elected officials may occur through the Mayor, with special care given by the Mayor to ensure that the intent of a Public Hearing is not compromised.

E. Consent Items. If the agenda item is routine and likely non-controversial, it may be placed on the formal council meeting agenda, under "Consent Items." The Mayor should ask if there are any questions concerning the Consent Items. The Mayor should identify and briefly explain each of the Consent Items appearing on the agenda to all those present, viewing, or reviewing the record of the meeting. The items appearing as consent, generally, shall consist of matters which require no further discussion or which are routine in nature. Usually, all items appearing as a consent item shall be adopted by a single motion, second and vote. However, prior to the motion to adopt the consent items, a council member may have an item removed from the consent items without a motion for further discussion. Items moved from the consent portion of the agenda will be addressed in that section of the agenda ahead of agenda items listed for discussion. A motion, second and vote will be called for the adoption of the remaining consent items.

F. Scheduled Items. The City Council may use this time to discuss matters identified on the agenda. The Mayor may call for a motion on the matter then 1) announce the author of the motion, 2) restate the motion, 3) announce who seconded the motion, 4) ask if there is a question on the motion, and, 4) call for a vote on the motion. The author of a motion may amend or withdraw that motion

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before it has been voted on with the concurrence of the person who seconded the motion and a vote of the City Council.

G. Communication Items. The Mayor and City Council members may update, report, and communicate items of interest at the meeting. No action may be taken by the City Council during Communication Items. The Mayor and City Council shall not use this time to thwart any section within these Rules of Order and Procedure, city ordinances, or state laws. The Communication Items portion of the agenda shall not be used in a manner to perform any act that would otherwise not be allowed. For example, the Mayor and City Council should not participate in discussions, debates, or engage with the public or act on issues not properly before the City Council.

## VII. MOTIONS.

A. Making of Motions. Any City Council member may make or second a motion. Motions should state findings for denial or approval within the motion.

1. Motions should state findings at the beginning.

2. The staff reports should be in sufficient detail to assist the council in stating findings.

B. Second Required. Each motion of the City Council must be seconded to proceed to a vote. A motion that receives no second shall fail.

C. Motion to Amend. After a motion has been seconded, another City Council member may offer an amendment to the original motion author, which he or she, together with the seconder of the motion, may accept or reject. Incidental amendments are informal and are not counted toward motions to amend. To retain clarity, the main motion should be amended no more than two times.

D. Withdrawing a Motion. A motion may be withdrawn at any time before decision or amendment by the unanimous consent of the City Council.

E. Motion to Table. A motion to table an agenda item for further study should be accompanied by specific reasons for tabling the matter. When possible, a specific date to rehear the matter should be scheduled, followed by a second. The Mayor will call for a vote on the motion.

F. Motion to Close Public Hearings. The Mayor will declare public hearings open. Following the conclusion of receiving any public comment, a motion shall be made to close the public hearing followed by a second. The Mayor will call for a vote on the motion.

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G. Motion to Recess. A motion shall be made to break for a specific purpose followed by a second. The Mayor will call for a vote on the motion.

H. Motion to Adjourn. A motion to adjourn the meeting shall be made at the end of each City Council meeting, followed by a second.

VIII. VOTING.

Except as otherwise specifically provided in these rules, a majority vote of the City Council shall be required and shall be sufficient to transact any business before the City Council.

A. Form of Vote. Voting shall be in the form of "yes" or "aye," "no" or "nay," and "abstain," and the names of those voting for, against, or abstaining entered in the City Council minutes.

B. Roll Call. "Roll Call" means that each City Council member verbally gives his or her vote when called upon to vote. A roll call vote is required for all ordinances and resolutions and may occur for other votes. Any member of the City Council has the discretion to call for a roll call vote. The act of the roll call vote itself and subsequent accounting shall be performed by the City Recorder.

C. Voice Vote. If a roll call vote is not required, a voice vote may occur. A voice vote is conducted by the Mayor calling for a vote in turn of those in favor of the motion and those against with City Council members responding simultaneously.

D. Changing a Vote. No member shall be permitted to change his/her vote after the decision is announced by the Mayor.

E. Tie Votes. Tie votes shall be broken by the Mayor casting a vote.

F. Conflict of Interest/Disqualification. The Mayor and City Council members are required by Utah Code Annotated § 10-3-1301, as amended, to disclose actual or potential conflicts of interest between their public duties and their personal interests. Under most conflict of interest situations, City Council members (and Mayor, if placed in voting situation) should abstain from voting on a matter if they have a substantial interest in the item, and avoid participating in the discussion as well. Pursuant to Utah Code Annotated § 10-3-1303(9), "Substantial interest" means the ownership, either legally or equitably, by an individual, the individual's spouse, or the individual's minor children, of at least ten percent (10%) of the outstanding shares of a corporation or ten percent (10%) interest in any other business entity.

G. Minimum Votes Required. Unless otherwise provided herein, a minimum of three (3) affirmative votes are required to make a determination on items presented to the City Council unless otherwise stipulated by law.

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H. Explanation of Vote. A City Council member desiring to explain his or her vote should do so prior to the roll call or voice vote.

## IX. DECORUM

A. Conduct of the Mayor and City Council Members. The Mayor and City Council members shall avoid personal attacks and restrict comments to issues before the body. Violations of decorum or conduct shall be resolved by the Mayor or a majority vote of the City Council.

The Mayor and City Council members should avoid engaging in private discourse or committing any other act which may tend to distract the attention of the City Council or the audience from business before the City Council, or which might interfere with any person's right to be heard after recognition by the Mayor during a meeting.

The Mayor and City Council members shall avoid using City Council meetings as an opportunity to campaign personal views or draw attention to personal websites or social media platforms. The Mayor and City Council members are serving in official positions and acting on behalf of the city in all open meetings.

B. Conduct of the Mayor and City Council Members on City Social Media Platforms. The city's image as a professional organization is critical to maintain the respect of its constituents. Although the city recognizes that elected and appointed officials may choose to express themselves by posting personal information upon social media platforms or by making comments on sites hosted by other persons, groups, or organizations, this right of expression should not interfere with the operation of the city. That is, although the Mayor and City Council acknowledges its officials have the First Amendment right to free speech, the right is not absolute when involving matters of official city business. As such, the Mayor, with the consent of the City Council, has authorized the City Manager or his or her designee(s) to be the authorized individual(s) to speak on behalf of the city on all city social media platforms.

To ensure that the voice of the city is professional and consistent, the Mayor and City Council members shall not comment on any city social media platforms. Comments shall include, but is not limited to "likes," "dislikes," or any other type of written or visual expression of opinion. The Mayor and City Council members may tag or share a link to a city social media platform, i.e. share the city message with others, but the Mayor or a City Council member may not link their personal social media platform to any city social media platform.

The Mayor and City Council members understand that if an elected official conducts any city business or communication as an official from a personal account, professional account, or an account created by a

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board/committee/commission, officials should assume the city-related communication will be considered (1) a public record subject to the Utah Public Records laws, and (2) communication subject to the Utah Open and Public Meetings Act.

The Mayor and City Council members shall abide by the City's Social Media Policy, as adopted.

C. Conduct of Residents and Attendees at City Council Meeting. Those in attendance should be admonished to avoid personal attacks, demonstrations, or outbursts without being recognized by the Mayor. Individuals should be required to address their remarks directly to the City Council as a body concerning the agenda business. Persons engaged in disruptive behavior shall be removed by a member of the city police department at the direction of the Mayor or a majority of the City Council members.

When speaking or discussing issues lawfully before the City Council, all persons, including the Mayor and City Council members, shall confine their remarks to the question under discussion, avoiding remarks or discussions related to individual personalities, and not the issues lawfully before the City Council. Anyone engaging in discussion beyond the question before the City Council shall be ordered to stop by the Mayor and no further discussion will be allowed by said person.

X. ORGANIZATION.

A. Duties of the Mayor.

1. Preside at all meetings of the City Council and shall provide general direction for the meetings;

2. Call the City Council to order and to proceed with the order of business;

3. Receive and submit in the proper manner all motions and propositions presented by City Council members;

4. Put to vote all questions which are properly moved or necessarily arise in the course of proceedings and to announce the result thereof;

5. Inform the City Council, when necessary, or when referred to for that purpose, on any point of order of practice. In the course of discharge of this duty, the Mayor shall have the right to call upon legal counsel for advice;

6. Authenticate by signature when necessary, or when directed by the City Council, all acts, orders and proceedings of the City Council;

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7. Maintain order at City Council meetings;

8. Move the agenda along, hold down redundancy, reference handouts and procedures in a sensitive way during meetings;

9. Recognize speakers and City Council members prior to receiving comments and presentations of physical evidence, i.e. plans and pictures; and

10. Participate in the voting procedures only when called upon to break a tie vote.

B. Duties of the Mayor Pro Tem. The Mayor may appoint a Mayor Pro Tem with the advice and consent of the City Council. The Mayor Pro Tem shall have and perform all the duties and functions of the Mayor in the absence of the Mayor. Throughout these Rules of Order and Procedure, the role and duties of the Mayor may be inferred to apply to the Mayor Pro Tem, as necessary.

C. Absence of Mayor and Mayor Pro Tem. In the absence of both the Mayor and Mayor Pro Tem, when necessary, the City Council may elect in an open meeting, one of its members to serve as the Mayor Pro Tem until either the Mayor or the appointed Mayor Pro Tem returns.

D. City Recorder. The City Recorder shall serve as secretary to the City Council. The City Recorder shall have the following duties;

1. Annually, within ten (10) business days after the first meeting of the City Council in December of each year, give public notice of the annual Policy Session meeting schedule of the forthcoming year. If during any year the annual Policy Session meeting schedule for that year is revised, the City Recorder shall give notice of the revised annual Policy Session meeting schedule.

2. Give notice of the agenda, date, time and place of each meeting of the City Council as follows:
   a. Post at the principal office of the City Council at least twenty four (24) hours prior to the meeting; and
   b. Provide notice to at least one newspaper of general circulation within the city not less than twenty four (24) hours prior to the meeting, or providing such notice to a local media correspondent; and
   c. Post on the city's website.
   d. Post on the State of Utah's Public Notice website.
   e. Copies of the notice shall likewise be furnished at least twenty four (24) hours prior to the meeting to each member of the City Council.

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3. Keep and record the minutes of the proceedings of all meetings of the City Council;
    a. Draft minutes will be made available to the public within 30 days following the meeting.
    b. Approved minutes will be posted to the Utah Public Notice website and be made available at the primary office of the public body within (3) three business days following approval of said minutes.
    c. Audio recordings of the meeting will be made available, upon request to the public within three business days of the public meeting.

4. Keep and maintain a permanent record file of all documents and papers pertaining to the work of the City Council;

5. Prepare the approved written minutes for the Mayor's signature; and

6. Perform such other duties as may be required.

## XI. AMENDMENT, REVISION, OR ADDITION TO THE RULES OF ORDER AND PROCEDURE

Any City Council member may propose amendments, revisions, or additions to these Rules of Order and Procedure to the Mayor.

Each amendment, revision, or addition proposed by a City Council member shall be in written form and copies shall be provided to each City Council member by the City Recorder's office.

Consideration of any amendments, revisions, or additions to these Rules of Order and Procedure shall be noticed on a City Council agenda in conformance with the Utah Open and Public Meetings Act.

A majority vote of the City Council shall be required for passage and adoption of an amendment, revision, or addition to these Rules of Order and Procedure.

A copy of the Rules of Order and Procedures will be made available to any person who requests the same.

## XII. COMPLIANCE AND ENFORCEMENT

The Clearfield City Council Rules of Order and Procedure are intended to be self-enforcing. It therefore becomes most effective when the Mayor and all City Council members are thoroughly familiar with it and embrace its provisions.

The Clearfield City Council Rules of Order and Procedure expresses standards for ethical conduct expected of the elected officials of Clearfield City. Individuals themselves have the primary responsibility to ensure that ethical standards are understood and met, and

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that the public can continue to have full confidence in the integrity of government. The elected officials of Clearfield City have the responsibility to intervene when actions of members appear to be in violation of the Rules of Order and Procedure, any city ordinance, or state or federal laws, whether if they are witnessed or brought to their attention. The City Council by majority vote may also impose sanctions on those individuals whose conduct does not comply with the city's ethical or professional standards. Sanctions may include:

- Official verbal reprimand in an open meeting
- Formal public letter of censure by the Mayor or majority of the City Council
- Loss of committee assignment(s)
- In accordance with Utah Code 52-4-301 or 10-3-607, any member of the City Council, including the Mayor, acting in violation of these Rules of Order and Procedure, city ordinance, or state or federal law may be removed from meetings
- Other courses of action as they are made available by state statute and legal means and agreed upon by a majority of the Clearfield City Council

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# STAFF REPORT

**TO:** Mayor Shepherd and City Council Members

**FROM:** Spencer W. Brimley, Community Development Director

**MEETING DATE:** Tuesday, August 27, 2019

**SUBJECT:** Motor Vehicle Sales in Clearfield City – Temporary Land Use Regulations

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## STAFF RECOMMENDATION

Staff is recommending the adoption of an ordinance enacting a temporary land use regulation prohibiting the approval of applications for, development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales use on commercially manufacturing zoned property throughout the City.

## DESCRIPTION / BACKGROUND

**A. General Information:** Motor Vehicle Sale ("auto dealership") is a conditional use in the C-2 (Commercial) Zone. The C-2 zone is primarily located in along State/Main Street (SR-126) in and around the Downtown Clearfield Form-Based Code area, as well as on Antelope Drive. Currently, Main Street includes numerous auto dealerships on both sides of the street, while State Street has a few auto dealerships located south of 700 south, as well as near 1000 East. A small number of the current auto dealerships within the City are located on parcels originally intended and designed to be an auto dealership, while the majority of the existing auto dealerships found within the City are on older properties that have transitioned from non-auto dealership businesses into auto dealership business. Unfortunately, this evolution of auto dealerships within the City has occurred over time with little regulation in place or being enforced to bring the new auto dealerships into compliance with current code standards for landscaping, site development standards, and building design.

The City currently has approximately 15 licensed auto dealership businesses in the City. However, the actual number of auto dealerships can be somewhat difficult to keep track of, due to the fact that when an auto dealership business closes, it is traditionally replaced with another auto dealership in a fairly short amount of time. Very often staff is not aware of the closure of a business of this type, until it is apparent that a new one has moved into the location. In many instances we are seeing a migration of auto dealerships. From speaking with the owners of these businesses, staff understands that this movement towards 700 S and 650 N and I-15 has occurred for the benefit of the auto dealership in order to gain increased visibility from those exiting the freeway.

**B. Current Business and Inventory:** Below is a list of all known auto dealerships in the City. Staff has provided a column for "status" to show whether the business is in operation or has been closed down.

| Business Name | Address | STATUS |
|---|---|---|
| BAIRD MOTORS | 345 N MAIN ST | OPEN |
| BEST BUY AUTO INC | 214 S STATE ST | OPEN |
| BETTER CARS AUTO SALES | 545 S STATE ST | CLOSED |
| BEUTLER AUTO SALES, INC. | 378 N MAIN ST | OPEN |
| CARSMART AUTO GROUP INC | 555 N MAIN | CLOSED |
| CHARIOT AUTO SALES | 562 S STATE ST | OPEN |
| CM AUTOMOTIVE | BLDG E-6, FREEPORT WEST | OPEN |
| DAVE'S DISCOUNT AUTO SALES | 400 S STATE ST | OPEN |
| DUBS AUTO | 345 W 1700 S #B | OPEN |
| MAIN STREET AUTO SALES | 442 N MAIN ST | ? |
| QUICK SALE AUTO, LLC | 545 S STATE ST | OPEN |
| SAFE BUY AUTO LC | 1265 S STATE ST | OPEN |
| WATORI AUTO LLC | 269 E 200 S | ? |
| WESTBRIDGE AUTO | 730 S STATE ST | OPEN |
| WESTGATE AUTO SALES | 555 N MAIN ST | OPEN |

**C. Intent:** The intent of Clearfield City Ordinance 2019-18 is to enact a land use moratorium to allow staff to (a) Study, research, and determine if a recommendation of new language within Title 11 is appropriate to reduce any real or perceived negative impact resulting from new or existing auto dealerships within the C-2 zone, (b) Ensure that all future auto dealerships within the C-2 zone are developed consistent with the Form Based Code and all other applicable zoning regulations, and (c) Perform and in-depth review of other municipal codes, both local and national, in hopes of creating a specific licensing section within Title 11 that will provide future motor vehicle business license applicants with a more clear understanding of expectations, requirements, and regulations, specific to this industry.

## 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.

**LAND USE CONSTRAINTS**

The establishment of new development standards and requirements for this type of use will apply to new auto dealerships within the City, as well as auto dealerships that may desire to expand or amend their current operation, including all existing auto dealership businesses.

**FISCAL IMPACTS**

| | |
|---|---|
| Negative Fiscal Impact: | Staff recognizes regulations adopted could be a deterrent to new auto dealership business locating in the City. Negative fiscal impacts to the City, could be anticipated by enacting any additional requirements or regulations for auto dealerships. |
| Positive Fiscal Impact: | It is anticipated that adoption of this ordinance would allow for increased aesthetics along the State Street corridor, as well as in other areas of the City that permit this type of use, which is anticipated to increase the overall marketability of said areas and ultimately bring more commercial uses into the C-2 zone. |

**ALTERNATIVES**

Subject to alternative direction, staff believes the following to be viable alternatives:

1. Enact or Deny Clearfield City Ordinance 2019-18 as proposed.

2. Enact or Deny Clearfield City Ordinance 2019-18, with alternative direction/language.

**SCHEDULE / TIME CONSTRAINTS**

Pursuant to Utah State Code Ann. §10-9a-504, the City "shall establish a period of limited effect for the ordinance not to exceed six months."

Staff is hopeful that this moratorium will take less than the six months allowed by law.

**LIST OF ATTACHMENTS**

- Proposed Ordinance
    - Clearfield City Ordinance 2019-18

# CLEARFIELD CITY ORDINANCE 2019-18

**AN ORDINANCE ENACTING A TEMPORARY LAND USE REGULATION REGARDING MOTOR VEHICLE SALES ESTABLISHMENTS PURSUANT TO UTAH CODE ANN. § 10-9a-504 APPLICABLE TO THE COMMERCIALLY ZONED PROPERTIES LOCATED WITHIN THE CITY'S GEOGRAPHIC BOUNDARIES**

**PREAMBLE:** This Ordinance temporarily prohibits approving applications for, development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the Clearfield City (the "City").

**RECITALS**

WHEREAS, the City's General Plan Land Use Goal 4 emphasizes the revitalization of commercial districts and deteriorating neighborhoods, focusing on facilitating the redevelopment of downtown Clearfield through public-private partnerships; and

WHEREAS, the City's General Plan Transportation Goal 1 is "to preserve, enhance, and beautify the City's main transportation corridors;" and

WHEREAS, the City has also updated its Long Range Strategic Plan to include "improving Clearfield's image, livability, and economy," as a priority; and

WHEREAS, the City currently has approximately 15 licensed motor vehicle dealership businesses located within the City's boundaries in commercially zoned properties; and

WHEREAS, the majority of the existing motor vehicle dealership businesses found within the City are on older properties that have transitioned from non-auto dealership businesses; and

WHEREAS, the City has a legitimate, substantial, and compelling interest in fostering positive perceptions of the City and pride in the community; and

WHEREAS, the City has a legitimate, substantial, and compelling interest in encouraging appropriate patterns of development in the community which minimize the negative impacts of certain types of land uses, such as motor vehicle dealership businesses; and

WHEREAS, the City has a legitimate, substantial, and compelling interest in promoting economic investment in the community; and

WHEREAS, the City finds a compelling, countervailing public interest to perform a review of existing standards to determine if the establishment of new development standards and requirements for motor vehicle dealerships are necessary to promote the revitalization of commercial districts, deteriorating neighborhoods, and to serve the best interests of Clearfield's residents, visitors, property and business owners; and

WHEREAS, such a review would include consideration for new businesses, as well as expanding or amending of current operations, including all existing motor vehicle dealership businesses; and

WHEREAS, in order to protect both its current and future residents and businesses from the possible negative effects of motor vehicle dealership businesses on older properties that have transitioned from non-auto dealership businesses within the City, pursuant to Title 10, Chapter 9a, Sections 504 and 509 of the Utah Municipal Code, as well as Title 11, Chapter 1, Section 8 of the Clearfield City Code, the City either has or anticipates that it will in the near future formally initiate proceedings to amend its current land use ordinances to further regulate the development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City;

**NOW THEREFORE BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

**Section 1. Enactment:**

Based upon the City Council's finding of a compelling, countervailing public interest as enumerated above, and pursuant to Title 10, Chapter 9a, Section 504 of the Utah Municipal Code, this Clearfield City Ordinance 2019-09 is hereby enacted to establish a temporary land use regulation prohibiting the approval, development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City.

**Section 2. Period of Effect:**

Pursuant to state law, the temporary land use regulation enacted by this ordinance shall be in effect until it is either repealed by the Clearfield City Council, or until a period of six months has passed from this 27th day of August, 2019.

**Section 3. Repealer:** Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Passed and adopted by the Clearfield City Council this 27th day of August, 2019.

ATTEST: CLEARFIELD CITY CORPORATION

_____ _____

Nancy R. Dean, City Recorder Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

# STAFF REPORT

**TO:** Mayor Shepherd and City Council Members

**FROM:** Nancy Dean, City Recorder

**MEETING DATE:** August 27, 2019

**SUBJECT:** Canvass of Primary Election Results

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## RECOMMENDED ACTION

Canvass the 2019 primary election results and authorize the City Recorder to submit them to the Lieutenant Governor's office.

## DESCRIPTION / BACKGROUND

Clearfield City contracted with the Davis County Clerk's office to conduct its Municipal Primary Election by mail. Utah Law stipulates that the mayor and municipal legislative body are the board of canvassers for the election returns in a municipal election. The duties of the board of canvassers include verifying the election results as presented by the County Clerk's office and declaring those individuals who had the highest number of votes nominated to participate in the General Election which will be held November 5, 2019.

The official results will not be available for review until the evening of the canvass in order to allow sufficient time for any valid ballots to be counted; therefore, they are not included with this staff report.

## IMPACT

a. **FISCAL –** N/A

**b. OPERATIONS / SERVICE DELIVERY** – N/A

## ALTERNATIVES

N/A

## SCHEDULE / TIME CONSTRAINTS

The board of canvassers is required to canvass the returns no sooner than seven days after the election and no later than 14 days after the election.

## LIST OF ATTACHMENTS

None

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# STAFF REPORT

**TO:** Mayor Shepherd and City Council Members

**FROM:** Brad Wheeler, Street Superintendent

**MEETING DATE:** August 27, 2019

**SUBJECT:** South Main Reconstruction & 300 North Maintenance Project

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## RECOMMENDED ACTION

Approve awarding the bid of the South Main Reconstructive & 300 North Maintenance project to Morgan Industries Inc. for the bid amount of $366,786.95 with contingency and engineering cost $73,360.00 for a total price of $440,146.95 and authorize the Mayors signature on all necessary document.

## DESCRIPTION / BACKGROUND

The project consists of roadway reconstruct including curb & gutter, sidewalk in various locations of South Main from 150 West to approximately 700 South. Mill and overlay from State Street to approximately 300 East on 300 North.

## CORRESPONDING POLICY PRIORITY (IES)

Providing Quality Municipal Services

The road is in poor condition. We are providing a more drivable access to residents and businesses.

## FISCAL IMPACT

- 454410 673001 206 $405,000.00 budgeted.
- 454410 673001 241 $67,000.00 budgeted.

## SCHEDULE / TIME CONSTRAINTS

The project is anticipated to begin in the early fall and continue until completed by November 15 2019.

**LIST OF ATTACHMENTS**

- Bid tab letter of recommendation
- Bid results
- Bid tab

CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

23 July 2019

Clearfield City
55 South State Street
Clearfield, Utah 84015

Attn: Mayor Mark Shepherd and City Council
Proj: **South Main Street Reconstruction & 300 North Maintenance Project**
Subj: Bid Results, Bid Proposal Tabulation & Recommendation

Dear Mark Shepherd and Council Members,

The "Bid Opening" for the above referenced project was conducted this afternoon. The lowest responsible bidder is Morgan Pavement Maintenance of Clearfield, Utah.

Enclosed are the "Bid Results" and "Bid Proposal Tabulation". Morgan Maintenance's bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Morgan Maintenance's bid is the low bid for the advertised project, and their bid meets the conditions of the Contract Documents, I herewith recommend award of the above referenced project in the amount of $366,768.95 to Morgan Pavement Maintenance.

Should you have any questions or desire additional information concerning the contractor or his bid, please feel free to contact our office at your earliest convenience.

Sincerely,
**CEC, Civil Engineering Consultants, PLLC.**

R Todd Freeman S.E., P.E.
*City Engineer*

cc: Adam Favero – Clearfield City Public Works Director

BID RESULTS

# South Main Street Reconstruction & 300 North Maintenance Project

OWNER: CLEARFIELD CITY
ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS, PLLC.

BID DATE: 23 July 2019
TIME: 2:30 PM

BID LOCATION: Clearfield City Offices
55 South State Street; 3rd Floor
Clearfield, Utah 84015

| BIDDERS NAME | ADDENDUM #1 | BID BOND | BID AMOUNT |
|---|---|---|---|
| Granite Construction Company | ✓ | 5% | $ 480,393.00 |
| Morgan Industries Inc. | ✓ | 5% | $ 366,768.95 |
| Staker Parson Companies | ✓ | 5% | $ 390,975.00 |
| Leon Poulsen Construction | ✓ | 5% | $ 439,666.00 |

**BID PROPOSAL TABULATION**

**South Main Reconstruction & 300 North Maintenance Project.**

**BID DATE: 23 July 2019**
**OWNER: CLEARFIELD CITY**
**PUBLIC WORKS DIRECTOR: ADAM FAVERO**

| Bid Item | Description | Quantity | Unit | Morgan Pavement Maintenance 625 S Main Clearfield, UT 84403 | | Staker & Parson Companies 2350 S 1900W Ogden, UT 84403 | | Leon Poulden Construction 1675 S 1900 W Ogden, UT 84403 | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 1. | Mobilization, SWPPP & traffic control. | 1 | ls. | $3,850.00 | $3,850.00 | $17,274.00 | $17,274.00 | $45,125.00 | $45,125.00 |
| **Schedule A: 645 South Main (Cul-de-sac) to 200 South (Sta 21+50, railroad tracks).** | | | | | | | | | |
| 2. | Removal and disposal of curb and gutter. | 50 | lf. | $10.50 | $525.00 | $8.10 | $405.00 | $15.00 | $750.00 |
| 3. | Removal and disposal of sidewalk. | 10 | lf. | $8.75 | $87.50 | $16.00 | $160.00 | $20.00 | $200.00 |
| 4. | Removal and disposal of concrete flatwork. | 200 | sf. | $2.70 | $540.00 | $2.65 | $530.00 | $4.00 | $800.00 |
| 5. | Furnish and install concrete curb and gutter. | 1,326 | lf. | $40.48 | $53,676.48 | $26.40 | $35,006.40 | $29.00 | $38,454.00 |
| 6. | Furnish and install 4-foot wide 4-inch thick sidewalk. | 500 | lf. | $35.05 | $17,525.00 | $28.00 | $14,000.00 | $28.00 | $14,000.00 |
| 7. | Furnish and install 4-foot wide 6-inch thick sidewalk. | 100 | lf. | $40.52 | $4,052.00 | $34.75 | $3,475.00 | $35.00 | $3,500.00 |
| 8. | Furnish and install 4-inch think concrete flatwork. | 270 | sf. | $8.95 | $2,416.50 | $7.45 | $2,011.50 | $7.00 | $1,890.00 |
| 9. | Furnish and install 6-inch think concrete flatwork. | 250 | sf. | $10.75 | $2,687.50 | $8.75 | $2,187.50 | $9.00 | $2,250.00 |
| 10. | Asphalt and roadbase patching. | 200 | sy. | $41.35 | $8,270.00 | $61.75 | $12,350.00 | $80.00 | $16,000.00 |
| 11. | Mill roadway surface, 2-inches. | 11,000 | sy. | $1.17 | $12,870.00 | $1.75 | $19,250.00 | $1.75 | $19,250.00 |

| Bid Item | Description | Quantity | Unit | Morgan Pavement Maintenance 625 S Main Clearfield, UT 84403 | | Staker & Parson Companies 2350 S 1900W Ogden, UT 84403 | | Leon Poulden Construction 1675 S 1900 W Ogden, UT 84403 | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 12. | Furnish and install 2-inch bituminous asphalt overlay. | 1,375 | ton | $57.80 | $79,475.00 | $64.50 | $88,687.50 | $67.00 | $92,125.00 |
| 13. | Adjust manhole ring and cover to finish grade. | 26 | ea. | $718.00 | $18,668.00 | $800.00 | $20,800.00 | $750.00 | $19,500.00 |
| 14. | Adjust valve box ring and cover to finish grade. | 14 | ea. | $583.00 | $8,162.00 | $555.00 | $7,770.00 | $525.00 | $7,350.00 |
| 15. | Adjust storm drain frame and cover to finish grade. | 2 | ea. | $1,620.00 | $3,240.00 | $1,100.00 | $2,200.00 | $1,000.00 | $2,000.00 |
| 16. | Trim existing tree at Sta 18+35. | 1 | ls. | $700.00 | $700.00 | $260.00 | $260.00 | $1,630.00 | $1,630.00 |
| 17. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $10,000.00 | $10,000.00 | $520.00 | $520.00 | $1,435.00 | $1,435.00 |
| 18. | Install roadway striping and roadway messages. | 1 | ls. | $675.00 | $675.00 | $1,700.00 | $1,700.00 | $1,675.00 | $1,675.00 |
| 18A. | Relocate existing meter in parkstrip. | 4 | ea. | $715.00 | $2,860.00 | $2,285.00 | $9,140.00 | $1,600.00 | $6,400.00 |
| **Schedule B: 200 South from Main Street (Sta 21+50, RR tracks) to 50 West (Sta 26+60, RR tracks).** | | | | | | | | | |
| 19. | Asphalt and roadbase patching. | 50 | sy. | $34.14 | $1,707.00 | $67.00 | $3,350.00 | $80.00 | $4,000.00 |
| 20. | Mill roadway surface, 2-inches. | 2,946 | sy. | $1.17 | $3,446.82 | $1.85 | $5,450.10 | $2.00 | $5,892.00 |
| 21. | Furnish and install 2-inch bituminous asphalt overlay. | 380 | ton | $57.80 | $21,964.00 | $64.50 | $24,510.00 | $67.00 | $25,460.00 |
| 22. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $665.00 | $665.00 | $800.00 | $800.00 | $750.00 | $750.00 |
| 23. | Install roadway striping and roadway messages. | 1 | ls. | $600.00 | $600.00 | $1,000.00 | $1,000.00 | $550.00 | $550.00 |
| **Schedule C: 200 South from 50 West (Sta 26+60, RR tracks) to 150 West (Sta 32+22).** | | | | | | | | | |
| 24. | Asphalt and roadbase patching. | 100 | sy. | $34.14 | $3,414.00 | $61.75 | $6,175.00 | $80.00 | $8,000.00 |
| 25. | Mill roadway surface, 2-inches. | 2,450 | sy. | $1.17 | $2,866.50 | $1.85 | $4,532.50 | $2.00 | $4,900.00 |

| Bid Item | Description | Quantity | Unit | Morgan Pavement Maintenance 625 S Main Clearfield, UT 84403 | | Staker & Parson Companies 2350 S 1900W Ogden, UT 84403 | | Leon Poulden Construction 1675 S 1900 W Ogden, UT 84403 | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 26. | Furnish and install 2-inch bituminous asphalt overlay. | 285 | ton | $57.80 | $16,473.00 | $64.50 | $18,382.50 | $67.00 | $19,095.00 |
| 27. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $665.00 | $665.00 | $800.00 | $800.00 | $750.00 | $750.00 |
| 28. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $1,000.00 | $1,000.00 | $260.00 | $260.00 | $875.00 | $875.00 |
| 29. | Install roadway striping and roadway messages. | 1 | ls. | $450.00 | $450.00 | $315.00 | $315.00 | $550.00 | $550.00 |
| **Schedule D: 300 North from Main Street to Canal (350 East).** | | | | | | | | | |
| 30. | Removal and disposal of curb and gutter. | 20 | lf. | $10.50 | $210.00 | $9.00 | $180.00 | $15.00 | $300.00 |
| 31. | Furnish and install concrete curb and gutter. | 270 | lf. | $40.48 | $10,929.60 | $26.40 | $7,128.00 | $40.00 | $10,800.00 |
| 32. | Furnish and install 4-foot wide 6-inch thick sidewalk. | 65 | lf. | $40.52 | $2,633.80 | $38.00 | $2,470.00 | $36.00 | $2,340.00 |
| 33. | Furnish and install 4-inch think concrete flatwork. | 75 | sf. | $11.15 | $836.25 | $9.00 | $675.00 | $7.00 | $525.00 |
| 34. | Furnish and install 6-inch think concrete flatwork. | 150 | sf. | $12.80 | $1,920.00 | $10.00 | $1,500.00 | $9.00 | $1,350.00 |
| 35. | Asphalt and roadbase patching. | 50 | sy. | $34.14 | $1,707.00 | $67.00 | $3,350.00 | $80.00 | $4,000.00 |
| 36. | Mill roadway surface, 2-inches. | 6,900 | sy. | $1.17 | $8,073.00 | $1.80 | $12,420.00 | $1.75 | $12,075.00 |
| 37. | Furnish and install 2-inch bituminous asphalt overlay. | 870 | ton | $57.80 | $50,286.00 | $64.50 | $56,115.00 | $67.00 | $58,290.00 |
| 38. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $718.00 | $718.00 | $925.00 | $925.00 | $750.00 | $750.00 |
| 39. | Adjust valve box ring and cover to finish grade. | 3 | ea. | $583.00 | $1,749.00 | $600.00 | $1,800.00 | $525.00 | $1,575.00 |
| 40. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $3,675.00 | $3,675.00 | $260.00 | $260.00 | $875.00 | $875.00 |

| Bid Item | Description | Quantity | Unit | Morgan Pavement Maintenance 625 S Main Clearfield, UT 84403 | | Staker & Parson Companies 2350 S 1900W Ogden, UT 84403 | | Leon Poulden Construction 1675 S 1900 W Ogden, UT 84403 | |
|---|---|---|---|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount | Unit Price | Total Amount | Unit Price | Total Amount |
| 41. | Install roadway striping and roadway messages. | 1 | ls. | $500.00 | $500.00 | $850.00 | $850.00 | $1,630.00 | $1,630.00 |
| | | | | | | | | | |
| | **TOTAL BID:** | | | | **$366,768.95** | | **$390,975.00** | | **$439,666.00** |
| | Surety Company | | | The Guarantee Company of North America USA | | | | The Guarantee Company of North America USA | |
| | City, State | | | Southfield, Michigan | | | | Southfield, Michigan | |
| | Bid Security - Bid Bond Amount | | | 5% | | 5% | | 5% | |
| | Contractor's License Number | | | 9798330-5501 | | 4910822-5501 | | 244670-5551 | |

**BID PROPOSAL TABULATION**

**South Main Reconstruction & 300 North Maintenance Project.**

**BID DATE: 23 July 2019**
**OWNER: CLEARFIELD CITY**
**PUBLIC WORKS DIRECTOR: ADAM FAVERO**

| Bid Item | Description | Quantity | Unit | Granite construction Company 1000 N Warm Springs Rd SLC, UT 84116 | |
|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount |
| 1. | Mobilization, SWPPP & traffic control. | 1 | ls. | $58,092.00 | $58,092.00 |
| **Schedule A: 645 South Main (Cul-de-sac) to 200 South (Sta 21+50, railroad tracks).** | | | | | |
| 2. | Removal and disposal of curb and gutter. | 50 | lf. | $4.00 | $200.00 |
| 3. | Removal and disposal of sidewalk. | 10 | lf. | $38.00 | $380.00 |
| 4. | Removal and disposal of concrete flatwork. | 200 | sf. | $1.75 | $350.00 |
| 5. | Furnish and install concrete curb and gutter. | 1,326 | lf. | $32.00 | $42,432.00 |
| 6. | Furnish and install 4-foot wide 4-inch thick sidewalk. | 500 | lf. | $31.00 | $15,500.00 |
| 7. | Furnish and install 4-foot wide 6-inch thick sidewalk. | 100 | lf. | $37.00 | $3,700.00 |
| 8. | Furnish and install 4-inch think concrete flatwork. | 270 | sf. | $8.00 | $2,160.00 |
| 9. | Furnish and install 6-inch think concrete flatwork. | 250 | sf. | $10.00 | $2,500.00 |
| 10. | Asphalt and roadbase patching. | 200 | sy. | $76.00 | $15,200.00 |
| 11. | Mill roadway surface, 2-inches. | 11,000 | sy. | $1.50 | $16,500.00 |

| Bid Item | Description | Quantity | Unit | Granite construction Company 1000 N Warm Springs Rd SLC, UT 84116 Unit Price | Total Amount |
|---|---|---|---|---|---|
| 12. | Furnish and install 2-inch bituminous asphalt overlay. | 1,375 | ton | $70.00 | $96,250.00 |
| | | | | | |
| 13. | Adjust manhole ring and cover to finish grade. | 26 | ea. | $725.00 | $18,850.00 |
| | | | | | |
| 14. | Adjust valve box ring and cover to finish grade. | 14 | ea. | $600.00 | $8,400.00 |
| | | | | | |
| 15. | Adjust storm drain frame and cover to finish grade. | 2 | ea. | $1,700.00 | $3,400.00 |
| | | | | | |
| 16. | Trim existing tree at Sta 18+35. | 1 | ls. | $450.00 | $450.00 |
| | | | | | |
| 17. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $5,000.00 | $5,000.00 |
| | | | | | |
| 18. | Install roadway striping and roadway messages. | 1 | ls. | $1,000.00 | $1,000.00 |
| | | | | | |
| 18A. | Relocate existing meter in parkstrip. | 4 | ea. | $2,400.00 | $9,600.00 |
| | | | | | |
| **Schedule B: 200 South from Main Street (Sta 21+50, RR tracks) to 50 West (Sta 26+60, RR tracks).** | | | | | |
| 19. | Asphalt and roadbase patching. | 50 | sy. | $76.00 | $3,800.00 |
| | | | | | |
| 20. | Mill roadway surface, 2-inches. | 2,946 | sy. | $1.50 | $4,419.00 |
| | | | | | |
| 21. | Furnish and install 2-inch bituminous asphalt overlay. | 380 | ton | $70.00 | $26,600.00 |
| | | | | | |
| 22. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $725.00 | $725.00 |
| | | | | | |
| 23. | Install roadway striping and roadway messages. | 1 | ls. | $850.00 | $850.00 |
| | | | | | |
| **Schedule C: 200 South from 50 West (Sta 26+60, RR tracks) to 150 West (Sta 32+22).** | | | | | |
| 24. | Asphalt and roadbase patching. | 100 | sy. | $76.00 | $7,600.00 |
| | | | | | |
| 25. | Mill roadway surface, 2-inches. | 2,450 | sy. | $1.60 | $3,920.00 |

| Bid Item | Description | Quantity | Unit | Granite construction Company 1000 N Warm Springs Rd SLC, UT 84116 | |
|---|---|---|---|---|---|
| | | | | Unit Price | Total Amount |
| | | | | | |
| 26. | Furnish and install 2-inch bituminous asphalt overlay. | 285 | ton | $75.00 | $21,375.00 |
| | | | | | |
| 27. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $725.00 | $725.00 |
| | | | | | |
| 28. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $3,700.00 | $3,700.00 |
| | | | | | |
| 29. | Install roadway striping and roadway messages. | 1 | ls. | $700.00 | $700.00 |
| | | | | | |
| **Schedule D: 300 North from Main Street to Canal (350 East).** | | | | | |
| 30. | Removal and disposal of curb and gutter. | 20 | lf. | $2.00 | $40.00 |
| | | | | | |
| 31. | Furnish and install concrete curb and gutter. | 270 | lf. | $42.00 | $11,340.00 |
| | | | | | |
| 32. | Furnish and install 4-foot wide 6-inch thick sidewalk. | 65 | lf. | $38.00 | $2,470.00 |
| | | | | | |
| 33. | Furnish and install 4-inch think concrete flatwork. | 75 | sf. | $8.00 | $600.00 |
| | | | | | |
| 34. | Furnish and install 6-inch think concrete flatwork. | 150 | sf. | $10.00 | $1,500.00 |
| | | | | | |
| 35. | Asphalt and roadbase patching. | 50 | sy. | $87.00 | $4,350.00 |
| | | | | | |
| 36. | Mill roadway surface, 2-inches. | 6,900 | sy. | $1.70 | $11,730.00 |
| | | | | | |
| 37. | Furnish and install 2-inch bituminous asphalt overlay. | 870 | ton | $78.00 | $67,860.00 |
| | | | | | |
| 38. | Adjust manhole ring and cover to finish grade. | 1 | ea. | $725.00 | $725.00 |
| | | | | | |
| 39. | Adjust valve box ring and cover to finish grade. | 3 | ea. | $600.00 | $1,800.00 |
| | | | | | |
| 40. | Remove and replace all landscaping improvements, public/private damaged during construction. | 1 | ls. | $3,000.00 | $3,000.00 |
| | | | | | |

| Bid Item | Description | Quantity | Unit | Granite construction Company 1000 N Warm Springs Rd SLC, UT 84116 Unit Price | Total Amount |
|---|---|---|---|---|---|
| 41. | Install roadway striping and roadway messages. | 1 | ls. | $600.00 | $600.00 |
| | | | | | |
| | **TOTAL BID:** | | | | **$480,393.00** |
| | Surety Company | | | Travelers Casualty and Surety Company of America | |
| | City, State | | | Hartford, Connecticut | |
| | Bid Security - Bid Bond Amount | | | | |
| | Contractor's License Number | | | 230926-5501 | |

*Clearfield City | August 27, 2019*

# Draft FY 2019 Results (July 1, 2018 – June 30, 2019) and Financial Outlook



# Agenda

- FY 2019
  - Revenues, Expenses, and Net Change
  - Three Year Historic Trends
  - FY19 Budget Performance/Budget to Actual
- Economic Trends



# General Fund – Draft Net

| | Jun FY19 | June 2019 Budget |
|---|---|---|
| Revenues | 18,967,267 | 17,283,044 |
| Expenditures | 18,007,489 | 19,844,299 |
| Net Change in Balance | $959,778 | $(2,561,255) |

- FY19 Amended Budget would have reduced reserves by $2,561,255
- FY19 draft year end may have about $959k increase in unrestricted cash
- FY19 draft year end $3.3 mill or 19% over the 25% reserve allowance
- If these numbers hold, then the FY20 Budget will project a $1 mill overage
  - Still making adjustment to FY19
  - Final audited numbers will be presented in December



# General Fund – Draft Revenue Summary

| | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Taxes | 9,554,262 | 10,191,812 | 10,502,821 | 311,009 | 111% |
| Licenses & Permits | 532,113 | 329,146 | 458,047 | 128,901 | 135% |
| Intergovernmental | 1,593,222 | 1,483,139 | 1,882,712 | 399,572 | 107% |
| Charges for Services | 2,184,250 | 2,227,632 | 2,223,020 | (4,612) | 100% |
| Fines & Forfeitures | 677,527 | 769,550 | 760,002 | (9,548) | 98% |
| Miscellaneous | 2,857,686 | 7,720,566 | 837,006 | (6,911,767) | 224% |
| Other Sources | 2,063,949 | 2,218,067 | 2,303,661 | 85,594 | 100% |
| Total GF Revenues | 19,463,009 | 24,939,913 | 18,967,267 | (6,000,852) | 110% |



# General Fund – Draft Revenue Summary

| | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Taxes | 9,554,262 | 10,191,812 | 10,502,821 | 311,009 | 111% |

- Total taxes $291k or 4% higher than last year July through March
- Sales Tax actual for 3.8% higher than last year
  - Clearfield point of sale is 2.3% higher than last year
- Energy Use Tax is $270k or 11% higher
- Telecom Tax continues to sink. $40k below budget



# General Fund – Draft Revenue Summary

| | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Licenses & Permits | 532,113 | 329,146 | 458,047 | 128,901 | 135% |

- Building permits $140k higher than last year
  - West Square – 53 units
  - Clearfield Junction – two buildings 54 units each
  - Jay Bird –12 units
  - West Square building B
- July 63% of FY20 total revenue budget collected in July
  - West Square C, Tru Hotel, Maverick



# General Fund – Draft Revenue Summary

| | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Intergovernmental | 1,593,222 | 1,483,139 | 1,882,712 | 399,572 | 107% |
| Charges for Services | 2,184,250 | 2,227,632 | 2,223,020 | (4,612) | 100% |

- Class C Roads $42k or 4.3% higher – revised formula
- Zoning Fees & Plan Check Fees $47k higher
- County Transportation distribution was done error, will be watching increased statewide participation's impact on this source
- Aquatic Revenue $104k or 8% lower than last year
  - Extended close in September was at most $47k of the $85k
  - CAFC revenue $135k lower than two years ago
- Recreation $18k or 6% higher than last year

# General Fund – Draft Revenue Summary

| | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Fines & Forfeitures | 677,527 | 769,550 | 760,002 | (9,548) | 98% |
| Miscellaneous | 2,857,686 | 7,720,566 | 837,006 | (6,911,767) | 224% |
| Other Sources | 2,063,949 | 2,218,067 | 2,303,661 | 85,594 | 100% |

- Fines/Forfeitures $22k lower than last year, but higher than 2017
- Code Enforcement Fines totaled $5k, about $4k more than prior years
- Interest earnings higher
- Community Service Rentals are up $27k from last year



# All Funds – Draft Expenditure Summary

| Type | Jun FY17 | Jun FY18 | Jun FY19 | Variance Prior Yr | % of Budget |
|---|---|---|---|---|---|
| Personnel | $10,186,815 | $10,700,564 | $11,312,610 | $ 612,046 | 97% |
| Materials & Services | 14,136,429 | 13,076,314 | 14,607,317 | 1,531,003 | 92% |
| Capital Outlay | 5,928,922 | 11,349,206 | 5,335,526 | (6,013,680) | 31% |
| Debt Service | 11,861,690 | 2,552,927 | 2,584,417 | 31,489 | 100% |
| Transfers | 4,392,332 | 4,128,903 | 4,685,031 | 556,128 | 101% |
| Total All Funds | $46,506,189 | $41,807,914 | $38,524,901 | $(3,283,013) | 74% |

# Other Funds - Net

| | Jun FY17 | Jun FY18 | Jun FY19 | June 2019 Budget |
|---|---|---|---|---|
| **CDRA Fund** | | | | |
| Revenues | 1,455,266 | 1,558,276 | 2,792,404 | 2,264,732 |
| Expenditures | 875,706 | 2,125,185 | 2,041,605 | 2,022,283 |
| Net | $ 579,560 | $ (566,909) | $ 750,799 | $ 242,449 |
| **Water** | | | | |
| Revenues | 3,669,607 | 3,750,658 | 3,711,818 | 3,694,000 |
| Expenditures | 4,426,438 | 5,230,771 | 4,864,691 | 8,871,507 |
| Net | $ (756,831) | $(1,480,113) | $(1,152,873) | $(5,177,507) |

- Water consumption in May/June was 8.6% less that last year, water charges were $70k less than the prior year

# Other Funds - Net

| | | Jun FY17 | Jun FY18 | Jun FY19 | June 2019 Budget |
|---|---|---|---|---|---|
| **Sewer** | | | | | |
| Revenues | | 4,121,699 | 4,535,711 | 4,650,258 | 4,497,000 |
| Expenditures | | 1,601,830 | 2,418,926 | 1,787,921 | 7,085,949 |
| | Net | $2,519,869 | $2,116,786 | $2,862,337 | $(2,588,949) |
| **Storm** | | | | | |
| Revenues | | 1,093,948 | 1,084,499 | 1,198,063 | 1,055,820 |
| Expenditures | | 1,601,830 | 2,418,926 | 1,787,921 | 4,326,580 |
| | Net | $(507,882) | $(1,334,426) | $(589,858) | $(3,270,760) |
| **Garbage** | | | | | |
| Revenues | | 1,423,485 | 1,434,395 | 1,439,993 | 1,429,000 |
| Expenditures | | 1,252,308 | 1,259,278 | 1,348,027 | 2,146,433 |
| | Net | $171,177 | $175,116 | $91,967 | $(717,433) |

# Economy-US

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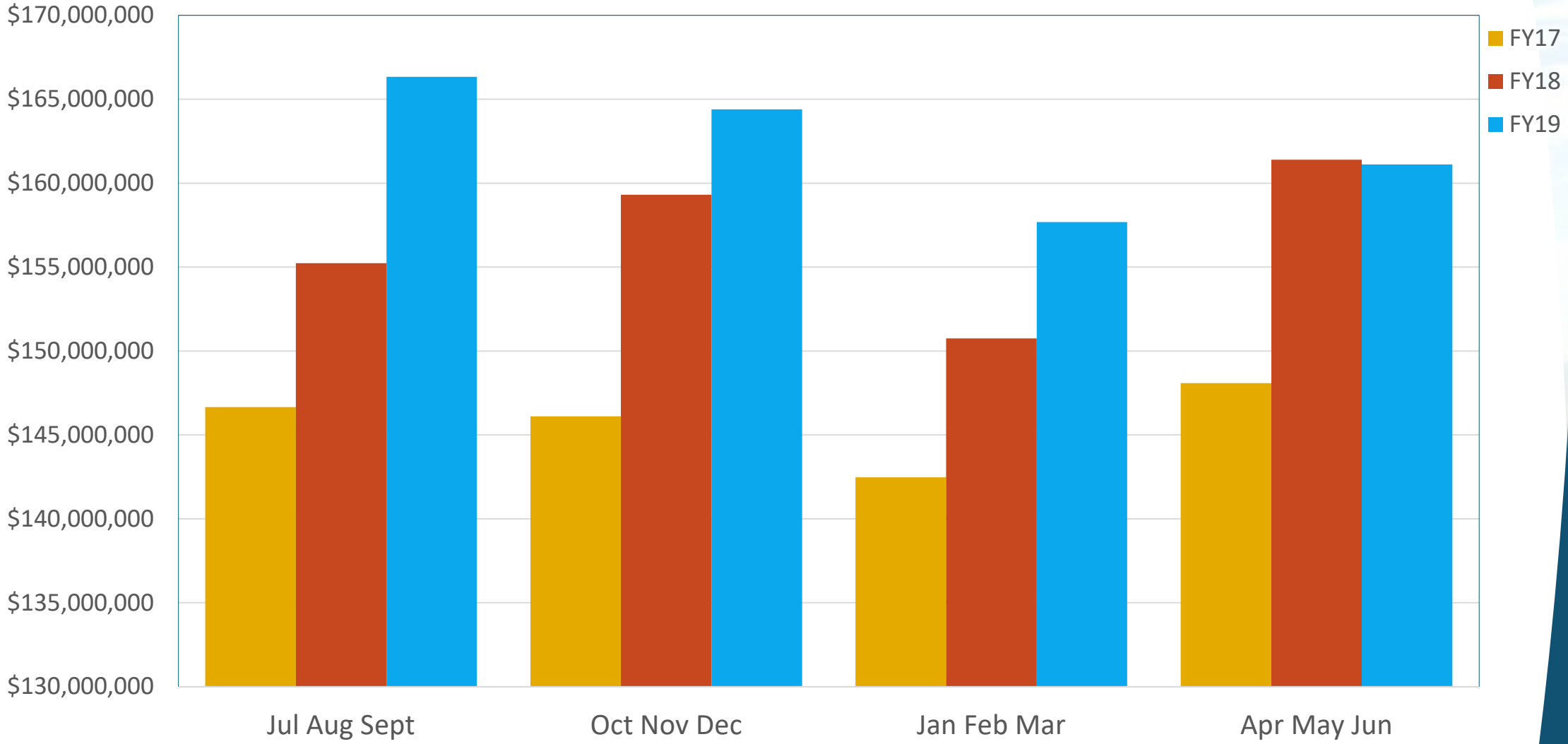
# Economy-Utah



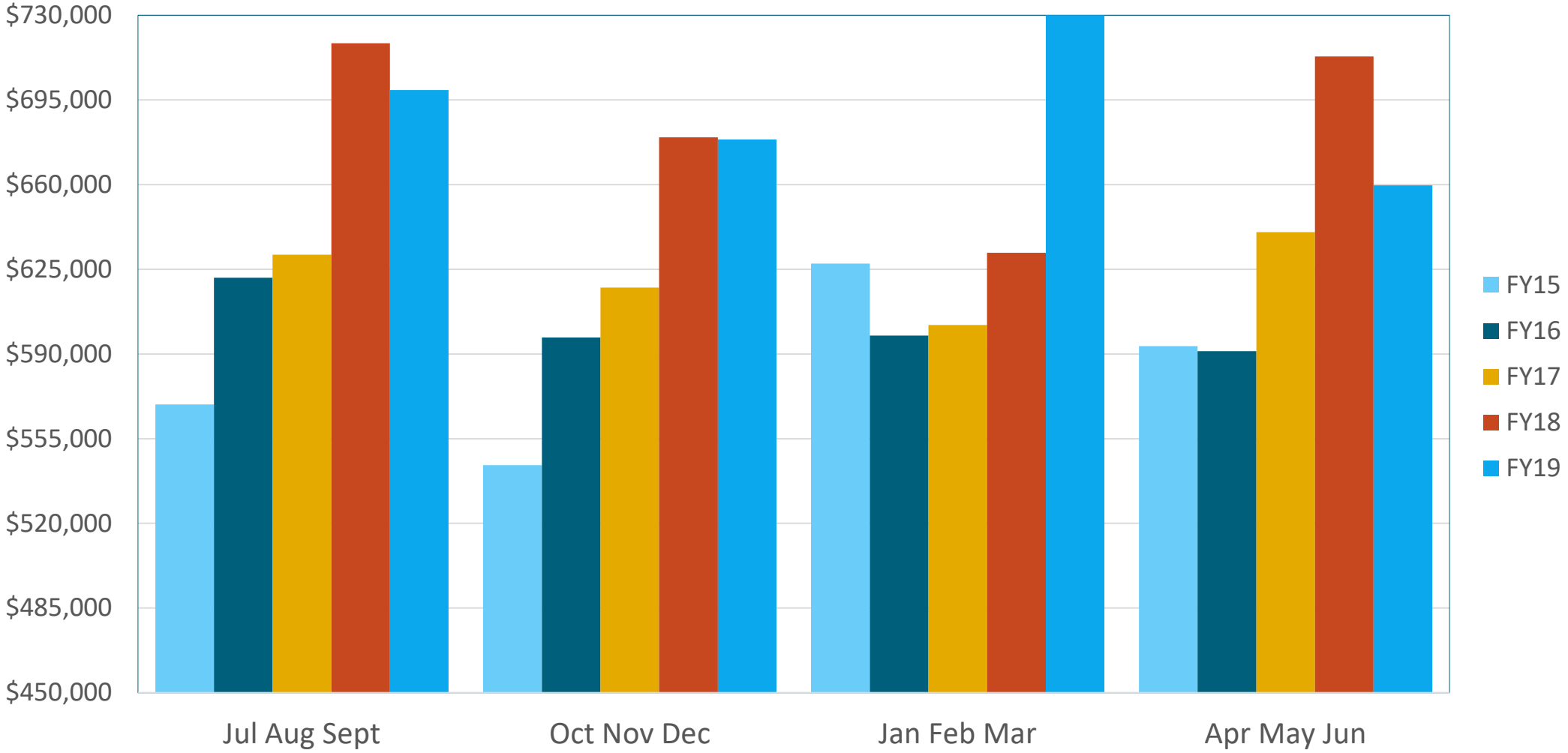
# Economy-Utah



# Utah Quarterly Point of Sale



# Clearfield Quarterly Point of Sale



# Programs or Services with Direct Revenues

**Dispatch - minus $69k equipment purchases in FY17**

| | FY14 | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 Budget |
|---|---|---|---|---|---|---|---|
| Rev | 285,641 | 282,109 | 290,190 | 283,460 | 385,708 | 383,373 | 380,000 |
| Exp | 505,312 | 634,444 | 643,036 | 642,675 | 623,241 | 632,907 | 702,409 |
| Net | (219,671) | (352,335) | (352,846) | (359,215) | (237,533) | (249,533) | (322,409) |
| % Gen Rev Funded | 43% | 56% | 55% | 56% | 38% | 39% | 46% |

**Aquatic Center Net-Capital Excluded**

| | FY14 | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 Budget |
|---|---|---|---|---|---|---|---|
| Rev | 1,244,629 | 1,224,096 | 1,316,830 | 1,323,728 | 1,292,041 | 1,187,786 | 1,340,000 |
| Exp | 1,497,732 | 1,437,324 | 1,472,369 | 1,566,212 | 1,618,243 | 1,568,487 | 1,693,767 |
| Net | (253,103) | (213,228) | (155,539) | (242,484) | (326,202) | (380,701) | (353,767) |
| % Gen Rev Funded | 17% | 15% | 11% | 15% | 20% | 24% | 21% |

**Recreation Net**

| | FY14 | FY15 | FY16 | FY17 | FY18 | FY19 | FY20 Budget |
|---|---|---|---|---|---|---|---|
| Rev | 276,562 | 310,752 | 319,899 | 316,611 | 310,428 | 328,783 | 310,000 |
| Exp | 642,406 | 623,920 | 639,705 | 685,496 | 694,860 | 747,430 | 768,542 |
| Net | (365,844) | (313,168) | (319,806) | (368,885) | (384,431) | (418,647) | (458,542) |
| % Gen Rev Funded | 57% | 50% | 50% | 54% | 55% | 56% | 60% |

| | C | D | F | H | J | M | O | P |
|---|---|---|---|---|---|---|---|---|
| 1 | **Clearfield City Draft Revenues** | | | | | | | |
| 2 | 100% of Fiscal Year Complete | | | | | | | Clarification Notes |
| 3 | **Account Title** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Prior Yr** | **FY19 Budget** | **% of Budget** | |
| 4 | **General Fund - 10** | | *a* | *b* | *b-a* | *c* | *b/c* | |
| 5 | **Taxes** | | | | | | | |
| 6 | Current General Property | $ 1,701,681 | $ 1,681,136 | $ 1,633,286 | $ (47,850) | $ 1,517,000 | 108% | |
| 7 | Vehicle Value Based Tax | 155,805 | 165,518 | 135,928 | (29,590) | 145,000 | 94% | |
| 8 | Delinquent Taxes Prior Yr | 48,683 | 160,604 | 145,729 | (14,875) | 50,000 | 291% | |
| 9 | General Sales & Use Taxes | 4,160,190 | 4,486,220 | 4,654,772 | 168,552 | 4,250,000 | 110% | Jul projected |
| 10 | Energy Use Tax | 2,377,830 | 2,548,154 | 2,821,601 | 273,447 | 2,500,000 | 113% | |
| 11 | PARAT Tax | 223,034 | 252,762 | 258,186 | 5,424 | 205,000 | 126% | Jul projected |
| 12 | CaTV Franchise Taxes | 153,435 | 163,422 | 158,415 | (5,007) | 140,000 | 113% | |
| 13 | Utility Franchise Taxes | 441,260 | 479,437 | 478,725 | (713) | 440,000 | 109% | |
| 14 | Muni Telecom License Tax | 284,934 | 246,630 | 209,895 | (36,735) | 250,000 | 84% | Jul projected |
| 15 | Transient Room Tax | 7,411 | 7,928 | 6,284 | (1,644) | 7,000 | 90% | |
| 16 | **Taxes Total** | **9,554,262** | **10,191,812** | **10,502,821** | **311,009** | **9,504,000** | **111%** | 998,821 |
| 17 | **Licenses & Permits** | | | | | | | |
| 18 | Business Licenses | 98,041 | 108,203 | 97,938 | (10,265) | 90,000 | 109% | |
| 19 | Landlord Registration | 51,965 | 58,312 | 52,639 | (5,673) | 51,500 | 102% | |
| 20 | Sign Permits | 1,399 | 1,545 | 1,075 | (470) | 2,200 | 49% | |
| 21 | Building Permits | 335,531 | 114,808 | 255,204 | 140,396 | 150,000 | 170% | West Square, Oakmont, Jaybird & |
| 22 | Electrical,Plumbing & Gas | 11,970 | 14,572 | 23,337 | 8,765 | 20,000 | 117% | West Square building B |
| 23 | Excavation Permits | 2,420 | 1,900 | 2,430 | 530 | 1,600 | 152% | **July:** West Sqr C, Tru Hotel, Maverick |
| 24 | Demolition Permits | 750 | 450 | 1,350 | 900 | 900 | 150% | 63% of FY20 total revenue |
| 25 | Inspection Fees | 5,993 | 5,405 | 2,773 | (2,632) | 2,000 | 139% | |
| 26 | Cemetery & Burial Permits | 24,044 | 23,950 | 21,300 | (2,650) | 20,000 | 107% | |
| 27 | **Licenses & Permits Total** | **532,113** | **329,146** | **458,047** | **128,901** | **338,200** | **135%** | |
| 28 | **Intergovernmental** | | | | | | | |
| 30 | CDBG Grant Revenue | 78,681 | 41,899 | 388,341 | 346,442 | 319,098 | 122% | |
| 31 | State Grants | 179,018 | 79,882 | 101,124 | 21,242 | 113,007 | 89% | |
| 32 | Class C Roads | 979,777 | 977,906 | 1,020,530 | 42,624 | 960,000 | 106% | May June projected |
| 33 | Liquor Fund Allotment | 32,660 | 31,515 | 32,268 | 754 | 31,000 | 104% | |
| 34 | County Transportation | 323,086 | 351,939 | 340,449 | (11,490) | 335,000 | 102% | Jul projected- Projection difficult |
| 35 | **Intergov Total** | **1,593,222** | **1,483,139** | **1,882,712** | **399,572** | **1,758,105** | **107%** | |
| 36 | **Charges for Services** | | | | | | | |
| 37 | Zoning & Subdivision | 35,712 | 22,801 | 78,875 | 56,074 | 30,000 | 263% | |
| 38 | Plan Checking Fee | 106,557 | 28,562 | 76,243 | 47,681 | 20,000 | 381% | |
| 39 | Special Police Services | 22,968 | 39,129 | 38,802 | (328) | 28,000 | 139% | |
| 40 | Davis SD Police Protection | 49,000 | 71,000 | 71,000 | - | 65,000 | 109% | |
| 41 | DUI/Seatbelt (Overtime Re | 21,352 | 30,274 | 20,051 | (10,223) | 21,500 | 93% | |
| 42 | E-911 Service Fees | 199,338 | 300,700 | 298,365 | (2,335) | 295,000 | 101% | Jul projected |
| 43 | Dispatch Services | 85,008 | 85,008 | 85,008 | - | 85,000 | 100% | |
| 44 | Metro Narcotics Ovt | 5,922 | 11,387 | 13,617 | 2,230 | 12,000 | 113% | |
| 45 | MIDA Revenue | 6,458 | 8,811 | 13,291 | 4,480 | 6,000 | 222% | |
| 46 | Aquatic Center | 1,323,728 | 1,292,045 | 1,187,786 | (104,259) | 1,340,000 | 89% | -8.1% |
| 47 | Recreation | 316,611 | 310,428 | 328,783 | 18,355 | 310,000 | 106% | 5.9% |
| 48 | Cemetery Plots | 11,598 | 16,654 | 11,200 | (5,454) | 11,000 | 102% | |
| 50 | **Charges for Services Total** | **2,184,250** | **2,227,632** | **2,223,020** | **(4,612)** | **2,225,500** | **100%** | |

| | C | D | F | H | J | M | O | P |
|---|---|---|---|---|---|---|---|---|
| 1 | **Clearfield City Draft Revenues** | | | | | | | |
| 2 | 100% of Fiscal Year Complete | | | | | | | Clarification Notes |
| 3 | **Account Title** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Prior Yr** | **FY19 Budget** | **% of Budget** | |
| 51 | **General Fund - 10 Continued** | | | | | | | |
| 52 | **Fines & Forfeitures** | | | | | | | |
| 53 | Fines/Forfeitures | 465,554 | 491,952 | 469,214 | (22,738) | 525,000 | 89% | -5% |
| 54 | Code Enforcement Fines | 1,375 | 1,275 | 5,323 | 4,048 | 10,000 | 53% | |
| 55 | Fees/Costs/Contempt | 193,740 | 257,615 | 267,877 | 10,262 | 220,000 | 122% | |
| 56 | Court Security Fees | 16,857 | 18,598 | 17,587 | (1,011) | 18,000 | 98% | |
| 58 | **Fines & Forf Total** | **677,527** | **769,550** | **760,002** | **(9,548)** | **774,000** | **98%** | |
| 59 | **Miscellaneous** | | | | | | | |
| 60 | Interest Earnings | 139,774 | 117,030 | 211,464 | 94,434 | 45,000 | 470% | |
| 61 | Unrealized Gains & Losses | (65,446) | (119,409) | 158,783 | 278,192 | - | #DIV/0! | |
| 62 | Community Service Rentals | 89,443 | 93,325 | 120,941 | 27,616 | 80,000 | 151% | |
| 63 | Rent/Lease | - | 1,250 | 17,906 | | - | | New revenue Cell Tower |
| 64 | Sale of Capital Assets | 7,894 | - | 54,893 | | | | |
| 65 | Bond Proceeds | 2,423,270 | 7,277,076 | - | (7,277,076) | - | #DIV/0! | Energy FY17, Mabey Place FY18 |
| 66 | Misc Revenues | 93,479 | 76,559 | 79,977 | 3,418 | 45,000 | 178% | $30k school share of Hawk |
| 67 | Donation Revenue | 47,312 | 112,576 | 71,152 | (41,424) | 100,000 | 71% | |
| 68 | Return Check Fees | 1,839 | 700 | 694 | (6) | 750 | 93% | |
| 69 | One Time Misc Revenue | 11,226 | 50,412 | 7,070 | | | | |
| 71 | Commercial Fire Protect | 107,761 | 111,048 | 114,127 | 3,078 | 100,000 | 114% | |
| 72 | **Miscellaneous Total** | **2,857,686** | **7,720,566** | **837,006** | **(6,911,767)** | **373,250** | **224%** | |
| 73 | **Other Sources of Funds** | | | | | | | |
| 74 | TRNF CDRA Sales Tax Bond | 648,636 | 767,803 | 772,482 | 4,679 | 772,482 | 100% | 2016 Bond Payment |
| 75 | TRNF EF Sales Tax Bond | 142,509 | 156,148 | 157,099 | 951 | 157,099 | 100% | |
| 76 | TRNF City Water Costs | 91,165 | 90,899 | 93,717 | 2,818 | 100,000 | 94% | |
| 77 | TRNF from CDRA | 161,771 | 170,867 | 211,276 | 40,409 | 211,276 | 100% | |
| 78 | EF(S) Overhead Allocation | 1,015,840 | 1,028,347 | 1,065,132 | 36,785 | 1,065,132 | 100% | |
| 79 | Pay In Lieu Davis County | 4,028 | 4,004 | 3,955 | (49) | 4,000 | 99% | |
| 80 | **Other Sources Total** | **2,063,949** | **2,218,067** | **2,303,661** | **85,594** | **2,309,989** | **100%** | |
| 81 | **Total General Fund** | **$ 19,463,009** | **$ 24,939,913** | **$ 18,967,267** | **$ (6,000,852)** | **$ 17,283,044** | **110%** | |
| 82 | | | | | | | | $ 17,728,738 |

| | C | D | F | H | J | M | O | P |
|---|---|---|---|---|---|---|---|---|
| 1 | **Clearfield City Draft Revenues** | | | | | | | |
| 2 | 100% of Fiscal Year Complete | | | | | | | Clarification Notes |
| 3 | **Account Title** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Prior Yr** | **FY19 Budget** | **% of Budget** | |
| 83 | **CDRA - 20** | | | | | | | |
| 84 | EDA #3 - ATK | - | 217,335 | 1,101,843 | 884,508 | 925,518 | 119% | |
| 85 | RDA #6 | 243,741 | 243,238 | 227,326 | (15,912) | 243,238 | 93% | |
| 86 | RDA # 7 | 340,680 | 184,839 | 245,755 | 60,916 | 184,839 | 133% | |
| 87 | RDA # 8 | 171,052 | 211,716 | 251,991 | 40,275 | 211,716 | 119% | |
| 88 | RDA # 9 | 322,439 | 331,267 | 368,477 | 37,210 | 331,267 | 111% | |
| 89 | RDA # 10 | 313,107 | 304,154 | 333,417 | 29,263 | 304,154 | 110% | |
| 90 | CDA #1 - Clfd Station | 0 | - | 66,239 | | | | |
| 91 | Local Grants | - | - | 25,000 | | 25,000 | 100% | |
| 92 | Interest | 60,247 | 99,818 | 156,763 | 56,945 | 30,000 | 523% | |
| 93 | Rent Revenues | 4,000 | 4,000 | - | (4,000) | 4,000 | 0% | |
| 94 | Sale of Assets | - | - | 99,152 | | | #DIV/0! | Sale of land for Clearfield Junction |
| 95 | Misc Revenues | - | 2,200 | (1,225) | (3,425) | 1,000 | -123% | |
| 96 | **CDRA Fund** | **$ 1,455,266** | **$ 1,598,567** | **$ 2,874,738** | **$ 1,276,171** | **$ 2,260,732** | **127%** | |
| 97 | | | | | | | | |
| 98 | **GO Debt Service - 31** | | | | | | | |
| 99 | Current General Property | 786,395 | 827,448 | 727,361 | (100,088) | 727,352 | 100% | |
| 100 | TRNF from EF | 360,970 | 356,850 | 358,739 | 1,889 | 358,248 | 100% | |
| 101 | | | | | | | | |
| 102 | **Park Capital Improvement - 40** | | | | | | | |
| 103 | Park Impact Fees | 437,006 | 53,484 | 236,915 | 183,431 | 60,000 | 395% | |
| 104 | Interest Earnings | 812 | 13,307 | 24,784 | 11,478 | 3,000 | 826% | |
| 106 | | | | | | | | |
| 107 | **Capital Improvement - 45** | | | | | | | |
| 108 | UDOT Revenue | 54,000 | - | - | - | | | |
| 109 | Interest Earnings | 11,225 | 31,954 | 71,818 | 39,864 | 15,000 | 479% | |
| 110 | One Time Misc Revenue | - | 42,889 | - | | | | |
| 111 | Transfer from GF | 1,494,000 | 1,382,200 | 1,660,491 | 278,291 | 1,459,237 | 114% | |
| 112 | | | | | | | | |

| | C | D | F | H | J | M | O | P |
|---|---|---|---|---|---|---|---|---|
| 1 | **Clearfield City Draft Revenues** | | | | | | | |
| 2 | 100% of Fiscal Year Complete | | | | | | | Clarification Notes |
| 3 | **Account Title** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Prior Yr** | **FY19 Budget** | **% of Budget** | |
| 113 | **Utility Admin - 50** | | | | | | | |
| 114 | Interest Earnings | 14,128 | 22,776 | 35,802 | 13,027 | 20,000 | 179% | |
| 115 | Late Fees/Penalty | 138,649 | 152,905 | 150,636 | (2,269) | 140,000 | 108% | |
| 116 | Water Service Fees | 15,934 | 17,765 | 17,580 | (185) | 20,000 | 88% | |
| 117 | TRNF from EF | 186,128 | 148,978 | 213,615 | 64,637 | 213,615 | 100% | - |
| 118 | **Utility Admin Fund** | **$ 354,839** | **$ 342,423** | **$ 417,633** | **$ 75,210** | **$ 393,615** | **106%** | |
| 119 | **Water - 51** | | | | | | | |
| 120 | Water Impact Fees | 118,290 | 24,390 | 34,241 | 9,851 | 25,000 | 137% | |
| 121 | Interest Earnings | 52,857 | 83,301 | 94,284 | 10,983 | 30,000 | 314% | |
| 122 | Water Charges | 3,389,117 | 3,542,516 | 3,472,795 | (69,721) | 3,525,000 | 99% | 46% lower consumption May/June |
| 123 | ***kgals*** | 1,554,273 | 1,624,133 | 1,485,071 | | | | -8.6% |
| 124 | Water Meter Fee | 18,179 | 9,551 | 16,781 | 7,230 | 13,000 | 129% | |
| 126 | Water Charges - City | 91,165 | 90,899 | 93,717 | 2,818 | 100,000 | 94% | |
| 127 | **Water Fund** | **$ 3,669,607** | **$ 3,750,658** | **$ 3,711,818** | **$ (38,840)** | **$ 3,694,000** | **100%** | |
| 128 | **Sewer - 52** | | | | | | | |
| 129 | Sewer Impact Fees | 96,142 | 24,002 | 50,546 | 26,544 | 40,000 | 126% | |
| 130 | Interest Earnings | 25,946 | 39,762 | 52,160 | 12,398 | 7,000 | 745% | |
| 131 | Sewer Charges | 3,999,611 | 4,471,947 | 4,547,552 | 75,605 | 4,450,000 | 102% | |
| 132 | **Sewer Fund** | **$ 4,121,699** | **$ 4,535,711** | **$ 4,650,258** | **$ 114,547** | **$ 4,497,000** | **103%** | |
| 133 | **Storm Water - 53** | | | | | | | |
| 134 | Storm Sewer Impact Fees | 77,507 | 1,732 | 9,198 | 7,466 | 3,500 | 263% | |
| 135 | MIDA | 2,319 | 2,319 | 2,319 | 0 | 2,320 | 100% | |
| 136 | Interest Earnings | 35,344 | 58,347 | 71,313 | 12,967 | 10,000 | 713% | |
| 137 | Misc Revenue | - | 206 | 47,561 | 47,355 | | | claim on street sweeper |
| 138 | Storm Water Charges | 978,778 | 1,021,895 | 1,067,671 | 45,776 | 1,040,000 | 103% | |
| 139 | **Storm Fund** | **$ 1,093,948** | **$ 1,084,499** | **$ 1,198,063** | **$ 113,564** | **$ 1,055,820** | **113%** | |
| 140 | **Garbage - 54** | | | | | | | |
| 141 | Interest Earnings | 14,488 | 20,624 | 23,338 | 2,714 | 4,000 | 583% | |
| 142 | Garbage Charges | 1,408,998 | 1,413,770 | 1,416,655 | 2,884 | 1,425,000 | 99% | |
| 144 | **Solid Waste Fund** | **$ 1,423,485** | **$ 1,434,395** | **$ 1,439,993** | **$ 5,599** | **$ 1,429,000** | **101%** | |

| | C | D | F | H | J | M | O | P |
|---|---|---|---|---|---|---|---|---|
| 1 | **Clearfield City Draft Revenues** | | | | | | | |
| 2 | 100% of Fiscal Year Complete | | | | | | | Clarification Notes |
| 3 | **Account Title** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Prior Yr** | **FY19 Budget** | **% of Budget** | |
| 145 | **Fleet Management - 61** | | | | | | | |
| 146 | Fleet Charges From GF | 139,049 | 145,488 | 144,120 | (1,368) | 144,120 | 100% | |
| 147 | Fleet Charges From Water | 30,601 | 32,657 | 28,923 | (3,734) | 28,923 | 100% | |
| 148 | Fleet Charges From Sewer | 15,093 | 14,723 | 13,039 | (1,684) | 13,039 | 100% | |
| 149 | Fleet Charges Storm Sewer | 8,221 | 8,171 | 7,236 | (934) | 7,236 | 100% | |
| 150 | Consum. Chrgs From GF | 166,607 | 203,748 | 187,756 | (15,992) | 238,890 | 79% | fleet exps incurred by the GF, amounts |
| 151 | Consum. Chrgs From Water | 30,924 | 35,010 | 34,685 | (326) | 38,000 | 91% | fleet exps incurred by the GF, amounts |
| 152 | Consum. Chrgs From Sewer | 20,217 | 17,469 | 20,610 | 3,141 | 25,000 | 82% | |
| 153 | Consum. Chrgs Storm Sewer | 24,097 | 5,428 | 8,945 | 3,517 | 16,500 | 54% | fleet exps incurred by the GF, amounts |
| 154 | Consum. Chrgs Outside Ser | 5,595 | 975 | 4,742 | 3,767 | 13,000 | 36% | |
| 155 | Vehicle Replacement GF | 173,100 | 359,500 | 303,664 | (55,836) | 319,000 | 95% | |
| 156 | Vehicle Replacement Water | 22,400 | 31,500 | 60,816 | 29,316 | 63,500 | 96% | |
| 157 | Vehicle Replacement Sewer | 20,081 | 31,500 | 36,936 | 5,436 | 38,000 | 97% | |
| 158 | Vehicle Replacement Storm | 38,000 | - | 273,418 | 273,418 | 240,000 | 114% | |
| 159 | Fuel Charges | 10,150 | 14,247 | 17,143 | 2,896 | 12,000 | 143% | |
| 162 | **Fleet Management Fund** | **$ 704,137** | **$ 900,416** | **$ 1,142,034** | **$ 241,618** | **$ 1,197,208** | **95%** | |
| 163 | **Risk Management - 63** | | | | | | | |
| 164 | Risk Mgmt Charges - GF | 190,593 | 192,512 | 171,951 | (20,561) | 216,462 | 79% | |
| 165 | Risk Mgmt Charges - Water | 34,007 | 29,377 | 27,239 | (2,138) | 34,290 | 79% | |
| 166 | Risk Mgmt Charges - Sewer | 17,307 | 14,901 | 14,985 | 84 | 18,864 | 79% | |
| 167 | Risk Mgmt Charges - Storm | 10,229 | 5,484 | 5,837 | 352 | 7,347 | 79% | |
| 168 | Risk Mgmt Charges - Fleet | 2,319 | 2,801 | 2,360 | (441) | 2,971 | 79% | |
| 169 | Risk Mgmt Charges - Garba | 6,186 | 6,288 | 5,549 | (738) | 6,986 | 79% | |
| 172 | **Risk Management Fund** | **$ 260,868** | **$ 251,362** | **$ 227,920** | **$ (23,442)** | **$ 286,920** | **79%** | |
| 173 | **Perpetual Cemetery - 70** | | | | | | | |
| 174 | Perpetual Care | 11,750 | 15,300 | 11,000 | (4,300) | 9,000 | 122% | |
| 175 | Interest Earnings | 2,071 | 2,562 | 6,279 | 3,717 | 1,200 | 523% | |
| 177 | **Cemetery Fund** | **$ 13,821** | **$ 17,862** | **$ 17,279** | **$ (584)** | **$ 10,200** | **169%** | |
| 178 | | | | | - | | | |
| 179 | **Total** | **$ 35,705,088** | **$ 41,563,938** | **$ 37,727,112** | **$ (3,836,826)** | **$ 34,730,376** | 109% | |

# Clearfield City Draft Expenditures

100% of Fiscal Year Complete

| Division | Jun FY17 | Jun FY18 | Jun FY19 | Variance Previous Yr | FY19 Budget | Remaining Budget | % of Budget | Clarification Notes |
|---|---|---|---|---|---|---|---|---|
| | | *a* | *b* | *b-a* | *c* | | *b/c* | |
| **General Fund - 10** | | | | | | | | |
| **General Government** | | | | | | | | |
| Mayor & Council | $ 224,063 | $ 242,521 | $ 252,646 | $ 10,125 | $ 269,610 | $ 16,964 | 94% | Changed Emplyee Association Account |
| Justice Court | 482,762 | 455,752 | 460,599 | 4,847 | 494,910 | 34,311 | 93% | |
| City Manager | 358,343 | 382,102 | 390,735 | 8,634 | 415,167 | 24,432 | 94% | |
| City Recorder | 218,239 | 196,673 | 210,218 | 13,545 | 208,977 | (1,240) | 101% | |
| Legal | 318,543 | 342,645 | 366,333 | 23,688 | 397,054 | 30,721 | 92% | |
| Human Resources | 282,987 | 289,131 | 252,530 | (36,601) | 279,560 | 27,029 | 90% | |
| Information Technologies | 868,973 | 661,710 | 772,062 | 110,351 | 871,070 | 99,009 | 89% | |
| Finance | 381,988 | 386,529 | 459,023 | 72,494 | 467,451 | 8,427 | 98% | |
| Customer Service Center | - | 320,398 | 354,718 | 34,320 | 368,410 | | 96% | |
| Interdepartmental Service | 3,169,738 | 1,353,493 | 774,856 | (578,637) | 840,376 | 65,520 | 92% | Energy Eff Project FY18 |
| Buildings & Plants | 469,545 | 492,656 | 544,308 | 51,653 | 653,802 | 109,494 | 83% | |
| Elections | 306 | 15,450 | - | (15,450) | 900 | 900 | 0% | |
| **Public Safety** | | | | | | | | |
| Police Admin | $ 841,180 | $ 632,186 | $ 693,488 | $ 61,302 | $ 721,336 | $ 27,848 | 96% | |
| Patrol & Investigations | 2,672,227 | 2,889,436 | 3,197,530 | 308,093 | 3,342,181 | 144,652 | 96% | |
| Emergency Services | 31,122 | 14,602 | 28,586 | 13,983 | 50,296 | 21,710 | 57% | |
| Dispatch | 711,683 | 623,353 | 632,907 | 9,554 | 702,409 | 69,502 | 90% | |
| Liquor Law Enforcement | 82,203 | 87,107 | - | (87,107) | - | - | | |
| **Public Works** | | | | | | | | |
| Public Works Admin | $ 86,100 | $ 86,250 | $ 118,314 | $ 32,064 | $ 131,923 | $ 13,609 | 90% | |
| Streets | 673,011 | 625,093 | 684,167 | 59,075 | 784,105 | 99,938 | 87% | |
| **Community Services** | | | | | | | | |
| Community Svcs Admin | $ 357,535 | $ 407,264 | $ 295,670 | $ (111,594) | $ 293,084 | $ (2,586) | 101% | |
| 4th of July | - | 10,857 | 87,094 | | 90,387 | | 96% | |
| Parks | 652,085 | 731,033 | 913,117 | 182,084 | 983,300 | 70,183 | 93% | |
| Open Space | 249,870 | 149,804 | 201,524 | 51,720 | 230,109 | 28,585 | 88% | |
| Recreation | 686,175 | 692,472 | 747,430 | 54,959 | 811,260 | 63,830 | 92% | |
| Aquatics Center | 1,605,959 | 1,682,861 | 1,621,650 | (61,212) | 1,786,767 | 165,117 | 91% | |
| PARAT | 129,726 | 220,880 | 201,209 | (19,671) | 205,000 | 3,791 | 98% | Pool toy |
| Cemetery | 118,542 | 111,400 | 104,459 | (6,941) | 151,815 | 47,356 | 69% | |

| | C | D | F | H | J | M | N | O | P |
|---|---|---|---|---|---|---|---|---|---|
| 1 | | | **Clearfield City Draft Expenditures** | | | | | | |
| 2 | | | 100% of Fiscal Year Complete | | | | | | Clarification Notes |
| 3 | **Division** | **Jun FY17** | **Jun FY18** | **Jun FY19** | **Variance Previous Yr** | **FY19 Budget** | **Remaining Budget** | **% of Budget** | |
| 4 | | | *a* | *b* | *b-a* | *c* | | *b/c* | |
| 37 | **General Fund - 10** | | | | | | | | |
| 38 | **Community & Econ Development** | | | | | | | | |
| 39 | CED Administration | $ 88,668 | $ 5,020,911 | $ 756,172 | $ (4,264,739) | $ 2,157,915 | $ 1,401,743 | 35% | Mabey Place |
| 40 | Communications | 171,789 | 104,713 | 175,446 | 70,732 | 190,335 | 14,889 | 92% | |
| 41 | Business Licenses | 58,620 | 2,898 | - | | 0 | | | |
| 42 | Code Enforcement | - | 567 | 123,078 | 122,511 | 142,901 | 19,824 | 86% | |
| 43 | CDBG | 96,037 | 50,368 | 178,175 | 127,806 | 174,291 | (3,884) | 102% | |
| 44 | Planning & Engineering | 162,745 | 242,840 | 329,361 | 86,522 | 305,611 | (23,750) | 108% | Downtown Form-Based Code Update |
| 45 | Inspections | 97,446 | 102,447 | 104,522 | 2,075 | 111,414 | 6,892 | 94% | |
| 46 | Permits | 63,576 | 3,366 | - | (3,366) | - | - | | |
| 47 | | | | | | | | | |
| 48 | Sales Tax Bond '03&'16 | $ 10,319,928 | $ 927,450 | $ 933,081 | $ 5,631 | $ 934,581 | $ 1,500 | 100% | |
| 49 | | | | | | | | | |
| 50 | Transfers to Other Funds | $ 1,684,000 | $ 1,382,200 | $ 1,640,491 | $ 258,291 | $ 1,640,491 | $ - | 100% | |
| 51 | | | | | | | - | | |
| 52 | **General Fund Exp Totals** | $ 28,415,715 | $ 21,941,417 | $ 18,605,496 | $ (3,409,260) | $ 21,208,799 | $ 2,603,303 | 88% | $ 2,603,303 |

# Clearfield City Draft Expenditures

100% of Fiscal Year Complete

| Division | Jun FY17 | Jun FY18 | Jun FY19 | Variance Previous Yr | FY19 Budget | Remaining Budget | % of Budget | Clarification Notes |
|---|---|---|---|---|---|---|---|---|
| | | *a* | *b* | *b-a* | *c* | | *b/c* | |
| **CDRA - 20** | | | | | | | | |
| CED Administration | $ 60,367 | $ 22,776 | $ 82,294 | $ 59,518 | $ 120,000 | $ 37,706 | 69% | |
| RDA #9 | 231,529 | 270,000 | 260,000 | (10,000) | 260,000 | - | 100% | |
| RDA #6 | 37,026 | 25,000 | 25,000 | | | | | |
| RDA #7 | 131,321 | 1,228,328 | 229,524 | (998,804) | 197,482 | (32,042) | 116% | FY18-17 N Main Property Purchase |
| RDA #8 | 113,308 | 140,000 | 160,000 | 20,000 | 160,000 | 0 | 100% | |
| RDA #10 | 302,155 | 250,000 | 335,000 | 85,000 | 335,000 | - | 100% | |
| EDA #3 | - | 189,081 | 949,787 | 760,706 | 949,801 | 14 | 100% | |
| **CDRA Fund** | $ 875,706 | $ 2,125,185 | $ 2,041,605 | $ (83,580) | $ 2,022,283 | $ (19,322) | 101% | |
| **GO Bond Debt Service - 31** | | | | | | | | |
| GO Bond | 1,094,050 | 1,080,277 | 1,086,100 | 5,823 | 1,086,100 | - | 100% | |
| **GO Bond Debt Service Fund** | $ 1,094,050 | $ 1,080,277 | $ 1,086,100 | $ 5,823 | $ 1,086,100 | $ - | 100% | |
| **Park Capital Improvement - 40** | | | | | | | | |
| Capital Improvements Park | 215,775 | 39,996 | 156,075 | 116,079 | 350,000 | 193,925 | 45% | |
| **Park Capital Improvements** | $ 215,775 | $ 39,996 | $ 156,075 | $ 116,079 | $ 350,000 | $ 193,925 | 45% | |
| **Capital Improvement - 45** | | | | | | | | |
| Cap Proj - Buildings | $ 104,431 | $ 755,460 | $ 129,095 | $ (626,364) | $ 190,000 | $ 60,905 | 68% | |
| Cap Proj - Streets | 581,932 | 1,875,431 | 1,115,192 | (760,239) | 2,699,000 | 1,583,808 | 41% | |
| Cap Proj - Parks | - | - | 96,086 | | 345,000 | | | |
| Cap Proj - Open Space | 18,681 | - | - | - | 52,000 | 52,000 | 0% | |
| Cap Proj - CDBG | 148,633 | - | - | - | - | - | #DIV/0! | |
| **Capital Improvements Fund** | $ 853,678 | $ 2,630,890 | $ 1,340,372 | $ (1,386,603) | $ 3,286,000 | $ 1,945,628 | 41% | |

# Clearfield City Draft Expenditures

100% of Fiscal Year Complete

| Division | Jun FY17 | Jun FY18 | Jun FY19 | Variance Previous Yr | FY19 Budget | Remaining Budget | % of Budget | Clarification Notes |
|---|---|---|---|---|---|---|---|---|
| | | *a* | *b* | *b-a* | *c* | | *b/c* | |
| **Utility Admin - 50** | | | | | | | | |
| Utility Administration | $ 337,736 | $ 341,628 | $ 365,773 | $ 24,145 | $ 387,283 | $ 21,510 | 94% | |
| **Utility Admin** | $ 338,078 | $ 341,628 | $ 365,773 | $ (342) | $ 387,283 | $ 21,510 | 94% | |
| **Water - 51** | | | | | | | | |
| Water Department | $ 3,535,338 | $ 3,527,679 | $ 3,793,508 | $ 265,829 | $ 4,051,449 | $ 257,941 | 94% | |
| Water Capital Projects | 891,100 | 1,703,092 | 1,071,183 | (631,909) | 4,820,058 | 3,748,875 | 22% | |
| **Water Fund** | $ 4,426,438 | $ 5,230,771 | $ 4,864,691 | $ (366,080) | $ 8,871,507 | $ 4,006,816 | 55% | |
| **Sewer - 52** | | | | | | | | |
| Sewer Department | $ 4,282,626 | $ 4,755,985 | $ 4,822,954 | $ 66,968 | $ 5,018,949 | $ 195,995 | 96% | |
| Sewer Capital Projects | 344,198 | 781,394 | 366,755 | (414,639) | 2,067,000 | 1,700,245 | 18% | |
| **Sewer Fund** | $ 4,626,825 | $ 5,537,379 | $ 5,189,709 | $ (347,671) | $ 7,085,949 | $ 1,896,240 | 73% | |
| **Storm Water - 53** | | | | | | | | |
| Storm Water | $ 1,333,813 | $ 1,291,665 | $ 1,539,870 | $ 248,205 | $ 1,572,080 | $ 32,210 | 98% | |
| Storm Water Capital Prjct | 268,018 | 1,127,261 | 248,051 | (879,210) | 2,754,500 | 2,506,449 | 9% | |
| **Strom Water Fund** | $ 1,601,830 | $ 2,418,926 | $ 1,787,921 | $ (631,005) | $ 4,326,580 | $ 2,538,659 | 41% | |
| **Solid Waste & Recyclables- 54** | | | | | | | | |
| Solid Waste | $ 1,158,337 | $ 1,259,278 | $ 1,277,742 | $ 18,463 | $ 1,323,872 | $ 46,130 | 97% | |
| Solid Waste Capital | 93,972 | 763,698 | 70,285 | (693,413) | 822,561 | 752,276 | 9% | |
| **Solid Waste Fund** | $ 1,252,308 | $ 1,259,278 | $ 1,348,027 | $ 18,463 | $ 2,146,433 | $ 798,406 | 63% | |
| **Fleet Management - 61** | | | | | | | | |
| Fleet Management | 789,127 | 851,385 | 760,742 | (90,643) | 800,887 | 40,145 | 95% | |
| **Fleet Management Fund** | $ 789,127 | $ 851,385 | $ 760,742 | $ (90,643) | $ 800,887 | $ 40,145 | 95% | |
| **Risk Management - 63** | | | | | | | | |
| ISF - Risk Management | 272,726 | 251,362 | 293,464 | 42,102 | 293,720 | 256 | 100% | |
| **Risk Management Fund** | $ 272,726 | $ 251,362 | $ 293,464 | $ 42,102 | $ 293,720 | $ 256 | 100% | |
| **Perpetual Cemetery - 70** | | | | | | | | |
| Perpetual Cemetery Fund | - | - | - | - | - | - | | |
| **Cemetery Fund** | $ - | $ - | $ - | $ - | $ - | $ - | | |

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
MEETING MINUTES
6:00 P.M. WORK SESSION
June 18, 2019
*(This meeting was held following the regularly scheduled City Council work session.)*

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Kent Bush | Chair |
| PRESENT: | Nike Peterson | Director |
| | Vern Phipps | Director |
| | Tim Roper | Director |
| | Mark Shepherd | Director |
| | Karece Thompson | Director |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Kelly Bennett | Police Chief |
| | Mark Baird | Interim Public Works Director |
| | Eric Howes | Community Services Director |
| | Curtis Dickson | Community Services Deputy Dir. |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Lee Naylor | Accountant |
| | Trevor Cahoon | Communications Coordinator |
| | Nancy Dean | City Recorder |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | Stuart Williams | City Attorney |

VISITORS: Devin Prouty, Chris Uccardi, Michael Rolow, Ruth Jones

Chair Bush called the meeting to order at 7:59 p.m.

DISCUSSION ON THE INTERLOCAL AGREEMENTS WITH OTHER TAXING ENTITIES REGARDING THE LIFETIME PRODUCTS CRA (COMMUNITY REINVESTMENT AREA)

Summer Palmer, Assistant City Manager, reviewed the creation process of the Lifetime Products Community Reinvestment Area (CRA). She stated staff had been working with other taxing entities for the past several months to obtain approvals of the Interlocal Agreements with the CDRA regarding the creation of the CRA. She reported the Interlocal Agreement between the CDRA and Davis County School District was approved by Resolution on April 23, 2019. Ms. Palmer indicated since that time, the other taxing entities had all approved the Interlocal Agreements with the CDRA. She indicated the City was the only taxing entity left that would

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need to formalize the Interlocal Agreement with the CDRA by adoption of a resolution. She acknowledged consideration of a resolution would be on the agenda for the City Council's policy meeting as well as the CDRA policy meeting on June 25, 2019.

Ms. Palmer noted the Interlocal Agreements were all similar except for the agreement with Davis County. She identified the County's agreement had an additional five percent fee that would be excluded from its tax increment in order to pay for the administration of the CRA. She stated the County expressed its opinion it had a higher burden in managing the CRA than the other taxing entities so staff conceded. JJ Allen, City Manager, explained the County early in the negotiation period had requested five percent of all the taxing entities' increment go towards its administrative efforts; however, the County finally agreed the five percent fee would only apply to its own portion of the increment.

Director Thompson stated concerns were expressed during the Mosquito Abatement District – Davis board meeting about the CRA because of the changes in the project area which resulted in a reformulation of the tax increment years. He wondered if something could be done moving forward to address the concerns in general. Ms. Palmer responded it was difficult because not everyone understood the entire concept of those types of plans. There was a discussion about the uniqueness of the Lifetime CRA and the need to focus more on educating board members of the taxing entities in the future.

Brad McIlrath, Senior Planner, reported the first phases of the land use items were underway with the project. He announced Utility Trailer was starting to relocate the trailers currently in the project area to its facility on the west end of the Freeport Center.

DISCUSSION ON AMENDMENTS TO THE FISCAL YEAR 2019 (FY19) BUDGET

Lee Naylor, Accountant, stated the increment for EDA #3 came in higher than budgeted; consequently, staff was proposing an amendment be made to the fiscal year 2019 (FY19) budget to account for the developer increments paid out of $144,600. He noted there was a public hearing scheduled for June 25, 2019 following which the Board could consider the FY19 budget amendments.

**Director Shepherd moved to adjourn at 8:10 p.m., seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper, Shepherd and Thompson. Voting NO – None.**

***The City Council work session minutes are in a separate location.***

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CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY
MEETING MINUTES
7:00 P.M. POLICY SESSION
June 25, 2019
*(This meeting was held following a City Council policy session.)*

City Building
55 South State Street
Clearfield City, Utah

| | | |
|---|---|---|
| PRESIDING: | Kent Bush | Chair |
| PRESENT: | Nike Peterson | Director |
| | Vern Phipps | Director |
| | Tim Roper | Director |
| | Karece Thompson | Director |
| EXCUSED: | Mark Shepherd | Director |
| STAFF PRESENT: | JJ Allen | City Manager |
| | Summer Palmer | Assistant City Manager |
| | Kelly Bennett | Police Chief |
| | Mark Baird | Interim Public Works Director |
| | Adam Favero | Utility Superintendent |
| | Eric Howes | Community Services Director |
| | Spencer Brimley | Community Development Director |
| | Brad McIlrath | Senior Planner |
| | Shane Crowton | Code Compliance Officer |
| | Rich Knapp | Finance Manager |
| | Trevor Cahoon | Communications Coordinator |
| | Nancy Dean | City Recorder |
| | Wendy Page | Deputy Recorder |
| EXCUSED: | Stuart Williams | City Attorney |

VISITORS: Paul Thomas, Bob Bercher, Michael Rolow, Savannah Peterson, Kathryn Murray, Ruth Jones, Jason Hamblin

Chair Bush called the meeting to order at 8:01 p.m.

APPROVAL OF THE MINUTES FROM THE JULY 11, 2019 POLICY SESSION

**Director Roper moved to approve the minutes from July 11, 2019 policy session, as written; and authorize the Chair's signature to any necessary documents, seconded by Director Peterson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper, and Thompson. Voting NO – None.** Director Shepherd was not present for the vote.

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PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FISCAL YEAR 2019 BUDGET

Rich Knapp, Finance Manager, reported staff identified expenditures necessary for CDRA operations which were not included in its current budget. He stated the developer increment came in higher than initially budgeted for EDA #3. He recommended the fiscal year 2019 (FY19) budget be adjusted by $144,600.

Chair Bush opened the public hearing at 8:02 p.m.

Chair Bush asked if there were any public comments.

There were no public comments.

**Director Thompson moved to close the public hearing at 8:03 p.m., seconded by Director Peterson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper and Thompson. Voting NO – None.** Director Shepherd was not present for the vote.

APPROVAL OF RESOLUTION 2019R-05 AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR 2019 BUDGET

**Director Peterson moved to approve Resolution 2019R-05 authorizing an amendment to the fiscal year 2019 budget and authorize the Chair's signature to any necessary documents, seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper and Thompson. Voting NO – None.** Director Shepherd was not present for the vote. Chair Bush voted Aye also.

APPROVAL OF RESOLUTION 2019R-04 AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) AND OTHER TAXING ENTITIES REGARDING THE LIFETIME PRODUCTS CRA (COMMUNITY REINVESTMENT AREA)

Summer Palmer, Assistant City Manager, stated on October 9, 2018, the Clearfield Community Development and Renewal Agency (CDRA) adopted, by resolution, an official Project Area Plan and Project Area Budget for the Lifetime Community Reinvestment Project Area. She noted the CDRA desired to enter into an Interlocal Agreement with the taxing entities to receive a portion of property tax increment generated within the Lifetime Products CRA. She commented Resolution 2019R-04 would authorize not only the Interlocal Agreement with the City, but also the other taxing entities which included North Davis Fire District, Davis County, North Davis Sewer District, Weber Basin Water Conservancy District, and the Mosquito Abatement District – Davis.

Chair Bush wondered if all the taxing entities had approved the Interlocal Agreements. Ms. Palmer responded yes.

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**Director Phipps moved to approve Resolution 2019R-04 authorizing an Interlocal Agreement between the Clearfield Community Development and Renewal Agency (CDRA) and Clearfield City, North Davis Fire District, Davis County, North Davis Sewer District, Weber Basin Water Conservancy District, and Mosquito Abatement District - Davis relating to the Lifetime Products CRA (Community Reinvestment Area) and authorize the Chair's signature to any necessary documents, seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper and Thompson. Voting NO – None.** Director Shepherd was not present for the vote.

There being no further business to come before the Community Development and Renewal Agency, **Director Roper moved to adjourn at 8:05 p.m., seconded by Director Thompson. The motion carried upon the following vote: Voting AYE – Directors Peterson, Phipps, Roper and Thompson. Voting NO – None.** Director Shepherd was not present for the vote.

***The City Council policy session minutes are in a separate location.***

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Clearfield City
we've got it made

# STAFF REPORT

**TO:** CDRA Chairman Bush and Board members

**FROM:** Summer Palmer, Assistant City Manager

**MEETING DATE:** August 27, 2019

**SUBJECT:** Addendum to the City Centre TIF agreement

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## RECOMMENDED ACTION

Approve the addendum to facilitate relocation of Argentine Corner to City Centre

## DESCRIPTION / BACKGROUND

Representatives from both the City Centre Development and Argentine Corner contacted the City asking if there was any financial assistance available to facilitate the relocation of Argentine Corner to the commercial store front at City Centre. The commercial pad at City Centre needs to be improved in order to have a restaurant use the space. If those improvements are made, Argentine Corner has agreed to move into the space from their current location at 442 North Main Street.

The City Centre Development falls under the RDA 7 project area. The CDRA currently has a TIF Agreement with City Centre that specifies how and when they qualify for the tax increment generated by the development. Staff recommends the CDRA board provide City Centre $50,000 to close the gap on the required tenant improvements to bring Argentine Corner into the commercial space. In addition, we recommend the following conditions be included in an addendum to the current TIF agreement:

- Improvements will be complete by the end of the year, allowing for Argentine Corner to open by January 2020.
- The incentive payment per the current TIF Agreement for Tax Year 2018 ($72,042 distributed in spring 2019) will be the baseline.
- Beginning with Tax Year 2019, and each year running through Tax Year 2023 (when the RDA 7 project area and the term of the Agreement expire), if the calculated incentive payment exceeds the baseline $72,042, then the excess will be retained by the CDRA until the $50,000 is recouped.
- Once the $50,000 is reimbursed to the CDRA, City Centre is entitled to the full amount of the calculated incentive payment through the remainder of the term.
- If the calculated incentive payment in any of the years is less than the baseline $72,042, then the CDRA does not receive any reimbursement for that year.

- If, after the expiration of the project area and the Agreement, the sum of the annual reimbursements to the CDRA does not total $50,000, the remainder of the amount owing shall be forgiven.

**CORRESPONDING POLICY PRIORITY (IES)**

We believe the approval of this resolution will help us to ***Improve Clearfield's Image, Livability and Economy*** by adding business and vibrancy to this dynamic part of Clearfield's main street. This is a great opportunity for us to, not only support the growth of a long time local business, but also fill commercial store front space on our main corridor which has been empty for extended period of time.

**FISCAL IMPACT**

There is an initial outlay of $50,000 that will come from RDA 7. Any portion of that initial amount not recuperated over the next five tax years will be subtracted from the balance of the RDA.

**ALTERNATIVES**

The board could choose not to contribute to the arrangements. However, both parties have indicated they will not be able to move forward with an agreement without assistance from the City.

**SCHEDULE / TIME CONSTRAINTS**

The parties would like to move forward with construction as quickly as possible so Argentine Corner can open the new location early 2020.

**LIST OF ATTACHMENTS**

- Draft Addendum #1 to the TIF Agreement

# TAX INCREMENT PARTICIPATION AGREEMENT
# **ADDENDUM #1**

CLEARFIELD CENTER
RDA #7 WEST SIDE CENTRAL BUSINESS DISTRICT PROJECT AREA
CLEARFIELD CITY, UTAH

**THIS ADDENDUM #1** ("**Addendum #1**") is entered into as of the ____ day of _____, 2019, between the CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, a governmental entity organized under the laws of the State of Utah (the "**Agency**"), and Clearfield Properties, LLC, a Utah limited liability company (the "**Developer**"). The aforementioned are sometimes referred to in this Agreement as a "Party," or collectively as the "Parties." Addendum #1 is the first and only addendum to the 2016 Tax Increment Participation Agreement ("**Agreement**") between the Parties, attached hereto as Exhibit A.

**W I T N E S S E T H:**

(1) In furtherance of the objectives of the current Utah Community Development and Renewal Agencies Act, Utah Code Ann. Title 17C, Chapters 1 through 4 (collectively, the "**Act**"), the Agency has undertaken a program for the development of a certain geographic area known as the "West Side Central Business District Project Area" located in Clearfield, Davis County, Utah (the "**Project Area**"); and

(2) The Agency has prepared and the City Council through the adoption of Ordinance No. 91-4 dated the 9th day of April 1991, and published on the 26th day of April 1991, has approved the West Side Central Business District Redevelopment Project Area Plan (as hereinafter defined, the "**Project Area Plan**") providing for the redevelopment of real property located within the Project Area and the future uses of such land, which Project Area Plan has been filed with both Clearfield City and the Agency; and

(3) The Project Area has an original expiration year of Tax Year 2016, and an extension ("haircut") expiration year of Tax Year 2023; and

(4) The subject site consists of approximately 2.3-acres of real property (the "**Site"**) located within the Project Area. Developer owns the Site, and subject to the terms and conditions set forth in the Agreement, the Developer has developed the Improvements and Public Improvements for the Site in accordance with the uses specified in the Project Area Plan and the Agreement, see Exhibit A; and

(5) To enable the Agency to achieve the objectives of the Redevelopment Plan, and particularly to encourage the development of the land within the Project Area by private enterprise for and in accordance with the uses specified in the Redevelopment Plan, the Agency desires to enter into this Addendum #1 to the Agreement; and

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(6) The Agency believes that an addendum to the Agreement is vital and in the best interests of the Agency and in the best interest of the health, safety and welfare of City residents, and in accord with the public purposes and provisions of the applicable State laws and requirements under which the Project Area and its development was undertaken and is being assisted by the Agency; and

(7) On the basis of the foregoing and the undertakings of the Developer pursuant to the Agreement, and to enable the Agency to achieve the objectives of the Redevelopment Plan, the Agency is willing, in the manner set forth herein, to assist the Developer in the development of the Site beyond what is defined in the Agreement for the purpose of accomplishing the provisions of the Redevelopment Plan, and the provisions of the Agreement; and

(8) The development of the Site by the Developer shall continue to be in accordance with the public purposes and provisions of applicable State laws and requirements.

## ARTICLE 1- DEFINITIONS

Any term not specifically defined within Addendum #1 shall have the same definitions as set forth in the Agreement.

## ARTICLE 2- TERMS OF ADDENDUM #1

(1) Agency agrees to provide Developer fifty-thousand dollars ($50,000) by October 1, 2019, to be recouped by Agency subject to the remaining terms of Article 2.

(2) Developer acknowledges and agrees that the fifty-thousand dollars ($50,000) provided by the Agency pursuant to Article 2, paragraph 1 shall be used exclusively towards the costs associated with providing the required Argentine Corner Tenant Improvements. See Exhibit B.

(3) Developer agrees to complete each of the required Argentine Corner Tenant Improvements listed in Exhibit B by December 31, 2019.

(4) The Parties acknowledge and agree that the incentive payment per the Agreement for Tax Year 2018 ($72,042 distributed in spring 2019) will be the "baseline" by which the Agency's future recoupment shall be calculated.

(5) The Parties acknowledge and agree that beginning with Tax Year 2019, and each year running through Tax Year 2023 (when the RDA 7 project area and the term of the Agreement expire), if the calculated incentive payment exceeds the baseline $72,042, the excess funds will be retained by the Agency until the $50,000 is recouped.

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(6) The Parties acknowledge and agree that once the $50,000 is reimbursed to the Agency, Developer is entitled to the full amount of the calculated incentive payment through the remainder of the term.

(7) The Parties acknowledge and agree that if the calculated incentive payment in any of the years is less than the baseline $72,042, then the Agency does not receive any reimbursement for that year.

(8) The Parties acknowledges and agree that if, after the expiration of the project area and the Agreement, the sum of the annual reimbursements to the Agency does not total $50,000, the remainder of the amount owing to Agency shall be forgiven.

## ARTICLE 3- MISCELLANEOUS PROVISIONS

**Limitation of Addendum #1:** The Parties acknowledge and agree that except for those terms explicitly contained within Addendum #1, nothing within Addendum #1 shall be interpreted or applied in any manner that modifies or changes the terms of the Agreement.

**Breach of Addendum #1:** If either party commits a material breach of any of the terms and conditions of Addendum #1 and fails to cure such breach within thirty (30) calendar days of written notice thereof, then the non-breaching party may terminate Addendum #1. If the material breach is by the Developer, Developer shall return to Agency fifty-thousand dollars ($50,000) within thirty (30) calendar days, regardless of any costs incurred by Developer pursuant to Addendum #1.

**Conflict of Interest – Agency:** No member, official, employee, consultant, or agent of the Agency shall have any personal interest, direct or indirect, in this addendum, nor shall any such member, official, or employee participate in any decision relating to this addendum which affects his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

**No Personal Liability – Agency:** No member, official, employee, consultant, agent or representative of the Agency shall be personally liable to the Developer or any successor in interest in the event of any default or breach by the Agency for any amount which may become due to the Developer or successor or on any obligations under the terms of this addendum.

**Notices:** A notice or communication under this addendum, by a Party to another Party, shall be sufficiently given or delivered, if given in writing by personal service, express mail, Federal Express, DHL or any other similar form of courier or delivery service, or mailing in the United States mail, postage prepaid, certified, return receipt requested and addressed to such Party as follows:

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(A) In the case of a notice or communication to the Agency, Clearfield Community Development and Renewal Agency, Attn: Clearfield City Manager, 55 South State Street, Clearfield, Utah 84015. In the case of a notice or communication to the Developer, addressed to it as follows: Clearfield Properties LLC 1034 RSI Drive suite 130, Logan, Utah 84321. Either Party may modify the foregoing notice information by giving written notice to the other Party as provided in this Section.

(B) Notwithstanding the foregoing, the Agency may make inquiries from time to time regarding the schedule of the Project to the following person:

Jared Nielson
MV Properties
Logan, Utah 84321
Telephone: (435)753-3131

**Attachments/Recitals:** All Attachments referred to in this addendum as being attached or to be attached hereto, whether or not in fact attached, the Parties being satisfied that the correct documents can be supplied from the records of the Parties, and Recitals, are incorporated herein and made a part hereof as if set forth in full and are binding upon the Parties to this addendum.

**Headings:** Any titles of the several parts and sections of this addendum are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

**Successors and Assigns of Developer:** This addendum shall be binding upon the Developer and its successors and assigns. Where the term "Developer" is used in this addendum, it shall mean and include the successors and assigns of the Developer, except that the Agency shall have no obligation under this addendum to any unapproved successor or assignee of the Developer where the Agency's approval of a successor or assignee is required by this addendum.

**Attorneys Fees:** In the event of a default hereunder, the defaulting Party agrees to pay all costs incurred by the other Party in enforcing this addendum, including reasonable attorney's fees, whether by in-house counsel or outside counsel and whether incurred through initiation of legal proceedings or otherwise.

**Governing Law and Venue:** This addendum shall be interpreted and enforced according to the laws of the State of Utah, within the Second District Court, Farmington Division.

**Counterparts:** This addendum may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

DRAFT

**IN WITNESS WHEREOF**, the Agency has caused this Addendum #1 to the 2016 Tax Increment Participation Agreement to be duly executed in its behalf; and the Developer has caused the same to be duly executed in its behalf, on or as of the day and year first above written.

CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

By_____
Kent Bush, Chairman

ATTEST:

_____

Approved as to form:

_____
Agency Counsel

DRAFT

STATE OF UTAH )
:ss.
COUNTY OF DAVIS )

On the ____ day of _____ 2019, personally appeared before me _____ and being by me duly sworn did say, each for themselves that he, the said Kent Bush, is the Chairman and that the within and foregoing instrument was signed in behalf of said Agency by authority of a motion of its board of directors.

My Commission Expires:
_____

_____
Notary Public
Residing at:

Clearfield Properties, LLC,
a Utah limited liability company

By: _____
Name: James Wakefeild
Title: Manager

By: _____

STATE OF _____ )
:ss.
COUNTY OF _____ )

On the _____ day of _____ 2019 personally appeared before me _____, who being by me duly sworn did say, that as manager of Clearfield Properties, LLC he has signature authority for said LLC, and that the within and foregoing instrument was signed in behalf of said Clearfield Properties, LLC, and acknowledged to me that said company executed the same pursuant to authority under or as authorized by its operating agreement or other proper authority.

_____
Notary Public
Residing at:

My Commission Expires:
_____

DRAFT

**ATTACHMENT A**

**2016 TAX INCREMENT PARTICIPATION AGREEMENT**

DRAFT

**ATTACHMENT B**

**ARGENTINE CORNER TENANT IMPROVEMENTS**

DRAFT

# TAX INCREMENT
# PARTICIPATION AGREEMENT

Dated the 8th day of Nov, 2017

By and Between the Clearfield Community Development and Renewal Agency, a public entity
(the "Agency")
and Clearfield Properties, LLC, a Utah limited liability company (the "Developer")

CLEARFIELD CENTER
RDA #7 WEST SIDE CENTRAL BUSINESS DISTRICT PROJECT AREA

located in Clearfield, Utah

# TAX INCREMENT PARTICIPATION AGREEMENT

CLEARFIELD CENTER
RDA #7 WEST SIDE CENTRAL BUSINESS DISTRICT PROJECT AREA
CLEARFIELD CITY, UTAH

**THIS AGREEMENT** (the "**Agreement**") is entered into as of the 9th day of November, 2017, between the CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY, a governmental entity organized under the laws of the State of Utah (the "**Agency**"), and Clearfield Properties, LLC, a Utah limited liability company (the "**Developer**"). The aforementioned are sometimes referred to in this Agreement as a "Party," or collectively as the "Parties."

**W I T N E S S E T H:**

(1) In furtherance of the objectives of the current Utah Community Development and Renewal Agencies Act, Utah Code Ann. Title 17C, Chapters 1 through 4 (collectively, the "**Act**"), the Agency has undertaken a program for the development of a certain geographic area known as the "West Side Central Business District Project Area" located in Clearfield, Davis County, Utah (the "**Project Area**"); and

(2) The Agency has prepared and the City Council through the adoption of Ordinance No. 91-4 dated the 9th day of April 1991, and published on the 26th day of April 1991, has approved the West Side Central Business District Redevelopment Project Area Plan (as hereinafter defined, the "**Project Area Plan**") providing for the redevelopment of real property located within the Project Area and the future uses of such land, which Project Area Plan has been filed with both Clearfield City and the Agency; and

(3) The Project Area has an original expiration year of Tax Year 2016, and an extension ("haircut") expiration year of Tax Year 2023; and

(4) The subject site consists of approximately 2.3-acres of real property (the "**Site**") located within the Project Area. Developer owns or will own the Site, and subject to the terms and conditions hereof, the Developer has agreed to develop with the Improvements and Public Improvements (defined below) the Site in accordance with the uses specified in the Project Area Plan and this Agreement; and

(5) To enable the Agency to achieve the objectives of the Redevelopment Plan, and particularly to encourage the development of the land within the Project Area by private enterprise for and in accordance with the uses specified in the Redevelopment Plan, the Agency desires to enter into this Agreement; and

(6) The Agency believes that the development of the Site pursuant to the provisions of the Redevelopment Plan and this Agreement is in the vital and best interests of the Agency and in the best interest of the health, safety and welfare of City residents, and in accord with the public purposes and provisions of the applicable State laws and requirements under which the Project Area and its development is undertaken and is being assisted by the Agency; and

(7) On the basis of the foregoing and the undertakings of the Developer pursuant to this Agreement, and to enable the Agency to achieve the objectives of the Redevelopment Plan, the Agency is willing, in the manner set forth herein, to assist the Developer in the development of the Site for the purpose of accomplishing the provisions of the Redevelopment Plan, and the provisions of this Agreement; and

(8) The development of the Site by the Developer shall be in accordance with the public purposes and provisions of applicable State laws and requirements.

NOW, THEREFORE, each of the Parties for and in consideration of mutual promises and other good and valuable consideration does covenant and agree as set forth herein.

## ARTICLE 1- DEFINITIONS

The following capitalized terms have the meanings and content set forth in this Article 1, wherever used in this Agreement, and the Parties agree to the provisions set forth within the following definitions.

1.1 Agency

The term "**Agency**" means the Clearfield Community Development and Renewal Agency, a public body, exercising its functions and powers and organized and existing under the Utah Community Development and Renewal Agencies Act or any successor or replacement law or act (the "**Act**"), including any successor public agency designated by or pursuant to law. The principal office of the Agency is located at 55 South State Street, Clearfield, Utah.

1.2 Assessed Taxable Value

The term "**Assessed Taxable Value**" for any Tax Increment Year means the assessed taxable value as equalized and shown on the records of the Davis County Assessor's Office for that Tax Increment Year for the Site.

1.3 Available Tax Increment

The term "**Available Tax Increment**" means the portion of the Tax Increment monies which the Agency actually receives, from the Site only, less, for each Tax Increment Year of the Tax Increment Subsidy Period, the first 5% of all the Tax Increment received by the Agency, which 5% of Tax Increment shall be received and retained by the Agency for administrative purposes. The base tax year as that term is defined or used in the Act and applied to this Agreement is Tax Increment Year 2014.

1.4 Certificate of Occupancy

The term "**Certificate of Occupancy**" means, with respect to a building, a permanent certificate of occupancy for the building that is issued by the City.

1.5 City

The term "**City**" means Clearfield, Davis County, Utah, a political subdivision of the State of Utah.

1.6 County

The term "**County**" means Davis County, Utah.

1.7 Developer

The term "**Developer**" means Clearfield Properties, LLC, with its principal offices located at 1034 RSI Drive, Suite 130, Logan, UT 84321.

1.8 Improvements

The term "**Improvements**" means the improvements contemplated under this Agreement to be constructed and installed by the Developer on the Site, as more particularly described or referred to in **ATTACHMENT NO. 1**, together with all off-site improvements and all private parking, internal drive lanes, sewer, water, storm sewer, curbs, gutters, sidewalks and landscaping on the Site, as required by City codes, rules and regulations and the Development Agreement. The Agency and Developer anticipate that the construction of the Improvements will enhance the Assessed Taxable Value, which will be used to calculate the Available Tax Increment under this Agreement.

1.9 Permitted Uses

The term "**Permitted Use**" or "**Permitted Uses**" shall be limited to the uses permitted by the City code, zoning ordinance and regulations of the City for the Site. The Site has been zoned D-R (Downtown Redevelopment), which allows the contemplated uses which include commercial and multi-family residential.

1.10 Project Area

The term "**Project Area**" means the West Side Central Business District Project Area, as more fully described in the Redevelopment Plan.

1.11 Public Improvements.

The term "**Public Improvements**" means the public improvements and other improvements to be constructed and installed by the Developer, as described in **ATTACHMENT NO. 2.**

1.12 Redevelopment Plan

The term "**Redevelopment Plan**" means the Redevelopment Plan entitled the "West Side Central Business District Redevelopment Project Area Plan," adopted by the City Council through the adoption of Ordinance No. 91-4 dated the 9th day of April 1991, and published on the 26th day of April 1991.

1.13 Site

The term "**Site**" means the real property situated within the Project Area described in the Site Legal Description, **ATTACHMENT NO. 3** attached hereto.

1.16 Tax Increment

The term "**Tax Increment**" means, as defined in Section 17C-1-102(46) of the Act, the difference between: (i) the amount of property tax revenues generated each tax year by all taxing entities from the area within a project area designated in the project area plan as the area from which tax increment is to be collected, using the current assessed value of the property; and (ii) the amount of property tax revenues that would be generated from that same area using the base year taxable value of the property. Tax increment does not include taxes levied and collected under Section 59-2-1602, Utah Code Annotated 1953, as amended.

1.17 Tax Increment Subsidy Period

The term "**Tax Increment Subsidy Period**" means the period commencing with the first Tax Increment Year for which the Developer pays ad valorem taxes on the increased valuation of the property, and ending with the final year of the Project Area (Tax Increment Year 2023).

1.18 Tax Increment Subsidy

(A) The term "**Tax Increment Subsidy,**" as more fully described in Section 6.1, means the portion of the Available Tax Increment that is required by specific terms of this Agreement to be paid to the Developer by the Agency, provided that the Developer is eligible to receive such payments pursuant to the terms and provisions of this Agreement.

(B) The following monies shall not be considered part of the Tax Increment Subsidy under any circumstances: (i) for each Tax Increment Year of the Tax Increment Subsidy Period, the first 5% of all the Tax Increment received by the Agency from the Site, which 5% of Tax Increment shall be received and retained by the Agency for administrative purposes; (ii) any Tax Increment monies which the Agency receives at any time attributable to property other than the Site, or from

other project areas which the Agency and the City have previously established, or which they may hereafter establish other than the Project Area; and (iii) the ad valorem property taxes paid regarding the Site prior to or after the Tax Increment Subsidy Period. The Tax Increment monies described in the above Subparagraphs (i), (ii), and (iii) are reserved by the Agency for uses and purposes other than payment to the Developer.

1.19 Tax Increment Year

The term "**Tax Increment Year**" means a calendar year beginning January 1 (the "tax lien date" when real property is deemed to be assessed for purposes of taxation by the Office of the Davis County Assessor pursuant to law) and ending December 31 of the same calendar year.

## ARTICLE 2- CONDITIONS PRECEDENT TO THE PAYMENT OF THE TAX INCREMENT SUBSIDY BY THE AGENCY TO THE DEVELOPER

2.1 Conditions Precedent

As express conditions precedent to the Agency's obligation to pay and the Developer's eligibility to receive the Tax Increment Subsidy for each year of the Tax Increment Subsidy Period, the Developer shall meet each of the following conditions precedent:

(A) Acquisition of the Site; Development with Improvements. The Developer must have acquired ownership of the Site needed for the Improvements and must have developed the Site with the Improvements in accordance with the terms, provisions and requirements listed in Article 3 and outlined and described in **ATTACHMENT NO. 1.**

(B) Completion of the Public Improvements. The Developer shall have timely completed to the satisfaction of the Agency and the City the design of, to City standards, and the construction and installation of, the Public Improvements as described and listed on **ATTACHMENT NO. 2.**

(C) Development Agreement and Terms and Conditions of this Agreement. The Developer shall have timely performed and shall not be in material breach of the Development Agreement, and subject to the provisions of Section 7.3, the Developer shall have timely performed each and every other term, covenant and condition of this Agreement to be performed under this Agreement, including but not limited to the timely payment of all ad valorem taxes on or relating to the Site when due.

2.2 Developer's Failure to Meet the Conditions Precedent. In the event that the Developer fails to perform any term, covenant or condition precedent described in Subparagraphs (A), (B), and/or (C) of Section 2.1 during any Tax Increment Year, then the Agency shall have no obligation to pay the Developer the annual Tax Increment Subsidy available for such Tax Increment Year and the Tax Increment Subsidy amount available for such Tax Increment Year shall be retained by the Agency and used at its discretion.

2.3 Tax Increment Subsidy Period. Subject to the satisfaction of the conditions precedent described in Subparagraphs (A), (B), and (C) of Section 2.1, and subject to compliance with all other requirements set forth in this Agreement, the Developer shall only be eligible for the Tax Increment Subsidy during the Tax Increment Subsidy Period.

***DEVELOPER'S OBLIGATIONS AND UNDERTAKINGS***

## ARTICLE 3–CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS AND PUBLIC IMPROVEMENTS, PAYMENT OF TAXES, ETC.

The Developer also hereby agrees as follows:

3.1 Acquisition of Site and Construction and Installation of Improvements

(A) Scope of Project -- Minimum Standards. The Developer agrees to develop this mixed use Project with a total of at least 4,500 sf of commercial space to complement the residential component of the Project (123 units). In addition, the project shall include a 111 stall parking structure beneath the building, an indoor community area, a pool, a play structure, and a Pergola. The entire project scope is anticipated to absorb within a two year period of time commencing from the date of this Agreement. The Developer further agrees that it will construct the project as more fully presented in the site plan as described in **ATTACHMENT NO. 1** and will be required to amend this Agreement for any of the following: (i) an increase in the number of residential units, (ii) a reduction in commercial square footage, (iii) a substantial decrease in estimated assessed taxable value, or (iv) a delay in completion timing.

Upon execution of this Agreement, Developer agrees to construct the Project, which will consist of a mixed use building consisting of at least 4,500 sf of commercial space and 123 residential units, with surface parking as well as a parking structure beneath the building. The total construction cost of the Project is anticipated to be approximately $14,000,000.00. Taking into account the residential property tax exemption (45%), the assessed taxable value of the Project would be approximately $7,700,000.00. Construction began in 2016 and is anticipated to be completed no later than 2017.

(B) City Permits. The Developer shall have the sole responsibility for obtaining all necessary permits and approvals to construct and install the Improvements and shall make application for such permits and approvals directly to the Clearfield City Community Development Office and other appropriate agencies and departments. Developer shall pay all required impact fees, permit fees and other fees related to the construction of the project.

3.2 Construction and Installation of the Public Improvements

The Developer shall timely design the Public Improvements to the City's and Agency's standards and requirements and shall submit said designs to the City and the Agency for approval. The Developer shall timely complete the construction and installation of the Public Improvements in accordance with the City and Agency approved designs, by the times set forth in **ATTACHMENT NO. 2**, and in accordance with the provisions and requirements of the Development Agreement. The Developer shall design, construct and install all of the Public Improvements without expense to the Agency, except for reimbursement as provided for in this Agreement through the payment of the Tax Increment Subsidy, provided the Developer qualifies and is eligible for such payments in accordance with the terms and provisions of this Agreement.

3.3 Developer's Payment of Ad Valorem Taxes

The Developer shall pay or cause to be paid the ad valorem taxes for the Site based on the Assessed Taxable Value during the Tax Increment Subsidy Period.

The Developer understands that in order for Improvements constructed and installed on the Site during calendar year 2017 to be included on the final tax assessment rolls of Davis County for Tax Increment Year 2017, and to generate a Tax Increment for Tax Increment Year 2017, the Improvements on the Site must be constructed, installed and substantially completed on or before December 31, 2017. Improvements constructed, installed and completed during calendar year 2017 will appear on the 2018 tax assessment roll having a tax lien date of January 1, 2019. Tax Increment resulting from property taxes paid by November 30, 2018, will be received by the Agency from the County in the spring of 2019, when the County Treasurer pays to the Agency the Tax Increment monies which are available for distribution.

3.4 Payment of Taxes And Assessments

(A) Subject to the Developer's or a current owner's right to protest or appeal as provided below, for each Tax Increment Year during the Tax Increment Subsidy Period, all ad valorem taxes and assessments levied or imposed on the Site, any of the Improvements, and any personal property on the Site shall be paid annually by the Developer or current owner on or before the due date which is currently set by law as November 30th.

(B) The Developer shall have the right to protest or appeal the amount of Assessed Taxable Value and taxes levied against the Site by the County Assessor, State Tax Commission or any lawful entity authorized by law to determine the ad valorem assessment against the Site, the Improvements, personal property on the Site, or any portion thereof in the same manner as any other taxpayer as provided by law. The Developer shall, however, notify the Agency in writing within ten (10) calendar days of the Developer's filing of any protest or appeal to such assessment determination or taxes and provide a copy to the Agency of any protest or appeal of such assessment and information submitted as part of the protest or appeal. In addition, the Developer shall give to the Agency written notice at least fifteen (15) calendar days prior to the time and date that such protest or appeal is to be heard. The Agency shall have the right, without objection by

the Developer, to appear at the time and date of such protest or appeal and to present oral or written information or evidence in support of or objection to the amount of assessment or taxes which should or should not be assessed against the real or personal property of the Site and the amount of the Agency's obligations.

## ARTICLE 4 – CONSTRUCTION REQUIREMENTS, ETC.

4.1 Issuance of Permits

The Developer shall have the sole responsibility for obtaining all necessary permits and approvals to construct and install the Improvements and Public Improvements and shall make application for such permits and approvals directly to the Clearfield City Community Development Division and other appropriate agencies and departments.

4.2 Times for Construction

The Developer agrees that it shall promptly begin and diligently prosecute to completion the development of the Site through the construction and installation of the Improvements thereon commencing no later than December 1, 2016, and that construction and installation of the Improvements shall in any event timely commence and thereafter diligently pursue and shall be substantially completed no later than December 31, 2017, unless either such date is extended by the Agency, or the Developer is unable to timely undertake or complete the Improvements because of any of the reasons set forth in Section 7.3, Enforced Delay Beyond Party's Control. The Developer understands and agrees that time is of the essence of this Agreement. Unless the Improvements are timely constructed, installed and completed and become part of the County's final assessment tax roll, the desired amount of Tax Increment Subsidy will not materialize.

4.3 Access to Site

The Improvements on the Site and the work of the Developer shall be subject to inspection by representatives of the City and the Agency. The Developer shall permit access to the Site by the City and the Agency for purposes of inspection, and, to the extent necessary, to carry out the purposes of this and other sections or provisions of this Agreement. Inspections shall be made during reasonable business hours and shall be made in accordance with standard project safety guidelines.

## ARTICLE 5– ANTI–SPECULATION AND ASSIGNMENT PROVISIONS

5.1 Representation as to Development

The Developer represents and agrees that its use of the Site, and the Developer's other undertakings pursuant to this Agreement, are and shall be only for the purpose of development of the Site and not for speculation in land holding. The Developer represents to the Agency that the Developer has not made or created, and that it will not, prior to the proper completion of the Improvements, make or create, or suffer to be made or created, any total or partial sale, assignment, conveyance, or lease (other than to an end user of a building or other portion of the Improvements),

or any trust or power, or transfer in any other mode or form of or in respect to this Agreement or the Site, or any part thereof or any interest therein, or any contract or agreement to do any of the same, without the prior written approval of the Agency.

5.2 Prohibition Against Transfer and Assignment

(A) The Developer further agrees, in view of: (1) the importance of the development of the Site to the general welfare of the community; (2) the public subsidy that has been or will be made available for the purpose of making such development possible; and (3) the fact that a change in the ownership or with respect to the identity of the parties in control of the Developer or the degree thereof until the Improvements and Public Improvements are completed on the Site, is, for practical purposes, a transfer or disposition of the property owned by the Developer; that, except as otherwise provided below, no change in the ownership of the Site, or change in the majority ownership or control of the Developer, or with respect to the identity of the parties in control of the Developer, shall be permitted without the express written consent of the Agency until the time that Improvements and Public Improvements have been constructed and installed on the Site. The Agency's decision to approve or disapprove of a transfer or assignment shall be based upon the Agency's evaluation of the ability of the proposed successors to construct, install, maintain and operate satisfactory improvements on the Site and provide benefits to the community from the Site which are comparable to those benefits contemplated to be provided by the Developer from the construction, installation, maintenance and operation of its Improvements on the Site and of the Public Improvements, as described in this Agreement. The Agency may require as conditions to any such approval of a transfer or assignment before construction and installation of the Improvements that:

(1) Any proposed transferee shall have the qualifications and financial responsibility, as determined by the Agency, necessary and adequate to fulfill the obligations undertaken pursuant to this Agreement by the Developer;

(2) Any proposed transferee, by instrument in writing, shall have expressly assumed all of the obligations of the Developer under this Agreement and agreed to be subject to all of the conditions and restrictions to which the Developer is subject; provided, that there has been submitted to the Agency for review, and the Agency has approved, all instruments and other legal documents involved in effecting transfer;

(3) The Developer and any subsequent transferee shall comply with such other conditions as the Agency may find desirable in order to achieve and safeguard the purposes of the Act, the Redevelopment Plan, and this Agreement. Provided, however, that in the absence of specific written agreement by the Agency to the contrary, no such transfer or approval by the Agency shall be deemed to relieve the Developer or any successor of the Developer bound in any way by this Agreement or otherwise with respect to any term, covenant or condition of this Agreement, including but not limited to the construction and installation of the Improvements and Public Improvements, or any of the obligations with respect thereto; and

(4) The consideration payable for the transfer by the transferee or on its behalf shall not exceed an amount representing the actual costs and expenses incurred and due under generally accepted accounting principles, including the Developer's cost of acquiring the portion of the Site being transferred, carrying charges, development costs, and return on investment (not exceeding 15% per annum) to the Developer of the Site and the Improvements, if any, theretofore made thereon by it. It is the intent of this provision to preclude the assignment of this Agreement or transfer of the Site or any parts thereof to another party for a profit greater than provided for immediately above, and to preclude the Developer from receiving from a sale of the Site, or portions thereof, payments covering the Developer's costs and expenses and a reasonable return on investment, while in addition receiving the benefits and Tax Increment Subsidy provided by this Agreement.

Subject to reasonable compliance with the foregoing conditions, the approval of the Agency to the proposed transfer or assignment before construction and installation of the Improvements shall not unreasonably be withheld.

(B) Notwithstanding the provisions of this Section 5.2, a transfer of the entire or a portion of the Site or change in the ownership or control of the Developer is permitted under the following circumstances: (i) a transfer occurs to an entity that is an affiliate of the Developer, (ii) a transfer or change in ownership occurs as a result of a merger or acquisition of the Developer, (iii) Developer, in one or more transactions, transfers a portion or portions of the Site to another developer that in connection with the transfer is obligated to construct one or more buildings of the Improvements under circumstances where Developer retains the obligation to install the Public Improvements described on **ATTACHMENT NO. 2** and the Improvements, and/or (iv) a transfer occurs only by way of security for, and only for, the purpose of obtaining financing necessary to enable the Developer, or its permitted successor in interest, to perform its obligations with respect to making the Improvements under this Agreement. No consent of the Agency shall be required for any transfer or change in ownership or control under this Section 5.2(B).

(C) The provisions of this Section 5.2 shall terminate upon the issuance of the Certificates of Occupancy for the Improvements and completion of the Public Improvements.

5.3 Reports and Notices – Changes in Ownership

The Developer agrees that during the period between execution of this Agreement and the issuance of the applicable Certificate(s) of Occupancy:

(A) The Developer will promptly notify the Agency of any and all changes whatsoever with respect to: (1) a change in the Project Manager of the Developer; (2) a change in control or change in over 50% ownership, legal or beneficial of the Developer; (3) a change or any other act or transaction involving or resulting in any change in control or change in over 50% of the ownership of the Developer; or (4) with respect to the identity of the parties in control of the Developer or the degree thereof, of which it or any of its managers or officers have been notified or otherwise have knowledge or information.

(B) The Developer shall, at such time or times as the Agency may request, but no more often than twice a year, furnish the Agency with a complete statement, subscribed and sworn to by the manager or an officer of the Developer, setting forth any person or entity having control or over 50% of the ownership interest of the Developer and the extent of their respective holdings, and in the event any other parties have a beneficial interest, their names and the extent of such interest.

5.4 Application to All Forms of Entities

The provisions of this Article shall apply without exception to all forms of business organization, including but not limited to, limited liability companies, corporations, sole proprietorships, joint ventures and partnerships, both general and limited.

## ARTICLE 6 -- AGENCY OBLIGATIONS AND UNDERTAKINGS

6.1 Tax Increment Subsidy

(A) In consideration of the Developer's promises and performance, including but not limited to the timely construction and installation of the Improvements and of the Public Improvements to the extent set forth or described on **ATTACHMENT NOS. 1 AND 2**, respectively, and the other obligations of Developer under this Agreement, and subject to the conditions, terms and limitations set forth in this Agreement, including those set forth in Section 6.5, Limitations On Making Payments, below, and contingent on the Developer otherwise being eligible and entitled under this Agreement, and only to the extent the Developer is entitled and eligible under the conditions, terms and provisions of this Agreement to receive Tax Increment Subsidy payments, the Agency agrees to pay to the Developer the Tax Increment Subsidy during the Tax Increment Subsidy Period by payment of 100% of the Available Tax Increment from each Tax Increment Year of the Tax Increment Subsidy Period until the Tax Increment Subsidy Period ends.

The Tax Increment payments received each year by the Agency from the ad valorem taxes paid by taxpayers to the County Treasurer on November 30 each year on the Site, to the extent required under this Agreement to be paid to the Developer as Tax Increment Subsidy, shall be paid to the Developer within thirty (30) calendar days following final payment and receipt by the Agency of all Tax Increment funds for the applicable Tax Increment Year. The Agency anticipates receipt of these funds in the spring each year from the ad valorem taxes paid by property owners which are due the prior November 30th.

(B) It is understood and agreed by the Developer that the Agency makes no representation to the Developer, or to any other party, person or entity, to any effect that:

(1) the Agency is absolutely entitled to or will actually receive the contemplated Available Tax Increment from the Site; or

(2) the portion of the anticipated Available Tax Increment monies to be received by the Agency from the Site for the Tax Increment Subsidy Period will be an amount

large enough to pay the Developer the Tax Increment Subsidy or any amount the Developer expects or anticipates to receive. The Agency has not computed, nor can it compute the exact amount of anticipated Available Tax Increment monies which may be available from the Site for the Tax Increment Subsidy Period. The Agency has relied upon the representations made to the Agency by the Developer that the Developer will construct and install Improvements on the Site which will create Available Tax Increment monies to be received by the Agency.

6.2 Priority of Payment of the Available Tax Increment.

The Agency and the Developer agree that the Available Tax Increment monies received by the Agency shall be paid out according to a schedule of priorities. Each year that the Agency receives Available Tax Increment money from the Site during the Tax Increment Subsidy Period, the Agency shall use the Available Tax Increment money in accordance with the following order of priority of payments:

First: First, for each Tax Increment Year of the Tax Increment Subsidy Period, the Agency shall have, receive and retain the first 5% of all the Tax Increment (which amount is already deducted in calculating Available Tax Increment), which 5% of Tax Increment shall be received and retained by the Agency to pay the Agency's administrative, consulting, legal and other Agency costs and expenses, and other obligations incurred or to be incurred.

Second: Second, the remaining Tax Increment (the Available Tax Increment) will be used to pay the Tax Increment Subsidy to the Developer as required and provided for in this Agreement.

6.3 Tax Increment Monies Are Sole Source of Agency's Funding.

The Developer understands and agrees that the only source of monies available to the Agency to pay its obligations, including but not limited to the Tax Increment Subsidy, is the Available Tax Increment monies actually received by the Agency from the Site based upon the value of the Improvements to be constructed and installed by the Developer on the Site. Only the Available Tax Increment monies from the Site, less any negative Tax Increment from the Project Area deducted by the County Assessor's office will be available to the Agency to meet said obligations.

6.4 Contingencies of Tax Increment Payments; Assumption of Risks By Developer.

The Developer understands and agrees that:

(A) Based upon the Act, the Agency anticipates to be the recipient of certain Tax Increment monies from the Site which are expected to be paid to the Agency by Davis County, the collector of ad valorem taxes, conditional upon several factors, one of which is the completion of the Improvements upon the Site in a timely manner and having a sufficient amount of assessed valuation. It is anticipated that the construction or installation of the Improvements will cause the assessed value of the Site to increase to a point which is greater than the assessed value of the Site

as contained in the 2014 "base year." The Developer further understands that the Available Tax Increment monies can become available to the Agency only if and when the Improvements to be constructed and installed on the Site are completed and have a current year assessed value which is greater than the "base year" assessed valuation of the Site.

(B) The Developer further understands and agrees that:

(1) The Agency is not a taxing entity under state law;

(2) The Agency has no power to levy a property tax on real or personal property located within the Site;

(3) The Agency has no power to set a mill levy or rate of tax levy on real or personal property;

(4) The Available Tax Increment monies shall become available to the Agency only if and when the Improvements to be constructed and installed on the Site are completed and have sufficient Assessed Taxable Value, and taxes on the property have been paid;

(5) The Agency is only entitled to receive Tax Increment funds from the Site for the period established by law pursuant to the provisions of the Act; and

(6) The Developer has investigated the provisions of state laws governing tax funds, community development and renewal agencies and Tax Increment and assumes all risk regarding whether:

(a) the Redevelopment Plan and Project Area were properly approved and adopted;

(b) the anticipated Tax Increment monies derived from the Improvements to be constructed and installed by the Developer on the Site and in conformance with the Redevelopment Plan will actually be paid to the Agency, according to the terms and conditions contained in this Agreement;

(c) the Available Tax Increment from the Site will be paid to the Agency during the entire Tax Increment Subsidy Period; and

(d) changes or amendments will be made by the Utah State Legislature in the provisions of the Act which would affect or impair:

(i) the Agency's right to receive Tax Increment monies and to pay the Agency's obligations;

(ii) the length of time said Tax Increment monies can be received by the Agency; or

(iii) the percentage or the amount of Tax Increment monies received or anticipated to be received by the Agency based upon the current statutes;

(7) The Utah State Legislature considers proposals which reduce the taxes which the State of Utah imposes, or other taxing entities impose, on all real and personal property within the State. Such proposals, if enacted, could materially reduce the amount of Tax Increment generated within the Project Area or from the Site and anticipated to be paid to the Agency. In the event of such reduction, the amount of the Tax Increment Subsidy to be paid to the Developer automatically shall likewise be reduced by the amount of such reduction.

6.5 Limitations on Making Payments

The following additional provisions regarding limitations and reductions regarding the Developer's entitlement to and eligibility to be paid or to receive the Tax Increment Subsidy shall govern and shall be applied in addition to any other term or provision of this Agreement:

(A) It is the intention of the parties that the Developer shall only be paid the Tax Increment Subsidy from the Tax Increment monies, if any, which are paid to the Agency as a direct result of the value of the improvements (including the value of both the real property and personal property) constructed or installed on the Site. If, for any reason, the Tax Increment monies anticipated to be received by the Agency as a direct result of the improvements to be constructed and installed on the Site are reduced, curtailed, or limited in any way by enactments, initiative referendum, or judicial decree or other reasons, the Agency's obligation to pay the Tax Increment Subsidy to the Developer as described in this Agreement, shall likewise be reduced, curtailed, or limited. The Agency shall have no obligation to pay the Tax Increment Subsidy to the Developer from other sources or monies that the Agency has or might hereafter receive from other project areas or from sources other than from the Tax Increment monies that the Agency actually receives from the Site.

(B) Subject to the limitations in this Agreement, the Tax Increment Subsidy shall be paid by the Agency to the Developer only during the Tax Increment Subsidy Period, conditional, however, upon the Developer being eligible and entitled thereto under the provisions of this Agreement and the Developer having met all of the eligibility requirements and conditions precedent.

(C) The Tax Increment Subsidy payments to be made by the Agency to the Developer are secured solely by a pledge of the Agency of the agreed upon percentage of the Available Tax Increment Agency actually received by the Agency from the Site for the Tax Increment Subsidy Period. The Developer shall have no other recourse to the Agency or the City and no recourse whatever to any other party for payment of the Tax Increment Subsidy other than the Agency's pledge.

## ARTICLE 7– REMEDIES

7.1 Default by Developer or Intention Not to Construct and Install the Improvements

If the Developer defaults or breaches any of its obligations contained in this Agreement, including but not limited to the obligation to complete the construction and installation of the Improvements by December 31, 2017, and does not timely cure such default or breach as provided in this Agreement, or if Developer makes it known that it does not intend to construct and install the Improvements, then all obligations of the Agency to pay any Tax Increment Subsidy Payments to the Developer shall automatically cease and terminate.

7.2 General Remedies; Agency and Developer

Subject to the other provisions of this Article 7, in the event of any default or breach of this Agreement or any of its terms, covenants or conditions by any Party hereto, such Party shall, upon written notice from the other Party, proceed immediately to cure or remedy such default or breach, and in any event, do so within thirty (30) calendar days after receipt of such notice or if such default or failure is of a type that cannot reasonably be cured within such thirty (30) day period, within one hundred twenty (120) days, provided that such cure is commenced within a thirty (30) day period and diligently pursued to completion, unless a longer period of time is agreed to by the Parties pursuant to Section 7.4. In case such action is not taken, or diligently pursued, or the default or breach shall not be cured or remedied within the time periods provided above, the aggrieved Party may institute such proceedings as may be necessary or desirable, at its option, to cure or remedy such default or breach, including, but not limited to, proceedings to compel specific performance by the Party in default or breach of its obligations. In the event of any default in or breach of this Agreement by the Developer or the Agency which is not cured within the time limits contained in this Agreement, the non-defaulting Party may, at its option, take such action as allowed by law, in equity and/or provided for in this Agreement. Any delay by the Agency in instituting or prosecuting any such actions or proceedings or otherwise asserting its rights under this Article shall not operate as a waiver of such rights.

7.3 Enforced Delay Beyond Party's Control

Neither the Agency nor the Developer shall be considered in breach of or default in its obligations hereunder, including but not limited to, with respect to the preparation of the Site for development, or the beginning and completion of construction and installation of the Improvements or Public Improvements, or progress in respect thereto, in the event of delay in the performance of such obligations due to causes occurring beyond its control and without its fault or negligence, including acts of God, or of the public enemy or terrorists, wrongful acts of the other Party, fires, floods, earthquake, epidemics, quarantine restrictions, strikes, freight embargoes, wars and unusually severe weather or delays of subcontractors due to such causes. The purpose and intent of this provision is that in the event of the occurrence of any such delay, the time or times for performance of the obligations of the Developer with respect to the preparation of the Site for development or the construction and installation of the Improvements or the Public Improvements, as the case may be, can be extended for the period of the delay:

Provided, that in order to obtain the benefit of the provisions of this Section, a Party, within fifteen (15) calendar days after becoming aware of any such delay, shall have notified the other Party thereof in writing stating the cause or causes for the delay.

7.4 Extensions by Agency

The Agency may in writing extend the time for the Developer's performance of any term, covenant or condition of this Agreement or permit the curing of any default upon such terms and conditions as may be mutually agreeable to the Parties provided, however, that any such extension or permissive curing of any particular default shall not operate to release any of the Developer's obligations nor constitute a waiver of the Agency's rights with respect to any other term, covenant or condition of this Agreement or any other default in, or breach of, this Agreement.

7.5 Remedies Cumulative/Non-Waiver

The rights and remedies of the Parties to this Agreement, whether provided by law or by this Agreement, shall be cumulative, and the exercise by any Party of any one or more of such remedies shall not preclude the exercise by it, at the same or different times, of any other such remedies for the same default or breach or of any of its remedies for any other default or breach by the other Party. No waiver made by any Party with respect to the performance, or manner or time thereof, or any obligation of the other Party or any condition to its own obligation under this Agreement shall be considered a waiver of any rights of the Party making the waiver with respect to the particular obligation of the other Party or condition to its own obligation beyond those expressly waived and to the extent thereof, or a waiver in any respect in regard to any other rights of the Party making the waiver or any other obligations of the other Party.

## ARTICLE 8– MISCELLANEOUS PROVISIONS

8.1 Conflict of Interest - Agency

No member, official, employee, consultant, or agent of the Agency shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official, or employee participate in any decision relating to this Agreement which affects his personal interests or the interests of any corporation, partnership, or association in which he is directly or indirectly interested.

8.2 No Personal Liability - Agency

No member, official, employee, consultant, agent or representative of the Agency shall be personally liable to the Developer or any successor in interest in the event of any default or breach by the Agency for any amount which may become due to the Developer or successor or on any obligations under the terms of this Agreement.

8.3 Notices

A notice or communication under this Agreement, by a Party to another Party, shall be sufficiently given or delivered, if given in writing by personal service, express mail, Federal Express, DHL or any other similar form of courier or delivery service, or mailing in the United States mail, postage prepaid, certified, return receipt requested and addressed to such Party as follows:

(A) In the case of a notice or communication to the Agency, Clearfield Community Development and Renewal Agency, Attn: Clearfield City Manager, 55 South State Street, Clearfield, Utah 84015. In the case of a notice or communication to the Developer, addressed to it as follows: Clearfield Properties LLC 1034 RSI Drive suite 130, Logan, Utah 84321. Either Party may modify the foregoing notice information by giving written notice to the other Party as provided in this Section.

(B) Notwithstanding the foregoing, the Agency may make inquiries from time to time regarding the schedule of the Project to the following person:

Jared Nielson
MV Properties
Logan, Utah 84321
Telephone: (435)753-3131

8.4 Attachments/Recitals

All Attachments referred to in this Agreement as being attached or to be attached hereto, whether or not in fact attached, the Parties being satisfied that the correct documents can be supplied from the records of the Parties, and Recitals, are incorporated herein and made a part hereof as if set forth in full and are binding upon the Parties to this Agreement.

8.5 Headings

Any titles of the several parts and sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

8.6 Successors and Assigns of Developer

This Agreement shall be binding upon the Developer and its successors and assigns. Where the term "Developer" is used in this Agreement, it shall mean and include the successors and assigns of the Developer, except that the Agency shall have no obligation under this Agreement to any unapproved successor or assignee of the Developer where the Agency's approval of a successor or assignee is required by this Agreement.

8.7 Attorneys Fees

In the event of a default hereunder, the defaulting Party agrees to pay all costs incurred by the other Party in enforcing this Agreement, including reasonable attorney's fees, whether by in-house counsel or outside counsel and whether incurred through initiation of legal proceedings or otherwise.

8.8 Governing Law

This Agreement shall be interpreted and enforced according to the laws of the State of Utah.

8.9 Counterparts

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

9.10 Time

Time is of the essence of this Agreement and its Attachments.

**IN WITNESS WHEREOF**, the Agency has caused this Agreement to be duly executed in its behalf; and the Developer has caused the same to be duly executed in its behalf, on or as of the day and year first above written.

Clearfield Community Development and Renewal Agency OFFICIAL SEAL

CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

By _____
Bruce Young, Chairman

ATTEST:

Nancy R. Dean

Approved as to form:

Stuart Williams, Agency Counsel

STATE OF UTAH )
:ss.
COUNTY OF DAVIS )

On the 14th day of November 2017, personally appeared before me ~~or~~ Bruce Young and being by me duly sworn did say, each for themselves that he, the said Bruce Young, is the Chairman and that the within and foregoing instrument was signed in behalf of said Agency by authority of a motion of its board of directors.

Wendy Page
Notary Public
Residing at: 578 N. 1875 W West Point UT 84015

My Commission Expires:
05/16/2021

NOTARY PUBLIC
WENDY PAGE
Commission #695062
My Commission Expires
May 16, 2021
STATE OF UTAH

Clearfield Properties, LLC,
a Utah limited liability company

By: _____
Name: James Wakefeild
Title: Manager

By: _____

STATE OF Utah )
:ss.
COUNTY OF Cache )

On the 8th day of November 2017 personally appeared before me James Wakefield who being by me duly sworn did say, that as manager of Clearfield Properties, LLC he has signature authority for said LLC, and that the within and foregoing instrument was signed in behalf of said Clearfield Properties, LLC, and acknowledged to me that said company executed the same pursuant to authority under or as authorized by its operating agreement or other proper authority.

Julia Bradshaw
Notary Public
Residing at: 1034 RSI Dr. Logan, UT

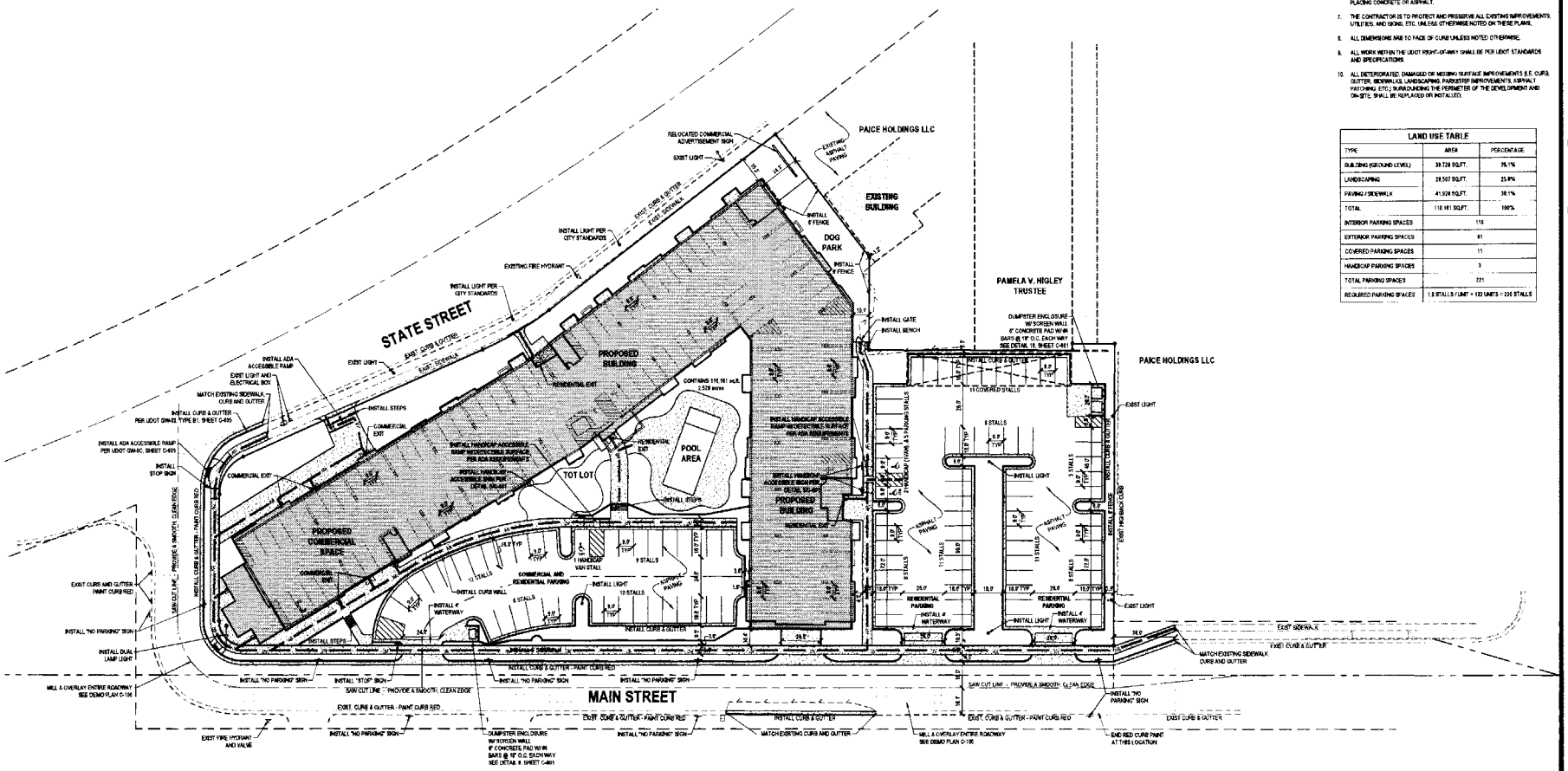
My Commission Expires:
09/02/2020

JULIA BRADSHAW
NOTARY PUBLIC -STATE OF UTAH
My Comm. Exp 09/02/2020
Commission # 690808

# ATTACHMENT NO. 1

DESCRIPTION OF ON-SITE IMPROVEMENTS (SITE PLAN)

811 CALL BLUESTAKES @ 811 AT LEAST 48 HOURS PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.




**NOTES**

1. ALL WORK TO COMPLY WITH CLEARFIELD CITY STANDARDS AND SPECIFICATIONS.
2. ALL IMPROVEMENTS MUST COMPLY WITH ADA STANDARDS AND RECOMMENDATIONS.
3. SEE LANDSCAPE/ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR FINISH, AND SCORE PATTERNS THROUGHOUT SITE.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. (MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES).
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED, INCLUDING TREES AND DECORATIVE SHRUBS, SOD, FENCES, WALLS AND STRUCTURES, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.
8. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
9. ALL WORK WITHIN THE UDOT RIGHT-OF-WAY SHALL BE PER UDOT STANDARDS AND SPECIFICATIONS.
10. ALL DETERIORATED, DAMAGED OR MISSING SURFACE IMPROVEMENTS (I.E. CURB, GUTTER, SIDEWALK, LANDSCAPING, PARKSTRIP IMPROVEMENTS, ASPHALT PATCHING, ETC.) SURROUNDING THE PERIMETER OF THE DEVELOPMENT AND ON-SITE, SHALL BE REPLACED OR INSTALLED.

**LAND USE TABLE**

| TYPE | AREA | PERCENTAGE |
|---|---|---|
| BUILDING (GROUND LEVEL) | 39,728 SQ.FT. | 36.1% |
| LANDSCAPING | 28,507 SQ.FT. | 25.9% |
| PAVING / SIDEWALK | 41,926 SQ.FT. | 38.1% |
| TOTAL | 110,161 SQ.FT. | 100% |
| INTERIOR PARKING SPACES | 115 | |
| EXTERIOR PARKING SPACES | 91 | |
| COVERED PARKING SPACES | 11 | |
| HANDICAP PARKING SPACES | 3 | |
| TOTAL PARKING SPACES | 221 | |
| REQUIRED PARKING SPACES | 1.5 STALLS / UNIT = 122 UNITS = 226 STALLS | |

HORIZONTAL GRAPHIC SCALE

0 5 15 30 60

( IN FEET )

HORZ 1 inch = 30 ft.


ENSIGN
THE STANDARD IN ENGINEERING

**LAYTON**
1485 W. Hill Field Rd. Ste. 204
Layton, UT 84041
Phone: 801.547.1100

**SALT LAKE CITY**
Phone: 801.255.0529

**TOOELE**
Phone: 435.843.3590

**CEDAR CITY**
Phone: 435.865.1453

**RICHFIELD**
Phone: 435.896.2983

**WWW.ENSIGNENG.COM**

FOR:
HIGHMARK CONSTRUCTION
1234 WEST RSI DRIVE SUITE 130
LOGAN, UTAH 84321
CONTACT
JASON MOORE
PHONE 435-881-8441


# SANDRIDGE APARTMENTS

55 SOUTH STATE STREET
CLEARFIELD, UTAH

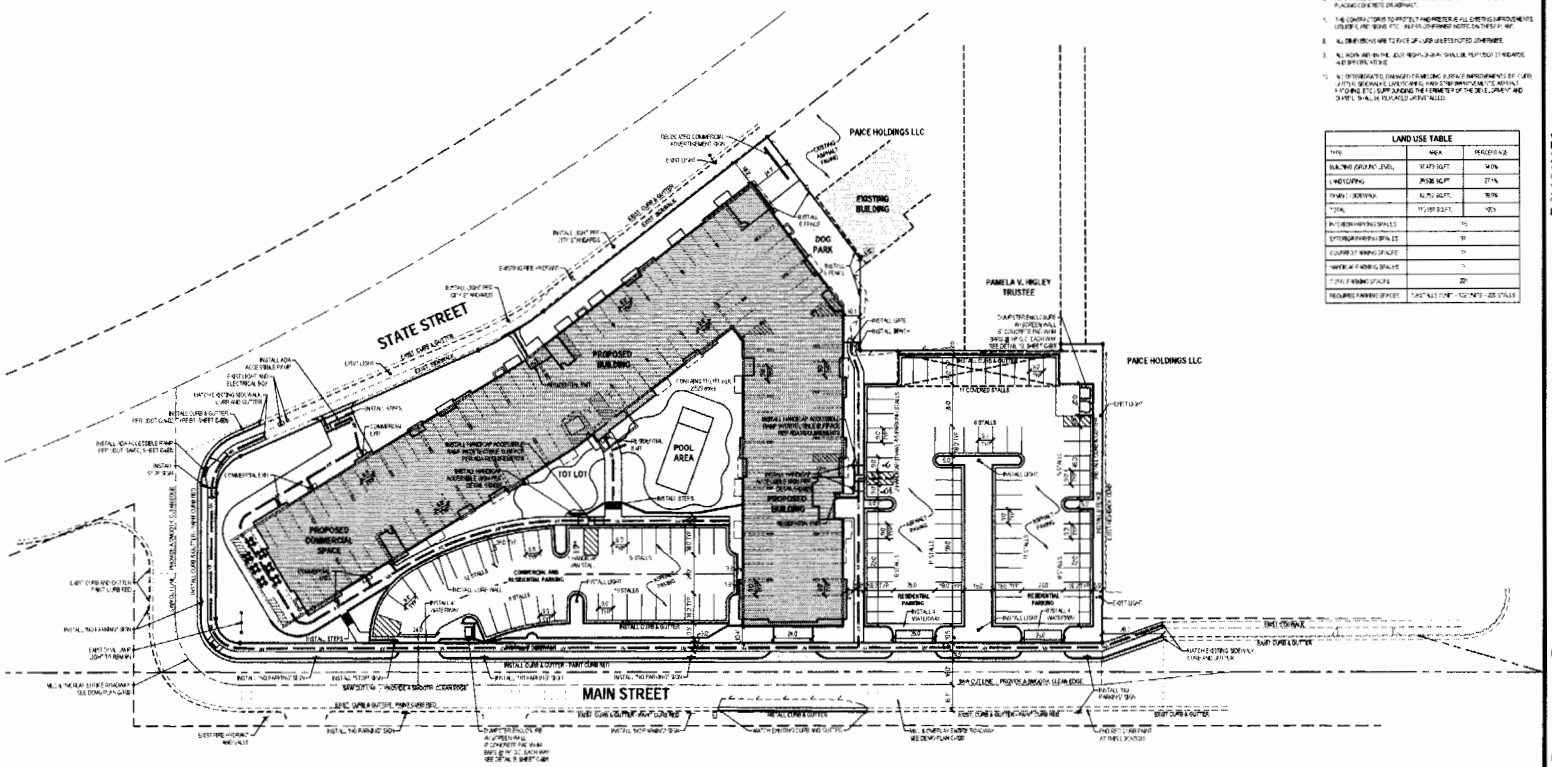
REGISTERED PROFESSIONAL ENGINEER
No. 5410039
9-12-16
CHRISTOPHER M. PRESTON

| NO. | DATE | BY |
|---|---|---|
| 1 | 9-12-16 | FOR APPROVAL |
| 2 | 9-14-16 | ADDITIONAL FIRE HYDRANT |

## SITE PLAN

PROJECT NUMBER: L2321
DRAWING DATE: 8/31/17
DRAWN BY: M.ELMER
CHECKED BY: C.PRESTON
PROJECT MANAGER: K.RUSSELL

**C-200**




**NOTES**

1. ALL WORK SHALL COMPLY WITH CLEARFIELD CITY STANDARDS AND SPECIFICATIONS.
2. ALL SIGNAGE SHALL COMPLY WITH ADA STANDARDS AND REQUIREMENTS.
3. SEE LANDSCAPE ARCHITECTURAL PLANS FOR CONCRETE MATERIAL, COLOR, FINISH, AND ALL OTHER PAVING INFORMATION.
4. ALL PAVEMENT MARKINGS SHALL CONFORM TO THE LATEST EDITION OF THE M.U.T.C.D. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
5. ALL SURFACE IMPROVEMENTS DISTURBED BY CONSTRUCTION SHALL BE RESTORED OR REPLACED TO EQUIVALENT OR BETTER CONDITION THAN EXISTED PRIOR TO CONSTRUCTION, WHETHER OR NOT THEY ARE SPECIFICALLY SHOWN ON THE CONTRACT DOCUMENTS.
6. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DIMENSION, SETTING BEFORE PLACING CONCRETE OR ASPHALT.
7. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC., UNLESS OTHERWISE NOTED ON THESE PLANS.
8. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
9. ALL ADA AND ON-THE-JOB REQUIREMENTS SHALL BE MET EVEN IF NOT SHOWN OR SPECIFIED HEREIN.
10. ALL DETERIORATED, DAMAGED OR MISSING SURFACE IMPROVEMENTS OF CURB, GUTTER, SIDEWALK, LANDSCAPING, AND OTHER IMPROVEMENTS, ASPHALT PAVING, ETC., SURROUNDING THE PERIMETER OF THE SUBDIVISION AND SHALL BE REPLACED AS INSTALLED.

**LAND USE TABLE**

| | AREA | PERCENTAGE |
|---|---|---|
| BUILDING (GROUND LEVEL) | 37,475 SQ.FT. | 14.0% |
| LANDSCAPING | 71,595 SQ.FT. | 27.1% |
| PAVING / SIDEWALK | 154,710 SQ.FT. | 58.9% |
| TOTAL | 263,780 SQ.FT. | 100% |
| IN-BUILDING PARKING SPACES | 75 | |
| EXTERIOR PARKING SPACES | 91 | |
| COVERED PARKING SPACES | 71 | |
| HANDICAP PARKING SPACES | 5 | |
| TOTAL PARKING SPACES | 251 | |
| REQUIRED PARKING SPACES | 1 UNIT ALL 1 UNIT - 150 UNITS = 225 STALLS | |

HORIZONTAL GRAPHIC SCALE


ENSIGN
THE STANDARD IN ENGINEERING

**LAYTON**
1485 W. Hill Field Rd., Ste. 204
Layton, UT 84041
Phone: 801.547.1100

**SALT LAKE CITY**
Phone: 801.255.0529

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Phone: 435.843.3590

**CEDAR CITY**
Phone: 435.865.1453

**RICHFIELD**
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
HIGHWAY CONSTRUCTION
1134 WEST 800 SOUTH, SUITE 1K
OGDEN, UTAH 84201
CONTACT:
JASON YOUR
PHONE: 435-881-6441

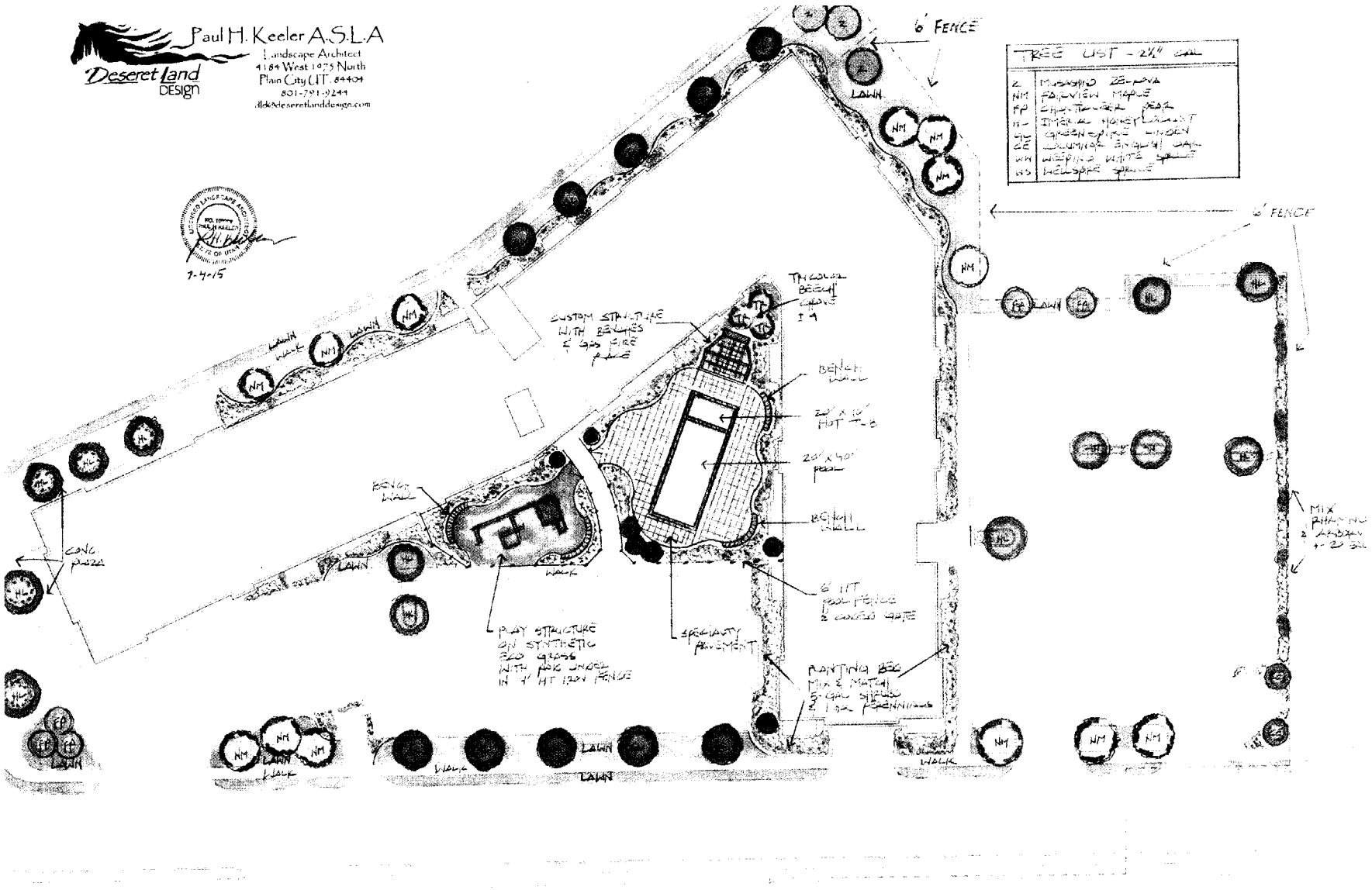

# SANDRIDGE APARTMENTS

55 SOUTH STATE STREET
CLEARFIELD, UTAH

SITE PLAN

C-200

Paul H. Keeler A.S.L.A
Landscape Architect
4184 West 1075 North
Plain City UT. 84404
801-791-9244
phk@deseretlanddesign.com
Deseret Land Design




# SANDRIDGE APARTMENTS

CRSA

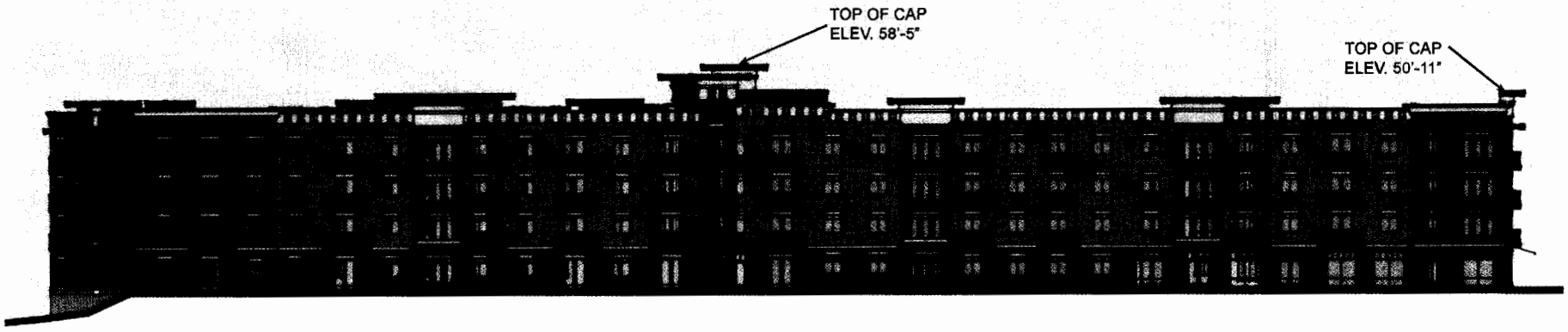
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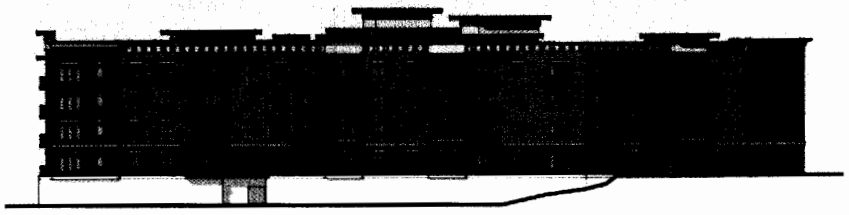
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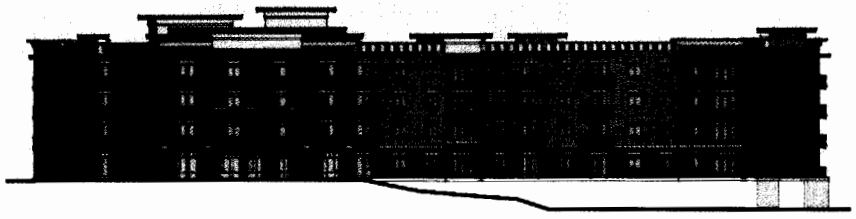
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EAST ELEVATION 1



SOUTH ELEVATION

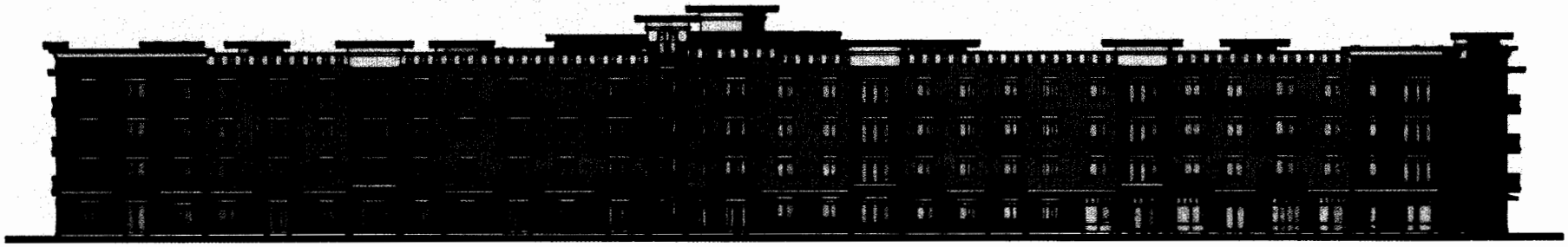


NORTH ELEVATION

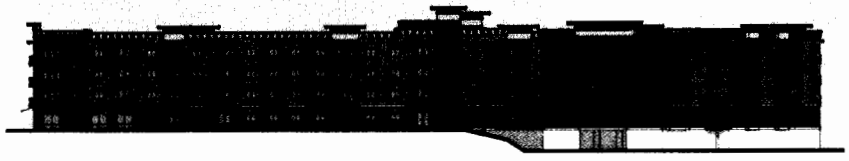
# SANDRIDGE APARTMENTS

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06 JULY 2015



EAST ELEVATION 2



WEST ELEVATION

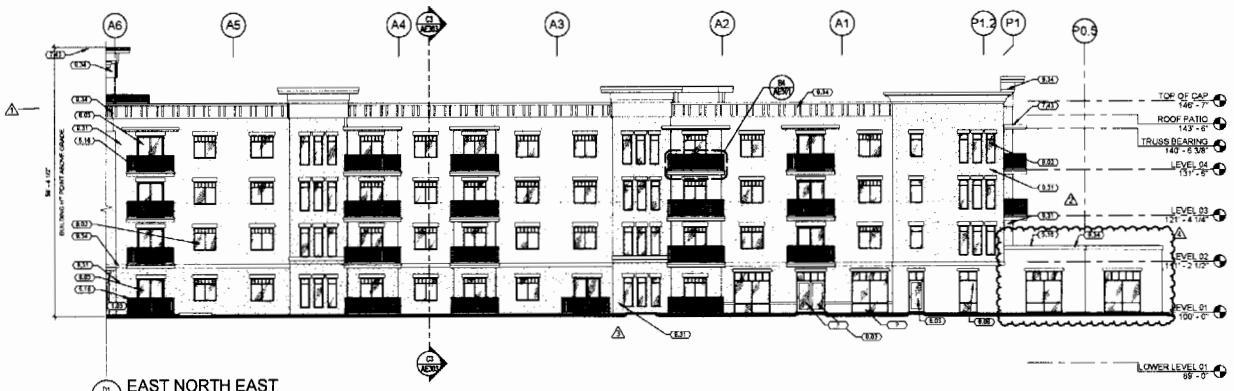


NORTHWEST ELEVATION

# SANDRIDGE APARTMENTS

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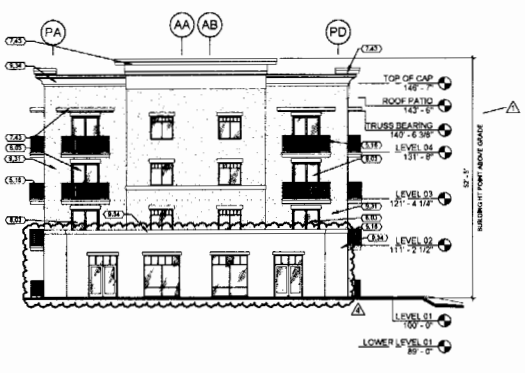
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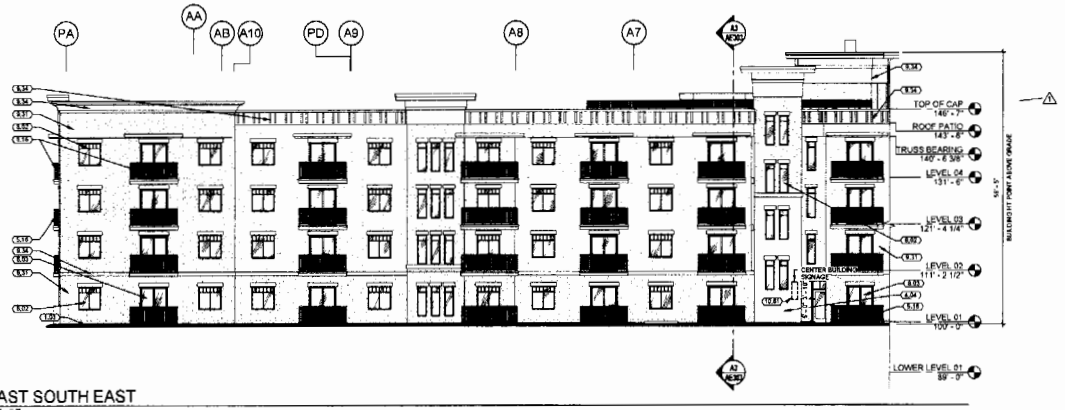

D1 AE202 EAST NORTH EAST




B1 AE202 WEST CENTER WEST




B3 AE202 NORTH END NORTH




A1 AE202 EAST SOUTH EAST

## GENERAL NOTES

A. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT.

B. COORDINATE INSTALLATION OF ALL AFTER CONTRACT ASSEMBLIES WITH OWNER PRIOR TO CONSTRUCTION OF ADJOINING OR RELATED STRUCTURE.

C. ROOFING TO BE CLASS 'B' MINIMUM.

D. PROVIDE METAL FLASHING AND COUNTER FLASHING AS REQUIRED TO PROVIDE WATERPROOF BUILDING. NO PLASTIC FLASHING ALLOWED.

E. EXPOSED CONCRETE FOUNDATION WALLS TO RECEIVE RUBBED FINISH.

F. SEE MECHANICAL SHEETS FOR BATHROOM EXHAUST, CLOTHES DRYER VENTS, AND OTHER PENETRATIONS IN EXTERIOR WALLS AND ROOF.

G. SEE PLUMBING SHEETS FOR GAS METER AND SECONDARY ROOF DRAINAGE BRASS SCUPPER LOCATIONS ALONG EXTERIOR WALLS.

H. SEE ELECTRICAL SHEETS FOR ELECTRICAL METER, GEAR, AND EXTERIOR LIGHT FIXTURE LOCATIONS.

I. PROVIDE PRE-FINISHED CUT ALUMINUM NUMBERS AND LETTERS ON THE FRONT EXTERIOR OF THE BUILDING INDICATING THE BUILDING ADDRESS ASSIGNED BY THE CITY IN ACCORDANCE WITH CURRENT CITY ORDINANCE. COLOR OF NUMBERS AND LETTERS TO CONTRAST SIGNIFICANTLY WITH BACKGROUND COLOR OF EXTERIOR WALL. THE ADDRESS MUST BE PERMANENTLY FASTENED TO THE EXTERIOR OF THE BUILDING PRIOR TO OCCUPANCY. PER IBC 901.2 NEW AND EXISTING BUILDINGS SHALL BE PROVIDED WITH APPROVED ADDRESS NUMBERS OR LETTERS. EACH CHARACTER SHALL BE NOT LESS THAN 4" INCHES (102 MM) IN HEIGHT AND NOT LESS THAN 0.5 INCHES (12.7 MM) IN WIDTH. THEY SHALL BE INSTALLED ON A CONTRASTING BACKGROUND AND BE PLAINLY VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. WHEN REQUIRED BY THE FIRE CODE OFFICIAL, ADDRESS NUMBERS SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER APPROVED SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED.

J. THE OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNS IN ACCORDANCE WITH THE CURRENT CITY SIGN ORDINANCE.

## KEYED NOTES

4.04 THIN BRICK WALL SYSTEM.
4.07 THIN BRICK SOLDIER COURSING.
4.12 BRICK CAP.
5.18 GUARDRAIL, SEE STAIR & RAILING DETAILS.
7.34 PRE-FINISHED METAL SOFFIT.
7.43 PRE-FINISHED METAL FASCIA.
8.02 VENT, FRAMED WINDOW. SEE WINDOW TYPES ON AE601.
8.03 DOOR. SEE DOOR SCHEDULE.
8.08 PRE-FINISHED ALUMINUM STOREFRONT WINDOW SYSTEM. SEE WINDOW TYPES ON AE601.
9.31 HARD COAT STUCCO SYSTEM.
9.34 DECORATIVE STUCCO POP OUT.
10.01 BUILDING IDENTIFICATION LOCATION. SEE GENERAL NOTES 'I'.

CRSA
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ELECTRICAL ENGINEER - DESIGN BUILD
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CONSTRUCTION SET
13-APRIL-2016

ARCHITECT/ENGINEER STAMP

CITY CENTRE APARTMENTS

50 SOUTH STATE STREET
CLEARFIELD, UTAH 84015

HIGHMARK CONSTRUCTION

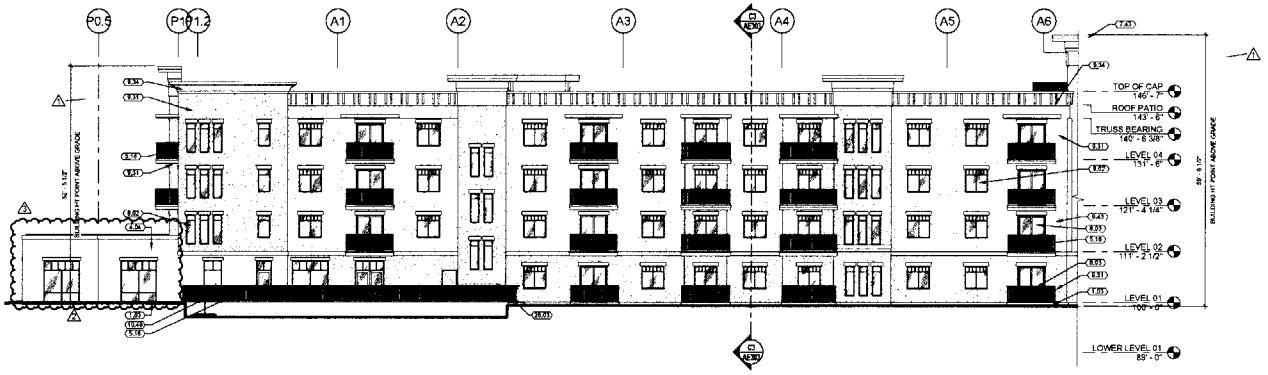
350 NORTH MAIN STREET #210
LOGAN, UTAH 84321

| | | |
|---|---|---|
| 1 | CLEARFIELD CITY REVIEW COMMENTS | 6/30/2016 |
| 2 | OWNER PROJECT SCOPE CHANGE | 8/30/2016 |
| 3 | OWNER PROJECT SCOPE CHANGE #2 | 10/14/2016 |
| 4 | AE202 COMMENTS | 2/21/2017 |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |

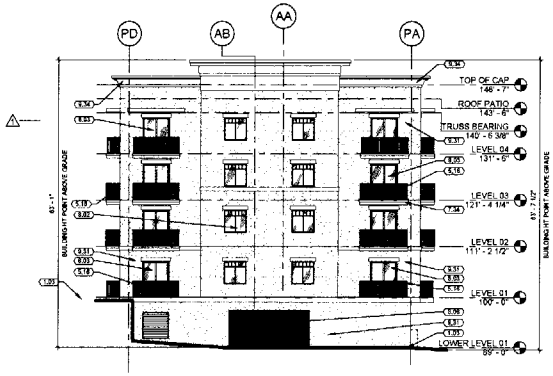
PROJECT NUMBER: SHB CITY | FILE NAME: LAND FOLDER
APPD: MARK BOH | CHECKED BY: EBP
Date: CONSTRUCTION SET 13-APRIL-2016

EXTERIOR ELEVATIONS

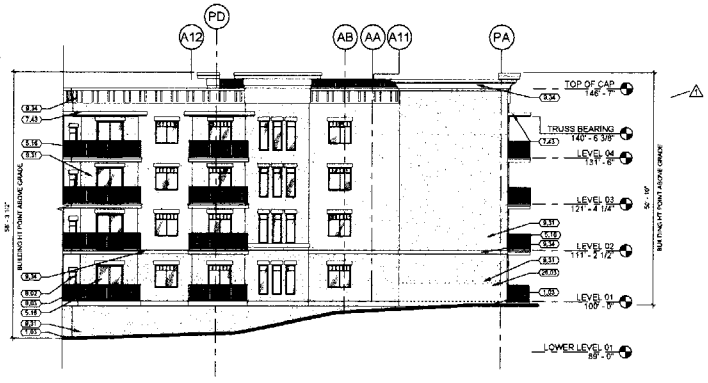
AE202




B1 AE203 WEST NORTH WEST 3/32" = 1'-0"




B1 AE203 WEST END WEST 3/32" = 1'-0"




B1 AE203 SOUTH EAST SOUTH 3/32" = 1'-0"




A1 AE203 NORTH SOUTH NORTH 3/32" = 1'-0"

## GENERAL NOTES

A. GENERAL CONTRACTOR SHALL VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. REPORT ANY SIGNIFICANT DISCREPANCIES TO THE ARCHITECT.

B. COORDINATE INSTALLATIONS OF ALL "AFTER" CONTRACT ASSEMBLIES WITH OWNER PRIOR TO CONSTRUCTION OF ADJOINING OR RELATED STRUCTURE.

C. ROOFING TO BE CLASS 'B' MINIMUM.

D. PROVIDE METAL FLASHING AND COUNTER FLASHING AS REQUIRED TO PROVIDE WATERPROOF BUILDING. NO PLASTIC FLASHING ALLOWED.

E. EXPOSED CONCRETE FOUNDATION WALLS TO RECEIVE RUBBED FINISH.

F. SEE MECHANICAL SHEETS FOR BATHROOM EXHAUST, CLOTHES DRYER VENTS, AND OTHER PENETRATIONS IN EXTERIOR WALLS AND ROOF.

G. SEE PLUMBING SHEETS FOR GAS METER AND SECONDARY ROOF DRAINAGE BRASS SCUPPER LOCATIONS ALONG EXTERIOR WALLS.

H. SEE ELECTRICAL SHEETS FOR ELECTRICAL METER, GEAR, AND EXTERIOR LIGHT FIXTURE LOCATIONS.

I. PROVIDE PRE-FINISHED CUT ALUMINUM NUMBERS AND LETTERS ON THE FRONT EXTERIOR OF THE BUILDING INDICATING THE BUILDING ADDRESS ASSIGNED BY THE CITY IN ACCORDANCE WITH CURRENT CITY ORDINANCE. COLOR OF NUMBERS AND LETTERS TO CONTRAST SIGNIFICANTLY WITH BACKGROUND COLOR OF EXTERIOR WALL. THE ADDRESS MUST BE PERMANENTLY FASTENED TO THE EXTERIOR OF THE BUILDING PRIOR TO OCCUPANCY. PER IBC 501.2 NEW AND EXISTING BUILDINGS SHALL BE PROVIDED WITH APPROVED ADDRESS NUMBERS OR LETTERS. EACH CHARACTER SHALL BE NOT LESS THAN 4" INCHES (102 MM) IN HEIGHT AND NOT LESS THAN 0.5 INCHES (12.7 MM) IN WIDTH. THEY SHALL BE INSTALLED ON A CONTRASTING BACKGROUND AND BE PLAINLY VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. WHEN REQUIRED BY THE FIRE CODE OFFICIAL ADDRESS NUMBERS SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER APPROVED SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS NUMBERS SHALL BE MAINTAINED.

J. THE OWNER IS RESPONSIBLE TO OBTAIN A SEPARATE PERMIT FOR ANY EXTERIOR SIGNS IN ACCORDANCE WITH THE CURRENT CITY SIGN ORDINANCE.

## KEYED NOTES

| | |
|---|---|
| 1.01 | SLOPE FINISHED GRADE AWAY FROM BUILDING 6 INCHES IN THE FIRST 10 FEET. |
| 4.04 | THIN BRICK WALL SYSTEM. |
| 5.18 | GUARDRAIL. SEE STAIR & RAILING DETAILS. |
| 6.43 | 2X WOOD STUD FRAMED WALL. |
| 7.34 | PRE-FINISHED METAL SOFFIT. |
| 7.43 | PRE-FINISHED METAL FASCIA. |
| 8.02 | VINYL FRAMED WINDOW. SEE WINDOW TYPES ON AE601. |
| 8.03 | DOOR, SEE DOOR SCHEDULE. |
| 8.06 | OVERHEAD COILING DOOR WITH TRACK AND DOOR HOOD. SEE DOOR SCHEDULE. |
| 9.31 | HARD COAT STUCCO SYSTEM. |
| 9.34 | DECORATIVE STUCCO POP OUT |
| 10.48 | ACCESSIBLE PARKING STALL. SEE A1 & A2/A2501 DETAIL. |
| 26.03 | ELECTRICAL METER LOCATION. SEE ELECTRICAL DRAWINGS. |

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dave@beazerengineering.com
PHONE (435) 753-1256

CONSTRUCTION SET
13-APRIL-2016

T. BENJAMIN ROBERTS 388127 04/13/2016 LICENSED ARCHITECT

ARCHITECT-ENGINEER STAMP

CITY CENTRE APARTMENTS

50 NORTH STATE STREET
CLEARFIELD, UTAH 84015

HIGHMARK CONSTRUCTION

300 NORTH MAIN STREET #275
LOGAN, UTAH 84321

| | | |
|---|---|---|
| A | CLEARFIELD CITY REVIEW COMMENTS | 4/1/2016 |
| A | OWNER REQUESTED CHANGE | 9/30/2016 |
| A | ADDED COMMERCIAL SPACE | 01/6/2017 |
| A | | |
| A | | |
| CD | | |
| DD | | |

PROJECT NUMBER 07372 | FILE NAME: ELEVATIONS
DRAWN BY: | CHECKED BY:

Issue: CONSTRUCTION SET
Date: 13-APRIL-2016

EXTERIOR ELEVATIONS

AE203

# ATTACHMENT NO. 2

DESCRIPTION OF PUBLIC IMPROVEMENTS AND DEADLINE FOR CONSTRUCTION AND INSTALLATION

In addition to the construction of the Improvements described on **ATTACHMENT NO. 1**, Developer shall install and construct or cause to be installed and constructed each and every one of the improvements described or referred to below. Developer shall complete the construction and installation of said Public Improvements by December 31, 2017.

[Insert descriptive list of items/quantities that will need to be escrowed for.]

ENSIGN
THE STANDARD IN ENGINEERING

Civil Engineering
Structural Design
Land Surveying
Water Design
Planning

August 2, 2016

Scott Nelson
CEC, Civil Engineering Consultants, PLLC
5141 South 1500 West
Riverdale City, Utah 84405
Scott.ceceng@comcast.net

Re: Engineer's Estimate for Public Utility Costs
at Sandridge Apartments
55 South State Street
Clearfield, Utah

Dear Scott:

Below are the listed the tasks and the costs for materials and installation labor for the completion of the public improvements as part of the Sandridge Apartments.

| Task | Unit Cost | Sub-Total Cost |
|---|---|---|

A: Mobilization – no cost as the contractor is already on site doing other work as part of the private improvement construction.

B. SWPPP – no costs as the contractor is already on site doing the SWPPP as part of the private improvement construction.

| | | |
|---|---|---|
| C. Sanitary Sewer | | |
| a) 210 LF 8" PVC Main/bedding and backfill | $ 8,400.00 | |
| b) 2 - 5' Manholes and collars | $ 9,500.00 | |
| | Sub-Total Cost | $ 17,900.00 |
| D. Storm Drain | | |
| a) Replace 3 - CB's with new SDMH on existing line | $ 6,500.00 | |
| b) Add 2 new CB's in new curb and gutter | $ 3,600.00 | |
| | Sub-Total Cost | $ 10,100.00 |



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| | | |
|---|---|---|
| E. Culinary Water | | |
| a) 6" Fire line Hot Tap, 120 LF 6" pipe, bedding and backfill | $ 10,500.00 | |
| b) 1-Fire Hydrant, 80 LF 6" pipe, valves, bedding and backfill | $ 7,100.00 | |
| | Sub-Total Cost | $ 17,600.00 |
| F. Curb and Gutter and sidewalk | | |
| a) 750 LF curb, gutter and sidewalk | $18,750.00 | |
| b) Asphalt and road base | $ 47,500.00 | |
| | Sub-Total Cost | $ 66,250.00 |
| Sub-Total Cost | | $111,850.00 |
| 10% contingency | | $ 11,185.00 |
| Total Cost | | **$123,035.00** |

Very Truly Yours,



Keith R. Russell
Principal, Survey Manager



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# ATTACHMENT NO. 3
## LEGAL DESCRIPTION OF SITE

### BOUNDARY DESCRIPTION

Total Boundary Description

Beginning at a point North 0°13'20" East 274.23 feet along the section line and South 89°43'38" East 18.00 feet from the West Quarter Corner of Section 1, Township 4 North, Range 2 West, Salt Lake Base and Meridian, and running;

Thence North 0°13'20" East 536.35 feet on a line 18.00 feet east of and parallel to the section line;
Thence northeasterly 23.61 feet along the arc of a 15.00 foot radius curve to the right, (center bears South 89°46'40" East and long chord bears North 45°18'29" East 21.24 feet, with a central angle of 90°10'17");
Thence South 89°36'23" East 94.07 feet to the westerly line of State Street;
Thence southeasterly 398.53 feet along the arc of a 1965.08 foot radius curve to the left, (center bears North 65°26'01" East and long chord bears South 30°22'35" East 397.85 feet, with a central angle of 11°37'12") along the west line of State Street;
Thence South 52°34'26" West 94.84 feet;
Thence North 89°45'34" West 56.53 feet;
Thence South 0°13'20" West 124.96 feet;
Thence South 89°45'34" East 4.00 feet;
Thence South 0°13'20" West 25.91 feet;
Thence North 89°43'38" West 184.00 feet to the point of beginning.

Contains 112,452 square feet, 2.582 acres, 1 lot.

**CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY**

# RESOLUTION 2017R-01

**A RESOLUTION APPROVING THE PARTICIPATION AGREEMENT WITH CLEARFIELD PROPERTIES, LLC, PROVIDING FOR THE USE OF TAX INCREMENT FINANCING FOR THE REIMBURSEMENT OF CONSTRUCTION COSTS FOR PROJECT AND PUBLIC INFRASTRUCTURE IMPROVEMENTS**

**WHEREAS,** Clearfield City Corporation has created the Clearfield Community Development and Renewal Agency (the "Agency") pursuant to the provisions of, and the Agency continues to operate under, Title 17C of the Utah Code, as amended, known as the Limited Purpose Local Government Entities—Community Development and Renewal Agencies Act (the "Act"), for the purposes of conducting urban renewal, economic development, and community development activities within the City, as contemplated by the Act; and

**WHEREAS,** the Agency has prepared, and the City Council has approved (pursuant to City Ordinance No. 91-4 dated April 9, 1991), the West Side Central Business District Redevelopment Project Area Plan providing for the redevelopment of real property located within the Project Area and the future uses of such land, which Project Area Plan has been filed with both Clearfield City and the Agency; and

**WHEREAS,** The Project Area has an original expiration year of Tax Year 2016, and an extension ("haircut") expiration year of Tax Year 2023; and

**WHEREAS,** the Agency believes that the development of the Site as outlined in the Participation Agreement pursuant to the provisions of the Redevelopment Plan and this Agreement are in the vital and best interests of the Agency and are in the best interest of the health, safety and welfare of City residents, and are in accordance with the public purposes and provisions of the applicable State laws and requirements under which the Project Area was created; and

**WHEREAS,** the Agency continues to find that this key downtown redevelopment project warrants assistance in the form of tax increment financing participation; and

**WHEREAS,** the Agency and the Developer find it necessary and prudent to enter into amendments to the Participation Agreement to establish the terms and conditions under which tax increment financing participation will occur;

**NOW THEREFORE BE IT RESOLVED BY THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AS FOLLOWS:**

That the Participation Agreement with Clearfield Properties, LLC, providing for the use of tax increment financing for the reimbursement of a specified portion of construction costs for project infrastructure improvements associated with the development of the City Centre Apartments

project, as attached hereto as Exhibit "A", is hereby approved by the Board and the Chair is hereby authorized to execute said document on behalf of the Agency at the appropriate time.

This resolution takes effect upon adoption.

Approved and adopted on April 11, 2017.

ATTEST

Nancy R. Dean, Secretary

CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

Bruce Young, Chair

VOTE OF THE BOARD

AYE: Directors Bush, Peterson, Roper

NAY: None

ABSENT: Directors Phipps, Shepherd