

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
November 26, 2019 – POLICY SESSION

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

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

6:45 P.M. CDRA WORK SESSION

Discussion on an Amendment to the City Centre Tax Increment Financing (TIF) Participation Agreement

****ADJOURN AS THE CDRA ****

(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:

OPENING CEREMONY:

APPROVAL OF MINUTES:

Mayor Shepherd
Councilmember Roper
August 23, 2019 – Work Session
October 8, 2019 – Work Session
October 29, 2019 – Work Session

PUBLIC HEARINGS:

1. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO AMEND THE CITY'S GENERAL PLAN MODERATE INCOME HOUSING ELEMENT**

BACKGROUND: New regulations were passed by the Utah State Legislature in 2019 to help communities address housing issues. Senate Bill 34 (SB 34) requires cities to develop objectives and goals to address housing needs that actively work toward addressing housing affordability throughout the State. The current Affordable Housing Element of the General Plan met a portion of the criteria set by the State but the City needed to make amendments to address other requirements. The Moderate Income Housing Plan must be adopted before December 1, 2019 to meet the State requirements. The Moderate Income Housing Element of the General Plan will continued to be reviewed during the upcoming update to the entire General Plan.

RECOMMENDATION: Receive public input.

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 ORDINANCE 2019-27 AMENDING CHAPTER 4 OF THE CITY'S GENERAL PLAN WITH AN UPDATED MODERATE INCOME HOUSING PLAN

RECOMMENDATION: Approve Ordinance 2019-27 amending Chapter 4 of the City's General Plan with an updated Moderate Income Housing Plan and authorize the Mayor's signature to any necessary documents.

4. CONSIDER APPROVAL OF THE DEVELOPMENT AGREEMENT WITH FREEPORT CENTER ASSOCIATES, LLP TO AMEND THE PREVIOUSLY APPROVED LANDSCAPING PLAN FOR THE PROPERTY LOCATED AT APPROXIMATELY 405 SOUTH 1000 WEST (TIN: 12-931-0001) KNOWN AS UTILITY TRAILER

BACKGROUND: Utility Trailer requested and was approved for the relocation of a trailer storage area to approximately 405 South 1000 West. The property is located in the M-1 (Manufacturing) zone. Freeport Center Associates owns the property and is requesting an amendment to the previously approved landscaping plan for a reduction in the landscaping percentages for open space. The development agreement would allow for modification in the landscaping requirement by reducing the percentage of open space from 10 to 7.5 percent with a reduction in tree count for the overall site.

RECOMMENDATION: Approve the Development Agreement with Freeport Center Associates, LLP amending the previously approved landscaping plan and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:

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

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

Dated this 21st day of November, 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.



STAFF REPORT

TO: CDRA Chairman Bush and Board members
FROM: Summer Palmer, Assistant City Manager
MEETING DATE: November 26, 2019
SUBJECT: Addendum to the City Centre TIF agreement

RECOMMENDED ACTION

Approve the First Amendment to Addendum #1 to allow a 6-month extension of time for Developer to install the necessary tenant improvements to facilitate relocation of Argentine Corner to City Centre.

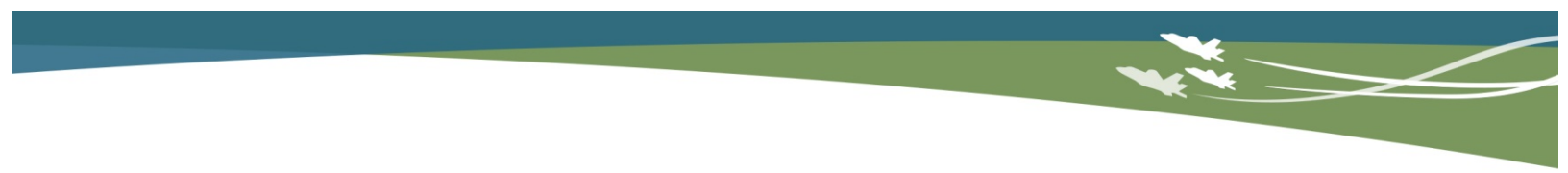
DESCRIPTION / BACKGROUND

On August 27, 2017, the CDRA and Developer (Clearfield Properties, LLC) entered into an Addendum (Addendum #1) to the TIF Agreement with City Centre to facilitate the relocation of Argentine Corner to the commercial store front at City Centre. Addendum #1 outlined that the CDRA will provide City Centre \$50,000 to close the gap on the required tenant improvements to bring Argentine Corner into the commercial space.

Due to design delays with the Developer's architect and engineers, Developer and Argentine Corner have requested the CDRA allow a 6-month extension of time to complete the necessary tenant improvements. As such, the attached Draft First Amendment to Addendum #1 adjusts the following dates:

- | | |
|---------------------------|---|
| Article 2, paragraph (1): | Agency agrees to provide Developer fifty-thousand dollars (\$50,000), to be recouped by Agency subject to the remaining terms of Article 2. |
| Article 2, paragraph (3): | Developer agrees to complete each of the required Argentine Corner Tenant Improvements listed in Exhibit B by April 30, 2020. |

All other terms and conditions of the Original TIF Agreement and the First Addendum will remain the same and in place.



CORRESPONDING POLICY PRIORITY (IES)

The approval of the First Amendment to Addendum #1 will help 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 the CDRA to support the growth of a long time local business, as well as fill a previously empty commercial store front space on our main corridor.

FISCAL IMPACT

There is no additional fiscal impact by the approval of the First Amendment to Addendum #1.

Please Note: The previously approved initial outlay of \$50,000 will come from RDA 7, and any portion of that initial amount not recuperated over the next five tax years will be subtracted from the balance of the RDA.

ALTERNATIVES

Absent alternative direction from Council, Staff provides the following alternative:

- (1) Approve the Draft First Amendment to Addendum #1 to the TIF Agreement, as proposed.
- (2) Approve a First Amendment to Addendum #1 to the TIF Agreement, with proposed language modifications to the Draft First Amendment to Addendum #1 to the TIF Agreement.
- (3) Deny the approval of the Draft First Amendment to Addendum #1 to the TIF Agreement, as proposed, with or without further direction for Staff.

Please Note: The Developer and Argentine Corner has 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/mid 2020.

LIST OF ATTACHMENTS

- Draft First Amendment to Addendum #1 to the TIF Agreement

TAX INCREMENT PARTICIPATION AGREEMENT FIRST AMENDMENT TO ADDENDUM #1

CLEARFIELD CENTER
RDA #7 WEST SIDE CENTRAL BUSINESS DISTRICT PROJECT AREA
CLEARFIELD CITY, UTAH

THIS FIRST AMENDMENT TO ADDENDUM #1 (“**First Amendment to 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.”

RECITALS

(1) The Parties desire an extension of time to perfect certain obligations set forth in Amendment #1 to the Agreement.

AGREEMENT

(1) Recitals. The foregoing recitals are incorporated and made an integral part of this First Amendment to Addendum #1 by this reference.

(2) Amended Language. The Parties agree to the replace Article 2, paragraphs (1) and (3) from the Addendum #1 to the Agreement with the following language:

Article 2, paragraph (1): (1) Agency agrees to provide Developer fifty-thousand dollars (\$50,000), to be recouped by Agency subject to the remaining terms of Article 2.

Article 2, paragraph (3): (3) Developer agrees to complete each of the required Argentine Corner Tenant Improvements listed in Exhibit B by April 30, 2020.

(3) Agreement and Addendum #1. Except for the date changes reflected in paragraph 2 above, all other recitals, terms, and conditions within the Agreement and Addendum #1 shall remain in place and applicable to the Parties.

(4) Binding Effect. All of the provisions of this First Amendment to Addendum #1 shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

(5) Severability. If any part or provision of this First Amendment to Addendum #1 shall be determined to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this

First Amendment to Addendum #1 except that condition, covenant or other provision of this First Amendment to Addendum #1 shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

(6) Miscellaneous.

- a. Legal Fees. Should any party default in any of the covenants or agreements herein contained, that defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this First Amendment to Addendum #1 or in pursuing any remedy provided hereunder or any applicable law, whether such remedy is pursued by filing suit or otherwise. This obligation of the defaulting party to pay costs and expenses includes, without limitation, all costs and expenses, including a reasonable attorney's fee, incurred on appeal and in bankruptcy proceedings.
- b. Survival. It is expressly agreed that the terms, covenants and conditions of this First Amendment to Addendum #1 shall survive any legal act or conveyance required under this First Amendment to Addendum #1.
- c. Headings. The section and other headings contained in this First Amendment to Addendum #1 are for reference purposes only and shall not in any way affect the meaning or interpretation of this First Amendment to Addendum #1.

IN WITNESS WHEREOF, the Agency has caused this First Amendment to 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.

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First Amendment to Addendum #1
Page 3 of 3

CLEARFIELD CITY COUNCIL MEETING MINUTES
8:00 A.M. WORK SESSION
August 23, 2019
(This meeting was held following a CDRA work session.)

Megaplex Theaters at The Junction
Second Floor
2341 Kiesel Avenue
Ogden, Utah 84401

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
	Devin Rogers	Police Assistant Chief
	Adam Favero	Public Works Director
	Brad Wheeler	Streets Superintendent
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Kelli Bybee	Communications Assistant
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Chris Sanford – Davis County Library Director, Josh Johnson – Davis County Library Deputy Director, Trent Smith – AJC Architects, Michael Sommer – AJC Architects, Kyle Phillips – Davis County Facilities Project Manager

Mayor Shepherd called the meeting to order at 8:40 a.m.

REVIEW AND DISCUSSION ON THE 2019 COUNCIL PRIORITIES

Recap of “The Five Dysfunctions of a Team”

Summer Palmer, Assistant City Manager, reviewed “*The Five Dysfunctions Of A Team*” that had been discussed with the Council throughout the year. She noted as priorities were discussed during the mid-year retreat with the Council it would be important to be open with discussions,

so that the desired outcomes could be achieved. She highlighted the dysfunctions and symptoms of absence of trust versus invulnerability and fear of conflict versus artificial harmony. Ms. Palmer stated throughout the day it would be important to have healthy conflict, avoid negative or unproductive conflict, and work on overcoming the fear of conflict by profiling, norming, mining, and bringing any issues forward so each could be further addressed as a group. She pointed out the next dysfunction would be discussed later in the day.

Monthly Reports and Agenda Packets

JJ Allen, City Manager, asked the Council for its feedback related to the monthly reports and agenda packets. Members of the Council expressed the design and information included in the monthly reports was helpful.

Councilmember Phipps expressed his challenges with accessing the material in the agenda packet when the files were very large even with the hyperlinks. He wondered if it would be possible to keep the larger sized documents separate from the packet. Councilmember Peterson expressed similar sentiments. There was a discussion about options for providing the Council with an agenda packet that included staff reports and smaller sized attachments but having the larger documents available for review separately. Nancy Dean, City Recorder, asked if there were any concerns with the timing and whether or not receiving the agenda packets on Thursday was soon enough. The Council appeared to be comfortable with receiving the agenda packet by noon on Thursday so there was adequate time to review the materials.

Moderate Income Housing Plan

Spencer Brimley, Community Development Director, reviewed the Moderate Income Housing Plan (MIHP) outline of what the plan would include. He explained the following areas would be addressed in the plan: introduction, data and methodology, demographics, at risk and special needs population, housing demand, housing supply, housing affordability analysis, zoning regulatory environment, fair housing practices and regulations, goals and strategies. He explained the goals and strategies section would be the four menu items that had been selected.

Mr. Brimley reported in October or November staff would be reviewing the data sets and analysis with the Council and then the final document would be presented for discussion in November.

Mabey Place Redevelopment

Mr. Brimley indicated staff had been meeting with Lotus working on a draft development agreement and vetting issues. He reviewed the following components being addressed through the draft agreement:

- Green Space/Public Park – Mr. Brimley stated originally there was an acre park proposed which had been reduced to a half acre public park owned by the City for the west side.
- Depot Street Connections – Mr. Allen noted staff had contemplated Depot Street to continue in its alignment and run parallel to the tracks; however, north and south connections were the ultimate goal. He continued the drawings would show connections

on the north and south with the road going through the development rather than on the west side near the tracks so it was not such a one-sided expensive improvement for the developer.

- Mixed Use Building – corner retail would be introduced in the first residential phase.
- West Arterial Road – connection from State Street into the project was still being vetted with the developer as to its design but it had been pared down from what was initially proposed so it was more usable space. Mr. Allen indicated a bioswale had been proposed and it would have a median with a landscaping component.
- Parking – off-street versus on-street and park needs. Mr. Brimley noted the project was proposed to have a large amount of surface parking.
- Land Purchase – Mr. Brimley stated based on the analysis of the developer the costs per unit would be about \$8 thousand per apartment and \$12 thousand per townhome. He indicated the proposed purchase price for Phase 1 would be about \$1.7 million after the offset of the Minaya property. Mr. Allen explained \$1.7 million was proposed as the net purchase price. Councilmember Peterson asked if Phase 1 was about half of the Clearfield Mobile Home Park. Mr. Allen responded it was closer to two-thirds.
- Tax Increment and Fees – Mr. Brimley reported there would be no tax increment financing (TIF) to the developer for the west side. He mentioned it had been proposed to defer impact fees. Councilmember Peterson requested clarification about the deferral of impact fees. Mr. Allen noted other cities had used the option with certain types of development and the City's financial advisor indicated it could be a viable option and was a way for the developer to manage its cash flow. He explained the developer had requested the deferral of impact fees until a later date and staff felt it could work as long as there was a component of inflation for any deferred fees. Councilmember Peterson wondered if the developer would be asking for a deferral of fees from other taxing entities. Mr. Allen answered the City would not be able to speak on behalf of the other entities, only the City's portion of impact fees. Councilmember Peterson commented a deferral request would likely not bode well with the North Davis Fire District. Mr. Allen commented staff would clarify with the developer and let them know the City only had control over its impact fees.
- Form Based Code variations – Mr. Brimley indicated the developer was preparing language for its few small modifications to the Form Based Code, but those items were very limited.
- Future Phases – language was being proposed to address the rest of the project because the development agreement was specific for only Phase 1 of the project.
- Development Milestones

Mr. Brimley reviewed the site plan and layout for Phase 1. Councilmember Peterson expressed her concern for having a direct view of all the surface parking. Mr. Brimley indicated the proposed project to the south would conceal most of it. There was a discussion about the layout and concept design. Councilmember Bush asked what the striped area on the site plan was along the west side of the property. Mr. Allen explained the Utah Transit Authority (UTA) owned the property. He noted the City had joined with UTA to have a survey done and perhaps work out a deal to trade land north and south along Depot Street for the area needed in Phase 1 of the project. Councilmember Peterson wondered if UTA would be allowing maintenance of its area. Mr. Brimley responded UTA was comfortable with the City landscaping its portion and

maintaining it so it was not unkempt. He added there would hopefully be an agreement in place for its long term maintenance until UTA's second track came to fruition. Mr. Allen indicated long-term there would need to be a wall to separate UTA property from the residential property.

Councilmember Phipps questioned if Lotus would cover the costs of the substantial work necessary for the project's infrastructure. Mr. Brimley answered the development would have substantial needs and the developer should bear those costs relative to the development; however, staff was working together to evaluate the infrastructure needs for the development of the entire area. There was a discussion about infrastructure needs and demands for the project and surrounding areas.

Ms. Palmer pointed out Councilmember Peterson had commented there was a large amount of surface parking. She asked if there was a need to reduce the surface parking. Councilmember Peterson responded her concern with the project was the grading. She also expressed her opinion that pedestal or podium parking made sense especially with the City making such large concessions with the land. She commented the City had a monstrous bond and in exchange appeared to be getting a sea of asphalt. She felt there was enough room for at least one more building which could assist a developer in the cost recovery. There was a discussion about the project and the expectations of the Council related to development, costs, density, parking and the perception of residents.

Mr. Brimley asked if there would be a willingness of the Council to consider allowing more density on the west side development if the parking could be wrapped, podium, or structured rather than surface parked. Councilmember Peterson said her opinion was yes. She expressed her concerns with allowing concessions to a developer when the site plan and layout were not fundamentally different than any other project. Mr. Allen indicated the developer was working to conceal the parking; however, if more density was the desire of the Council in trade for structured parking then staff could communicate that to the developer. He acknowledged the developer's response would be a shift in the numbers per unit so it would justify the cost of building a structured parking and the City's subsidy could be even bigger.

Councilmember Roper pointed out density was currently a hot topic and he wondered how comfortable other members of the Council were with increasing density. Councilmember Phipps expressed his concern pointing out the City bonded for \$7.3 million with the understanding some money would be lost but he had not anticipated the loss would be the magnitude that was presented. He mentioned the property could have been left on the market and sold for development. He stated his concern was with the return on investment rather than a developer making a lot of money. There was a discussion on market disruption, efforts to raise the bar on development in Clearfield, doing what other successful cities had done, and creating a notably different urbanized downtown.

Councilmember Roper stated the developer had intended to use the Low Income Housing Tax Credit (LIHTC) component and wondered if the proposed 50/50 percentages could be adjusted to make the project work. Mr. Allen suggested the price of the land or percentages of LIHTC could be levers in working with the developer to require there be structured parking on the west side project. Councilmember Roper expressed his opinion the Council needed to be thinking about

LIHTC as a component of the project and getting more comfortable with it. He felt it was such a vital part of Ogden City's success with its downtown redevelopment so LIHTC should be considered with the project also.

Mr. Allen reviewed the financial investment to date which included the \$7.277 million bond principal of which \$6.5 million was allocated to the project construction fund. He reported of the \$6.5 million, \$4.75 million had been used to purchase the Clearfield Mobile Home Park and \$600,000 was used to relocate residents and clear the land; consequently, there was \$1.1 million remaining that could be used for additional property acquisition; funding public improvements for the park, plaza, or landmarks; or not spending it and using it to pay back the bond. He noted all were options available to explore. He explained the cost of capitalized interest was \$721,000 and costs of issuance were \$51,000. Mr. Allen mentioned payments for bond repayment would begin in 2021 and \$744,000 would be due each year.

He stated if the presented concept moved forward then \$1.7 million would be recaptured from the sale of the land for Phase 1 and if Phases 2 and 3 consisted of 70 townhomes, as shown on the current west side master plan, then it would generate \$840,000 more in future years. Mr. Allen explained the total sale of the land would equal \$2.6 million which was only about 55 percent of the purchase price. He pointed out when the property was purchased after a bidding war the City understood there would be a loss on the property but it would be worth the risk for the opportunity to control the land and its future development.

Mayor Shepherd expressed his opinion the property if currently sold on the market for high density housing and commercial along State Street would have a better return on investment. Mr. Allen acknowledged selling the land was also an option if the Council wanted to consider it and were to direct staff to sever ties with Lotus. There was a discussion about the high quality products Lotus was known for producing, risks of east and west side development, potential for market shifts, the value of the land, comparable development projects and incentivizing tools. Mr. Allen acknowledged there would not be any tax increment financing going to the developer for the west side development. Mayor Shepherd expressed his opinion that the City should be getting more money for the land with the design concept presented. Councilmember Peterson wondered why the City should bend so far backward to meet a developer's price point. Councilmember Roper asked if the City should ask the developer to improve the design for the project or else it would look elsewhere to develop the property. Mr. Allen acknowledged if the Council did not like the proposed project enough then there would need to be additional discussions with the developer to determine if there could be a mutual agreement reached to continue the partnership toward development. There was a discussion about the worth of the property and whether the City was receiving its value through the developer's proposal; whether or not checking with commercial realtors would be beneficial to obtain a better feel for the current market and developer demand for the property; and potential impacts for surrounding property values.

Mr. Allen pointed out that the City had options to repay its debt. He reviewed the following options for servicing the debt if the Council were to move forward with the concept presented:

- Option A – prepay as much as possible to reduce total cost of interest. The option would depend on the amount and timing of sale proceeds; TIF generation.

- Option B – set aside sale proceeds; earmark for future annual debt service payments; supplement with TIF revenue as possible. The option would help manage cash flow but not minimize the total cost of interest.
- Option C – hold property tax rate constant in fiscal years 2021 and 2022. The option would recapture \$700,000 per year because the General Obligation (GO) bonds would be paid in full.
- Option D – explore options of refinancing to tax exempt bonds. The option was available because proceeds had been used for public purposes such as the right-of-way and park.
- Option E – use other funds (street bond payment reduces \$270,000 in FY21, allocate excess General Fund balance, or use remaining \$1.1 million from bond proceeds)

Ms. Palmer pointed out Lotus or any other developer would review data to see how many units the market would support. Councilmember Peterson asked if it were the number of units or the number of market-rate units being assessed. Ms. Palmer responded it would be market-rate units. She added one of the reasons Lotus was able to make the project viable was to use the LIHTC component because there was still a market availability in that area. She continued the developer was concerned with absorption rates especially considering all the other projects in the City. She mentioned if the Council was comfortable tapping into the LIHTC market it might be able to raise the unit counts and get the types of units desired without impacting the absorption rates.

Mr. Allen appreciated the Council's discussion on the issue and requested direction moving forward. There was a discussion about the risks, benefits and options moving forward with either Lotus or seeking interest from other developers; as well as, Lotus's proposal for development regarding its number of units; and the LIHTC component in relation to the pricing, density, and quality of the project. Councilmember Roper suggested additional meetings with the developer would help provide additional clarification regarding the Council's concerns. Mr. Allen summarized the direction staff had understood from the discussion would be to talk to other brokers about the value of the land to have a better understanding of its worth; visit with other developers to get an idea of what options could be developed on the land; and communicate with Lotus that the City wanted a proposal which had a market disruption effect or it would be seeking other options. There was a discussion about the impacts if ties were to be severed with Lotus. Ms. Palmer indicated staff could discuss with Lotus any intentions to terminate the MOU and reminded the Council if the City terminated the MOU then that would necessitate the purchase of the Minaya property which had been purchased by Lotus for the development. Mr. Allen thanked the Council for the discussion and its direction.

The Council took a break at 9:56 a.m.

The meeting resumed at 10:15 a.m.

Trello Board Review – Policy Priorities / Action Items

Mr. Allen explained staff was tracking the tiered priorities through the Trello board. He pointed out that each item had action items staff was working toward. Staff updated the Mayor and Council on the progress and on-going efforts towards the following Tier 1 priorities:

- Fiscal Sustainability – Ms. Palmer indicated the project was a budgeted item so staff was working to contract with a consultant to conduct a long term study of the City’s revenues and expenditures. Mr. Allen noted another item within the priority would be to do a deep analysis of the Clearfield Aquatic and Fitness Center and recreation net revenue. Eric Howes, Community Services Director, mentioned the City had obtained some estimates to complete an analysis and was working to adjust the scope of the fee study so additional proposals could be requested for review. He indicated fees had not been adjusted for years so these would need to be analyzed and the fee structure rebuilt so it could be planned into the future operations. Mr. Allen reviewed other areas that staff were working on internally such as an emphasis on maintenance to avoid more costly repairs, reviewing all fees and periodically updating the consolidated fee schedule.
- Community Policing – Kelly Bennett, Police Chief, stated the police department (PD) had been actively participating in community events, getting the neighborhood watch program operational, and building relationships with good landlord participants. He added the police and legal departments would be working to submit a grant to obtain funding for an officer to assist with domestic violence which would be awarded sometime in December. He reported if the City was awarded the grant then the PD would move forward to fill that position which was approved in the budget for an officer to work on community policing as well as domestic violence. Councilmember Bush wondered if the City still had officers working at the schools. Chief Bennett reported the high school and junior high school each had a full-time officer assigned. He noted on-duty officers were stopping in frequently to patrol the elementary schools and building relationships.
- Compensation Plan – Ms. Palmer noted the City had contracted to have a study done and in addition to an overall look there would be an additional focus on several areas where the City had difficulty with recruitment to make sure there was continuous marketability in those areas. She indicated the comparisons would be done likely in January so there was relevant external data to review during the budget season. She reviewed some role based changes of part-time positions to the general pay schedule and involvement of new employees in the City’s 401K program.
- Outreach to All Segments of Community / Community Building – Trevor Cahoon, Communications Coordinator, reviewed the outreach efforts which included preparation of block party kits and coordination with local businesses for increased participation in community events. Councilmember Bush asked if the new resident packets were ready yet. Mr. Cahoon responded it was not done. He noted staff had been working on finalizing the letter and would be working on the rest of the packet; however, the magnets were available and being distributed at the Customer Service Center. He continued the branding efforts and website redesign would help in communication with residents as well. Councilmember Thompson wondered how well the website redesign would translate in a google translation application since there were some of the City’s population that did not speak English. Mr. Cahoon answered the new design of the website should not have as much text to translate and it would be reviewed in depth later in the meeting. There was a discussion about the City’s personnel and resources already available in Spanish translation for members of the community. Councilmember Bush questioned if the City was no longer holding its lunches for business leaders. Ms. Palmer responded she had met with Davis Tech recently and its business development team. She

expressed her opinion the services Davis Tech provided would be a perfect fit for the City's established networking group. She indicated Davis Tech held meetings all over the County and the City could continue to host meetings but Davis Tech's meeting might best provide an opportunity for networking as well as an educational component. There was a discussion about the evolution of the group and its needs. Mr. Cahoon commented staff had been working to establish traditions and coordinate efforts with the schools as well since administrators frequently changed. Councilmember Bush expressed his desire for the Council to have outreach opportunities in some way especially if the community members would be taking the lead with the block parties. There was a discussion about ways the Council could participate in community events. Councilmember Roper suggested the Council could have its information available to those that reserved the block party kits. Ms. Palmer acknowledged the reservation sheet had a check box that could be marked if the group wished to invite the mayor and council to attend its block party. She noted staff would make the Council aware of the date, time, and location of those interested groups' parties. Mr. Cahoon mentioned staff was planning to hold pop-up parties again in September, October, and November to provide an opportunity for the Council to mingle with the community at those events. There was a discussion about experimenting with the movie night in the park events to enhance it in the coming year.

- Clearfield Station / RSL – Ms. Palmer pointed out Utah Transit Authority (UTA) was working to finish up the developer agreement with Stack Real Estate/Hamilton Partners. She mentioned an upcoming meeting would be scheduled with the City, UTA and the developer in September. Mayor Shepherd provided an update of his communications with Real Salt Lake (RSL). He also mentioned an owner of a recreational/fitness facility expressed to him recently an interest in locating in the City at the Clearfield Station property but it was not opposed to locating at another area of the City, if necessary. There was a discussion about planned uses and branding for the Clearfield Station.
- Professional Training / Conferences – Mr. Allen expressed his thanks for the Council's support with budgeting money to allow staff to attend the professional development training conferences. Chief Bennett updated the Council on the FEMA training and stated John Meek, Emergency Preparedness Manager, planned to seek free training opportunities when available.
- Traffic / Regional Planning – Mr. Allen indicated quarterly lunches were planned to help build relationships with the Utah Department of Transportation. He noted that collaboration meetings were held with staff from the Community Development, Community Services, and Public Works departments specifically to discuss regional traffic as well as local impacts in an effort to build cohesiveness and awareness of projects in advance. Councilmember Thompson wondered if the City would have any impacts from the sprawl of neighboring cities. Mr. Allen responded the planning for that level would be coordinated more through the Wasatch Front Regional Council (WFRC). There was a discussion about the impacts on traffic within the City specifically due to construction on the main corridors which was affecting State Street, 700 South, 1000 West, and 300 North. Councilmember Thompson expressed his interest in staying ahead of the curve with any planning efforts. There was a discussion about the updates on the I-15 Express Lane project.
- Capitalize on Economic Potential of Hill Air Force Base (HAFB)
 - Market amenities the City had available to Base residents.

- Help new developments (Clearfield Junction, Mabey Place, Clearfield Station, and Bravada 193) to be Base-oriented.
 - Hill Air Force Base (HAFB) Compatible Use Plan (CUP).
- Long-term Infrastructure Planning
 - 3-year capital improvement plan update
 - Update to the capital facilities plans and impact fee studies to account for redevelopment plans.
- Mabey Place – discussed earlier in the meeting.

Mr. Allen updated the Council on staff's decision to convert the Deputy Public Works Director position to a position for a Deputy City Engineer. He explained staff learned of the Deputy Public Works Director's retirement shortly after the discussion of having a staff engineer in house, so it made sense to combine those positions. He noted there would likely be a staff engineer working in the Community Development department but that position would not be filled until a Deputy City Engineer was selected to help in that decision making process. Mr. Howes noted the Capital Facilities Plan for the parks was almost done and should be ready for the Council's review in the coming months.

Staff updated the Mayor and Council on the progress and on-going efforts towards some of the Tier 2 priorities. The following Tier 2 priorities were reviewed:

- Emergency Operations Plan and Related Documents – Chief Bennett mentioned the Mayor and Council should have received the updated Emergency Operations Plan (EOP). He reviewed efforts towards community outreach specifically for preparedness. Councilmember Thompson mentioned Dollar Tree stores had 72-hour emergency kit supplies that would be relatively inexpensive for residents to help with preparedness.
- Code Enforcement – Mr. Brimley indicated the Code Enforcement Officers were making efforts of outreach and community involvement with Code compliance. He noted they would be working with the communication team on social media messaging, pamphlets, and softening the language on the notice itself. There was a discussion on the approach towards code enforcement and what would be the most effective means to communicate the code violations and obtain the desired enforcement.
- Veterans Monument – Mr. Howes reported the conceptual design was finished and 3-D renderings would be completed soon which would include the amphitheater. He noted the estimated cost for the proposed project was about \$215,000. He explained so far about \$1,600 had been raised but there would still be a lot to do before marketing. Mr. Allen mentioned one of the next steps would be to determine a funding strategy. There was a discussion about the things to consider before rolling out the project to get public involvement which included City funding versus contribution efforts, publicity efforts, and timing of the project. Councilmember Peterson suggested Veterans Day could be a good time to roll out the City's plan to the public. Mr. Allen agreed it was a good target date.
- UTOPIA – Ms. Palmer explained the survey was currently out for residents and there had been over 500 responses to it thus far. There was a discussion about the communication efforts to date related to the survey. Mr. Cahoon indicated the communications team would do another push for responses. Mayor Shepherd wondered how many responses would be needed and what types of responses had been provided thus far. Ms. Palmer

answered she could check the survey results but did not feel that 500 would be significant enough.

- Bravada 193 – Mr. Brimley stated the developer recently submitted civil drawings, also there had been challenges with the C-store but soon the revised plans should be submitted. Mayor Shepherd reported the developer doing the apartment portion had told him about barriers with financing based upon the City's requirement restricting occupancy of the final building until the commercial building went vertical. He mentioned the developer would be willing to have the office building go vertical first if that was something the Council would consider.
- Changing Nature of Clearfield (messaging) – Mr. Cahoon stated branding and messaging were important and staff desired to roll out the branding in conjunction with the new website design. There was a discussion about messaging in regards to having a centralized voice, sensitivity during an election season, and the timeline moving forward. Councilmember Bush felt it would be good to provide residents a timeline of the history of what the City was doing with its downtown development. There was a discussion about the role messaging could play in establishing the City's downtown and sharing the vision with residents, business owners, and developers.

The Council took a break for lunch at 12:09 p.m.

The meeting resumed at 12:51 p.m.

Department Breakouts

Mayor Shepherd and members of the Council were given the opportunity to meet individually with staff from the Community Services, Community Development, Police, Executive / Legal, and Public Works departments; as well as, the Communications division to ask questions, discuss topics of concern, and hear more about strategic efforts to date for 2019.

Fourth of July – 2019 Review and Planning for Future Years

Mr. Howes and Mr. Cahoon highlighted the Fourth of July events and discussed key takeaways from the following activities:

- Paint the Bridge – more paint and accessibility to paint stations were needed in the coming years.
- Patriotic Concert – it was a nice change of venue moving it to the amphitheater at Bicentennial Park. Councilmember Phipps suggested a guest speaker was not needed.
- Pool Bash – well attended and there would be some minor changes to ticketing and messaging in coming years.
- Movie in the Park – there were impacts with the weather; however, as discussed earlier in the meeting there could be some adjustments to these events in the coming years.
- Fun Run – the new route was a big success.
- Pancake Breakfast – 478 participants; \$1640.50 was the net revenue.
- Parade – 76 entries; crowd control remained the greatest issue because of throwing candy. Councilmember Peterson suggested part of parade safety would be to keep the parade moving so there was not much backup.

- Festival in Fisher Park – costs were reviewed; weather was challenging and stressful, but despite it the concert and fireworks turned out well.

Mr. Howes explained there would be changes with the venue layout for 2020 due to the new school being built. He reviewed the challenges for the event with the school's new location and highlighted the plans for utilizing the other areas of the park so the event could still continue to be held at Fisher Park because it was still the best location.

Mr. Allen asked if the Council was comfortable with the scope and costs of the event. The Council expressed comfort with the cost and scope of the event. Mayor Shepherd expressed his desire to enhance the celebration in 2022 for the City's centennial celebration. He shared some of his vision which included using multiple parks, a variety of fireworks displays, and various genres of music at the different locations. There was a discussion about public safety, staffing, and plans for an enlarged focus on other areas around the City in its birthday year.

City Website Revamp

Mr. Cahoon reviewed the website design and functionality proposed for the City's new website. He noted some of the key features were to provide access to key pertinent information at the top and have the website built so it would scroll, include less language, and have better visuals. He pointed out there would be a banner that would include upcoming events. There was a discussion about the proposed website design and its ability to report news, meet statutory requirements, and its use of photos taken only within the City.

Mr. Cahoon mentioned mobile traffic was increasing so a key component to the new design was its functionality as a mobile application. There was a discussion about search engine optimization and its importance with economic development. Mr. Cahoon reviewed the timeline for the website redesign which included hiring an intern to help frame the website, determining the template, compiling a picture collection, rewriting content, uploading content, beta testing internally, making edits, beta testing externally, making updates, and then releasing the website by spring of 2020. Councilmember Roper asked if the Council would be able to preview it before the website went live. Mr. Cahoon answered yes, there would be updates for the executive staff and the Council again on the website process before the internal beta testing was done to help reduce any problems.

Park Amenities

Mr. Howes reviewed the options for park amenities that had been discussed by the Parks and Recreation Commission regarding tables, benches, pavilions, restrooms, signage, drinking fountains, and bike racks. There was a discussion on the pros, cons, practicality, functionality, maintenance, and quality of each model and type of park amenity.

Mr. Allen requested the discussion continue following a short break since guests had arrived from the Davis County Library for a presentation.

The Council took a break at 3:00 p.m.

The meeting resumed at 3:10 p.m.

New Library Design

Mayor Shepherd welcomed Chris Sanford, Davis County Library Director. He indicated she and others would update the Council on plans for the new library. He mentioned it would be a tech library and an exciting addition to the northwest corner of Center and Main Street.

Ms. Sanford introduced Josh Johnson, Davis County Library Deputy Director; Trent Smith, AJC Architects; Michael Sommer, AJC Architects; and Kyle Phillips, Davis County Facilities Project Manager. She thanked the City Council and staff for the collaborative efforts to date in preparation for the new library. She indicated the City's team had been very involved in the design meetings thus far.

Mr. Smith and Mr. Sommer reviewed the layout and design plans for the Davis County North Branch Library. Mr. Smith acknowledged the visioning efforts resulted in a concept and architectural design for a library that would be engaging, innovative, interactive, and had been collaborative with the community to create a welcoming and imaginative experience for its patrons. He highlighted the site plan, floor plans, and the indoor/outdoor features that were infused with the natural surroundings, warmth and wood, as well as movement and wind. There was a discussion about the design, layout, buffering, and materials that would be used to enhance the project.

Councilmember Peterson wondered what the County's timeframe was to share the plans with the public. Ms. Sanford acknowledged the plans would be released after all the stakeholders had reviewed them. She indicated until that time, it would be appropriate to share with the public that the new library would be a two story, tech hub which followed an aviation theme. She mentioned the County was aiming to hold its ground breaking for the new library on March 13, 2020 which would also be her last day with the County. Mayor Shepherd expressed his support for the project and thanked the guests for sharing it with the Council.

Park Amenities (Continued)

Mr. Howes reviewed the Parks and Recreation Commission's recommendation for the following park amenities with the Council:

- Concrete tables
- Concrete benches
- Concrete trash receptacles
- Precast concrete park signage
- Powder coated steel drinking fountains with bottle filler
- Artistic bike racks
- Large pavilions with metal roofing and support columns with rock pillars
- Small pavilions with steel powder coated frames and metal roofing
- Renovate existing restrooms with similar materials and appearance where possible

- o Metal roofing
 - o Skylights to provide natural lighting
 - o LED lighting to brighten interior
- Any new restrooms would be precast concrete restrooms

Mr. Allen acknowledged there had been some concerns expressed by members of the Council about the concrete tables and benches. There was a discussion about the challenges, benefits, and concerns with using concrete tables and benches. The following key topics were included in the discussion:

- Concrete tables held in heat.
- Challenges with maintenance of the current concrete tables.
- Options for water accessibility to clean tables after use.
- Moving the concrete tables was difficult making the time needed for staff cleanup less.
- Cost was one determining factor in the PRC recommendation of concrete tables and benches.
- Warranty or maintenance costs for upkeep.
- Problems with maintenance and vandalism of all types of tables and benches.
- Setting a standard for park amenities with consistency and continuity.
- Branding amenities for uses in parks and other areas of the City.
- Concrete tables were not consistent with any of the surrounding cities.
- Metal tables/benches had better drainage so there was not standing snow or water.

Mr. Howes explained his goal would be to minimize and simplify time constraints for staff in its maintenance efforts. He pointed out the goal would be to develop a standard and create branding so there was cohesiveness throughout the City's park amenities. There was a discussion about the options for park amenities including the branding, number of tables and benches needing replacement, plus the addition of benches along the trails and ponds. The Councilmembers weighed in on which options of tables and benches were preferred. Mr. Allen summarized the Council appeared to favor concrete tables and metal benches.

Mayor Shepherd expressed his opinion aesthetics were an important component because the branding image of the parks would carry over to the rest of the City. There was a discussion about overall branding and the desire of the Council to improve the image of the City as a whole. The consensus of the Council was to use the recommendation of the Parks and Recreation Commission for all amenities except the concrete tables and concrete benches. The Council directed staff to modify the recommendation for tables and benches to the punched steel thermoplastic coated tables and steel powder coated benches with the engraved logo. Mr. Howes confirmed that the Council was comfortable continuing with the concrete trash receptacles. He noted the benches, tables and trash receptacles could stay within the same color scheme. The Council expressed no issues with continuing to use concrete trash receptacles. Mr. Howes indicated staff would like to move forward and start accelerating the changes as the budget would allow.

Review of “The Five Dysfunctions of a Team”

Ms. Palmer led a discussion about the third dysfunction of a team which was lack of commitment. She indicated teams that committed to decisions and standards did so because they knew how to embrace two separate but related concepts: buy-in and clarity. There was a discussion on teams and the importance of vision, collectively supporting the majority of body, being accountable for the results once a decision was made, various perspectives, and the ability to change direction when necessary.

Ms. Palmer highlighted the concepts of buy-in and clarity. There was a discussion about the leader’s role in helping the team achieve commitment and the two techniques identified as commitment clarification and cascading communication. Ms. Palmer pointed out there were advantages for a team that was committed and sometimes it was good to have a practice discussion when possible.

She noted the next training would be for accountability and achievement of goals. Ms. Palmer stated becoming proficient in the desired skills was a process. She stated putting them into action would help further develop any team.

Wrap Up

Mr. Allen asked Mayor Shepherd and the members of the City Council to share what each felt was a highlight and/or downside to the retreat. He expressed his appreciation to the Council for its participation and direction.

Councilmembers expressed the highlights of the meeting were learning more about the library plans, getting updates from the breakout sessions, updates on the City website revamp, and the possibility for Argentine Corner moving its restaurant to City Centre; however, the downside of the meeting was having to sit through the process because it took time to hammer things out and see it finished; personal time management for lunch caused a disadvantage so not all the departments could be visited during the break-out session; not having the time to go through the Trello board in its entirety; not having enough time to go over the Trello board and learn what staff was doing to implement the policies and priorities.

Mr. Allen indicated the Trello board discussion could be continued in an upcoming meeting if the Council was interested. He expressed his appreciation for the team of staff and elected officials.

The meeting adjourned at 5:15 p.m.

The minutes for the CDRA are in a separate location

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
October 8, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
EXCUSED:	Nike Peterson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Teresa Allen	Victim Services Coordinator
	Delaney Combe	Victim Housing Advocate
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Manager
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Jason Wilde – US Air Force, Carly Siddoway – Contractor, US Air Force, Kathryn Murray, Chris Uccardi, Devin Prouty

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

UPDATE FROM THE HILL AIR FORCE BASE (HAFB) ENVIRONMENTAL
DIRECTORATE

Jason Wilde, Restoration Project Manager US Air Force, thanked Councilmember Phipps for his representation on the Restoration Advisory Board. He reviewed the efforts taken to date to help resolve the methane issue in parts of the City. He reported the clean up efforts were progressing as predicted, however in some areas the vegetable oil that was injected into the ground started to rise into shallower areas and created methane. He reviewed the areas that were affected and being monitored.

Mr. Wilde stated the next step was to dig a trench and dispose of the oily soil and replace it with good soil. He stated it was an aggressive and expensive approach; however mitigating the exposure to methane was a priority. He informed the Council that construction was expected to start on October 22, 2019 and last no longer than 5 days.

Mayor Shepherd asked how much of the road would be effected. Mr. Wilde stated the mitigation project would take up most of the road during the day; however, after 5 p.m. the road would be operational. He said the overall impact to the environment would be negligible.

Councilmember Phipps wondered what would prevent the methane from coming back and taking over the new soil. Mr. Wilde stated the injections had been stopped and digging up the soil would hopefully prevent the methane from accumulating again.

Councilmember Roper asked about further monitoring on the situation. Mr. Wilde discussed the Air Force's new approach to monitoring the situation. He assured the Council the situation would be continually monitored.

UPDATE ON THE VICTIM SERVICES PROGRAM

Teresa Allen, Victim Services Coordinator, reminded the Council of the goals of the Victims Of Crime Act (VOCA) Grant which included:

- Reduce trauma to victims of domestic violence and other violent crimes in Clearfield City.
- Enhance victim services by assisting victims in locating resources and by providing services through the use of volunteers.
- Provide support and advocate for victims of crime prosecuted in the Clearfield City Justice Court.

Ms. Allen reviewed service statistics for the 2018/2019 fiscal year. She explained the agenda packet had included a wrong number, which had been updated with the presentation. She reported there were 354 individual victims served; 1,145 direct victim contacts; 662 provided case notification or criminal justice updates; 39 crisis assistance, 32 protection order assistance; and, 26 provided crime victims' reparation assistance. She explained the majority of victims served were victims of domestic violence.

UPDATE ON THE DAVIS AREA VICTIM HOUSING ASSISTANCE PROGRAM

Teresa Allen, Victim Services Coordinator, introduced Delaney Combe, Victim Housing Advocate. Ms. Allen stated the Domestic Violence Shelter and Layton City had programs that received grant funding along with Clearfield City for the housing assistance programs. She indicated Layton City only worked with residents of Layton and the shelter only worked with domestic violence, but the funding received by Clearfield City could be used to care for victims countywide.

Ms. Allen reviewed the following goals of the VOCA Housing Grant:

- Providing victims centered housing assistance to victims of crime in the Davis County Area.
- Maximize effectiveness of victim housing assistance through community engagement.

Ms. Combe shared her background with social work and former employment. She explained she was working to build relationship with landlords. She also planned to work collaboratively with other agencies and community programs. Ms. Combe stated she was mobile and could meet where needed to help victims.

Councilmember Bush asked if schools were involved. Ms. Allen said when necessary, but the victim would need to ask for that service.

Councilmember Thompson asked if the grant monies were from state or federal funding. Ms. Allen explained it was a federal funding pass-through grant distributed by the State. Councilmember Thompson wondered if it was appropriated through Violence Against Women Act (VAWA). Ms. Allen responded the City's grant for its housing and domestic violence programs were both through Violence of Crime Act (VOCA). She continued the housing program was fairly new, but funding was expected to last for about four to six years.

Councilmember Thompson questioned what the fatality count was for the County due to domestic violence. He mentioned last year it was twenty-one statewide, but Davis County had about five or six. Ms. Allen answered she was not aware of the current totals for the County. Stuart Williams, City Attorney, explained even though the numbers were small, it represented a high percentage of the homicides county-wide.

Councilmember Roper asked if local religious leaders knew about the programs. Ms. Combe stated they were in the process of getting the information out. JJ Allen, City Manager, informed Ms. Allen and Ms. Combe about Councilmember Peterson being a part of the Interfaith Group. He suggested that group might be a helpful in getting information out.

Ms. Combe thanked the finance department for their help in achieving a fast turnaround with getting checks written to assist the victims.

DISCUSSION ON THE FUNDING STRATEGIES FOR THE VETERANS MEMORIAL

Eric Howes, Community Services Coordinator, stated the concepts and drawings for the proposed Veterans Memorial were included in the packet given to the Council. He discussed the price estimates for the memorial.

Trevor Cahoon, Communications Manager, explained staff needed direction from the Council on the following five questions regarding the proposed Veterans Memorial:

- Where does the construction of the monument sit in priority to other projects?
- When would the target for completion be for the monument?

- What sort of funding mechanisms did we want to use to erect this monument?
 - Donations
 - Fundraising
 - Fund Balance
 - General Fund
 - PARAT Tax
 - Etc.
- How aggressively did the Council wish to be in accomplishing the monument?
- What would a kick off to this effort look like?
 - Targeted advertising
 - Event/Experience

Councilmember Phipps stated the memorial had always been a priority to him, however it was more expensive than he had envisioned. Councilmember Phipps stated if it were a lower cost it would be a higher priority for him. Councilmember Bush agreed.

Councilmember Bush stated American Legion had expressed interest in donating if there were a request from the City. He thought there would be many that would donate if the word went out. Mr. Cahoon said a price range would be needed to inform those interested in donating of the goal the City was trying to reach.

Councilmember Phipps and Bush expressed they would prefer not to use PARAT tax revenue for the memorial.

Mr. Cahoon wondered about portions of the memorial incorporating the community through allowing those who wished to donate, to buy bricks, placards, or plinths and have the names of those who donated attached.

Mr. Howes explained if there was a community sponsorship it would be easier to sell the idea with 3D renderings to show donors the vision for the project, which would cost additional money.

Mr. Allen asked about a time limit being set for the fundraising.

Mayor Shepherd stated he did not want to lose sponsors from other events to fund the memorial.

Mr. Allen asked if \$100,000 was needed through fundraising approximately how long would that take. Mr. Cahoon stated at least ten years. He felt it would be feasible to get \$10,000 per year unless the memorial was the only fundraiser and sponsorship for the year. Mr. Cahoon explained that taking ten years would make it difficult to maintain excitement about the project. He said another option could be one piece at a time so there was something tangible added each year from the funds raised.

Mayor Shepherd shared three of the top five sponsors for the Layton City memorial were Davis County, Layton City and Layton City's RAMP tax.

Councilmember Roper wondered if the project could be done in phases when funds were available in smaller amounts.

Mayor Shepherd suggested a \$50,000 goal in two years for the public fundraiser.

Councilmember Thompson shared he felt the City might be over extending the funds, which was leading him to a decision of abandoning the project. He stated he would love to honor the veterans and refurbish that park and part of town but did not like the cost attached to the project.

Mayor Shepherd stated if the City were to do the project it needed to be done right. Mr. Allen stated if the Council wanted the memorial prioritized then staff needed direction prior to Veterans Day as that would be a perfect time to kick off the fundraising.

Councilmember Thompson moved to adjourn at 6:59 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
October 29, 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
	Brody Warren	Police Lieutenant
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Manager
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Devin Prouty, Chris Uccardi, Ruth Jones, Amanda Parlet, Zo Parlet, Kristi Bush

Mayor Shepherd called the meeting to order at 6:05 p.m.

DISCUSSION ON THE CITY'S DRAFT MODERATE INCOME HOUSING PLAN (MIHP)

Spencer Brimley, Community Development Director, stated the City had a Moderate Income Housing element in its General Plan (GP). He reviewed the requirements of Senate Bill 34 (SB 34) for the MIHP.

Mr. Brimley explained staff was currently preparing a request for proposal (RFP) to facilitate a full update to the GP next year. He said the current GP appeared to adequately address the first three requirements of SB 34 and asked if the Council was okay with scaling back the immediate revisions necessary to meet SB 34 by December 1, 2019, then including a more in depth review as part of the GP update in the spring. Councilmember Bush stated he would like to allow the public to weigh in on the document. Mr. Brimley said the direction given in the meeting would be used to advise the Planning Commission and then there would be a public hearing.

Councilmember Bush wondered how much of the public would know about SB 34 and stated the process could give the Council an opportunity to inform the public.

Councilmember Thompson asked how much of the moderate income housing information in the current GP was influenced by past legislation. Mr. Brimley stated there had been direction on the issue in the past but nothing that established accountability to the State. Councilmember Thompson wondered if there would be any incentives to try and add funding for projects that addressed moderate income housing plans the future. JJ Allen, City Manager, said there were some proposed efforts to push for funding in the next legislative session.

Mr. Brimley reported the process would proceed with the Planning Commission on November 6, 2019, and outlined other dates for revisiting the item with the Council in future meetings.

DISCUSSION ON THE ADDENDUM TO THE DEVELOPMENT AGREEMENT FOR THE AUTUMN RIDGE PHASE 5 SUBDIVISION LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TINS: 12-019-0103 AND 12-019-0117)

Brad McIlrath, Senior Planner, stated the Autumn Ridge single-family development included a total of five phases that were planned to be completed or had been completed. He explained each of the phases was located in the R-1-Open zone, which required a development agreement to outline the density and open space required by the zone. The original development agreement was executed on September 9, 2003, and was written to include all of the phases of the development. He stated with the fifth and final phase of the development, the applicant proposed an addendum to the original development agreement to address the terms and conditions for phase five. He reviewed the proposed addendum.

Mr. McIlrath said this would be on the agenda for the November 12, 2019 policy session.

Councilmember Peterson moved to close the meeting for the purpose of discussing the purchase, exchange or lease of real property Utah Code Ann. § 52-4-204 and § 52-4-205(1)(e), seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

The minutes for the closed session are kept in a separate location.

The Council adjourned the closed session at 7:39 p.m. and immediately reconvened in special session.

The Council reconvened in work session at 8:01 p.m.

DISCUSSION ON FUNDING STRATEGIES FOR THE VETERANS MEMORIAL

Trevor Cahoon, Communications Manager, stated staff still needed clarification and direction on the proposal to build a veterans' memorial. He explained a discussion regarding why the Council

wanted the memorial might help with the overall goal and direction for the memorial. Mr. Cahoon then passed out the following two questions to each Councilmember:

- My goal in creating a veterans' monument is...
- Because...

Mr. Cahoon then read aloud each answer from the Mayor and Council.

Mr. Cahoon asked the Council to verbalize a goal after hearing all of the individual responses to the questions. There was a discussion about the goal, purpose, and reasons for building the Veterans' Memorial. The Council stated the overall goal would be to honor the City's veterans because they mattered and deserved it.

Mr. Cahoon pointed out in the last work session the discussion focused a lot on the community and how the memorial would help the community. He then said he didn't feel like the community was as big a focus from the responses given. Mayor Shepherd stated sometimes the Council made decisions because they made them feel good, but other decisions were to make the residents feel good. Mayor Shepherd said not all residents go to the park and a vast majority would not see the monument, however, those to whom the monument was important would go and enjoy it. Mayor Shepherd then discussed the other military communities around Hill Air Force Base and if they had memorials or not. He stated the goal for him would be to recognize the veterans. Councilmember Bush said it would be a place that represented freedom. Councilmember Phipps expressed the previous design discussed was substantially more money than he had envisioned.

Mr. Cahoon stated the overall goal heard in the discussion was the memorial would be the nice thing to do. He stated in marketing the why for a project was always the starting point to guide the next steps. He stated if the goal was to show veterans how much they mattered what would be the price range that could accomplish the goal. He advised that whatever the Council decided to do regarding the memorial it should make sure it was intentional in meeting the goal for the project.

Councilmember Bush stated he was aware of people and businesses that wanted to contribute to the memorial and be a part of it. Mr. Allen wondered if the memorial could be City funded and then donations that came in might be used toward enhancements for the main memorial.

There was a discussion about design possibilities for the memorial.

Eric Howes, Community Services Director, discussed options to save money with the previous design. He expressed his opinion that if the City were going to do something it needed to be done well. He also informed the Council that the City had already spent \$10,000 on design.

Councilmember Peterson stated she loved the previous design, however, expressed her thoughts that her father, who was a veteran, would say why do you need something so grandiose to honor me. She expressed her opinion that she would like the memorial to still be well thought out and be something the City could take on in a more timely manner. Councilmember Phipps agreed

with Councilmember Peterson that the memorial did not need to be as elaborate as the design previously presented.

There was a discussion on financing and fundraising aspects.

Mr. Cahoon asked if the memorial should be a place you go or a something you can go see. Councilmember Bush felt it was both. Councilmember Phipps felt like the cemetery could be a great place for a memorial. Mayor Shepherd offered suggestions for implementing a memorial at the cemetery or Mabey Place. Councilmember Phipps felt like the memorial didn't need to be in a specific place. The majority of the Council agreed a memorial at City Hall was a good option.

There was a discussion regarding funding mechanisms. Mr. Cahoon wondered about the budget for the memorial. The consensus was a budget of \$50,000 with additional fundraising as well. Mr. Allen said next steps would be designing the reconfiguration of the round about on the north side of City Hall. He also explained the \$50,000 would need to be appropriated in the fiscal year 2021 budget. Construction could then take place in 2021.

DISCUSSION ON THE LEGISLATIVE PRIORITIES IN PREPARATION FOR THE 2020 LEGISLATIVE SESSION

JJ Allen, City Manager, stated some City staff would be meeting with the State Legislators, representing Clearfield City, on November 13, 2019, to preview the City's legislative priorities in advance of the 2020 legislative session. He explained in order to prepare for that meeting, staff wanted to have a discussion with the Council about any pressing needs or concerns on the State level.

Councilmember Bush requested that the State followed through with holding communities accountable to Senate Bill 34 (SB 34).

Councilmember Peterson stated focusing on local control was important to her.

Mayor Shepherd expressed concern about traffic or infrastructure around Hill Air Force Base. He also discussed Utah County and the appearance of playing catch up on growth in the area.

Mayor Shepherd reported on discussing with the Lt. Governor about issues with traffic in North Davis County due to Hill Air Force Base and how there needed to be proactive planning.

Councilmember Bush mentioned the tax reform for the retirement aged population. Mr. Allen asked the Council if that was a City priority. Mr. Allen explained the tax reform in the staff report regarding its impact on municipalities.

Councilmember Bush wondered what the community-first economic development was regarding. Mr. Allen stated it was a resolution proposed by the Utah League of Cities and Towns (ULCT) stating that economic efforts should consider the community first and the desires of the State should not override the community.

Councilmember Thompson stated his desire to see more incentive aspects between school districts and cities in making sure everyone knew plans and had a say in how to approach growth in the schools. He mentioned a plan in Florida he had researched.

Councilmember Peterson stated her desire to see a coordinated effort to have more city councils approach the legislature together. She also wanted to see the legislators making more effort in coming to local officials.

Councilmember Thompson expressed interest in a conversation about the minority growth with tax reform.

Mr. Allen reminded the members of the Council that the objectives of other organizations that they represented might go against the objectives of the City.

Councilmember Thompson moved to adjourn at 9:01 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Community Development Director
MEETING DATE: Tuesday, November 26, 2019
SUBJECT: Amending the General Plan to Adopt a Moderate Income Housing Plan

RECOMMENDED ACTION

Staff recommends that the Council approve Ordinance 2019-27 for an amendment to the General Plan, in order to approve and adopt the new Moderate Income Housing Plan, as a part of the General Plan, based upon the findings outlined in the staff report.

DESCRIPTION / BACKGROUND

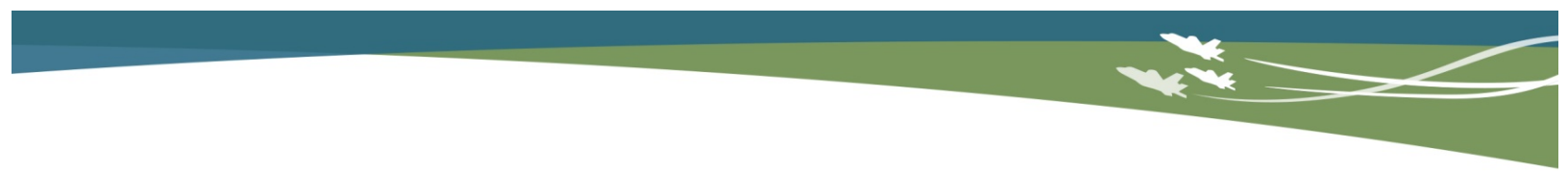
Since the creation of this element there have been updates, but no extensive analysis has been conducted to evaluate housing needs. The proposed plan and amendments help the City accomplish goals for housing affordability and accessibility. Since August of 2019 staff has held several meetings with the Council and the Planning Commission to discuss priorities and objectives, as it relates to housing affordability and planning for future housing needs. In the Council Work Session on November 19, 2019 staff was provided additional direction to simplify with more succinct language for the plan. Additionally there are some items regarding the statements associated with each goal that needed some additional attention to make each statement consistent with the associated goal.

SB 34 Compliance

New regulations were passed by the Utah State Legislature to help communities address housing issues and develop objectives and goals to support this effort. Most recently the State approved Senate Bill 34 (SB 34) to further help cities address housing needs and actively work to assist with the issues related to housing affordability throughout the State. Staff has provided those requirements below in bullet format.

1. Land Use Element - **Completed**
2. Transportation and Circulation Element - **Completed**
3. Moderate Income Housing (MIH) Element – **Under Review**
 - i. **Menu of Items to be included...must choose 4**
4. Annual Reporting and review of MIHP – **Due December of 2020**

SB34 encourages local communities to plan housing for residents of all income levels, and to coordinate that housing with transportation. Communities are required to report annually on their



MIHP and its implementation. Each city must satisfy requirements outlined in SB34 to remain eligible for State transportation investment funds.

It is staff's determination that the requirements of SB 34 are met within the current General Plan, and the proposed amendment to chapter 4 as it relates to housing affordability issues. Should the plan need additional it would be appropriate to adopt, to meet compliance deadlines, and then continue work session meetings for the MIHP to properly address any outstanding issue or concerns. All MIHPs must be adopted no later than December 1, 2019.

Draft Plan

The proposed plan will meet the requirements of SB 34 and will allow for greater detail and analysis in the upcoming update to the City's General Plan. The most essential part is the goal section as it relates to specific, currently unmet, requirements for housing affordability within Clearfield.

The goals and objectives are required to be evaluated on an annual basis to determine how cities are doing with housing goals and objectives related to accountability for housing affordability within their community. If the City is not progressing with its goals, the objectives should be restructured and/or amended to better meet the City's housing goals, objectives and needs.

Additionally there are a few references to the Chapter 4, Housing Element that will need to be changed to have consistent language and reference for the new MIHP. Staff has identified those areas in the General Plan, but did not include the entire General Plan document with this staff report.

Planning Commission Recommendation

The Planning Commission recommended the City Council approve GPA 1910-0015, a proposal by Clearfield City Staff to amend Chapter 4 – Affordable Housing Element of the Clearfield City General Plan to comply with current Utah State regulations related to Moderate Income Housing Residential.

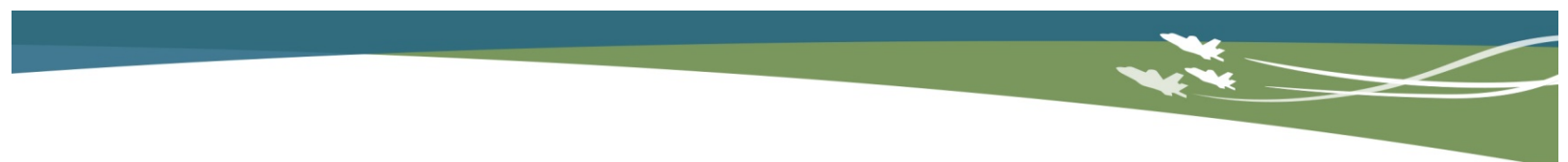
CORRESPONDING POLICY PRIORITY (IES)

Improve Clearfield's Image, Livability and Economy

SCHEDULE / TIME CONSTRAINTS

As outlined in SB 34, the MIHP is required to be approved and posted on the City's website no later than December 1, 2019. Annual reporting is required each December, starting in 2020. Next steps are outlined below:

- ~~Framework of report and outline for the MIHP – August~~
- ~~Data sets and analysis for inclusions into the report Draft MIHP Plan – September and October~~

- 
- ~~DRAFT goals and objectives provided to Council for review and feedback, prior to final data presentation~~
 - ~~Tuesday, October 29th – Council discussion and feedback on “Menu” Items (SB 34)~~
 - ~~Final Data analysis and document presented to the Planning Commission and Council – November~~
 - ~~Wednesday, November 6th – Public hearing with Planning Commission in order to consider amending the City’s General Plan and recommend approval of the MIHP plan as chapter 4, to the Council (additional meeting with the PC may be held on 11/20 as needed)~~
 - ~~Tuesday, November 19th – Work session with Council on DRAFT MIHP for the City as well as outstanding items or issues for discussion~~
 - Tuesday, November 26th – Public Hearing with Clearfield City Council for potential adoption of the MIHP and inclusion in the General Plan of the City (update to chapter 4)

LIST OF ATTACHMENTS

1. Redlined version of Draft MIHP
2. DRAFT MIHP Plan (Appendix included)

CHAPTER 4 – MODERATE INCOME HOUSING

Introduction

As Clearfield City approaches build out, how to best use remaining available land becomes even more important. Proper planning is needed to ensure that Clearfield has enough housing and the right mix of housing to meet all its needs. Clearfield’s careful planning will help the community thrive and make sure that it continues to be a desirable place to both work and live.

Clearfield has a very high percentage of renters and would like to add more home-owners to the city. It is important that Clearfield continue their efforts in keeping a mix of housing types available throughout the city. Providing people with a range of housing choices has many positive aspects – both for the community in general and for individual families. For the community, a variety of housing consumes relatively less land and provides housing types that can serve as the backbone for communities that are walk-able and support transit use.

As individuals and families move from one stage of life to the next, a variety of housing types enables them to live in a place that suits their needs while allowing them to reside in the same community, keeping those ties and staying close to family members if they desire.

The Housing Element update, therefore, intends to simply set the framework for realistic short-term and longer-term strategies which will foster incremental improvements for the current and future residents of the City. While this plan is not all inclusive, it attempts to provide a more comprehensive view of the opportunities on this complex matter.

Background

The Housing Element of the City’s General Plan is required to be updated every five years. This update also is in conformance with the new requirements imposed by SB 34, which was passed by the Utah State Legislature in their 2019 Session. Such mandate requires cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:

- To meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
- To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;
- An analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years;

There are major factors which are outside a local government’s control and purview when it comes to development, construction, and housing affordability. Some of those constraints consist of price of land, construction cost, availability of financing, and other economic factors—most specifically that the housing affordability gap is increasing because the income of families is not increasing at the same rate as the cost of living. Utah State Code (Section 10-9a-403) requires municipalities to include a plan for moderate-income housing as part of approved and adopted general plan. The code outlines the responsibility of a City to facilitate a “reasonable opportunity” for those households with moderate income to live within

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~~the City. Moderate income housing is defined by HUD as “housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the City is located.”~~

Jobs, family income, transportation costs, and housing are all intricately connected. Providing opportunities for workers to live in the city in which they work would have a positive effect on in-commuting and reducing transportation costs.

~~Lack of affordable in addition to lack of diversity in housing types can lead to a shift in certain household types, which can be detrimental to maintaining schools and area businesses. Families are the backbone of Clearfield and are motivated to live in more affordable communities to help manage the costs of raising children, and growing their family to ensure the quality of life they desire. Likewise, families are strong drivers of local economies. Families are key patrons of area businesses and services and are the most likely to devote their resources into improving communities (volunteering with nonprofits, serving on community boards, taking positions of leadership in churches, etc.).~~

New research has shown that stable families, communities and housing have positive effects on the economic vitality, in addition to the mobility of children, particularly lower income children. ~~Davis County continues to work to assist with offering economic stability and opportunity to families of all incomes.~~ Clearfield, in the past has been at the forefront of housing options and affordability, but is leading the way as those elements of the City have set the foundation for economic and redevelopment opportunities never before realized.

Commitment to Housing options

The City of Clearfield desires to maintain a variety of quality housing that will serve its growing and diverse population. A variety of housing options is also necessary to accommodate people working within the City. Young families, single persons, students, seniors, and empty-nesters have different housing needs and so different housing choices should exist to provide for those needs.

~~Clearfield is an established suburban and bedroom community. Families are continually growing and changing, relative to their needs. These families add stability to their neighborhood as residents are able to move to different housing units (options) but stay in the same neighborhood. Ideally, a community can offer a range of housing options to accommodate all housing needs, as they properly plan and prepare for them.~~

Moderate Income Housing

~~The Wasatch Front Regional Council (WFRC) has provided data resources to verify the need for moderate income housing as it relates to transportation, land use, and economics. These analytical data tools provide a foundation for the City to examine land use designations and transitions that provide access to opportunities, economic nodes, education centers, and transportation networks while looking through the lens of housing affordability and housing opportunity. The 2050 Regional Transportation Plan (RTP) will be reviewed in the General Plan update in 2020, in addition to existing County and State plans to determine the need for land use transitions as they pertain to the development of multi-modal transportation networks in the City.~~

~~The City's various residential zoning designations provide an opportunity for a variety of housing types,~~ the 2010-2014 American Community Survey 5-Year Estimates (census.gov), of the 9,767 households in Clearfield, 5,162 (52%) have an income of less than \$50,000 (71% of the Davis County area median—\$70,388). A reasonable estimate of the number of Clearfield households at or below 80% (\$56,310) of the area median income is 59%.

Current Housing ProgramsTools

The City does not have specific programs that deal with affordable housing, but rather ~~is~~has implemented ~~aged~~ programs to maintain current housing stock within the City. Additionally the city is pursuing or is interested in pursuing programs to meet the demands for housing in the City. Being open to new programs to expand housing choices, while maintain current stock will help Clearfield to the meet existing and future needs. Below is a list of programs currently being utilized by the City. There is also a list indentified below as "potential housing tools" which ~~or that~~ may be useful tools for future development of housing within the City.

- ~~(IN USE)~~ Good Landlord Program - Clearfield City began a Good Landlord program in 2008. All landlords are required to obtain a rental license for their residential properties. They can choose to join the Good Landlord Program, but it is not mandatory. However, there are some benefits to joining such as: reduced licensing fee, and notification of police calls to their rentals. In addition, they must attend a Good Landlord training class every two years as well as review a training presentation online. If they choose to join the program they must submit a signed Good Landlord Program Agreement (implements Goal #4).
- ~~(IN USE)~~ Housing rehabilitation and Emergency Home repair - The Davis County Housing Authority assists the city with the implementation and management this program. Thought CDBG funding, matching grants can be provided to qualifying households within the City. The City's housing rehab programs help low- to moderate-income residents stay in their homes while also preserving the character of the City's neighborhoods (implements Goal #4).
 - Housing Rehab: Homeowners can receive up to \$8,000 to correct present home problems, accessibility modifications, code violations of health and safety concerns and/or energy improvements.
 - Emergency Home Repair: Clearfield City has established the Emergency Home Repair (EHR) Program to provide lower income homeowners up to \$3,000 in grant money to immediately correct an emergency condition that present an imminent danger to health and safety of the occupants.
- ~~(IN USE)~~ Down Payment Assistance—the primary objective of this plan is to provide information on the existing housing stock and set-forth goals, objectives, actions and policies that provide the City with the framework to address the moderate-income housing needs of Clearfield residents. This plan addresses the need to preserve the existing character of neighborhoods, while also looking at future land use transitions and infrastructure development to reduce the housing cost burden of Clearfield residents (implements Goal #4).

- ~~(IN USE)~~ Low-Income Housing Tax Credits (LIHTC)—LIHTC is a federal low-income housing tax program that will provide a subsidy for the construction of affordable rental units serving residents at 60% area median income or below. Developers can utilize a 4% IRS credit. The Utah Housing Corporation manages the LIHTC program in Utah and ensures compliance with IRS requirements and long-term deed restrictions. LIHTC has been a successful tool used on a national and local level to build and sustain the moderate-income housing stock (implements Goal #1-3).
- ~~(IN USE)~~ Land Acquisition - Many communities use land acquisition as a means to incentivize developers to create moderate-income housing stock. This tool creates a public-private partnership in which the City owns land and, through a competitive process, “grants” the land to a qualified developer to build a housing product that addresses the needs of the community. This program helps reduce the parcel purchase cost for the developer and is a mechanism to help the overall affordability of the project (implements Goal #1-4).

Potential Housing Tools

- Bonding for Infrastructure Development-- Some communities use this tool to accelerate installation of or reconstruction of above and underground utilities and infrastructure (implements Goal #1-4).
- Density Bonus—Density bonus programs can be a resource used by developers to leverage additional density than current zoning ordinances allow, they are also commonly used to complement the use of LIHTC tax credits. A density bonus can provide an increase in the number of dwelling units per acre, overall height or floor area ratio with the ultimate goal of more units being built on a single parcel. Density programs can allow for a percentage of increase in baseline permitted density in exchange for affordable housing units (implements Goal #1-3).
- Accessory Dwelling Units (ADU) - This would be a valuable options for those who desire to age in place, or others in need of income in the past the prime of their wage earning years. The zoning code currently prohibits accessory dwelling units (ADU) in all residential zones. Within the past year the City studied the idea of allowing ADU’s, however, concerns over cost of conversion given the construction codes for adding a small dwelling unit to an existing home seemed problematic. Additionally, the parking demand for both the primary and ADU raised potential concerns. Allowing for ADU’s in single family residents could be used as a strategy to increase the supply of affordable rental housing, by allowing those owning homes an option to use under-utilized portions of their property. During the next evaluation of the City General Plan and Zoning regulations, the use of ADU’s may mature as an option and be of consideration ((implements Goal #1-4).

Goals, Objectives and Housing Policy

The section below identifies ~~the~~ goals and objectives the City will be ~~implementing~~ pursue during the next five years (with annual reviews) to not only provide realistic opportunities for the development of more housing options and affordability in the City, but to ensure the on-going maintenance of a healthy housing

Commented [SB1]: As was discussed in the work session. These potential programs or resources do not have to be included. They are being included as future opportunities for the city to utilize in their efforts to meet the needs for housing affordability.

environment and the high quality services that the City provides for the residents to enjoy today and into the future.

The following four items have been selected based on the ~~feedback and~~ input from the Council ~~and Commission~~ for inclusion into the ~~DRAFT MIHP plan~~ (four items are required for Communities with fixed-guideway transit):

Goal 1: Rezone for densities necessary to assure the production of MIH

- ~~a. Downtown Form Base Code adopted to the State\Main Street Corridor~~
- ~~b. New zoning districts created along State/Main to encourage mixed use development as well as no caps on density including the Downtown Form-Based Code are and Clearfield Station site.~~
- ~~c. — Develop and present for consideration to the Clearfield Planning Commission and City Council an ordinance amendment or official policy of the city that.~~
- a. Support a range of housing types, including townhomes, row-homes, and ~~duplexes~~condos, which appeal to younger and older individuals as well as a variety of population demographics.
- ~~b. Review zoning ordinances and make modifications where necessary to allowable housing types, lot size, setbacks and other factors that limit types of housing in a zone.~~
- ~~d.c. Consider policy changes that would allow for an expedited review process for projects that focus on moderate income housing.~~

Goal 3: Encourage higher density or moderate income residential development near major transit investment corridors

- a. ~~Implement goals, and objectives of Clearfield Station Small Area Plan~~Conduct developer, builder, and stakeholder focus groups to discuss barriers to affordable housing development and what role the City should play in facilitating development and redevelopment.
- ~~b. Explore text amendments to the municipal code that impact minimum lot size, setbacks reductions, minimum house size, flag lots, and deep lots.~~
- c. Annually review the City Zoning Map to determine areas where ~~higher~~a diversity of housing or ~~other~~housing options can fit fits within the vision for the City along with direction provided from updating the General Plan.
- d. ~~Develop a report examining~~Examine redevelopment potential ~~of for~~ underutilized properties ~~that to~~ analyzes vacancy rates, structure to land value ratio, status of delinquent property taxes, ~~and as~~ potential partnerships to create mixed-income residential projects.
- e. Consider policy changes that would allow for an expedited review process for projects that focus on moderate income housing.
- ~~f. The City will review any proposed development, redevelopment or code amendment for potential impacts on housing, including potential impacts on special needs, elderly, or low-income populations, including if those changes could result in displacement.~~
- g. Update the General Plan and current zoning designations to align with the Wasatch Choice 2050 vision for this area.

Goal 4: Preserve existing housing stock

- ~~a. Help maintain existing moderate income housing stock through community partnerships.~~

Commented [BM2]: I think this could be hard, but may be something we will be able to do. Just could require a lot of time.

Commented [BM3]: Consider is the key word here.

~~e.b.~~ Perform an assessment of the City's existing housing stock to identify neighborhoods that would benefit from housing rehabilitation programs.

~~c.~~ Continue to support Code Enforcement efforts to assist in improving the appearance and safety of neighborhoods.

~~d.~~ Evaluate city ordinances, standards, and regulations to determine if there are barriers to maintaining and improving the City's existing housing stock.

~~f.e.~~ Conduct studies and ~~develop small area plans~~ Perform a comprehensive update of the Clearfield City General Plan that provides direction on small areas with plans for those areas and ~~for nodes~~ throughout the City to better understand what land use transitions are appropriate to facilitate job creation and retention, economic prosperity, moderate-income housing development, and economic sustainability.

~~f.~~ Continue to plan for, fund and complete CIPs (Capital Improvement Projects) in the aging neighborhoods of the community. This includes the upgrading of infrastructure for utilities, such as water, storm drains and sewers, sidewalks, road repair, and road maintenance.

~~g.~~ Continue offering neighborhood clean-up programs and free green waste trailer use to residents and holding scheduled free city-wide clean up days.

~~g.~~ Encourage energy efficient and sustainable development practices as a means to reduce monthly expenses.

~~Clearfield is committed to future development that utilizes a multi-modal transportation system and other tools as a mechanism to reduce housing cost burden, improve air quality, and provide residents with a better community experience. Clearfield is primarily built-out and future development and redevelopment in the community will be guided by citizens, elected and appointed officials and other stakeholders involvement in the creation of community-based plans. Due to the lack of greenfield development future housing development will be centered around infill and the transitions of existing land use. The City has embarked on several long-range planning projects to examine the redevelopment of the community. Each goal looks at opportunities for future land use transitions with the intent of reducing the cost burden of Clearfield residents through integrated community design, development centered around access to opportunities, housing choices for all residents, and a diversified job market.~~

2019 Clearfield City Housing Gap Analysis

2018 Moderate Income Housing Report

CHAPTER 4 – MODERATE INCOME HOUSING

Introduction

As Clearfield City approaches build out, how to best use remaining available land becomes even more important. Proper planning is needed to ensure that Clearfield has enough housing and the right mix of housing to meet all its needs. Clearfield's careful planning will help the community thrive and make sure that it continues to be a desirable place to both work and live.

Clearfield has a very high percentage of renters and would like to add more home-owners to the city. It is important that Clearfield continue their efforts in keeping a mix of housing types available throughout the city. Providing people with a range of housing choices has many positive aspects – both for the community in general and for individual families.

As individuals and families move from one stage of life to the next, a variety of housing types enables them to live in a place that suits their needs while allowing them to reside in the same community, keeping those ties and staying close to family members if they desire.

Background

The Housing Element of the City's General Plan is required to be updated every five years. This update also is in conformance with the new requirements imposed by SB 34, which was passed by the Utah State Legislature in their 2019 Session. Such mandate requires cities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:

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- To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life; and
- An analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years;

There are major factors which are outside a local government's control and purview when it comes to development, construction, and housing affordability. Some of those constraints consist of price of land, construction cost, availability of financing, and other economic factors—most specifically that the housing affordability gap is increasing because the income of families is not increasing at the same rate as the cost of living.

Housing Opportunities in Clearfield

Jobs, family income, transportation costs, and housing are all intricately connected. Providing opportunities for workers to live in the city in which they work would have a positive effect on in-commuting and reducing transportation costs.

New research has shown that stable families, communities and housing have positive effects on the economic vitality, in addition to the mobility of children, particularly lower income children. Clearfield, in the past has been at the forefront of housing options and affordability, but is leading the way as those elements of the City have set the foundation for economic and redevelopment opportunities never before realized.

The Housing Element update, therefore, intends to simply set the framework for realistic short-term and longer-term strategies which will foster incremental improvements for the current and future residents of the City. While this plan is not all inclusive, it attempts to provide a more comprehensive view of the opportunities on this complex matter.

Commitment to Housing

The City of Clearfield desires to maintain a variety of quality housing that will serve its growing and diverse population. A variety of housing options is also necessary to accommodate people working within the City. Young families, single persons, students, seniors, and empty-nesters have different housing needs and so different housing choices should exist to provide for those needs.

It offers strategic implementable responses to housing needs, land use transitions, and transportation infrastructure needs that will occur due to the changing demographics and needs in the City.

Moderate Income Housing

The overall goal of providing moderate housing is to meet the needs of those people who desire to live, work, and play in the city, and to allow them to benefit from and fully participate in all aspects of the community.

Current data show that more than 55% of the City's housing stock is considered affordable. According to the 2010-2014 American Community Survey 5-Year Estimates (census.gov), of the 9,767 households in Clearfield, 5,162 (52%) have an income of less than \$50,000 (71% of the Davis County area median—\$70,388). A reasonable estimate of the number of Clearfield households at or below 80% (\$56,310) of the area median income is 59%.

Current Housing Tools

The City does not have specific programs that deal with affordable housing, but rather has implemented programs to maintain current housing stock within the City. Additionally, the City is pursuing or is interested in pursuing programs to meet the demands for housing in the city. Being open to new programs to expand housing choices, while maintain current stock will help Clearfield to the meet existing and future needs. Below is a list of programs currently being utilized by the City. There is also a list identified below as "potential housing tools" which may be useful tools for future development of housing within the City.

- Good Landlord Program - Clearfield City began a Good Landlord program in 2008. All landlords are required to obtain a rental license for their residential properties. They can choose to join the Good Landlord Program, but it is not mandatory. However, there are some benefits to joining such as: reduced licensing fee, and notification of police calls to their rentals. In addition, they must attend a Good Landlord training class every two years as well as review a training presentation online. If they choose to join the program they must submit a signed Good Landlord Program Agreement (implements Goal #4).
- Housing Rehabilitation and Emergency Home Repair - The Davis County Housing Authority assists the City with the implementation and management this program. Through CDBG funding, matching grants can be provided to qualifying households within the City. The City's housing rehab programs help low-to moderate-income residents stay in their homes while also preserving the character of the City's neighborhoods (implements Goal #4).

- Housing Rehab: Homeowners can receive up to \$8,000 to correct present home problems, accessibility modifications, Code violations of health and safety concerns and/or energy improvements.
 - Emergency Home Repair: Clearfield City has established the Emergency Home Repair (EHR) Program to provide lower income homeowners up to \$3,000 in grant money to immediately correct an emergency condition that presents an imminent danger to health and safety of the occupants.
- Down Payment Assistance—the primary objective of this plan is to provide information on the existing housing stock and set-forth goals, objectives, actions and policies that provide the City with the framework to address the moderate-income housing needs of Clearfield residents. This plan addresses the need to preserve the existing character of neighborhoods, while also looking at future land use transitions and infrastructure development to reduce the housing cost burden of Clearfield residents (implements Goal #4).
- Low-Income Housing Tax Credits (LIHTC)—LIHTC is a federal low-income housing tax credit program that will provide a subsidy for the construction of affordable rental units serving residents at 60% area median income or below. Developers can utilize a 4% IRS credit. The Utah Housing Corporation manages the LIHTC program in Utah and ensures compliance with IRS requirements and long-term deed restrictions. LIHTC has been a successful tool used on a national and local level to build and sustain the moderate-income housing stock (implements Goal #1-3).
- Land Acquisition - Many communities use land acquisition as a means to incentivize developers to create moderate-income housing stock. This tool creates a public-private partnership in which the City owns land and, through a competitive process, “grants” the land to a qualified developer to build a housing product that addresses the needs of the community. This program helps reduce the parcel purchase cost for the developer and is a mechanism to help the overall affordability of the project (implements Goal #1-4).

Potential Housing Tools

- Bonding for Infrastructure Development-- Some communities use this tool to accelerate installation of or reconstruction of above and underground utilities and infrastructure (implements Goal #1-4).
- Density Bonus—Density bonus programs can be a resource used by developers to leverage additional density than current zoning ordinances allow, they are also commonly used to complement the use of LIHTC tax credits. A density bonus can provide an increase in the number of dwelling units per acre, overall height or floor area ratio with the ultimate goal of more units being built on a single parcel. Density programs can allow for a percentage of increase in baseline permitted density in exchange for affordable housing units (implements Goal #1-3).
- Accessory Dwelling Units (ADU) - This would be a valuable options for those who desire to age in place, or others in need of income in the past the prime of their wage earning years. The zoning code currently prohibits accessory dwelling units (ADU) in all residential zones. Within the past year the City studied the idea of allowing ADUs, however, concerns over cost of conversion given the

construction codes for adding a small dwelling unit to an existing home seemed problematic. Additionally, the parking demand for both the primary and ADU raised potential concerns. Allowing for ADUs in single family residents could be used as a strategy to increase the supply of affordable rental housing, by allowing those owning homes an option to use under-utilized portions of their property. During the next evaluation of the City General Plan and Zoning regulations, the use of ADUs may mature as an option and be of consideration ((implements Goal #1-4).

Goals and Housing Policy

The section below identifies goals and objectives the City will be pursue during the next five years (with annual reviews) to not only provide realistic opportunities for the development of more housing options and affordability in the City, but to ensure the on-going maintenance of a healthy housing environment and the high quality services that the City provides for the residents to enjoy today and into the future.

The following four items have been selected based on the input from the Council for inclusion into the MIHP (four items are required for Communities with fixed-guideway transit):

Goal 1: Rezone for densities necessary to assure the production of MIH

- a. Downtown Form Based Code adopted to the State\Main Street Corridor.
- b. Continue to implement zoning districts standards along State/Main to encourage mixed use development.
- c. Evaluate density caps for development with zoning districts in the Downtown Form Based Code area and Clearfield Station site.

Goal 2: Allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers

- a. Support a range of housing types, including townhomes, row-homes, and condos, which appeal to younger and older individuals as well as a variety of population demographics.
- b. Implement goals and objectives from creating Clearfield Downtown Small Area plan to implement centers and create areas of focus along major transit corridors which include the Downtown Form Based Code area and the Clearfield Station site.
- c. Examine redevelopment potential for underutilized properties to analyze vacancy rates, structure to land value ratio, status of delinquent property taxes, as potential to create mixed-income residential projects.

Goal 3: Encourage higher density or moderate income residential development near major transit investment corridors

- a. Consider updates to the Clearfield City General Plan and clearly identify appropriate areas for higher density and moderate income housing in more detail such as low, medium, and high density multi-family residential areas.
- b. Regularly review the City Zoning Map to determine areas where a diversity of housing or housing options can fit within the vision for the City.
- c. Consider policy or ordinance changes that would allow for an expedited review process for projects that include components for moderate income housing.
- d. Participate in regional discussions and planning efforts to ensure connectivity to surrounding communities and transit opportunities.

- e. Update the General Plan and current zoning designations to align with the Wasatch Choice 2050 vision for applicable areas.

Goal 4: Preserve existing housing stock

- a. In conjunction with Davis Community Housing Authority, ensure that all housing programs enacted by the City preserve and/or enhance the quality and/or unique character of existing Clearfield neighborhoods.
- b. Perform an assessment of the City's existing housing stock to identify neighborhoods that would benefit from housing rehabilitation programs.
- c. Continue to support Code Enforcement efforts to assist in improving the appearance and safety of neighborhoods.
- d. Consider grandfathering existing ADUs and guest houses to recognize them as legal non-conforming uses and consider the adoption of an ADU ordinance with standards to meet the needs of the Clearfield community.
- e. Perform a comprehensive update of the Clearfield City General Plan that provides direction on small areas with plans for those areas and throughout the City to better understand what land use transitions are appropriate to facilitate job creation and retention, economic prosperity, moderate-income housing development, and economic sustainability.
- f. Continue to plan for, fund and complete CIPs (Capital Improvement Projects) in the aging neighborhoods of the community. This includes the upgrading of infrastructure for utilities, such as water, storm drains and sewers, sidewalks, road repair, and road maintenance.
- g. Continue offering neighborhood clean-up programs and free green waste trailer use to residents and holding scheduled free city-wide clean up days.

Clearfield is primarily built-out and future development and redevelopment in the community will be guided by citizens, elected and appointed officials, and other stakeholders in the creation of community-based plans. Due to the lack of greenfield development, future housing development will be centered around infill and the transitions of existing land use. The City has embarked on several long-range planning projects to examine the redevelopment of the community. These projects will be realized in the coming years, but it is essential the work and analysis begins today.

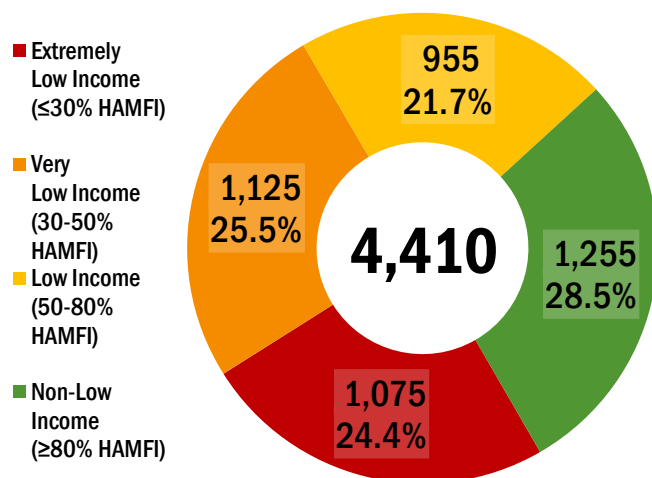
APPENDIX

2019 Clearfield City Housing Gap Analysis

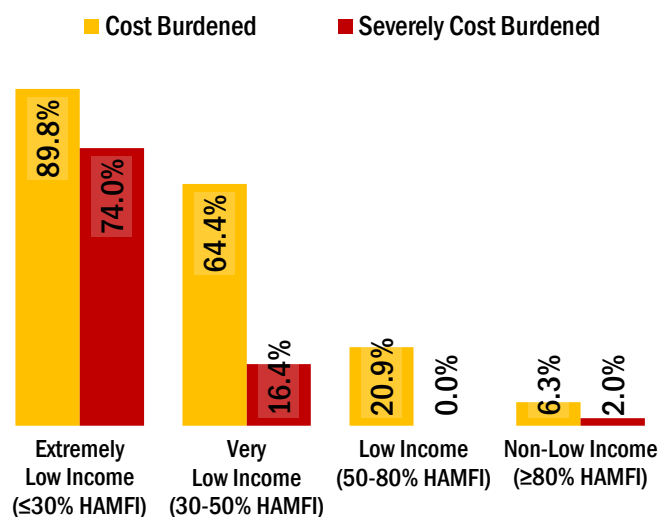
2018 Moderate Income Housing Report

Affordable Housing Gap: Clearfield, 2012-2016

Clearfield's Renter Households by Income Level



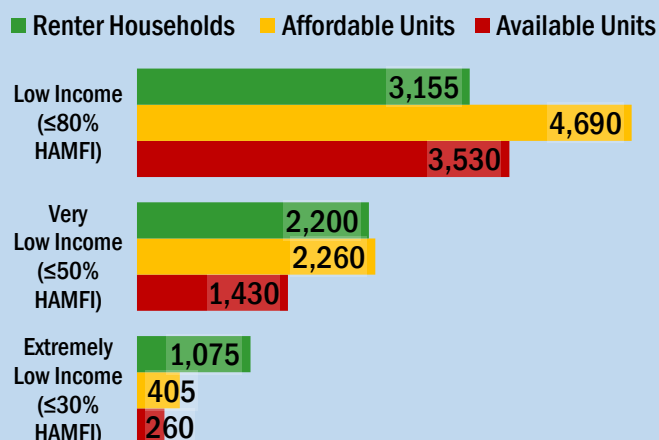
Clearfield's Proportion of Cost Burdened Renter Households



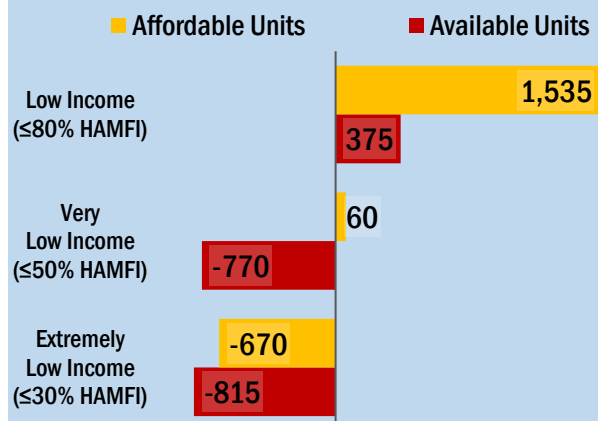
Comparison of Clearfield and Davis County's Affordable & Available Rental housing Units per 100 Renter Households

GAP HAMFI LEVEL	Affordable Units		Available Units	
	Clearfield	Davis County	Clearfield	Davis County
Low Income (≤80% HAMFI)	148.7	136.2	111.9	92.0
Very Low Income (≤50% HAMFI)	102.7	110.1	65.0	59.3
Extremely Low Income (≤30% HAMFI)	37.7	55.0	24.2	26.3

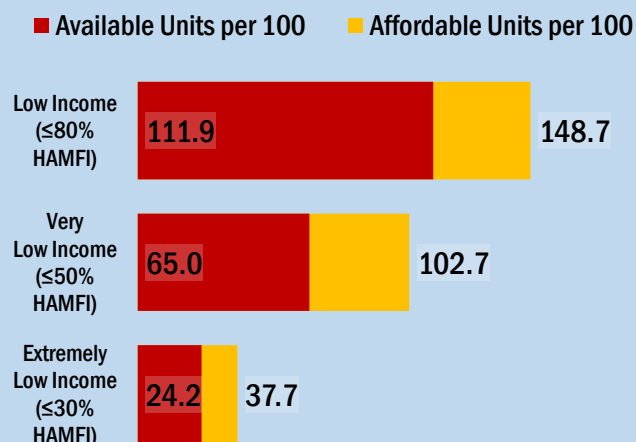
Clearfield's Affordable & Available Rental Housing Gap



Clearfield's Affordable & Available Rental Housing Deficit



Clearfield's Rate of Affordable & Available Rental Units per 100 Renters



Source: U.S. Dept. of Housing & Urban Development. (2019). Comprehensive Housing Affordability Strategy, 2012-2016 [Data]. Available at: <https://www.huduser.gov/portal/datasets/cp.html>

State of Utah

MODERATE-INCOME HOUSING REPORTING FORM

A form for reporting the findings of a biennial moderate-income housing element review.
Revised: March 2018



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DEVELOPMENT

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MODERATE-INCOME HOUSING REPORTING FORM

General purpose municipal governments, other than towns, are required to include a 5-year moderate-income housing element in their comprehensive general plan. The following are obligated municipal governments:

- All cities of the first, second, third, and fourth class.
- Cities of the fifth class:
 - Having an estimated population greater than or equal to 5,000 residents; **AND**
 - That are located in a county with a population greater than or equal to 31,000 residents.
- Metro Townships:
 - Having an estimated population greater than or equal to 5,000 residents;
 - Having an estimated population less than 5,000 **BUT** is located in a county with a population greater than or equal to 31,000 residents.

In addition, every two years the legislative body of obligated municipal governments are to:

- Conduct a thorough review of the moderate-income housing element and its implementation; and
- Revise its 5-year moderate-income housing needs estimates; and
- Report the findings of the biennial review to the Housing and Community Development Division (HCDD) of the Utah Department of Workforce Services no later than December 31st; and
- Post the findings report on their municipality's website.

NOTE: Completion of this form only partially satisfies each municipality's obligations to ensure an adequate supply of moderate-income housing within their geographic jurisdiction. It is also incumbent upon each municipality to stay apprised of pertinent state and federal housing-related legislation, administrative rules, regulatory procedures, and reporting deadlines.

MUNICIPAL GOVERNMENT INFORMATION:

Municipal Government: Clearfield City

Reporting Date: 11/01/2018

General Plan's Web Address: www.clearfieldcity.org

MUNICIPAL GOVERNMENT CONTACT INFORMATION:

Mailing Address: 55 S. State Street

P.O. Box: _____

City: Clearfield

, UT Zip Code: 84015

Mayor's First and Last Name: Mark Shepherd

Mayor's Email Address: mark.shepherd@clearfieldcity.org

PREPARER INFORMATION:

Preparer's First and Last Name: Spencer W. Brimley

Preparer's Title: Community Development Director

Preparer's Email Address: Spencer.Brimley@Clearfieldcity.org

Preparer's Telephone: (801) 525-2785

Extension: N/A

INSTRUCTIONS (1 OF 3):

Download the electronic version of this form at:

<https://goo.gl/z4hm8Y>

Only save the electronic version of this form in its original "fillable" PDF format.

The legislative body of each municipal government is to review the sections of the Utah Code cited below. Municipal governments must then prepare a report of their biennial review's findings in accordance with these sections of Utah Code. They may utilize the Moderate-Income Housing Reporting Form in the following pages to report the findings of their biennial reviews. Municipal governments opting to use this form are to respond directly to questions in the appropriate boxes, but may need to attach additional pages for longer responses.

MODERATE-INCOME HOUSING REPORTING CRITERIA IN THE UTAH CODE

(Updated: March 2018)

UCA 10-9a-103(34):

"Moderate income housing" means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

UCA 10-9a-103(41):

"Plan for moderate income housing" means a written document adopted by a city legislative body that includes:

- (a) an estimate of the existing supply of moderate income housing located within the city;
- (b) an estimate of the need for moderate income housing in the city for the next five years as revised biennially;
- (c) a survey of total residential land use;
- (d) an evaluation of how existing land uses and zones affect opportunities for moderate income housing; and
- (e) a description of the city's program to encourage an adequate supply of moderate income housing.

UCA 10-9a-401(3):

(3)(a) The general plan of a municipality, other than a town, shall plan for moderate income housing growth.

(3)(b) On or before July 1, 2019, each of the following that have a general plan that does not comply with Subsection (3)(a) shall amend the general plan to comply with Subsection (3)(a):

- (i) a city of the first, second, third, or fourth class;
- (ii) a city of the fifth class with a population of 5,000 or more, if the city is located within a county of the first, second, or third class;
- (iii) a metro township with a population of 5,000 or more; and
- (iv) a metro township with a population of less than 5,000, if the metro township is located within a county of the first, second, or third class.

(3)(c) The population figures described in Subsections (3)(b)(ii), (iii), and (iv) shall be derived from:

- (i) the most recent official census or census estimate of the United States Census Bureau; or
- (ii) if a population figure is not available under Subsection (3)(c)(i), an estimate of the Utah Population Estimates Committee.

UCA 10-9a-403(2):

- (2)(a)(iii) for a municipality described in Subsection 10-9a-401(3)(b), a plan that provides a realistic opportunity to meet the need for additional moderate income housing.
- (2)(b) In drafting the moderate income housing element, the planning commission:
- (i) shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
 - (A) to meet the needs of people desiring to live in the community; and
 - (B) to allow persons with moderate incomes to benefit from and fully participate in all aspects of neighborhood and community life; and
 - (ii) for a town, may include, and for other municipalities, shall include, an analysis of why the recommended means, techniques, or combination of means and techniques provide a realistic opportunity for the development of moderate income housing within the next five years, which means or techniques may include a recommendation to:
 - (A) rezone for densities necessary to assure the production of moderate income housing;
 - (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;
 - (C) encourage the rehabilitation of existing uninhabitable housing stock into moderate income housing;
 - (D) consider general fund subsidies to waive construction related fees that are otherwise generally imposed by the city; construction of moderate income housing;
 - (E) consider utilization of programs offered by the Utah Housing Corporation within that agency's funding capacity;
 - (F) consider utilization of affordable housing programs administered by the Department of Workforce Services; and
 - (G) consider utilization of programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act.

UCA 10-9a-408

- (1) The legislative body of a municipality described in Subsection 10-9a-401(3)(b) shall biennially:
- (a) review the moderate income housing plan element of the municipality's general plan and implementation of that element of the general plan;
 - (b) prepare a report on the findings of the review described in Subsection (1)(a); and
 - (c) post the report described in Subsection (1)(b) on the municipality's website.
- (2) The report described in Subsection (1) shall include a description of:
- (a) efforts made by the municipality to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
 - (b) actions taken by the municipality to encourage preservation of existing moderate income housing and development of new moderate income housing;
 - (c) progress made within the municipality to provide moderate income housing, demonstrated by analyzing and publishing data on:
 - (i) the number of housing units in the municipality that are at or below:
 - (A) 80% of the adjusted median income for the municipality;
 - (B) 50% of the adjusted median income for the municipality; and
 - (C) 30% of the adjusted median income for the municipality;
 - (ii) the number of housing units in the municipality that are subsidized by the municipality, the state, or the federal government; and
 - (iii) the number of housing units in the municipality that are deed-restricted;
 - (d) all efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities or associations of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act;
 - (e) all efforts made by the municipality to utilize a moderate income housing set-aside from a redevelopment agency, a community development agency, or an economic development agency;
 - (f) money expended by the municipality to pay or waive construction-related fees required by the municipality; and
 - (g) programs of the Utah Housing Corporation that were utilized by the municipality.
- (3) The legislative body of each city shall send a copy of the report under Subsection (1) to the Department of Workforce Services and the association of governments in which the city is located.
- (4) In a civil action seeking enforcement or claiming a violation of this section or of Subsection 10-9a-404(5)(c), a plaintiff may not recover damages but may be awarded injunctive or other equitable relief.

INSTRUCTIONS (2 OF 3):

The following pages contain two (2) parts that pertain to UCA 10-9a-103(b) and UCA 10-9a-408. Part I consists of eight (8) sections that require the report's preparer to revise 5-year estimates of the municipality's housing needs. The report's preparer will need to download data from the U.S. Census Bureau's FactFinder website to complete this part of the form. Part II consists of seven (7) sections that will require the preparer to review city ordinances, existing plans, and compile records from multiple sources, including: The municipality's various departments, affiliated development agencies, interlocal cooperatives, associations of government, public housing authorities, and/or county assessors.

NOTE: Reporting the findings of a biennial moderate-income housing review is a time intensive process. Municipalities should set-aside sufficient time to prepare an adequate report. The Utah Housing and Community Development Division has developed this form to assist municipal governments with their biennial reporting obligations. Nonetheless, a preparer of the biennial report is expected to have a basic knowledge of planning principles, a familiarity with demographic methods, and an understanding of state laws governing moderate-income housing as well as applicable municipal ordinances.

PART I: REVISED ESTIMATES OF 5-YEAR MODERATE-INCOME HOUSING NEEDS

In accordance with UCA 10-9a-103(b), please complete the tables in the following sections to revise estimates of the municipality's 5-year moderate-income housing needs.

The report's preparer should use the advanced search functions of the U.S. Census Bureau's American FactFinder website to look up tabulated values from the American Community Survey (ACS). Specific ACS tables are listed in each table to aid searches. FactFinder tutorials are widely available on the internet, including HCDD's website: <https://goo.gl/z4hm8Y>. Municipalities should use 5-year ACS estimates, but they may determine for themselves whether to use 3-year or 1-year estimates if available and appropriate. Alternatively, municipalities may use the most recent estimates and projections generated by the Utah Population Estimates Committee. Municipalities may use compound annual growth rate, average annual growth rate, trend analysis, or a more sophisticated estimating technique of their choice to estimate their 5-year moderate-income housing needs.

www.factfinder.census.gov

SECTION 1: Population by tenure in the municipality

Table B01003 Table B25008	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Total Population: (ACS Table B01003)	29,510	30,483	0.54%	31,318.30
Total Population in occupied housing units (ACS Table B25008)	28,516	30,198	0.96%	31,675.21
Total Population in owner- occupied housing units (ACS Table B25008)	16,515	17,520	0.99%	18,404.06

Total Population in renter-occupied housing units (ACS Table B25008)	12,001	12,678	0.92%	13,271.25
Subtract the total population living in occupied housing units from the total population to estimate the total population without housing.	994	285	-18.80%	100

Source 1: U.S. Census Bureau. Table B01003: Total population. American Community Survey.

Source 2: U.S. Census Bureau. Table B25008: Total population in occupied housing units by tenure. American Community Survey.

SECTION 2: Supply of housing units by structure type in the municipality

Table B25001 Table B25032	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
TOTAL HOUSING UNITS (ACS Table B25001)	10,482	10,238	-0.39%	10,039.01
Total occupied units (ACS Table B25032)	9595	9621	0.05%	9,642.72
Owner-occupied structures (ACS Table B25032)	5181	5212	0.10%	5,237.97
1 unit, detached	4475	4579	0.38%	4,667.15
1 unit, attached	200	144	-5.33%	109.51
2 units	9	5	-9.33%	3.06
3 or 4 units	54	109	12.42%	195.71
5 to 9 units	0	32	0%	0
10 to 19 units	13	12	-1.33%	11.23
20 to 49 units	0	9	0%	0
50 or more units	0	0	0%	0
Mobile homes	430	322	-4.71%	253.03
Boat, RV, van, etc.	0	0	0%	0
Renter-occupied structures (ACS Table B25032)	4414	4409	-0.02%	4,404.84
1 unit, detached	695	736	0.96%	772.01
1 unit, attached	538	592	1.61%	641.12
2 units	278	335	3.16%	391.33
3 or 4 units	612	765	3.79%	921.34
5 to 9 units	550	526	-0.74%	506.80
10 to 19 units	882	635	-5.33%	482.90
20 to 49 units	569	428	-4.64%	337.59
50 or more units	145	224	7.52%	321.85
Mobile homes	205	168	-3.26%	142.32
Boat, RV, van, etc.	0	0	0%	0

Source 1: U.S. Census Bureau. Table B25001: Total housing units. American Community Survey.

Source 2: U.S. Census Bureau. Table B25032: Tenure by units in structure. American Community Survey.

SECTION 3: Housing occupancy in the municipality

Table B25003 Table B25081	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Total households in occupied housing units (ACS Table B25003)	9595	9621	0.05%	9642.72
Total households in owner-occupied housing (ACS Table B25003)	5212	5212	0.10%	5237.97
With a Mortgage (ACS Table B25081)	3984	4114	0.54%	4225.57
Without a Mortgage (ACS Table B25081)	1197	1098	-1.43%	1021.78
Total households in renter-occupied housing (ACS Table B25003)	4414	4409	-0.02%	4,404.84

Source 1: U.S. Census Bureau. Table B25003: Tenure. American Community Survey.

Source 2: U.S. Census Bureau. Table B25081: Mortgage status. American Community Survey.

SECTION 4: Housing vacancy in the municipality

Table B25004	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Total vacant units (ACS Table B25004)	887	617	-5.87%	455.95
For rent (ACS Table B25004)	543	191	-15.98%	79.96
Rented, not occupied (ACS Table B25004)	0	35	0%	0
For sale only (ACS Table B25004)	54	69	4.17%	84.64
Sold, not occupied (ACS Table B25004)	72	0	-100%	0
For seasonal, recreational, or occasional use (ACS Table B25004)	68	0	-100%	0
For migrant workers (ACS Table B25004)	0	0	0%	0
Other vacant (ACS Table B25004)	150	332	14.16%	643.69

Source 1: U.S. Census Bureau. Table B25003: Tenure. American Community Survey.

SECTION 5: Average household size of the municipality

Table B25010	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Average Household Size (ACS Table B25010)	2.97	3.14	0.93%	3.29
Average Owner Household Size (ACS Table B25010)	3.19	3.36	0.87%	3.51
Average Renter Household Size (ACS Table B25010)	2.72	2.88	0.96%	3.02

Source 1: U.S. Census Bureau. Table B25010: Average household size of occupied housing units by tenure. American Community Survey.

SECTION 6: Monthly median housing costs in the municipality

Table B25088 Table B25064	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Total median owner-occupied housing costs (ACS Table B25088)	1097	1051	-0.71%	1,014.14
Units with a mortgage (ACS Table B25088)	1223	1163	-0.83%	1,115.25
Units without a mortgage (ACS Table B25088)	298	327	1.56%	353.31
Median gross rent (ACS Table B25064)	846	934	1.66%	1,014.29

Source 1: U.S. Census Bureau. Table B25088: Median selected monthly owner costs (Dollars) by mortgage status. American Community Survey.

Source 2: U.S. Census Bureau. Table B25064: Median gross rent (Dollars). American Community Survey.

SECTION 7: Median household income in the municipality

Table B25119	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Median household income (ACS Table B25119)	47,570	50,687	1.06%	53,439.96
Owner-occupied income (ACS Table B25119)	56,423	61,776	1.52%	66,622.79
Renter-occupied income (ACS Table B25119)	36,609	36,506	-0.05%	36,420.39

Source 1: U.S. Census Bureau. Table B25119: Median household income that past 12 months by tenure. American Community Survey.

SECTION 8: "COUNTY-LEVEL" Area Median Income (AMI)*

Table B19019 Table B19119	2010 American Community Survey	Most Recent American Community Survey	Growth Rate	5-Year Projection
Median <u>HOUSEHOLD</u> income (ACS Table B19019)	47,570	50,687	1.06%	53,439.96
1-person household	34,275	25,507	-4.81%	19,940.11
2-person household	55,183	51,190	-1.24%	48,084.12
3-person household	46,055	57,208	3.68%	68,539.37
4-person household	47,240	58,125	3.52%	69,088.73
5-person household	52,711	62,368	2.84%	71,753.92
6-person household	56,556	67,455	2.98%	78,125.66
≥ 7-person household	83,682	63,929	-4.39%	51,080.22
Median <u>FAMILY</u> income (ACS Table B19119)	49,913	57,929	2.51%	66,584.01
2-person family	50,108	49,879	-0.41%	47,877.89
3-person family	50,131	53,649	1.14%	56,768.53
4-person family	45,612	60,204	4.73%	75,871.83
5-person family	52,364	62,259	2.93%	71,918.93
6-person family	55,195	78,846	6.12%	106,131.98
≥ 7-person family	62,273	59,808	-0.67%	57,828.53

Source 1: U.S. Census Bureau. Table B19019: Median household income that past 12 months by household size. American Community Survey.

Source 2: U.S. Census Bureau. Table B19119: Median family income in the past 12 months by family size. American Community Survey.

***NOTE:** AMI is always calculated at the **COUNTY-LEVEL**.

Using the calculations above, explain the municipality's current and projected housing needs.

Median household income is projected to grow over the next 5 years by approximately \$3,000. Clearfield has a large supply of affordable units, but availability of those units is a growing concern. There is a need for approximately 1,200 units in an effort to work toward addressing the housing availability issue. Clearfield City continues to see an increased need for housing in the City. The lack of availability is the greater concern, but create housing that is affordable is just as important. Seventy-five percent of Clearfield renters fall into the low to very low income category relative to the percent of income spent on housing. Given the limited supply of affordable units, the City is taking a proactive approach to creating housing options, through zoning regulations, to meet the needs of the City.

PART II: FINDINGS OF THE MODERATE-INCOME HOUSING ELEMENT REVIEW

In accordance with UCA 10-9a-408, please complete the following sections to report the findings of the municipal legislative body's review of the moderate-income housing element of the general plan.

SECTION 1: Efforts made by the municipality to reduce, mitigate, or eliminate barriers to moderate income housing

The following questions were adapted from the U.S. Department of Housing and Urban Development's "Questionnaire for HUD's Initiative on Removal of Regulatory Barriers" (OMB approval no. 2535-0120).

- 1) ☐ Yes ☒ No Does the municipality's general plan include a moderate-income housing element that utilizes maps, illustrations, tables, and a detailed analysis of means and techniques to set forth goals, policies, and guidelines intended to direct the jurisdiction's present and future residential development?
- 2) ☒ Yes ☐ No Does the moderate-income housing element of the municipality's general plan take into account the anticipated growth of the region, for existing and future residents, including low-income, very low-income, and extremely low-income households for at least the next five years?
- 3) ☐ Yes ☒ No Does the municipality's zoning ordinance and map, development and subdivision regulations or other land use controls conform to the jurisdiction's comprehensive plan regarding moderate-income housing needs by providing:
 - a) Sufficient land use and density categories for multifamily housing, duplexes, small lot homes and other similar elements; and
 - b) Sufficient land zoned or mapped "as-of-right" in these categories, that can permit the building of moderate-income housing addressing the needs identified in the plan?
- 4) ☐ Yes ☒ No Does the municipality's zoning ordinance set minimum building size requirements that exceed the local housing or health code or is otherwise not based upon explicit health standards?
- 5) ☒ Yes ☐ No If the municipality has development impact fees, are the fees specified and calculated under local and/or state statutory criteria?
- 6) ☒ Yes ☐ No Do the municipality's development impact fee statutes provide criteria that set standards for the allowable types of capital investments that have a direct relationship between the fee and the development, and a method for fee calculation?
- 7) ☐ Yes ☒ No If the municipality has impact fees or other significant fees, does it provide waivers of these fees for moderate-income housing?
- 8) ☐ Yes ☒ No Has the municipality adopted specific building code language regarding housing rehabilitation that encourages such rehabilitation through graduated regulatory requirements applicable as different levels of work are performed in existing buildings?

- 9) ☒ Yes ☐ No Does the municipality use a recent version of a nationally recognized model building code, published within the last 5 years, without significant technical amendment or modification?
- 10) ☒ Yes ☐ No Does the municipality's zoning ordinance or land use regulations permit manufactured housing "as-of-right" in all residential districts and zoning classifications in which similar site-built housing is permitted, subject to design, density, building size, foundation requirements, and other similar requirements applicable to other housing that will be deemed realty, irrespective of the method of production?
- 11) ☐ Yes ☒ No Within the past five years, has a the municipality's legislative body conducted a comprehensive study of, public hearings for, or established a formal ongoing process to review residential development regulations and processes to assess their impact on its supply of moderate-income housing?
- 12) ☐ Yes ☒ No Has the municipality implemented regulatory reforms consistent with the findings of a comprehensive housing study, public hearings, or periodic reviews in the last five years?
- 13) ☐ Yes ☒ No Within the past five years, has the municipality modified infrastructure standards and/or authorized the use of new infrastructure technologies (e.g. water, sewer, street width) to significantly reduce the cost of housing?
- 14) ☐ Yes ☒ No Does the municipality grant sufficient density bonuses to offset the cost of building below market units as an incentive for any market rate residential development that includes a portion of moderate-income housing?
- 15) ☐ Yes ☒ No Has the municipality established a single, consolidated permit application process for housing development that includes building, zoning, engineering, environmental, and related permits? Alternatively, does your jurisdiction conduct concurrent, not sequential, reviews for all required permits and approvals?
- 16) ☐ Yes ☒ No Does the municipality provide for expedited permitting and approvals for all moderate-income housing projects?
- 17) ☒ Yes ☐ No Has the municipality established time limits for government review and approval or disapproval of development permits in which failure to act, after the application is deemed complete, by the government within the designated time period, results in automatic approval?
- 18) ☐ Yes ☒ No Does the municipality allow "accessory apartments" either as: a) a special exception or conditional use in all single-family residential zones or, b) "as-of-right" in a majority of residential districts otherwise zoned for single-family housing?
- 19) ☐ Yes ☒ No Does the municipality have an explicit policy that adjusts or waives existing parking requirements for all moderate-income housing developments?
- 20) ☐ Yes ☒ No Does the municipality require moderate-income housing projects to undergo public review or special hearings when the project is otherwise in full compliance with the zoning ordinance and other development regulations?

21) What other efforts has the municipality made to reduce, mitigate, or eliminate barriers to moderate-income housing?

In 2017 the City Council of Clearfield approved and adopted the Clearfield City Downtown Small Area Plan as a part of a long-term strategy for revitalizing the downtown area of the City. This regulatory change paved the way for new construction in housing options, and commercial space and office space all in an accessible manner. The downtown area has been rezoned to the following Form Based Code zoning designations that will continue to reduce, mitigate and eliminate barriers to housing. The zoning that has been implemented along the corridor allows for and encourages the mixing of uses, and increases densities along the State Street (SR 126) corridor.

The City is currently exploring regulations for the use of Accessory Dwelling Units, and continues to allow for Flag Lot development and residential infill subdivisions in all single-family residential zones. In addition, the City continues to allow for high density multi-family projects close to transit opportunities, and along major corridors, that include pedestrian and multi-modal components.

SECTION 2: Report the municipality's actions to encourage the preservation of existing moderate-income housing and development of new moderate-income housing during the preceding biennium?

The City Council has adopted or modified several ordinances to encourage moderate income housing. The single most important modification has been the addition of Form Based Code's zones which allow for higher density housing along the transportation corridors and other larger project based developments. Additionally, Clearfield City is considering an accessory dwelling unit code to allow for more dwelling units throughout the City in single family residentially zoned areas.

The City currently provides tax dollars to incentivize diverse housing types, which in turn increases affordability options for a larger range of people. One unique characteristic to Clearfield City is a lack of market-rate multi-family developments. One of the recently completed projects known as City Centre, is a market rate development that is for rent. As of the end of July 2018, the development has an occupancy rate of ninety-eight percent (98%). The City has several other projects that are under constructions or will be constructed in the next 12-18 months that are rental products at market rates. With the addition of market-rate and affordable housing projects under construction, the City will provide a variety of housing options, including townhomes, apartments, and condominiums. Additionally the City collaborated for the construction of a single family home with Have a Heart, a nonprofit foundation for the benefit of a single low-moderate income family.

The City's current zoning includes several zones to encourage a mixture of uses without residential density limits or height restrictions. Since 2014, Clearfield City has permitted and/or approved over 750 multi-family units, including 1, 2, and 3 bedroom apartments, condos and townhomes. Most importantly, these units are all located within walking distance to major transit corridors (bus lines) and opportunities which are imperative to the support of moderate income housing. City Staff continues to promote commercial development to serve these residential areas as well, which the City recognizes as an imperative component of meaningful moderate income and high-density housing.

The City also recently purchased a mobile home park for the purpose of infill/redevelopment. The City, in partnership with a development partner, are working to provide a greater diversity in the housing stock that will be appealing and attainable for those who fall within the defined tiers of moderate income housing limits. Clearfield has targeted the two (2) underserved census tracts for reinvestment activities such as rehabilitation and, as necessary, demolition of vacant housing and the construction of replacement housing. These areas are located along SR-126 (State/Main) that run through the heart of the City.

SECTION 3: Analyze the municipality's progress in providing moderate-income housing.**SUBSECTION 3.1:**

Enter data from TABLE 1 and TABLE 2 at the end of this form into the tables below to calculate the municipality's progress in providing affordable and available moderate-income rental housing for the current and previous biennium. Subtract data in TABLE 2 from TABLE 1 to estimate the municipality's progress in providing moderate-income housing. Finally, in each table below subtract the number of affordable units from the number of renter households and then subtract the number of available units from the number of renter households to estimate the municipality's moderate-income housing gap.

Calculate the municipality's housing gap for the current biennium by entering the number of moderate-income renter households, affordable rental units, and available rental units in the municipality from TABLE 1 below:

	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	1095	340	225	-755	-870
≤ 50% HAMFI	2270	2115	1270	-155	-1000
≤ 30% HAMFI	3240	4430	3290	1190	50

Calculate the municipality's housing gap for the previous biennium by entering the number of moderate-income renter households, affordable rental units, and available rental units in the municipality from TABLE 2 below:

	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	1060	465	305	-595	-755
≤ 50% HAMFI	2060	2110	1360	50	-700
≤ 30% HAMFI	3095	4475	3240	1380	145

Subtract data from TABLE 2 from TABLE 1 to estimate progress in providing moderate-income housing

	Renter Households	Affordable Rental Units	Available Rental Units	Affordable Units - Renter Households	Available Units - Renter Households
≤ 80% HAMFI	35	-125	-80	-160	-115
≤ 50% HAMFI	210	5	-90	-205	-300
≤ 30% HAMFI	145	-45	50	-190	-95

SUBSECTION 3.2:

Using municipal records, report the number of all housing units in the municipality that are currently subsidized by each level of government below:

Municipal Government 18
 State Government 14
 Federal Government 651

SUBSECTION 3.3:

Use municipal records to report the number of all housing units in the municipality that are currently deed-restricted for moderate-income households in the box below:

665

SECTION 4: Report all efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities or associations of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act during the preceding biennium.

Clearfield City will continue to work on a regional approach to affordable housing issues and will look for opportunities to collaborate to improve City neighborhoods. The City has continued to work collaboratively with other communities by serving on regional planning committees addressing moderate income housing needs, transit, and future growth along the Wasatch Front. The City will also continue to collaborate with the Utah League of Cities and Towns, Envision Utah, and the Wasatch Front Regional Council on these issues.

SECTION 5: Report the municipality's efforts to utilize the moderate income housing set-asides from redevelopment agencies, community development agencies, or economic development agencies by completing the following tables.

Project Area Name:	RDA 6 NORTH FREEPORT CENTER	
Agency type:	RDA	Description of moderate-income housing set-aside utilization:
Start date:	10/09/1990	Redevelopment projects approved before 1993 are not required to maintain a separate affordable housing fund
Expiration date:	12/31/2030	
Initial value:	\$937,714	
Future value:	\$21,050,854	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	RDA 7 WEST SIDE CENTRAL BUSINESS DISTRICT	
Agency type:	RDA	Description of moderate-income housing set-aside utilization:
Start date:	02/20/1991	Redevelopment projects approved before 1993 are not required to maintain a separate affordable housing fund
Expiration date:	12/31/2023	
Initial value:	\$9,238,809	
Future value:	\$39,371,475	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	RDA 8 NORTHGATE EAST SIDE AREA	
Agency type:	RDA	Description of moderate-income housing set-aside utilization:
Start date:	01/22/1991	Redevelopment projects approved before 1993 are not required to maintain a separate affordable housing fund
Expiration date:	12/31/2026	
Initial value:	\$32,290,319	
Future value:	\$49,521,349	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	RDA 9 700 SOUTH STREET	
Agency type:	EDA	Description of moderate-income housing set-aside utilization:
Start date:	08/09/1994	20% housing set aside was not required as a part of this project area plan.
Expiration date:	12/31/2026	
Initial value:	\$11,020,003	
Future value:	\$37,648,973	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	RDA 10 SOUTHWEST FREEPORT	
Agency type:	RDA	Description of moderate-income housing set-aside utilization: 20% housing set aside was not required as a part of this project area plan.
Start date:	02/17/1993	
Expiration date:	12/31/2026	
Initial value:	\$799,138	
Future value:	\$31,146,645	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	ATK EDA	
Agency type:	EDA	Description of moderate-income housing set-aside utilization: 20% housing set aside was not required as a part of this project area plan.
Start date:	06/26/2011	
Expiration date:	12/31/2022	
Initial value:	\$78,168,767	
Future value:	\$105,784,209	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:	CLEARFIELD STATION CDA	
Agency type:	CDA	Description of moderate-income housing set-aside utilization: 20% housing set aside was not required as a part of this project area plan.
Start date:	10/22/2013	
Expiration date:	12/31/2048	
Initial value:	\$9,558,053	
Future value:	N/A	
% Rate per yr.:	N/A	
Amount collected:	N/A	
Amount expended:	N/A	

Project Area Name:		
Agency type:		Description of moderate-income housing set-aside utilization:
Start date:		
Expiration date:		
Initial value:		
Future value:		
% Rate per yr.:		
Amount collected:		
Amount expended:		

If necessary, duplicate this page to list all active project areas in the municipality.

SECTION 6: Report the money expended by the municipality to pay or waive construction-related fees required by the municipality during the preceding biennium.

Clearfield City partnered with Have a Heart to build a home for a single low-moderate income family. Building permit fees were waived as a part of this project.

CDBG funds have been utilized in the City to create programs for residents to perform necessary updates to their homes, as well as emergency repairs as needed.

SECTION 7: Provide a description of the programs of the Utah Housing Corporation that were utilized by the municipality during the preceding biennium.

Not at this time.

INSTRUCTIONS (3 OF 3):

SUBMISSION GUIDELINES:

1. **Biennial moderate-income housing review reports are due on December 31st of each year.**
2. Emails must include the following items as *separate* attachments:
 - (a) A findings report of the biennial moderate-income housing element review
 - (b) The most current version of the moderate-income housing element of the municipality's general plan
 - (c) A copy of the resolution formally adopting the current moderate income housing element as part of the municipality's general plan
 - (d) A link to the biennial report on the municipality's website
3. Acceptable electronic document formats include:
 - (a) DOC, DOCX, RTF, OTD, and PDF
4. Emails **MUST** be addressed to:

biennialreporting@utah.gov

For additional moderate-income housing planning resources, please visit:

<https://goo.gl/z4hm8Y>

TABLE 1:*Moderate-income renter households, affordable rental units, and available rental units, 2010-2014*

<i>Municipality</i>	<i>Renter Households HAMFI</i>			<i>Affordable Units HAMFI</i>			<i>Available Units HAMFI</i>		
	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>
Alpine	20	175	335	80	84	264	4	53	168
American Fork	345	755	1,110	150	350	1,555	35	170	925
Bluffdale	45	150	280	25	115	345	0	50	270
Bountiful	540	1,235	2,330	420	1,625	3,560	195	705	2,245
Brigham City	415	755	1,235	415	1,400	1,950	280	820	1,450
Cedar City	1,525	2,470	3,510	1,150	3,365	4,845	655	2,220	3,860
Cedar Hills	35	60	145	30	30	100	0	15	65
Centerville	230	295	460	90	250	725	50	185	545
Clearfield	1,125	2,260	3,400	405	2,260	4,690	260	1,430	3,530
Clinton	55	175	555	65	295	820	4	64	499
Cottonwood Heights	395	840	1,645	205	650	3,325	50	300	1,755
Draper	215	575	1,075	155	330	1,980	0	150	995
Eagle Mountain	120	130	430	55	55	525	20	20	395
Enoch	35	65	105	50	80	175	0	15	95
Farmington	145	215	610	140	480	870	20	105	535
Farr West	30	30	55	20	70	130	0	4	49
Fruit Heights	4	59	79	0	25	80	0	4	68
Grantsville	185	265	295	190	245	455	160	190	319
Harrisville	10	80	180	35	125	350	0	70	215
Heber	240	455	750	65	295	1,095	4	169	724
Herriman	210	475	640	10	80	1,360	10	25	795
Highland	30	70	85	50	85	120	0	30	55
Holladay	350	865	1,500	160	870	2,390	35	375	1,580
Hooper	15	15	45	0	15	80	0	0	30
Hurricane	335	555	745	120	340	1,285	55	185	760
Hyrum	80	145	235	50	115	285	20	34	223
Ivins	55	205	375	70	80	290	0	55	225
Kaysville	250	520	840	290	700	950	145	430	774
Layton	1,330	2,385	3,555	690	2,865	5,325	330	1,845	3,700
Lehi	380	770	1,485	170	494	1,649	35	154	1,094
Lindon	105	145	315	60	99	394	25	49	279
Logan	2,105	4,225	6,560	1,105	5,060	8,915	515	2,925	6,555
Mapleton	20	50	175	15	60	205	15	30	149
Midvale	1,365	2,180	3,695	395	1,535	5,765	170	750	3,725
Murray	1,340	2,895	4,570	560	2,260	6,675	210	1,445	4,760
Nibley	20	45	110	20	85	115	0	10	65
North Logan	220	385	575	135	195	775	45	125	505
North Ogden	80	200	430	55	305	755	20	155	420
North Salt Lake	355	560	955	155	520	1,335	35	145	905
Ogden	4,545	7,690	10,430	2,625	9,930	13,570	1,605	6,650	10,880
Orem	2,240	4,345	6,755	785	3,035	9,360	395	1,695	6,380
Park City	290	455	595	300	935	1,220	210	640	855

TABLE 1: (Continued)*Moderate-income renter households, affordable rental units, and available rental units, 2010-2014*

<i>Municipality</i>	<i>Renter Households HAMFI</i>			<i>Affordable Units HAMFI</i>			<i>Available Units HAMFI</i>		
	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>
Payson	295	510	845	175	495	1,085	40	185	780
Plain City	0	0	15	0	15	15	0	0	15
Pleasant Grove	395	910	1,800	150	415	2,640	15	120	1,580
Pleasant View	10	10	40	0	120	165	0	10	55
Providence	25	85	260	65	130	405	4	33	258
Provo	5,495	9,635	13,995	3,470	8,260	16,945	1,515	5,095	13,055
Riverdale	95	355	645	65	620	985	50	395	765
Riverton	55	130	515	120	260	1,110	4	33	573
Roy	405	740	1,200	265	1,050	1,940	85	505	1,230
Salem	90	180	210	100	165	285	45	115	204
Salt Lake City	11,230	19,215	27,330	4,625	18,915	36,450	2,965	12,210	27,390
Sandy	1,065	2,055	3,455	450	1,200	5,380	160	670	3,220
Santa Clara	20	50	250	110	114	304	45	45	224
Santaquin	60	135	240	75	185	430	25	120	279
Saratoga Springs	30	60	210	10	30	325	0	0	105
Smithfield	35	95	200	75	120	335	20	50	199
South Jordan	260	420	1,005	250	440	1,535	50	90	815
South Ogden	380	875	1,465	130	1,175	2,150	30	690	1,530
South Salt Lake	1,670	2,875	4,005	465	2,695	5,155	300	1,770	4,135
South Weber	35	70	130	10	50	185	10	39	119
Spanish Fork	255	595	1,245	170	605	1,844	40	210	1,099
Springville	325	675	1,495	120	955	2,270	30	365	1,415
St. George	1,710	3,475	5,445	865	2,230	7,800	380	1,395	5,295
Sunset	205	260	375	100	385	500	4	234	389
Syracuse	30	135	315	90	155	505	75	109	334
Taylorsville	1,360	2,405	4,190	360	2,105	6,005	155	1,360	4,310
Tooele	640	1,115	1,665	325	1,130	2,635	170	795	1,860
Tremonton	235	295	450	190	525	595	175	320	455
Vernal	485	550	830	155	665	1,395	135	475	945
Washington	315	820	1,235	275	480	1,330	20	360	960
Washington Terrace	470	850	1,075	195	1,200	1,405	150	795	1,125
West Bountiful	10	25	40	10	85	160	10	50	65
West Haven	100	295	550	25	160	930	15	100	520
West Jordan	1,400	2,630	4,535	550	1,480	7,065	170	785	4,600
West Point	75	120	205	10	40	185	10	30	145
West Valley City	3,220	5,870	8,810	940	3,835	11,405	575	2,400	8,885
Woods Cross	130	195	420	0	445	615	0	190	485

Source: U.S. Dept. of Housing & Urban Development. (2017). Tables 8, 14B, & 15C: Comprehensive Housing Affordability Strategy [Data]. Available at: https://www.huduser.gov/portal/datasets/cp.html#2006-2014_data

TABLE 2:*Moderate-income renter households, affordable rental units, and available rental units, 2008-2012*

<i>Municipality</i>	<i>Renter Households HAMFI</i>			<i>Affordable Units HAMFI</i>			<i>Available Units HAMFI</i>		
	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>
Alpine	25	140	270	45	100	335	10	64	204
American Fork	270	655	1,045	230	540	1,600	15	175	860
Bluffdale	75	145	205	15	75	305	15	50	210
Bountiful	645	1,320	2,020	500	1,675	3,450	215	820	1,930
Brigham City	290	560	1,100	310	1,240	1,670	225	675	1,315
Cedar City	1,055	2,215	3,355	830	2,930	4,915	410	1,710	3,760
Cedar Hills	85	95	155	25	25	135	0	10	100
Centerville	60	160	260	85	150	540	40	90	270
Clearfield	935	1,785	3,100	360	1,805	4,720	210	1,090	3,350
Clinton	90	205	435	20	165	705	0	30	370
Cottonwood Heights	335	660	1,420	215	550	3,270	90	275	1,685
Draper	165	525	930	210	385	1,815	0	150	905
Eagle Mountain	95	105	395	65	65	510	0	0	385
Enoch	10	70	145	70	110	215	0	25	134
Farmington	125	150	500	115	450	765	25	45	430
Farr West	20	45	55	65	95	165	20	44	54
Fruit Heights	10	25	45	0	20	35	0	0	34
Grantsville	135	230	295	140	290	465	90	184	299
Harrisville	0	60	145	40	70	215	0	15	150
Heber	210	465	820	50	375	1,040	15	230	835
Herriman	155	190	385	10	20	420	10	10	320
Highland	15	90	185	45	60	165	0	25	135
Holladay	455	975	1,490	210	745	2,575	15	390	1,585
Hooper	15	15	40	4	24	44	0	0	24
Hurricane	390	480	665	80	310	1,115	55	190	700
Hyrum	85	170	210	35	100	285	15	70	189
Ivins	40	140	230	75	140	270	10	105	145
Kaysville	310	545	795	210	650	885	150	420	755
Layton	1,290	2,165	3,580	640	2,265	5,365	350	1,525	3,770
Lehi	235	565	1,190	135	465	1,490	25	149	939
Lindon	100	185	230	65	120	335	40	65	230
Logan	2,000	4,410	6,650	1,270	5,385	9,355	625	2,965	6,580
Mapleton	15	30	165	15	60	185	15	19	139
Midvale	1,290	2,220	3,670	305	1,250	5,590	180	705	3,690
Murray	1,245	2,380	3,735	625	1,725	6,005	240	1,025	4,050
Nibley	0	30	70	10	14	64	0	10	54
North Logan	105	270	455	110	260	620	4	144	429
North Ogden	105	220	425	65	260	745	20	145	385
North Salt Lake	250	450	695	125	505	1,115	30	250	670
Ogden	4,400	6,805	9,990	2,310	9,230	13,355	1,475	5,950	10,515
Orem	2,085	4,380	6,735	970	3,630	9,615	485	2,020	6,750
Park City	300	595	795	295	790	1,230	220	655	1,050

TABLE 2: (Continued)*Moderate-income renter households, affordable rental units, and available rental units, 2008-2012*

<i>Municipality</i>	<i>Renter Households HAMFI</i>			<i>Affordable Units HAMFI</i>			<i>Available Units HAMFI</i>		
	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>	<i>≤ 30%</i>	<i>≤ 50%</i>	<i>≤ 80%</i>
Payson	270	465	760	130	645	1,180	45	240	740
Plain City	0	15	45	30	40	55	0	4	43
Pleasant Grove	310	840	1,755	115	380	2,360	0	135	1,615
Pleasant View	15	50	100	0	55	110	0	50	94
Providence	50	125	215	65	160	340	0	35	185
Provo	5,300	9,520	14,010	3,269	8,774	16,074	1,434	5,559	12,749
Riverdale	110	265	520	55	495	900	30	285	634
Riverton	60	345	590	55	100	1,175	15	15	545
Roy	265	580	1,015	280	1,040	1,955	125	505	1,095
Salem	60	150	190	95	170	225	30	100	164
Salt Lake City	10,720	17,995	26,260	4,535	17,315	36,025	2,965	11,020	26,260
Sandy	950	1,750	3,000	520	1,095	4,625	225	660	2,855
Santa Clara	15	45	155	10	20	90	0	0	50
Santaquin	75	140	245	80	170	395	25	115	294
Saratoga Springs	15	70	200	0	15	350	0	0	180
Smithfield	60	115	210	85	220	410	30	75	199
South Jordan	205	330	830	120	270	1,000	0	19	559
South Ogden	395	740	1,325	150	1,120	2,080	55	555	1,290
South Salt Lake	1,445	2,455	4,025	500	2,635	5,300	200	1,560	4,185
South Weber	25	75	110	10	70	195	10	60	99
Spanish Fork	300	720	1,255	130	615	1,755	25	245	1,185
Springville	290	715	1,390	195	925	2,000	50	465	1,375
St. George	1,745	3,430	5,780	915	2,600	7,560	500	1,870	5,585
Sunset	205	260	435	50	455	665	4	238	473
Syracuse	10	80	215	10	50	370	0	0	240
Taylorsville	1,175	2,315	3,775	430	1,840	5,430	150	1,230	3,875
Tooele	685	1,265	1,960	385	1,460	2,740	180	940	2,060
Tremonton	210	245	465	155	455	675	140	225	485
Vernal	315	420	785	175	475	1,305	100	320	835
Washington	355	725	1,160	185	480	1,185	10	405	735
Washington Terrace	355	645	945	185	970	1,340	80	545	925
West Bountiful	10	40	55	10	75	125	10	40	55
West Haven	80	165	360	15	130	690	4	83	433
West Jordan	1,255	2,415	4,230	475	1,085	6,345	175	610	4,210
West Point	60	105	190	30	30	230	20	20	150
West Valley City	3,260	5,550	8,555	1,095	3,670	11,505	640	2,405	8,595
Woods Cross	65	140	340	10	280	510	0	135	395

Source: U.S. Dept. of Housing & Urban Development. (2017). Tables 8, 14B, & 15C: Comprehensive Housing Affordability Strategy [Data]. Available at: https://www.huduser.gov/portal/datasets/cp.html#2006-2014_data

CLEARFIELD CITY ORDINANCE 2019-27

AN ORDINANCE AMENDING THE CLEARFIELD CITY GENERAL PLAN

PREAMBLE: This Ordinance amends Chapter 4 of the City's General Plan by adopting an updated Moderate Income Housing Plan.

WHEREAS, the Utah State Legislature recently passed Senate Bill 34 (SB 34) in an effort to address housing affordability issues throughout the State; and,

WHEREAS, SB 34 requires cities to develop objectives and goals that support the State's efforts; and,

WHEREAS, Clearfield City (the City) previously adopted an Affordable Housing element to its General Plan that meets a majority of the requirement of SB 34; and,

WHEREAS, the City desires to create goals and objectives that effectively address housing affordability and meet all the requirements of SB 34; and,

WHEREAS, after holding a duly noticed public hearing and carefully considering the Applicant's application, any public input provided, as well as the conclusions reached and recommendation given by the Clearfield City Planning Commission, the Clearfield City Council publicly deliberated this matter and determined that the Planning Commission's recommendation to approve the amendments to Chapter 4 of the General Plan by adopting an updated Moderate Income Housing Plan is in the best interests of Clearfield City and its residents;

NOW THEREFORE BE IT ORDAINED, by the Clearfield City Council that:

Section 1. General Plan Amendment: Chapter 4 of the General Plan is hereby amended by adopting the updated Moderate Income Housing Plan as attached in Exhibit A.

Section 2. Effective Date: This Ordinance shall become effective immediately upon its passage and posting in three public places within Clearfield City.

DATED this 26th day of November, 2019, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

Mark R. Shepherd, Mayor

ATTEST

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Community Development Director
MEETING DATE: Tuesday, November 26, 2019
SUBJECT: Utility Trailer Landscape amendment request (DA)

RECOMMENDED ACTION

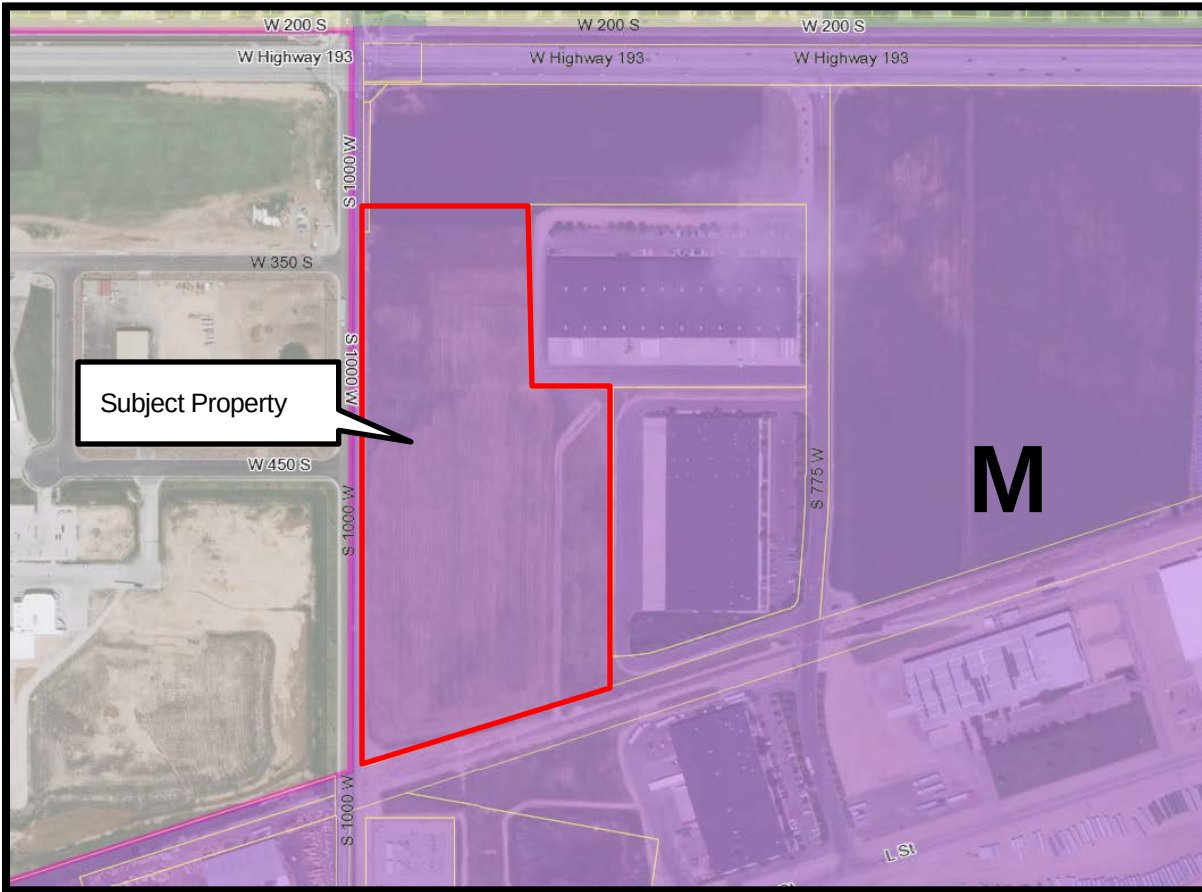
Staff recommends that the Council **approve** as conditioned, the development agreement for **CUP 1909-0004**, a conditional use permit request by Betty Parker on behalf of Freeport Center Associates and Utility Trailer to amend to the previously approved landscaping plan at the subject property to allow for 7.5% landscaped area for the project. Location: Approximately 405 South 1000 West (TIN: 12-931-0001). This recommendation is based on the discussion and findings in the Staff Report.

DESCRIPTION / BACKGROUND

Project Information	
Project Name	Utility Trailer CUP Amendment (Landscaping)
Site Location	1050 South 1000 West
Tax ID Number	12-931-0001
Applicant	Betty Parker, Freeport Center Associates
Owner	Robert P. O'Block, Freeport Center Associates
Proposed Actions	Amended Conditional Use Permit
Current Zoning	M-1 (Manufacturing)
Gross Site	17.61 Acres

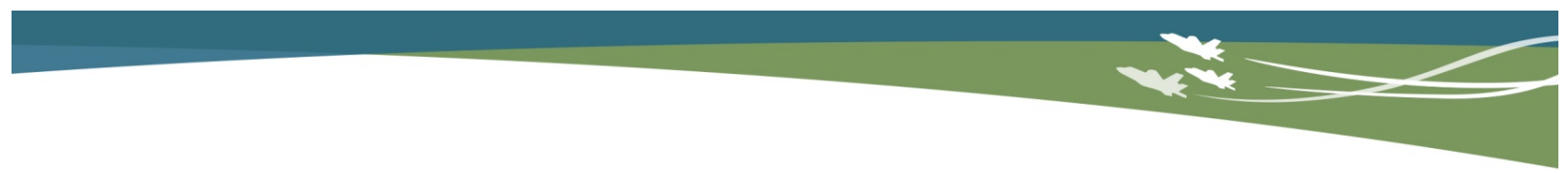
Surrounding Properties and Uses:		Current Zoning District	General Plan Land Use Classification
North	Vacant Land	M-1 (Manufacturing)	Business Park
East	Manufacturing	M-1 (Manufacturing)	Business Park
South	Manufacturing	M-1 (Manufacturing)	Manufacturing
West	Manufacturing	n/a (Syracuse City)	n/a (Syracuse City)

Aerial Image & Zoning



BACKGROUND

Utility Trailer requested and was approved for the relocation of a trailer storage area to the location identified in the image above. This relocation request was approved by the Planning Commission at their July 10, 2019 meeting. The approval outlined the proper requirements and governing restrictions to insure the project is developed in accordance with Clearfield City Code. This new storage location will be located adjacent to the existing Utility Trailer facility and will include the improvements along the east side of 1000 West. This will include a six foot fence planned for the berm in order to support the required buffer and screening for the area along 1000 West.



Approved and required landscaping

The M-1 Zone requires that a minimum of ten percent (10%) of the lot or parcel be developed as landscaped open space. With a total parcel area of 17.61 acres or 767,091.6 square feet, the applicant is required to provide 76,709.16 square feet as landscaped open space. Based upon the plan set, a total of 19,338 square feet of landscaping was originally proposed for the project. Following the meeting with the Planning Commission it was required that an additional 57,371.16 square feet of landscaping be required to bring the project into compliance with the ten percent (10%) requirement of the M-1 Zone.

The original landscape plan provided seventy two (72) trees and four hundred and fifty two (452) shrubs. That plan was required to be revised to include an additional eighty one (81) trees and 57,371.16 square feet of landscaped area. All landscaping would be provided around the perimeter of the project surrounding the fencing and provide additional buffering and screening for the use of the project as outdoor storage/parking.

Additional regulations for landscaping found in §11-13-23, "Landscape Standards and Requirements," one (1) tree is required for every five hundred (500) square feet of landscape area and one (1) shrub for every three hundred (300) square feet of landscape area. The trees must have a trunk size of two inches (2") as measured eight inches (8") above the soil line and a minimum height of six feet (6'). The shrubs must have a minimum size of one (1) gallon at time of planting that will attain a height of at least two feet (2').

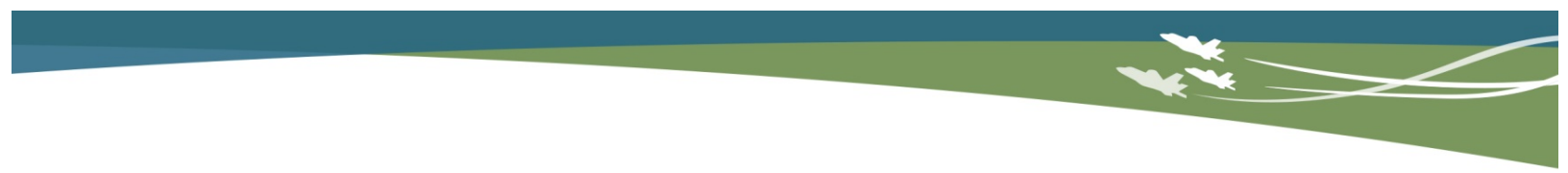
Landscape Amendment Discussion

The applicant's request is to amend the previously approved landscape plan, including additional requirements, in order to reduce the percentage of landscaped area, as well as the number of shrubs and trees that were previously approved. Staff has reviewed the plans and believes the request is consistent with the area and will not cause any negative or detrimental impacts as proposed. This amendment does not change any other requirements in the Notice of Decision (NOD) issued on July 12, 2019 regarding the CUP for outdoor storage. This request pertains only to the landscape requirements and the desire of the applicant to reduce this requirement from 10% to 7.5% along with a requested reduction in tree count for the overall site.

A total of 58,656 square feet (approximately 7.5%) of landscaping shall be provided and shall, following the execution of the Development Agreement, constitute compliance with the landscaping requirements for the M-1 Zone for this project.

The site will contain trees and shrubs in the following ratios:

- a. A total of **94 trees** as shown on the attached map shall be provided
 - i. A total of 72 trees shall be equally spaced along 1000 West
 - 1. A total of 3 trees shall be located on the south by the railroad tracks

- 
2. A total of 4 trees shall be located on the north
 3. A total of 15 trees shall be located to the east in a manner that does not block the vision of truck traffic
 - b. A total of **256 shrubs** shall be planted according to the attached landscaping plan

The approval of this amendment does not change or reduce the requirement for all trees to have a trunk size of no less than two inches (2") as measured eight inches (8") above the soil line and a minimum height of six feet (6'). The shrubs must have a minimum size of one (1) gallon at time of planting that will attain a height of at least two feet (2'), nor does this amendment change any of the previously approved requirements for the project, as stated in the attached NOD.

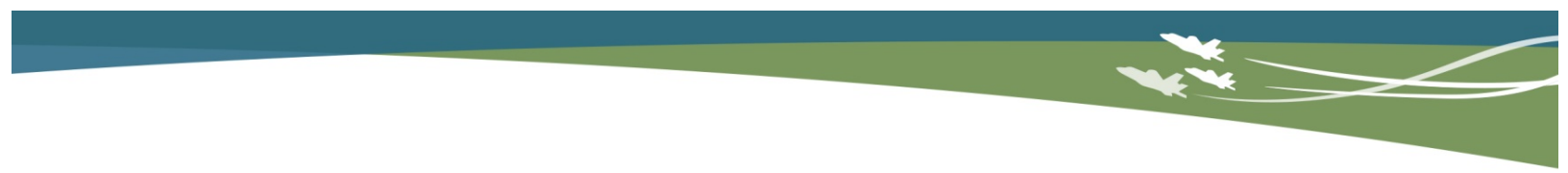
Staff is able to consider this request as is appropriate under subsection 11-13-23(I) for the following reasons:

- a. No residents are adjacent to the Property. Neighboring uses include industrial, school bus storage, and a power transformer. Their uses will not be affected by these modifications to the code.
- b. Maintaining existing vegetation will not adversely affect the public health, safety or general welfare because the project will be closed to the public and landscaping will be maintained without using scarce water resources.
- c. Based upon the location of the Property, which is surrounded by industrial uses, the modification does not oppose the general spirit and intent of Title 11, Clearfield Municipal Code, or the intent of Clearfield's general plan.

Planning Commission Recommendation:

The Planning Commission recommended the City Council **approve as conditioned, CUP 1909-0004**, a conditional use permit request by Betty Parker on behalf of Freeport Center Associates and Utility Trailer to amend to the previously approved landscaping plan at the subject property located at approximately 1050 South 1000 West (TIN: 12-931-0001). The following conditions of approval shall be addressed by the applicant and shown on a set of revised plans prior to issuance of final land use approval unless otherwise noted.

2. The project shall comply with all applicable development standards of the M-1 Zone.
3. The landscaping and irrigation plans shall be revised to meet the minimum code requirements which include:
 - a. A total of **94 trees** as shown on the attached map shall be provided
 - i. A total of 72 trees shall be equally spaced along 1000 West
 1. A total of 3 trees shall be located on the south by the railroad tracks
 2. A total of 4 trees shall be located on the north

- 
3. A total of 15 trees shall be located to the east in a manner that does not block the vision of truck traffic
 - b. A total of **256 shrubs** shall be planted according to the attached landscaping plan
 4. The project fencing shall have a minimum height of six feet (6') and shall be constructed of a material that is impervious as required by code.
 5. The project shall comply with engineering standards / requirements and obtain approval prior to the issuance of final Land Use approval.
 6. The applicant shall any and all required permits for all project work prior to the commencement of said work.
 7. As per 11-13-23(l), the applicant shall execute a development agreement with Clearfield City to allow the proposed landscaping to be less than the 10% required in the M-1 Zone.
 8. The proposed lots shall comply with lot frontage, width, setback, and development standards required by Title 11 of the Clearfield City Code.
 9. If landscaping is not completed and prior to final occupancy or issuance of final land use approval the applicant is required to provide a bond in order to ensure that all required landscaping is installed in an acceptable manner...The cash bond or escrow account shall be subject to approval by the city engineer, and shall be in an amount equal to one hundred twenty five percent (125%) of the estimated costs of construction and installation of all required landscaping, parks, playgrounds, recreation facilities, fences, walls, and other amenities shown on the final landscape plan or site plan, as applicable.

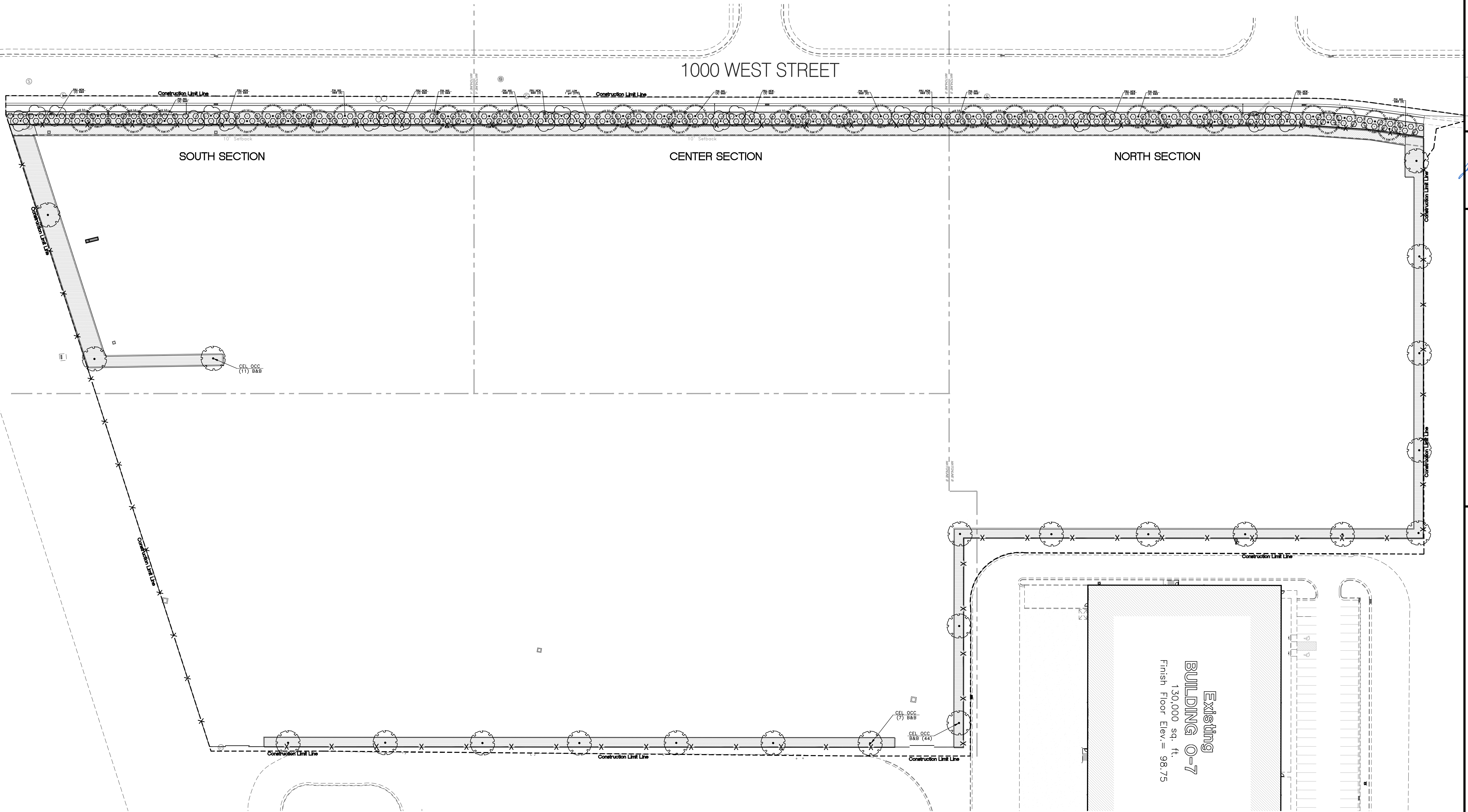
CORRESPONDING POLICY PRIORITY (IES)

Improving Clearfield's Imagine, Livability and Economy

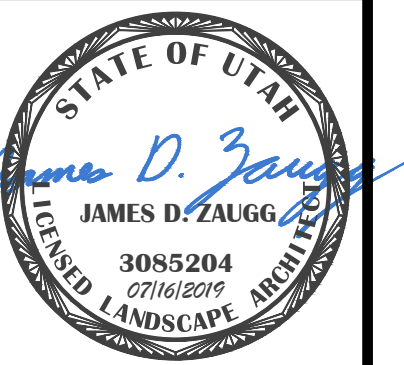
LIST OF ATTACHMENTS

1. Proposed Landscaping Plans
2. Development agreement

W:\18M402 Utility Trailer Storage Site 2-Drawings\18M402-1.2.dwg



1 Overall Street Planting Plan



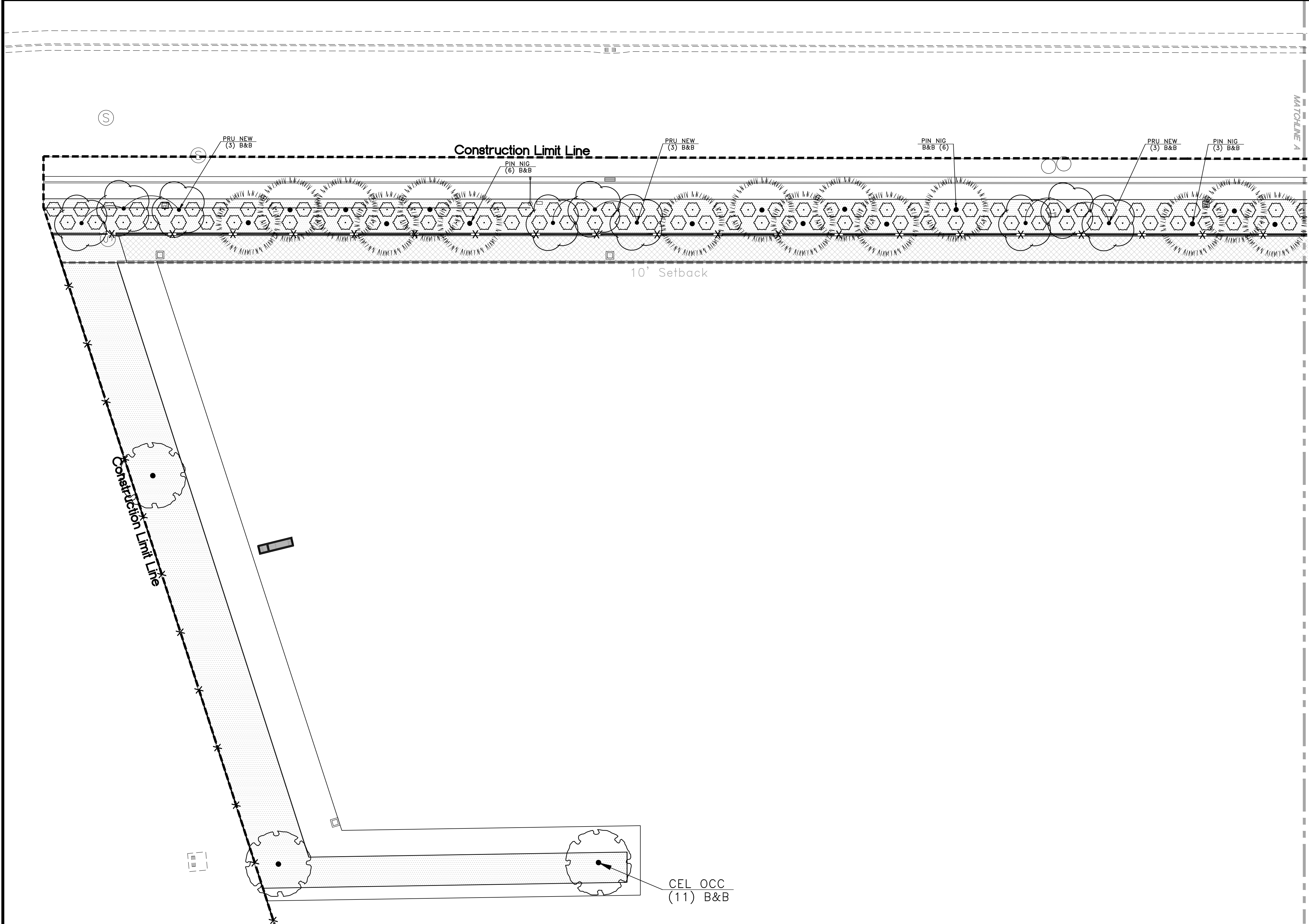
GREAT BASIN ENGINEERING
5746 SOUTH 1475 EAST, OGDEN, UTAH 84403
MAIN (801)394-4515, S.L.C. (801)521-0222, FAX (801)392-7544
WWW.GREATBASINENGINEERING.COM

Overall Street Planting Plan
1000 WEST SITE DEVELOPMENT
1111 South 1000 West
Clearfield, Utah 84015
A part of Section 2, TAN, R2W, SLB&M, U.S. Survey

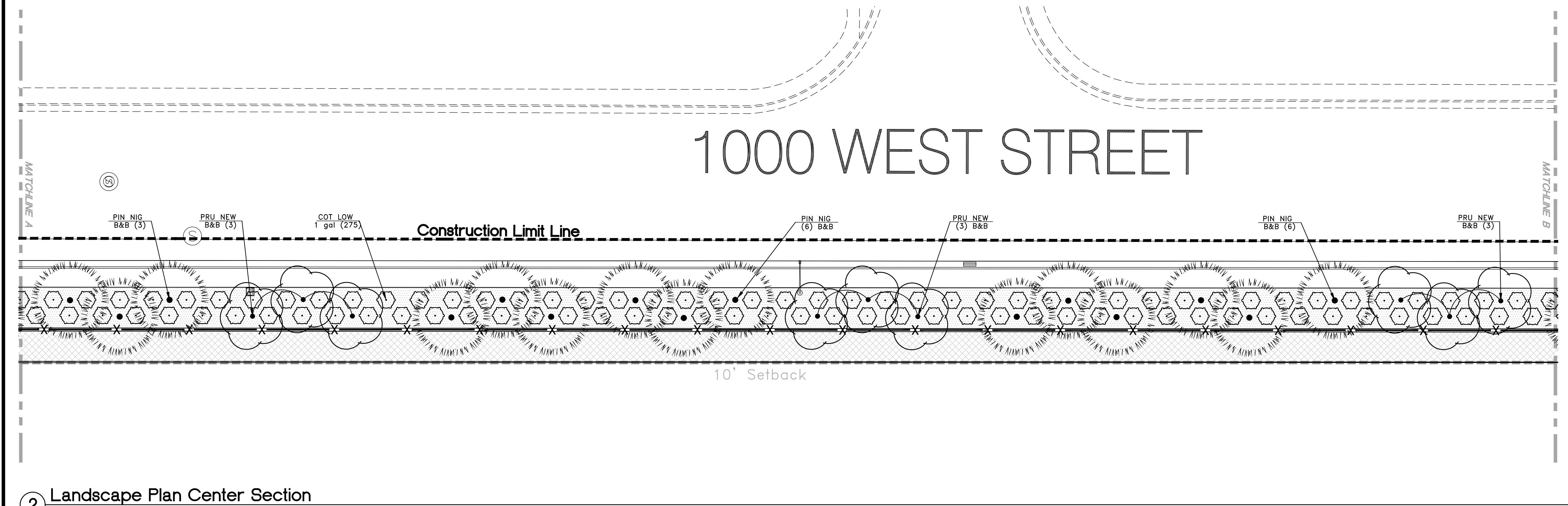
July 16, 2019
SHEET NO.
LP1.0

18N007

W:\191402 Utility Trailer Storage Site 2-Drawings\191402-12.dwg



1 Landscape Plan South Section



2 Landscape Plan Center Section

PLANT SCHEDULE

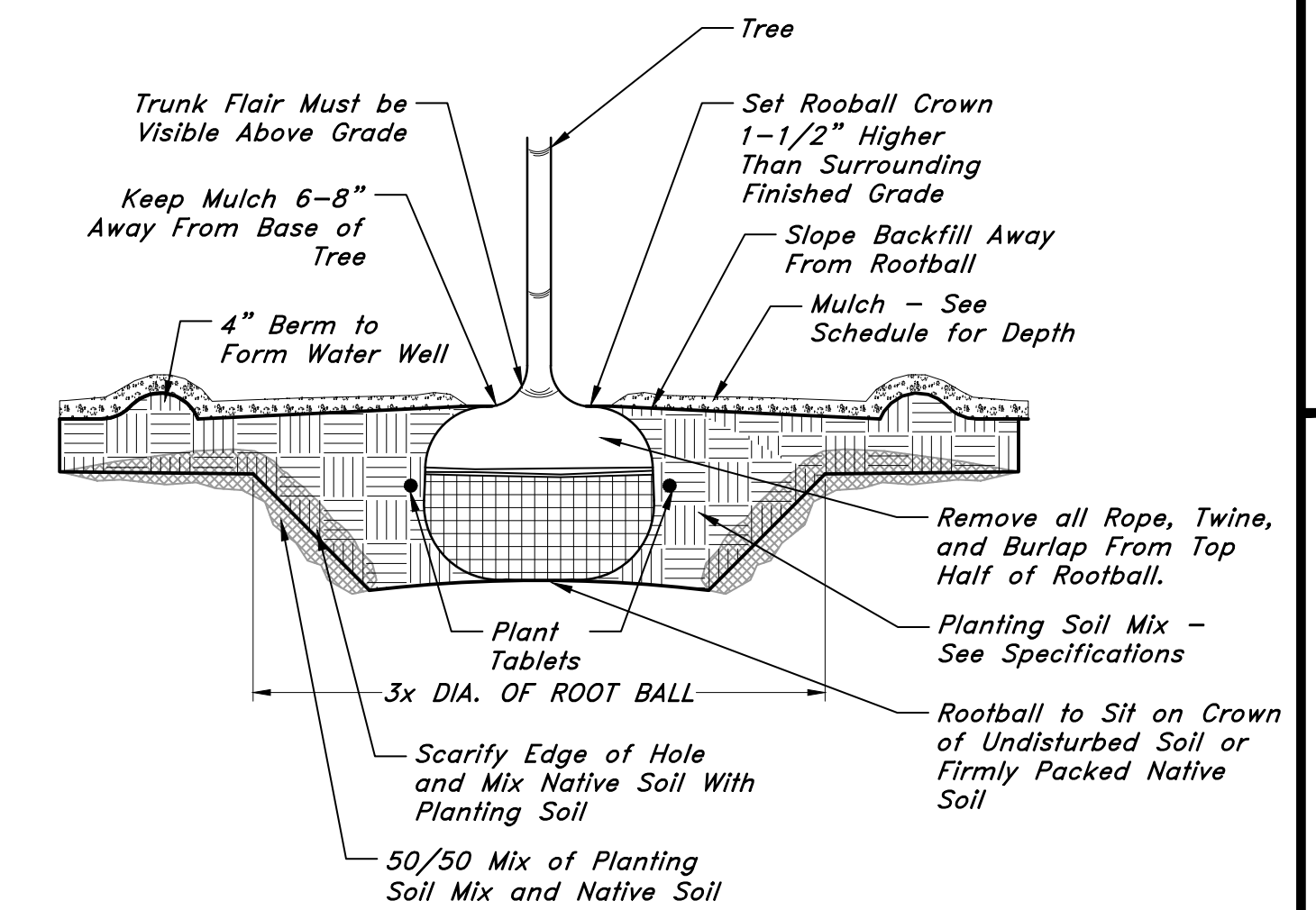
TREES	QTY	BOTANICAL / COMMON NAME
CEL OCC	22	Celtis occidentalis / Common Hackberry
PIN NIG	48	Pinus nigra / Austrian Black Pine
PRU NEW	24	Prunus cerasifera 'Newport' / Newport F

SHRUBS	QTY	BOTANICAL / COMMON NAME
COT LOW	275	Cotoneaster dammeri 'Lowfast' / Lowfas

GROUND COVERS	QTY	BOTANICAL / COMMON NAME
	43.747 sf	Shredded Bark Mulch

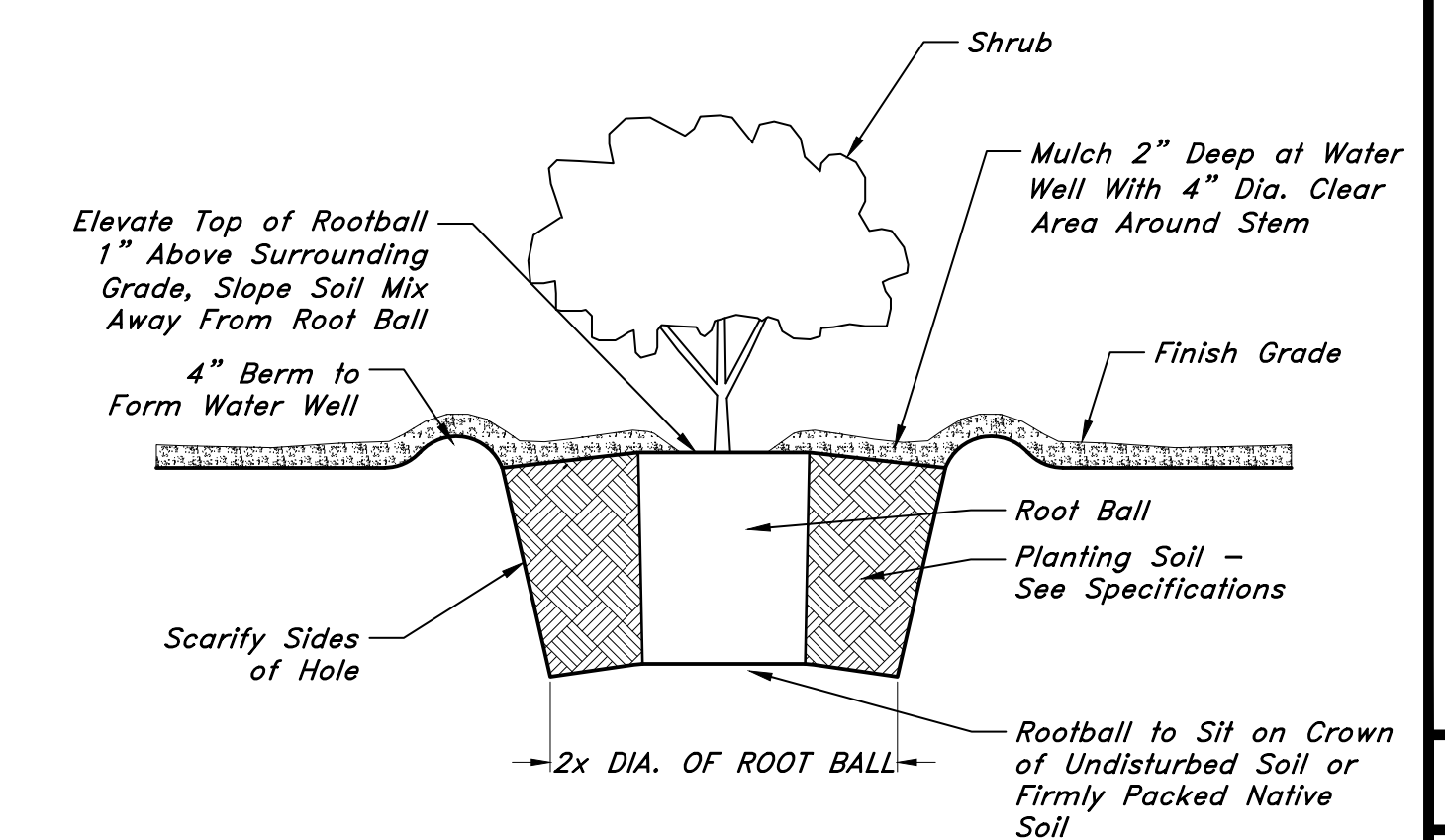
PLANTING NOTES

- EXAMINE THE SITE CONDITIONS, THE SUBGRADE AND VERIFY THE DEPTHS OF TOPSOIL AND MULCH. NOTIFY THE ARCHITECT IN WRITING OF ANY UNSATISFACTORY CONDITIONS. DO NOT BEGIN LANDSCAPE WORK UNTIL UNSATISFACTORY CONDITIONS HAVE BEEN RESOLVED.
- VERIFY LOCATIONS OF ALL UTILITIES PRIOR TO ANY DIGGING. ANY DAMAGE TO EXISTING UTILITIES CAUSED BY THIS CONTRACTOR SHALL BE REPAIRED AT NO ADDITIONAL EXPENSE TO THE OWNER.
- TOPSOIL IS TO BE STOCKPILED AND AMENDED ON SITE. AMEND AT A RATE OF 5 PARTS TOPSOIL TO 1 PART COMPOST. CONTRACTOR IS RESPONSIBLE FOR PROVIDING 12" OF TOPSOIL FOR SHRUBS AND TREES.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINISH GRADE ELEVATIONS. ALLOW FOR A MINIMUM OF 4" THICK MULCH LAYER. COORDINATE ROUGH GRADING WITH THE GENERAL CONTRACTOR.
- ALL PLANT MATERIAL MUST MEET THE SIZES AS INDICATED ON THE PLANT SCHEDULE. PLANT MATERIAL THAT DOES NOT MEET THE QUALITY STANDARDS OF THE PROJECT WILL BE REFUSED BY THE LANDSCAPE ARCHITECT.



Notes:
1. If Wire Basket is Present, Cut and Fold Down Top Half of Wire Basket.

2 TREE PLANTING
NTS 32 9343.01-01



1 SHRUB PLANTING
NTS 32 9333.01-01

STATE OF UTAH
JAMES D. ZAUGG
3085204
20160901
LANDSCAPE ARCHITECT

GREAT BASIN ENGINEERING

1111 SOUTH 1000 WEST
CLEARFIELD, UTAH 84015
WWW.GREATBASINENGINEERING.COM

LANDSCAPE PLAN

1000 WEST SITE DEVELOPMENT
1111 South 1000 West
Clearfield, Utah 84015
A part of Section 2, 14th, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 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**DEVELOPMENT AGREEMENT
FREEPORT CENTER ASSOCIATES, LLP
AND
CLEARFIELD CITY, DAVIS COUNTY, UTAH**

This Development Agreement (“Agreement”) is made and entered into as of this _____ day of _____, 2019, by and between **FREEPORT CENTER ASSOCIATES LLP**, hereinafter "Freeport", and **CLEARFIELD CITY**, a Utah municipal corporation and political subdivision of the state of Utah, hereinafter “Clearfield”. Freeport and Clearfield may be collectively referred to as the “Parties” in this Agreement.

RECITALS:

A. Freeport has entered into a contract to purchase a portion of land located at approximately 1111 South 1000 West, as depicted on Exhibit A, which is attached to this Agreement and incorporated by reference as the “Property”.

B. Zoning landscape requirements include 10% landscaping and the installation of shrubs and trees in accordance with Chapter 13, Title 11, of the Clearfield Municipal Code.

C. Pursuant to subsection 11-13-23(I) of the Clearfield Municipal Code, the landscaping requirements may be modified via development agreement (“Agreement”).

D. The Parties desire to enter into a development agreement to make certain modifications to landscaping requirements for the Property.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Petitioners and the City hereby agree to the following:

AGREEMENT

Landscaping Modification. Freeport shall install landscaping consistent with the plan approved by the Planning Commission on Wednesday, October 16, 2019. The Parties agree the 10% of landscaping, as required by ordinance, may be reduced to 7.5% of the site. The Parties agree to the following specific modifications:

- a. A total of 94 trees as shown on the attached map shall be provided
 - i. A total of 72 trees shall be equally spaced along 1000 West
 - ii. A total of 3 trees shall be located on the south by the railroad tracks
 - iii. A total of 4 trees shall be located on the north
 - iv. A total of 15 trees shall be located to the east in a manner that does not block the vision of truck traffic
- b. A total of 256 shrubs shall be planted according to the attached landscaping plan

Standards for Modification. The Parties agree that the modification for this Property is appropriate under subsection 11-13-23(I) for the following reasons:

- c. No residents are adjacent to the Property. Neighboring uses include industrial, school bus storage, and a power transformer. Neither residents' nor adjacent property owners' uses will be adversely affected by these modifications to the landscaping requirement of the code.
- d. Maintaining existing vegetation will not adversely affect the public health, safety or general welfare because the site will be closed to the public and landscaping will be maintained without using scarce water resources.
- e. Based upon the location of the Property, which is surrounded by industrial uses, the modification does not oppose the general spirit and intent of Title 11, Clearfield Municipal Code, or the intent of Clearfield's general plan.

Agreement to Run with Land - Termination. This Agreement shall be recorded against the Property and shall be deemed to run with the land and shall be binding on all successors and assigns of Freeport. The Agreement shall be perpetual, until terminated by the Parties by mutual agreement.

No Separate Entity or Partnership. This Agreement shall not create any separate legal or administrative entity or body and there shall be no joint ownership of property. This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, and does not create any rights or benefits to third parties. No agent, employee or servant of the Petitioners or the City is or shall be deemed to be an employee, agent or servant of the other Party.

Indemnification & Hold Harmless. Freeport indemnifies and holds harmless Clearfield, for itself and on behalf of its officers, officials, employees, agents and contractors, against any loss, damage, injury, claim, action, or cause of action that may arise from, or may be in connection with this Agreement, the construction that follows, or the maintenance of the landscaping. This indemnification applies to the acts or omissions, negligent or otherwise, of Freeport in the exercise of rights under this Agreement.

Reserved Legislative Powers. Freeport acknowledges that Clearfield is restricted in its authority to limit its police powers by contract and the limitations, reservations and exceptions set forth herein are intended to reserve to Clearfield all of its police power that cannot be so limited.

Notices. Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served by mail upon the party for whom intended, at its address shown below:

Clearfield City
City Manager
55 South State Street
Clearfield, UT 84015

Freeport Center Associates
Betty Parker
FREEPORT CENTER ASSOCIATES
P.O. Box 160466 - Freeport Center
Clearfield, Utah 84015

Governing Law & Venue. This Agreement and the performance hereunder shall be governed by the laws of the State of Utah. Any action taken to enforce the provisions of this Agreement shall have exclusive venue in the Second District Court of the State of Utah, Farmington Division.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first written above.

(Signatures appear on following pages)

- REMAINDER OF PAGE LEFT INTENTIONALLY BLANK -

CLEARFIELD CITY

Signature

Date

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this _____ day of _____, 2019, personally appeared before me _____, an individual whose identity is personally known to me, or proven on the basis of satisfactory evidence, to be the person who executed the Development Agreement and who duly acknowledged to me that he/she executed the same for the purposes therein stated.

Notary Public

Attest:

Clearfield City Recorder

Approved as to form and legality:

Clearfield City Attorney

FREEPORT CENTER ASSOCIATES, L.L.P.

ROBERT P.O'BLOCK

By _____
Robert P. O'Block, Partner/Manager

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On this _____ day of _____, 2018, personally appeared before me
Mike Gailey, an individual whose identity is personally known to me, or proven on the basis of
satisfactory evidence, to be the person who executed the Development Agreement and who duly
acknowledged to me that he/she executed the same for the purposes therein stated.

Notary Public

EXHIBIT A

MAP OF PROPERTY AND APPROVED LANDSCAPE PLANS