

CLEARFIELD CITY COUNCIL AND PLANNING COMMISSION
AGENDA AND SUMMARY REPORT
March 23, 2021 – JOINT WORK AND COUNCIL 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.

Multipurpose Room
55 South State Street
Second Floor
Clearfield, Utah

6:00 P.M. JOINT CITY COUNCIL AND PLANNING COMMISSION WORK SESSION

Discussion on Planning Commission and City Council Roles, Responsibilities, and Vision

(Any item not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

*****ADJOURN THE JOINT CITY COUNCIL/PLANNING COMMISSION WORK SESSION
AND RECONVENE IN A CITY COUNCIL 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 Phipps
February 23, 2021 – Policy Session
March 9, 2021 – Work Session
March 9, 2021 – Policy Session

PUBLIC HEARINGS:

1. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE 2020/2021 COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR ACTION PLAN TO SUPPORT COVID-19 HOUSING ASSISTANCE**

BACKGROUND: The U.S. Department of Housing and Urban Development (HUD) has allocated CARES Act funding to distribute to entitlement communities through the Community Development Block Grant (CDBG) program. As an entitlement community Clearfield City has been allocated funding of \$107,986 to distribute. Staff is recommending the full amount support housing assistance to be administered by the City's Housing Advocate to those affected by the COVID-19 pandemic.

RECOMMENDATION: Receive public comment.

2. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO AMEND THE CITY'S GENERAL PLAN FUTURE LAND USE MAP FROM COMMERCIAL TO RESIDENTIAL FOR A PORTION OF THE PROPERTIES LOCATED AT 1598 SOUTH 1000 EAST (TINS: 12-066-0096, 12-066-0097, AND 12-066-0098)

BACKGROUND: The applicant is requesting to amend the City's General Plan Future Land Use Map designation from Commercial to Residential for a portion of the properties located at 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098). In conjunction with this request the applicant is seeking a rezone of 1.899 acres from A-1 (Agricultural) to C-2 (Commercial) and for 5.729 acres from A-1 (Agricultural) to R-3 (Multi-family Residential). The Planning Commission reviewed the request on March 3, 2021 and recommends its denial because the amendment is inconsistent with the land use guidelines, goals, and objectives of the General Plan. The developer met with the City Council in work session on March 16, 2021 and discussed the proposed development, as well as expressed an interest in negotiating a development agreement with the City to facilitate the proposal.

RECOMMENDATION: Receive public comment.

3. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTIES LOCATED AT APPROXIMATELY 1598 SOUTH 1000 EAST (TINS: 12-066-0096, 12-066-0097, AND 12-066-0098) FROM A-1 (AGRICULTURAL) TO C-2 (COMMERCIAL) FOR 1.899 ACRES AND FROM A-1 (AGRICULTURAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) FOR 5.739 ACRES

BACKGROUND: The applicant is requesting a rezone of the properties located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-067-0098) from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (multi-family Residential) for 5.739 acres. The applicant desires to master plan the subject properties with townhome residential to the side and rear and commercial on the corner. Additionally, the applicant is proposing to convert the existing storm water basin into a City park. The Planning Commission reviewed the request on March 3, 2021; and recommends its denial because it is inconsistent with the land use guidelines, goals, and objectives of the General Plan. The rezone is contingent upon the approval of the requested General Plan amendment for the same property. The developer met with the City Council in work session on March 16, 2021 and discussed the proposed development, as well as expressed an interest in negotiating a development agreement with the City to facilitate the proposal.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

4. 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.

5. CONSIDER APPROVAL OF AMENDMENTS TO THE 2020/2021 COMMUNITY DEVELOPMENT BLOCK GRANT ONE-YEAR ACTION PLAN TO SUPPORT COVID-19 HOUSING ASSISTANCE

RECOMMENDATION: Approve amendments to the 2020/2021 Community Development Block Grant (CDBG) One-Year Action Plan to support COVID-19 housing assistance and authorize the Mayor's signature to any necessary documents.

6. CONSIDER ORDINANCE 2021-06 AMENDING THE CITY'S GENERAL PLAN FUTURE LAND USE MAP DESIGNATION FOR THE PROPERTY LOCATED AT APPROXIMATELY 1598 SOUTH 1000 EAST (TINS: 12-066-0096, 12-066-0097, AND 12-066-0098) FROM COMMERCIAL TO RESIDENTIAL

RECOMMENDATION: After careful consideration of the information presented, the Clearfield City Council moves to:

1. Approve Ordinance 2021-06 amending the City's General Plan Future Land Use Map designation for property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from Commercial to Residential and authorize the Mayor's signature to any necessary documents.
2. Deny Ordinance 2021-06 amending the City's General Plan Future Land Use Map designation for property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from Commercial to Residential.
3. Table consideration of Ordinance 2021-06 amending the City's General Plan Future Land Use Map designation for property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from Commercial to Residential and set additional time to consider the request.

7. CONSIDER ORDINANCE 2021-07 REZONING PROPERTY LOCATED AT APPROXIMATELY 1598 SOUTH 1000 EAST (TINS: 12-066-0096, 12-066-0097, AND 12-066-0098) FROM A-1 (AGRICULTURAL) TO C-2 (COMMERCIAL) FOR 1.899 ACRES AND FROM A-1 (AGRICULTURAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) FOR 5.739 ACRES

RECOMMENDATION: After careful consideration of the information presented, the Clearfield City Council moves to:

1. Approve Ordinance 2021-07 rezoning the property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (Multi-family Residential) for 5.739 acres and authorize the Mayor's signature to any necessary documents.
2. Deny Ordinance 2021-07 rezoning the property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (Multi-family Residential) for 5.739 acres.
3. Table consideration of Ordinance 2021-07 rezoning the property located at approximately 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) from A-1

(Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (Multi-family Residential) for 5.739 acres and set additional time to consider the request.

8. CONSIDER APPROVAL OF RESOLUTION 2021R-05 SUPPORTING AND PARTICIPATING IN THE UPDATE TO THE DAVIS COUNTY PRE-DISASTER MITIGATION PLAN

BACKGROUND: Davis County developed a Pre-Disaster Mitigation Plan in 2016. The City adopted the Plan as part of its Emergency Operations Plan. The County recently received a grant in support of its initiative to update its existing plan. The updates would require a significant amount of data analysis and coordination between state agencies and municipalities in and adjacent to Davis County. Resolution 2021R-05 acknowledges the City's support and participation in the update to the Davis County Pre-Disaster Mitigation Plan.

RECOMMENDATION: Approve Resolution 2021R-05 supporting and participating in the update to the Davis County Pre-Disaster Mitigation Plan; and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF THE AMENDED SUBDIVISION PLAT FOR THE SAND RIDGE VILLAGE TOWNHOMES SUBDIVISION LOCATED AT 180 SOUTH STATE (TIN: 15-038-0142)

BACKGROUND: A request was received by Brock Loomis to amend the Sand Ridge Village Townhomes Subdivision Plat located at 180 South State (TIN: 15-038-0142) to adjust the unit footprints to ensure each townhome unit does not cross a property line and fits within the platted unit area recorded with the County. On March 3, 2021, the Planning Commission reviewed the request and recommends approval subject to two conditions.

RECOMMENDATION: Approve the amended subdivision plat for the Sand Ridge Village Townhomes Subdivision located at 180 South State (TIN: 15-038-0142) subject to the conditions approved by the Planning Commission and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENTS OF INDIVIDUALS TO THE PLANNING COMMISSION

BACKGROUND: Nicole Bigelow recently resigned as a member of the Planning Commission creating a vacancy for a regular member. Mayor Shepherd recommends appointing Brogan Fullmer to fill the regular member vacancy. Mr. Fullmer has been serving as an alternate member since April 2020. Additionally, Karen Blackwood, regular member, and Bobby Austin, alternate member, are serving on the Planning Commission with terms that expired in February 2021. Mayor Shepherd desires to reappoint Karen Blackwood as a regular member and Bobby Austin as an alternate member of the Planning Commission with terms expiring in February 2026. The City Council has previously appointed a member of the Youth Commission to act as an alternate member and Youth Ambassador to the Commission. Councilmember Roper recommended Amber Brink be appointed to fill this position.

RECOMMENDATION: Approve and consent to the Mayor's appointment of Brogan Fullmer as a regular member of the Planning Commission with a term expiring in February 2023; reappointment of Karen Blackwood as a regular member of the Planning Commission with a term

expiring in February 2026; reappointment of Bobby Austin as an alternate member of the Planning Commission with a term expiring in February 2026; appoint Amber Brink as an alternate member and Youth Ambassador to the Planning Commission; 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 18th day of March, 2021.

/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.

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
February 23, 2021

City Building
55 South State Street
Clearfield City, Utah

No physical meeting location was available for the public due to the statewide public health emergency which might present a substantial risk to the health and safety of others. The meeting was held for the public electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/88248464223>

Meeting ID: 882 4846 4223

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
	Scott Manookin	Police Lieutenant
	Trevor Swenson	Police Officer
	Amy Sue Starks	Dispatcher
	Shara Willard	Dispatcher
	Carson Porter	Dispatcher
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Adam Favero	Public Works Director
	Braden Felix	City Engineer/PW Deputy Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS PRESENT: Steve Hill, Joanne Hill, Robert Kearn, Daniel Thurgood, Nikki Thurgood, Leann Weekes, Mike Larsen, Robyn Larsen, Merry Ann Bates, John Bates, Quinton, Sandy

Salazar, Manfred Iboy, Daniel Iboy, Isabella Iboy, Mauricio Gil, Danya Gil, Jessica Damian, Alenkar Damian, Aby Nava, Chris Uccardi – Planning Commission Chair

VISITORS PRESENT VIA ZOOM: Draper Stake, Melissa, Summa Terra, Loyal Hulme, Mike Bastian, Skyler, Ruelan, Paul, Mark Weekes

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

Councilmember Bush led the opening ceremonies.

Mayor Shepherd informed those present via the Zoom meeting if they wanted to comment during the Public Hearings or Open Comment Period they could do so through the Zoom meeting chat option as outlined on the agenda from 7:00 p.m. until 7:15 p.m. He explained all comments would be shared during the meeting once the public had been allowed sufficient time to participate.

Mayor Shepherd opened all public hearings and the open comment period at 7:03 p.m.

Pursuant to the State of Utah Public Health Order 2020-17, dated October 14, 2020, and in conjunction with the State of Utah's ongoing declaration of a statewide public health emergency, Mayor Shepherd read a declaration made on February 4, 2021 that resulted in the following: (1) the City would not be providing an anchor location for City Council or other board meetings for the next 30 days, (2) Although no other physical meeting location would be available for the general public, the City Council or other board members might or might not appear in person at the City building subject to compliance of social distancing and mask requirements, (3) the public's participation in the City Council or other board meetings might present a substantial risk to the health and safety of others, and (4) the public's participation in the City Council or other board meetings would only be available through Zoom and/or Facebook Live.

PRESENTATION OF LIFE SAVING AWARDS BY THE CLEARFIELD POLICE DEPARTMENT

Kelly Bennett, Police Chief, recognized Mauricio Gil, Alenkar Damian and Carson Porter for heroic action taken during a difficult situation to save the life of an eleven-year-old boy. He explained a boy had accompanied his father to El Chamo Auto Repair in Clearfield. He noted while the boy's father was inside the boy suffered a medical emergency while in the vehicle which was not discovered until the father returned. He mentioned Mauricio Gil from El Chamo Auto Repair and Alenkar Damian, a customer of the business, acted promptly administering CPR to the boy as instructed by Clearfield Dispatcher, Carson Porter.

Chief Bennett noted because of the immediate actions taken by the two men as well as Dispatcher Carson Porter's lifesaving instructions, the boy was able to make a full recovery. He presented each of them with a Life Saving Medal, certificate, and challenge coin from the Clearfield Police Department. He presented the eleven-year-old boy with a Clearfield Police Department patch and challenge coin.

Mayor Shepherd thanked them for their heroic actions.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO AMEND THE CITY'S GENERAL PLAN FUTURE LAND USE MAP DESIGNATING THE PROPERTIES LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST (TINS: 12-391-0015, 12-391-0012, 12-391-0011, 12-065-0005, 12-065-0096 AND 12-065-0104) FROM COMMERCIAL TO RESIDENTIAL - **WITHDRAWN**

Mayor Shepherd noted the applicant withdrew the request to amend the General Plan for the properties, so the public hearing would not be held on the matter.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE PROPERTIES LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST (TINS: 12-391-0015, 12-391-0012, 12-391-0011, 12-065-0005, 12-065-0096 AND 12-065-0104) FROM A-1 (AGRICULTURAL) AND C-2 (COMMERCIAL) TO R-3 (RESIDENTIAL) - **WITHDRAWN**

Mayor Shepherd acknowledged the applicant withdrew the request to rezone the properties, so the public hearing would not be held on the matter.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE PROPERTY LOCATED AT APPROXIMATELY 951 WEST 300 NORTH (TIN: 12-019-0129) FROM A-1 (AGRICULTURAL) TO R-2 (RESIDENTIAL)

Brad McIlrath, Senior Planner, stated the applicant was requesting a rezone of the property located at 951 West 300 North from A-1 (Agricultural) to R-2 (Residential) to allow townhomes to be constructed on the property. He reviewed the proposed rezone. He noted the Planning Commission reviewed the request on February 3, 2021 and forwarded a recommendation of denial citing the need to provide a different type of housing for the area. Mr. McIlrath indicated the developer was participating on the Zoom meeting and hoped to provide information on the application for the Council.

Mayor Shepherd opened the public hearing at 7:07 p.m.

After time had been provided for public comment, Mayor Shepherd asked if any comments had been submitted online. Nancy Dean, City Recorder, confirmed there had been no public comments for the current item provided online.

PUBLIC COMMENT

In Favor

Mike Bastian, developer, expressed appreciation for the opportunity to speak about the project. He voiced his opinion that the project could benefit the community creating a transition from commercial to medium density then to residential. He stated the project would support the commercial district in the area surrounding the intersection. He indicated a willingness to do the project with a development agreement if the Council would approve the rezone contingent upon it. He expressed his desire to share a concept of the proposed development. He noted there tended to be misconceptions about high density. He stated conceptually the development was

proposed to have 18-units; therefore, it would have open space, areas to maneuver, and the parking would be above the minimum standards. Mr. Bastian mentioned there could be an opportunity with the adjacent developer of Autumn Ridge to utilize a currently vacant lot in that project for the sewer and storm drain if there was capacity. He expressed a desire to work with the City in negotiating a development agreement so the properties could only be developed as townhomes, rather than the other allowed uses of the R-2 (Residential) zone.

Opposed

Councilmember Peterson acknowledged receipt of a text message requesting the following be shared in the meeting:

Mark Weekes, resident, I am unable to attend due to a work commitment; however, I wished to stress my concerns about the property proposals around my home and the traffic jams the proposed projects would create and hope you would share my concern and opposition.

Councilmember Bush mentioned receiving a text message from the following resident:
Robert Kearl, resident, expressed his opposition to the R-2 (Residential) Zone.

Robyn Larsen, resident, voiced her concerns about allowing townhomes because of the location and dangers for smaller children. She stated the area seemed more appropriate as a single-family zone. She expressed her opposition to the project.

Daniel Thurgood, resident, stated his concerns were related to drainage issues and wondered where all the snow would be pushed. He expressed his opinion the area was too small for what was proposed to be developed. He added the increased traffic would also cause issues.

Nikki Thurgood, resident, commented the proposed project was near the traffic light and intersection at 1000 West and 300 North and access for the gas station. She expressed her concern for the potential increases with traffic issues related to accidents, semi-trucks making turns and running over the sidewalk, and additional congestion along 1000 West.

Councilmember Bush moved to close the public hearing at 7:31 p.m. seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE PROPERTIES LOCATED AT APPROXIMATELY 245 NORTH 1000 WEST (TINS: 12-024-0017 AND 12-024-0018) FROM A-1 (AGRICULTURAL) TO R-1-6 (RESIDENTIAL)

Brad McIlrath, Senior Planner, stated the applicant was requesting a rezone of the property located at approximately 245 North 1000 West from A-1 (Agricultural) to R-1-6 (Residential) to develop a single-family subdivision. He reviewed the surrounding zoning and requirements of the R-1-6 (Residential) zone. He indicated the Planning Commission reviewed the request on February 3, 2021 and forwarded a recommendation of approval.

Mr. McIlrath stated based on the analysis of the General Plan the R-1-6 zone was the encouraged zone for infill single-family development as an alternative single-family option to multi-family development in areas outside of the downtown corridor. He reviewed the intent of the applicant which was to develop a cul-de-sac subdivision with a total of 14 lots which included keeping the existing home, other lots, and a detention basin to handle the storm water.

Mr. McIlrath indicated when the rezone was discussed during the Planning Commission meeting there had been concerns from the public voiced about having a street going through the project and connecting to 1100 West; however, that was not the intent of the applicant. He noted other concerns were expressed during the Planning Commission meeting regarding traffic and utilities for the site. He mentioned the single-family zoning would have the least impact on traffic and utilities would be addressed during the site planning process.

Mayor Shepherd opened the public hearing at 7:07 p.m.

Mayor Shepherd explained the public hearing would be left open so that the public could comment while the other items on the agenda were discussed. After sufficient time had been provided, Mayor Shepherd asked if there had been any public comments submitted online. Nancy Dean, City Recorder, reported there were two comments provided online and both individuals were in attendance but had requested their comments be read.

PUBLIC COMMENT

In Favor

None.

Opposed

Robert Kearl, resident, provided written comment that he was in favor of the property being developed; however, was opposed to rezoning it to allow too many lots to be developed. He continued it needed to be developed for low density housing and for single family dwellings.

Steven and Joanne Hill, residents, provided written comment that the property ran along the back of their lot and they would need more information as to what was planned to be constructed on that property. They expressed concern about the drainage since flooding had happened in the past. They wondered about a privacy fence.

Mark Weekes, resident, submitted a comment on the Zoom chat wondering what could be done about the traffic flow along 1000 West because residents living in the area were currently having difficulty accessing their properties during certain times of the day.

Mike Larsen, resident, expressed his challenges with getting out of his driveway from 2:00 p.m to 2:30 p.m. prior to his retirement to get to work. He worried a new subdivision would make traffic twice as bad along 1000 West. He voiced his frustrations with the noise and vibrations causing damage to his home because semi-trucks were using 1000 West as a truck route. He

mentioned the speed limit was not obeyed which was also a concern. He stated the residents were irate about what they called “mini I-15” and getting in and out of their own properties.

Daniel Thurgood, resident, commented the road from the proposed subdivision would likely be right in front of his driveway, so it would create additional difficulty getting in his own driveway. He voiced his concern with the impatience of drivers along 1000 West as residents tried to access their own driveways and encountered verbal abuse and continuous honking from others. He suggested signage should be used to restrict semi-truck drivers from using 1000 West as a travel route.

Trish Nicole, resident, commented in the Zoom chat expressing concern about a cut through to the neighborhood to the west.

Mark Weekes, resident, expressed in the Zoom chat the challenges with drivers not obeying the speed limit in the area. He suggested the speeds should be reduced to 30 miles per hour along 1000 West.

Councilmember Peterson mentioned receiving an email from the following resident:

Tricia Bishop, resident, wrote that she lived in the neighborhood behind the area. She expressed concern that at some point a road might be connected from the new development through to 1100 West. She shared her concern for the safety of children in the area if there were to be increased traffic due to the new subdivision. She noted the connection to 1100 West was not currently planned but recognized that plans could change. She wondered if there was a way to ensure that the house located at 188 North 1100 West which was included in the property sale would remain as a residence.

John Bates, resident, stated he lived along 1100 West. He mentioned the Planning Commission meeting might not have had as much discussion during its meeting because residents on 200 North had not received notice or a letter regarding the rezone. He expressed concern for the safety of small children in the neighborhood to the west if a connecting road to 1100 West were allowed. He recognized the preliminary plan did not include a road but expressed his objection to a future road if plans changed. He wondered if the rezone would allow the developer to change plans and add a road rather than a cul-de-sac without having to return to the City Council or Planning Commission for approvals.

Mayor Shepherd responded the City’s Street Plan did not have a street planned in that location for connection. He pointed out that the developer would reduce the number of lots if a road were added so that would not make sense financially; however, if the developer desired to construct a through street those plans would need to come back to the City Council and Planning Commission for approvals.

Mr. Bates requested the residents along 200 North be notified about any future plans for the property. Councilmember Bush indicated a notice had been posted along 1000 West. Mr. McIlrath stated notices were sent out according to the City’s Ordinance which required notices within 300 feet of the subject property. He reviewed the process for obtaining the mailing addresses within a 300-foot radius which the County provided for the City’s noticing. Mr.

McIlrath stated based upon the measurement many along 200 North would not have received notices having been outside the required radius.

Councilmember Bush commented that any subdivision approvals would need to come from the Planning Commission and City Council, then once the design was approved it would be recorded at the County. He added there was a level of difficulty and expense to amend a subdivision plat, but that also would require approvals from the Planning Commission and Council.

Mayor Shepherd asked if the City could place signs along 1000 West that did not allow semi-trucks since it was a City owned street. There was a discussion about those streets which had been designated as truck routes, posting signs, and the enforcement ability. JJ Allen, City Manager, indicated the City could amend the routes that were designated as truck routes and place signs if desired.

Mayor Shepherd recommended review of the truck routes to see if change was warranted since Highway 193 was now in place.

Daniel Thurgood, resident, indicated semi-trucks often had difficulty making the turn at the intersection of 1000 West and 300 North and it was dangerous for people on the sidewalks at those crossings.

Spencer Brimley, Community Development Director, acknowledged the City was currently updating its General Plan and the consultants had been asked to evaluate the best approach to truck routes and establishing those areas where trucks should and should not be allowed in the Streets Master Plan. Mayor Shepherd commented many issues could be resolved if semi-trucks were not permitted along 1000 West unless making a delivery to local establishments.

Leeann Weekes, resident, stated reducing the speed limit along the road would also be helpful because there was a school, church and residential homes. She commented roads further west such as 3000 West had less traffic and currently had a speed limit of 30 miles per hour.

Nikki Thurgood, resident, suggested rather than a light at the intersection there should be a round-about to keep traffic flowing.

Mayor Shepherd commented creating a round-about would not help. Councilmember Bush agreed especially since there were trucks that would have to use it to make local deliveries.

Robyn Larsen, resident, suggested the green light should be longer at certain times of day to keep traffic moving.

Mayor Shepherd expressed appreciation for the comments and indicated the City would take them into consideration as options were explored further regarding truck routes.

Councilmember Thompson questioned if there could be consistent enforcement along the traffic routes, so the issues did not continue. Mayor Shepherd answered yes, and any enforcement would be regulated by the police department.

Councilmember Thompson moved to close the public hearing at 7:56 p.m. seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

OPEN COMMENT PERIOD

Mayor Shepherd acknowledged time had been provided for the open comment period and asked if there were any comments or any that had been submitted online. Trevor Cahoon, Communications Coordinator, replied there had been no comments received on Zoom or Facebook.

There were no public comments.

DENIAL OF ORDINANCE 2021-03 REZONING PROPERTY LOCATED AT APPROXIMATELY 951 WEST 300 NORTH (TIN: 12-019-0129) FROM A-1 (AGRICULTURAL) TO R-2 (RESIDENTIAL)

Councilmember Phipps expressed empathy for those that provided comments about the townhome request. He recognized the staff report indicated there would be a good transition there; however, he did not agree and felt it would be abrupt. He stated he did not accept that the R-2 zone would conform to transition. He expressed his concern regarding the staff report's reference of the townhomes having access to trails as a perk because currently there was not a sidewalk along 300 North. He worried about the safety of children that could reside in the area trying to access trails and not using the safer route but instead traveling along the road without sidewalks. He expressed his opinion the property did not fit the R-2 designation.

Councilmember Peterson apologized to the applicant for the technical difficulties but acknowledged that the Council had reviewed the proposal. She concurred with Councilmember Phipps's point and respectfully disagreed with staff's recommendation that the R-2 zone was consistent with the General Plan. She expressed her opinion it was not consistent. She noted the staff report listed land use goals and policies. She expressed her opinion that goal number four which was referenced in the staff report was not the best and based her opinion on the following two reasons:

- The City's General Plan goal number one was to maintain consistency between the City's Land Use Ordinance and the General Plan referencing maintaining consistency between housing types.
- The Council amended the General Plan in January of 2019 and it was clearly stated in Ordinance 2019-01 that the dense housing types should be used as a tool for revitalizing the downtown corridor and stay there.

Councilmember Peterson stated the dense housing options should be along the corridor and neighborhoods should be neighborhoods. She indicated there should be a natural blend out citywide and not necessarily lot by lot. She continued a couple of years ago there was an almost identical request made for a property nearby to the west and the recommendation then was that the R-2 zone was not a good fit. She noted the developer had commented that 18 units was not

very dense; however, she expressed her opinion it was way too dense on two acres which would be the full entitlement of the R-2 zone. Councilmember Peterson mentioned during the Planning Commission meeting the Chair made a point that many of the old agriculturally zoned properties were very deep. She noted the City respected the right of property owners wanting to sell off property and make a profit; however, recognized that each parcel had its own challenges or constraints. Councilmember Peterson recognized there were only certain things that could be done on an agriculturally zoned parcel that was narrow and deep surrounded by single family homes but felt the proposal was not consistent with the General Plan or the Ordinance adopted in 2019. She noted if the R-2 zone were allowed for the City's unique agriculturally zoned parcels, it would create pockets of tucked in neighborhoods with high density and that would be jarring and inconsistent with what was already there. She voiced her opinion the request was not consistent with the General Plan and it would not be a good idea to rezone it which made all other issues mute points.

Councilmember Bush stated the explanation provided by Councilmember Peterson was good. He explained the Council could not deny a property owner from developing his/her property or it would be considered a taking. He noted the Council could determine the types of development allowed and this was done through its General Plan and zoning ordinances. He acknowledged the Council had been consistent with denying density in other areas of the City because it was outside of the downtown corridor. He expressed his opinion the Council should remain consistent with the General Plan and its prior decisions with similar requests; therefore, the property should not be rezoned as R-2.

After careful consideration of the information presented, **Councilmember Peterson moved to deny Ordinance 2021-03 rezoning property located at approximately 951 West 300 North from A-1 (Agricultural) to R-2 (Residential) based on the discussion on the record and the assertion that the Council disagreed with the staff recommendation that the request was consistent with the City's General Plan and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF ORDINANCE 2021-04 REZONING PROPERTIES LOCATED AT APPROXIMATELY 245 NORTH 1000 WEST (TINS: 12-024-0017 AND 12-024-0018) FROM A-1 (AGRICULTURAL) TO R-1-6 (RESIDENTIAL)

Councilmember Bush acknowledged the request was consistent with the General Plan. He noted the subdivision would need to be reviewed by the Planning Commission and City Council for approvals; consequently, surrounding property owners would receive notification. He pointed out that traffic could be bad at times, but the City could not deny all development on its property.

Councilmember Phipps addressed the comments made about density. He acknowledged the R-1-6 Zone would allow for a nice sized house on a reasonable sized lot. Mayor Shepherd explained the differences in density allowed in the Park Village Subdivision, the R-1-8 Zone and the R-1-6 Zone. He pointed out that the R-1-6 Zone allowed for 6,000 square foot lots and it was open compared to Park Village which had 10 units per acre.

Councilmember Peterson referenced Ordinance 2019-01 amending the General Plan and reviewed the following language: “The R-1-6 zone was created for single family use and allowed for infill single family development and also as an alternative to larger lot single family uses in areas designated as residential on the future land use map. The R-1-6 zone is an alternative to single family option to multi-family development in areas outside the downtown corridor and should be used to encourage a mix of housing types throughout the City.” She indicated the Council recognized the rights of property owners to sell and have the land developed. She pointed out that a sale would then make it an infill product and the R-1-6 zone was what the City proposed for that type of development and what was allowed

Councilmember Peterson addressed that the public comments regarding the road were very well heard. She mentioned her support for Mayor Shepherd’s proposition to look at changes on that road. She voiced her support for the project because it was consistent with the integrity of the neighborhood as well as the General Plan. She explained the road was engineered to handle the capacity of the development so it would be good to review other options for tackling the traffic issues in the area.

Councilmember Phipps commented even without the proposed project the City needed to do something about 1000 West because it had become a north south artery.

Councilmember Thompson questioned if homes should be added along a street that was already challenged and whether traffic issues should be resolved before an infill project should be considered. He expressed his discomfort accepting policy while there were other issues that should be addressed and wondered if it would be beneficial to wait until after the General Plan could be updated. Mayor Shepherd answered an application had been made and it met the General Plan so delaying consideration of the request until the General Plan was reviewed seemed inappropriate. Councilmember Thompson responded it was duly noted.

Councilmember Bush moved to approve Ordinance 2021-04 rezoning properties located at approximately 245 North 1000 West from A-1 (Agricultural) to R-1-6 (Residential) because it complied with the City’s General Plan and what had been determined for infill properties and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF THE DEVELOPMENT AGREEMENT WITH LIBERATION DEVELOPMENT INVESTMENTS LLC FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT APPROXIMATELY 311 EAST 200 SOUTH (TINS: 12-001-0186 AND 12-007-0112)

Spencer Brimley, Community Development Director, stated the request for a Development Agreement with Liberation Development Investments LLC was for the development of The Hart at City Center Subdivision. He explained the applicant proposed a subdivision initially which included the combination of two existing parcels and the dedication of a private access road which was a continuation of Marilyn Drive to the south. He indicated the Council reviewed the

final subdivision plat during its policy session on January 26, 2021 and disagreed with the staff interpretation allowing for the installation of an access road and instead required a Neighborhood Street be installed for the proposed project. Mr. Brimley acknowledged the Council held its consideration of the final plat, pending the creation and approval of a Development Agreement that would address those issues.

Mr. Brimley stated the Development Agreement with Liberation Development Investments LLC was reviewed by the Planning Commission on February 17, 2021. He mentioned during that meeting there was discussion concerning the recitals of the document. He continued following discussions, the Planning Commission recommended approval of the Development Agreement, as written. He reported after the Planning Commission meeting, staff and the development team began discussions regarding additional edits based upon concerns expressed during the meeting. Mr. Brimley presented a red-lined version of the documents with the suggested edits that had been incorporated.

Mayor Shepherd confirmed the developer had previously reviewed the red-lined changes. Mr. Brimley answered that was correct the developer had reviewed and was amenable to the changes. Mayor Shepherd reported the redlined version of the Development Agreement was emailed to the Council earlier in the day and they were also familiar with the changes.

Councilmember Phipps stated it was clear there was a disagreement on the interpretation of the Form Based Code. He believed the Council's interpretation was correct. He expressed his concern with the City Engineer's findings in what was allowed for unusual circumstances. Councilmember Phipps felt it was a stretch for this project to have unusual circumstance and it could be rectified by acquisition of property that would allow the appropriate access. He voiced his opinion there had not been an attempt to acquire the necessary property until it was recommended as a solution.

Councilmember Peterson voiced her support for the amended Development Agreement that had been reviewed by the Council and the development team for the reason discussed during the earlier work session. She expressed her opinion the reworded Development Agreement recognized where the disagreements were but gave a fair narrative to each side. She appreciated the work that went into the revisions and supported the drafted changes.

Councilmember Peterson moved to approve the red-lined version of the Development Agreement with Liberation Development Investments LLC for the development of the property located at approximately 311 East 200 South and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, and Roper. Voting NO – Councilmembers Phipps and Thompson.

APPROVAL OF THE HART AT CITY CENTER FINAL SUBDIVISION PLAT LOCATED AT APPROXIMATELY 311 EAST 200 SOUTH (TINS: 12-001-0186 AND 12-007-0112)

Spencer Brimley, Community Development Director, stated the proposed final subdivision plat to consolidate lots and provide for an access road into the development from 200 South had been

previously reviewed by the Council during meetings in January 2021. He mentioned the Hart at City Center Subdivision was located at approximately 311 East 200 South. He stated the Council held its consideration of the final subdivision plat on January 26, 2021 until a development agreement could be vetted and approved by the Council. Mr. Brimley mentioned the final subdivision plat would consolidate lots and allow for dedication of the public road and allow for the development of the property to proceed forward. He mentioned the recommended action was for the approval of the Final Subdivision Plat based on the consistency of the final subdivision requirements and as long as there were no issues related to the Development Agreement that were outstanding from the earlier discussions in January.

Councilmember Peterson noted language in the staff report's background and analysis referenced the Neighborhood Street as a "Neighborhood (Local) Street." She requested to ensure the parenthetical notation was not included on the final subdivision wording anywhere, so that point of contention was stricken and it was identified as Neighborhood Street throughout the document.

Mr. Brimley asked if the developer was agreeable to striking the word local from the street designation; consequently, it would be identified as Neighborhood Street. Loyal Hulme, legal counsel for the developer, stated the development team was okay with that recommendation. Councilmember Peterson stated her reasoning for the proposed language change would make it consistent with the Form Based Code.

Councilmember Peterson moved to approve the Final Subdivision Plat for The Hart at City Center located at approximately 311 East 200 South based on the three conditions approved by the Planning Commission and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, and Roper. Voting NO – Councilmembers Phipps and Thompson.

APPROVAL OF ORDINANCE 2021-05 AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE TO ADJUST THE FEES FOR ATHLETIC FIELD USE; PICKLEBALL COURT RENTAL; AND THE DEVELOPMENT AGREEMENT PROCESS

Eric Howes, Community Services Director, stated the Council reviewed the proposed changes to the City's Consolidated Fee Schedule during its work session on February 9, 2021. He mentioned the intent for the changes was to keep as much public use as possible but allow for tournament use. He reviewed the proposed fees for the pickleball court rentals and asked if there were any questions related to the proposed fees.

Councilmember Peterson pointed out that during the work session there had been a discussion about tournament uses and the scheduling of only one tournament per month. She requested clarification that one tournament referred to both City sponsored events as well as privately sponsored events and that the public would have access to the courts on the other three weekends monthly. Mr. Howes responded there would only be one tournament per month between the months of April through October.

Councilmember Phipps mentioned the staff report included weekend and weekday rental fees and specified the weekday day use period was from 8:00 a.m. to 6:00 p.m. He asked if weekend hours would be restricted to the same hours for tournament uses. Mr. Howes explained the hours would not be limited on weekends and the fees would include use for the entire day; however, during the weekdays hours were limited so the public could use the facilities after 6:00 p.m.

Mr. Howes reviewed how proposed rental rates for turf fields had been calculated and were recommended to increase to \$40 per hour.

Councilmember Peterson pointed out that the cost to maintain the fields was calculated at a little over \$40. She wondered if with the costs of labor and maintenance increasing at regular intervals it would be wise to increase the cost of rentals to cover the costs. Mr. Howes responded the calculations were only cents over the \$40, so staff believed the proposal was adequate and would be reviewed annually to monitor costs and avoid large increases to prices as recommended by the business plan.

Brad McIlrath, Senior Planner, indicated currently the City did not charge a fee for the application for development agreements. He acknowledged staff reviewed its processes and time necessary for a proper review of development agreements and proposed establishing an application fee. He mentioned most development agreements were time consuming and required administrative staff time as well as legal review. He stated staff proposed the City establish a development agreement fee of \$500 as part of the consolidated fee schedule to help offset some of the costs associated with the process.

Councilmember Phipps moved to approve Ordinance 2021-05 amending the City's Consolidated Fee Schedule to adjust the fees for athletic field use, pickleball court rental, and the development agreement process; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE LANDING TOWNHOMES
LOCATED AT APPROXIMATELY 200 WEST 1700 SOUTH (TIN: 12-065-0165)

Brad McIlrath, Senior Planner, stated the applicant was proposing a 20-lot apartment and townhome subdivision. He noted the Landing Townhome Subdivision was located at approximately 200 West 1700 South. He indicated the proposed subdivision would create one lot for the existing Landing Apartments, a common area lot for the Landing Townhomes, and eighteen townhome lots. He pointed out that the Council had previously reviewed the request in work session on February 9, 2021.

Mr. McIlrath acknowledged the properties had been through the site plan review process due to the review of the subdivision plat request; therefore, the applicant would need to come into compliance with various Code standards related to landscaping and parking for the existing apartments. He noted the Planning Commission had reviewed the plat at its meeting on February

3, 2021 and recommended approval based on four conditions which were included in the staff report.

Councilmember Peterson moved to approve the Final Subdivision Plat for the Landing Townhomes Subdivision located at approximately 200 West 1700 South with the four conditions recommended by the Planning Commission and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF THE UNION PACIFIC RAILROAD PIPELINE CROSSING AGREEMENTS TO FACILITATE THE FREEPORT G STREET SANITARY SEWER IMPROVEMENT PROJECT PHASE 2

Braden Felix, City Engineer/Public Works Deputy Director, stated a portion of the project to upgrade the sanitary sewer line on G Street from 5th Street to 11th Street within the Freeport Center required replacement of the sewer pipeline under the railroad tracks owned by Union Pacific Railroad Company. He mentioned the City was required to enter into a Pipeline Crossing Agreement with Union Pacific to be able to commence the work near each railroad spur. He acknowledged the three agreements outlined the terms and conditions for which the City and its contractor must adhere to in order to complete the project within the railroad rights-of-way. Mr. Felix stated staff recommended the agreements so pipelines could be upgraded from an 8-inch line to a 12-inch line and allow for increase to the flow in the area.

Councilmember Phipps moved to approve the Union Pacific Railroad Pipeline Crossing Agreements to facilitate the Freeport G Street Sanitary Sewer Improvement Project Phase 2 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF RESOLUTION 2021R-03 AUTHORIZING AMENDMENT NO. 6 TO THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES

Kelly Bennett, Police Chief, stated Animal Care of Davis County provided animal control services for the City. He explained the service was essential to the residents of Clearfield City in order to promote public health, safety, and improve the City's image and livability. He noted each year the services and fees were reviewed and the agreement amended, as necessary. Chief Bennett mentioned Amendment No. 6 increased the fee for the services for the 2021 calendar year so a budget amendment would likely be necessary before June to adjust for the increases.

Councilmember Roper moved to approve Resolution 2021R-03 authorizing Amendment No. 6 to the Interlocal Cooperation Agreement with Davis County for animal control services and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

AWARD OF BID FOR THE PARKS AND OPEN SPACE MASTER VALVES AND FLOW METERS PROJECT

Curtis Dickson, Community Services Deputy Director, indicated staff solicited bids to make improvements to the master valves and flow meters in the City's parks and other green spaces. He reviewed the scope of the project that was discussed previously with the Council during its work session on February 16, 2021. Mr. Dickson noted the lowest responsible bidder was Mountain Water and Irrigation with a bid of \$164,532.91.

He mentioned both the Community Services and Public Works departments had money set aside for equipment to help with water conservation and reporting. He stated combining funds for the project would allow about 95 percent of the City's properties to be metered. He acknowledged staff recommended the bid be awarded to Mountain Water and Irrigation for the bid amount of \$164,532.91 with contingency funds of \$12,467.09 for a total project cost of \$177,000.

Councilmember Phipps confirmed the company was the same one currently working on the City's central irrigation system project. He wondered if that might have contributed to being the lowest bidder. Mr. Dickson responded it was the same company and because of working on the current project the company had a better understanding of the City's system. He added it would also be helpful having the same contractor for both projects since they were tied together if there were warranty issues with the installation.

Councilmember Peterson moved to approve the award of bid for the Parks and Open Space Master Valves and Flow Meters project to Mountain Water and Irrigation for the bid amount of \$164,532.91 with contingency of \$12,467.09 for a total project cost of \$177,000 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

APPROVAL OF RESOLUTION 2021R-04 AUTHORIZING THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR MUNICIPAL ELECTION SERVICES

Nancy Dean, City Recorder, stated the City had successfully conducted prior municipal elections by mail with the assistance of the Davis County Clerk's office. She explained the County had the resources and equipment necessary to continue to assist in administering the election by mail. She indicated the Council discussed the Interlocal Agreement to continue its contract for election services during its work session on February 16, 2021.

Ms. Dean clarified the current legislation that was previously thought to require ranked choice voting methods be used in all primary elections would only require the County to provide support to the various cities that desired to use that method. She acknowledged the price estimates the County provided were based on cost sharing with all 15 cities within the County; therefore, it could increase if some cities opted to shift and use ranked choice voting methods. She stated staff recommended contracting election services with the County.

Councilmember Phipps questioned if the Resolution language were such that if the costs changed it would not need to be approved again in the future. Ms. Dean explained the cost estimate was an exhibit to the Resolution so the estimated costs would be attached as the exhibit if approved which would then allow the City to work with the County for election services.

Councilmember Bush moved to approve Resolution 2021R-04 authorizing the Interlocal Agreement with Davis County for election services and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

A MOTION TO AMEND THE JANUARY 12, 2021 PREVIOUSLY APPROVED DEVELOPMENT AGREEMENT WITH ALTA HOMES FOR THE DEVELOPMENT OF THE PROPERTY LOCATED AT APPROXIMATELY 938 SOUTH UNIVERSITY PARK BOULEVARD

Spencer Brimley, Community Development Director, reviewed the history of the project leading to a Development Agreement with Alta Homes for the development of the property located at approximately 938 South University Park Boulevard. He mentioned during the policy session on January 12, 2021, the Council approved the Development Agreement with a sixth condition of a cross-access easement to an adjacent property to allow access for the project's development. He noted subsequent meetings were held with the developer and North Davis Fire District to address the concerns and conditions of the Development Agreement.

Mr. Brimley acknowledged staff was requesting the Council consider a motion to amend the previous motion removing and replacing language for the condition of a cross-access easement. and consider two additional conditions for inclusion in the Development Agreement with Alta Homes related to yard and building separation and the maximum unit connections.

Councilmember Peterson moved to amend the January 12, 2021 previously approved Development Agreement with Alta Homes for the development of the property located at approximately 938 South University Park Boulevard, with the following amendments:

- 1. The condition of a cross-access easement with the adjacent property owner to the north prior to the recordation of an R-3 zone on the property is hereby removed and replaced with the condition that adequate vehicular access shall be provided in conformance with Clearfield City Public Works standards and North Davis Fire District standards for emergency response vehicles and the townhome resident vehicles.**
- 2. Section 11-9-5 of the Clearfield City Municipal Code, "Yard Regulations," specific to the required thirty-foot (30') separation of multi-family buildings that are built on the same lot or parcel shall be reduced to a required separation length of 10'.**
- 3. Development of this site will comply with the Form-Based Code Maximum Unit Connection to ensure that no townhome building shall include more than six (6) townhomes without the construction of the next set of townhome units as part of another multi-family building.**

And authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Participated in the kickoff Centennial Celebration Committee meeting to make plans for the City's 100-year celebration. He stated it would take a lot of work from a lot of people and he welcomed interested residents to get involved.
2. Announced the Legislative Session was going strong, and the Utah League of Cities and Towns (ULCT) was continuously sending out updates.

Councilmember Bush – nothing to report.

Councilmember Peterson – thanked staff for its efforts during a busy season, addressing unique challenges, and saving money by combining valve projects.

Councilmember Phipps – nothing to report.

Councilmember Roper – thanked residents for coming out and providing input because it was helpful with the decision-making process.

Councilmember Thompson

1. Reported the toast for Rob Bishop was a great event.
2. Announced the Utah Black Round Table would be meeting later in the week and would be extending his term as chair for another year.
3. Thanked Chief Bennett for the policing efforts of the City. He acknowledged receiving many comments from residents about feeling safe in the City.
4. Recognized National Black History Month was coming to an end and he appreciated the support of the Council and the community. He mentioned there were many human issues in the country but felt America was a better place when we all worked well together.

STAFF REPORTS

JJ Allen, City Manager

1. Announced there was an email from the ULCT regarding an action item on SB61 which was the billboard legislation if the Council wanted to review it and was inclined to take action. Mayor Shepherd confirmed the legislation on animal control was planned to return. Mr. Allen indicated that was his understanding.
2. Reported the budget committee meetings were underway and would be held for the next couple of weeks.

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

- No meeting scheduled for March 2, 2021
- Work and policy sessions on March 9, 2021
- Work session on March 16, 2021
- Work and policy sessions on March 23, 2021
- Work session on March 30, 2021

Councilmember Bush moved to adjourn at 8:56 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
March 9, 2021

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
	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
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder

VISITORS: Bryce Thurgood

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

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

Mayor Shepherd led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 9, 2021 POLICY SESSION AND
FEBRUARY 16, 2021 WORK SESSION

Councilmember Phipps moved to approve the minutes from the February 9, 2021 policy session and February 16, 2021 work session; as written, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL AND CONSENT TO ASSIGNMENT AND ESTOPPEL AGREEMENT FOR PHASE 1 OF THE BRAVADA 193 PROJECT LOCATED AT 1902 EAST STATE HIGHWAY 193

Spencer Brimley, Community Services Director, stated the City entered into a Development Agreement in August of 2020 with Bravada 193, LLC. He explained the owners of the property located at 1902 East State Highway 193 were seeking to close their construction loan to move forward with construction of buildings. He informed the Council that Washington Federal Bank was requiring that the City allow for the assignment of the Development Agreement to the bank should the developer default. Mr. Brimley noted the assignment provided greater assurance that the project was completed, as outlined in the Development Agreement, if for some reason the developer was unable to do so. He indicated it also provided assurance to the bank that the City consented to the assignment and that the Development Agreement continued to be in effect. He added staff recommended it be approved.

Councilmember Roper moved to approve the Consent To Assignment And Estoppel Agreement for Phase 1 of the Bravada 193 project located at 1902 East State Highway 193; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Attended the National League of Cities' virtual congressional committee meetings this week. He highlighted infrastructure and legal updates as a topics and also hearing from Vice President Harris and Speaker Pelosi.
2. Reported the US House was expected to vote on the COVID relief bill. He noted it was expected to pass. He expressed his opinion that the legislation was flawed. He stated Clearfield was an entitlement City and would receive its money through the Department of Housing and Urban Development (HUD). He noted this funding could be used for revenue replacement, programs, and other things. He explained it would allow for water, sewer, and broadband projects so there was flexibility for its uses. He voiced his opinion it was good for the City to keep its entitlement status rather than shifting it to the County as was discussed in the retreat meeting.

Councilmember Bush – pointed out that gas prices were up.

Councilmember Phipps – nothing to report.

Councilmember Roper – nothing to report.

Councilmember Thompson – nothing to report.

STAFF REPORTS

JJ Allen, City Manager – noted the monthly report was sent out previously.

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

- Work session on March 16, 2021
- Work and policy sessions on March 23, 2021
- Work session on March 30, 2021
- Work session on April 6, 2021
- Work and policy session on April 13, 2021

Councilmember Thompson moved to adjourn at 7:12 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
March 9, 2021

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
	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
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
VISITORS:	Bryce Thurgood	

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

DISCUSSION ON THE CONSENT OF ASSIGNMENT AND ESTOPPEL AGREEMENT FOR BRAVADA 193 LOCATED AT 1902 EAST STATE HIGHWAY 193

Spencer Brimley, Community Development Director, stated the City entered into a Development Agreement in August of 2020 with Bravada 193, LLC. He explained the owners of the property located at 1902 East State Highway 193 were seeking to close their construction loan to move forward with construction of buildings. He acknowledged Washington Federal Bank was requiring that the City allow for the assignment of the Development Agreement to the bank should the developer default. Mr. Brimley noted the assignment provided greater assurance that the project was completed, as outlined in the Development Agreement, if for some reason the developer was unable to do so. He indicated it also provided assurance to the bank that the City consented to the assignment and that the Development Agreement continued to be in effect.

Councilmember Phipps mentioned the documents seemed boiler plate upon review and wondered if the attorney had reviewed them. Stuart Williams, City Attorney, answered yes he

had reviewed them, the documents were standard, and the City had executed similar documents in the past.

Mr. Brimley stated the property owner desired to continue moving the project forward and due to time constraints would need the documents considered promptly so these were on the agenda for the policy session later in the evening.

Councilmember Bush commented there was nothing that would justify not doing it. He added it would help the project happen.

DISCUSSION ON APPOINTMENTS TO THE PLANNING COMMISSION

Spencer Brimley, Community Development Director, stated there had been some changes and turnover with the regular members of the Planning Commission. He continued Commissioner Nicole Bigelow resigned from the Commission and her seat needed to be filled. He indicated the staff report outlined staff proposals for the following actions:

- Reappoint Commissioner Bobby Austin as a Planning Commission Alternate,
- Reappoint Commissioner Karen Blackwood as a regular member,
- Appoint Commissioner Brogan Fullmer as a regular member of the Planning Commission, to fill the remaining term of Nicole Bigelow.

Mr. Brimley noted staff had reached out to a couple of prior applicants to determine if there was continued interest to serve on the Planning Commission. He explained there had not yet been a response; however, if there was still an interest then staff would propose one of them serve as an Alternate Planning Commissioner filling the vacancy left by shifting an alternate to the regular member position.

Mr. Brimley mentioned the youth ambassador's term ended in March of 2020 and a member of the youth commission, Amber Brink, had expressed an interest in being appointed to fill that vacancy. He stated Councilmember Roper had recommended Amber Brink to fill the vacancy left by Eden Bush. He indicated the purpose of the discussion was to receive feedback from the Council about the proposed appointments and reappointments that would be scheduled for the March 23, 2021 policy session.

Mayor Shepherd expressed his opinion Amber would do a great job. Councilmember Roper stated he had reviewed all the qualifications and expectations with Amber and felt she would do well in the assignment.

Councilmember Bush questioned if there were three alternates. Mr. Brimley answered there were three alternate positions, and one was typically filled by a youth ambassador. He noted with the shifts in positions, there would be a vacancy for an alternate position as well as the youth ambassador position.

Councilmember Phipps recalled there were several qualified candidates found during the last Planning Commission interview process and understood staff had reached out to those individuals to see if there was continued interest. Mr. Brimley responded staff had reached out to

them; therefore, the vacancies had not been publicized to allow time for their response. He indicated if there was no longer an interest then the vacancies could be noticed.

Councilmember Bush expressed his opinion the prior candidates interviewed had all been good so any of them could be appointed and do well. Mr. Brimley indicated the staff report for the policy session would include any recommendations for filling the remaining alternate vacancy once time had been provided for the applicants to respond back to the messages from staff.

Councilmember Bush moved to close the meeting at 6:13 p.m. for the purpose of a strategy session to discuss the purchase, exchange or lease of real property. Utah Code Ann. § 52-4-204 and § 52-4-205(1)(e), seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, and Thompson. Voting NO – None. Councilmember Peterson was not present for the vote.

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

The Council adjourned the closed session at 6:29 p.m. and reconvened in work session.

Councilmember Thompson moved to adjourn at 6:29 p.m., seconded by Councilmember Roper. 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.



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Brad McIlrath, Senior Planner/CDBG Coordinator
MEETING DATE: Tuesday, March 23, 2021
SUBJECT: Public Hearing and Possible Action on the proposed Amendments of 2020-2021 CDBG One Year Action Plan to Support COVID-19 Housing Assistance

STAFF RECOMMENDATION

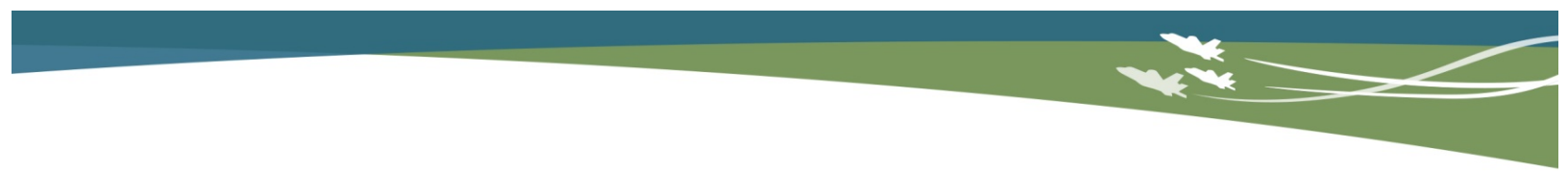
Staff recommends that the City Council approve the proposed amendments to the 2020-2021 One Year Action Plan as reviewed in this report.

DESCRIPTION / BACKGROUND

As part of the CARES Act, the U.S. Department of Housing and Urban Development (HUD) has been allocated funding to distribute to entitlement communities through the Community Development Block Grant (CDBG) program. This funding must be allocated specifically for services and activities that address impacts of COVID-19. CARES Act funding has been provided in different rounds with \$129,178 being allocated to Clearfield City in as part of round 1. No CDBG funds were provided to Clearfield City as part of round 2, but \$107,986 has been provided as part of round 3. The cumulative CARES Act amount provided to Clearfield City CDBG is \$237,164. To provide this round 3 funding, Clearfield City is required to amend the 2020-2021 1-Year Action Plan as was done so previously with round 1 funding. Based upon the amount of housing assistance that has been requested by Clearfield residents, Staff recommends that the full amount be provided towards housing assistance. The funding will be able to cover rental and flexible assistance that is proposed to be administered by the Housing Advocate in the Legal Department.

IMPACT

- a. **FISCAL** – The proposed allocations are based on funding granted by HUD through the CARES Act. No local funds are required to provide the assistance.
- b. **OPERATIONS / SERVICE DELIVERY**- The CARES Act CDBG funding as proposed for housing assistance will require additional staff oversight and administration. Staff time to evaluate this funding, review proposals and process changes to the 2020-2021 Action Plan have increased the amount of time required for CDGB administration. The increase of time will continue to be necessary until the funds are expended and HUD has fully closed out CARES Act projects.



ALTERNATIVES

The City Council may choose to provide another type of assistance than what is being proposed by staff.

SCHEDULE / TIME CONSTRAINTS

As part of HUD noticing requirements for amendments for COVID-19 response, the traditional 30-day comment and notice period has been waived and can be replaced with a 5-day noticing and comment period. That notice will be prepared and published prior to the public hearing for these amendments.

LIST OF ATTACHMENTS

- HUD Allocation Notification Letter



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

September 11, 2020

The Honorable Mark Shepherd
Mayor of Clearfield
55 S State Street
Clearfield, UT 84015-1027

Dear Mayor Shepherd:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department immediately allocated \$2 billion on March 27, 2020, the same day President Trump signed the Act, based on the fiscal year 2020 CDBG formula; this constituted the first round of CDBG-CV funds. Next, \$1 billion was required by the Act to be allocated to States and insular areas within 45 days of enactment of the Act; HUD accomplished this on May 11, 2020, and this constituted the second round of CDBG-CV funds. Finally, the remaining \$2 billion in CDBG-CV funds was required by the Act to be allocated to states and local governments at the discretion of the Secretary on a rolling basis; HUD accomplished this on September 11, 2020, and this constituted the third round of CDBG-CV funds. Additionally, up to \$10 million will be set aside for technical assistance.

Accordingly, this letter informs you that your jurisdiction's allocation for the third round is **\$107,986**. Your cumulative amount for all allocation rounds is \$237,164.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2019 and FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the HUD Secretary to grant waivers and alternative requirements of statutes and regulations the HUD Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent,

prepare for, and respond to coronavirus.

The CDBG CARES Act Federal Register Notice (FR-6218-N-01) was released on August 10, 2020. The notice describes the allocations and grant procedures applicable to the CDBG-CV grants. It also describes the program flexibilities, waivers, and alternative requirements that apply to the CDBG-CV grants as well as the fiscal year 2019 and 2020 CDBG grants. As further such flexibilities become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and the requirement that each grantee have adequate procedures to prevent the duplication of benefits (DOB). HUD will provide guidance and technical assistance on DOB, the prevention of fraud, waste, and abuse, and on documenting the impact of this program for beneficiaries.

Reminder, all CPD Grantees must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds- which will delay your ability to drawdown funds in the Integrated Disbursement & Information System (IDIS). Grantees are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: <https://www.sam.gov/SAM/>.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'John Gibbs', with a stylized, flowing script.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Brad McIlrath, Senior Planner

MEETING DATE: Tuesday, March 23, 2021

SUBJECT: Public Hearing and possible action on **GPA 2021-020033**, a general plan amendment request by Matthew Bridenstine with US Development to change the general plan designation for 5.739 acres of the subject properties from Commercial to Residential. **Location:** 1598 South 1000 East (TIN: 12-066-0096, 12-066-0097, & 12-066-0098). **Total Project Area:** 7.638 acres. **Staff:** Brad McIlrath (**Legislative Matter**).

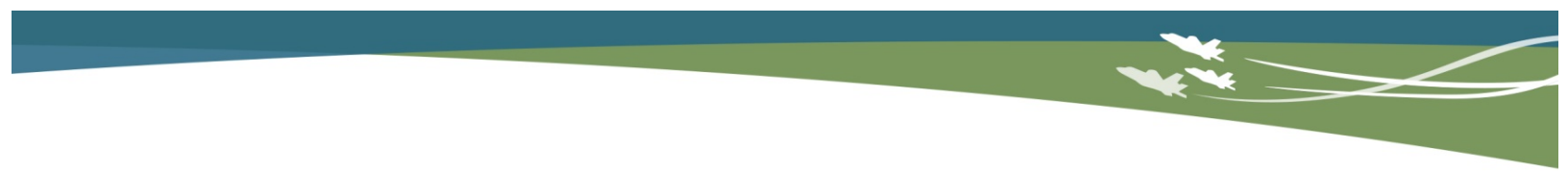
Public Hearing and possible action on **RZN 2021-020033**, a zoning map amendment request by Matthew Bridenstine with US Development to rezone 5.739 acres of the subject properties from A-1 (Agricultural) to R-3 (Residential) and 1.899 acres of the subject properties from A-1 (Agricultural) to C-2 (Commercial) **Location:** 1598 South 1000 East (TIN: 12-066-0096, 12-066-0097, & 12-066-0098). **Total Project Area:** 7.638 acres. **Staff:** Brad McIlrath (**Legislative Matter**).

CITY COUNCIL ACTIONS – GENERAL PLAN AMENDMENT

1. **Move to approve GPA 2020-110029**, a general plan amendment request by John Warnick with Destination Homes to change the general plan designation for the subject properties from Commercial to Residential.
2. **Move to deny GPA 2020-110029**, a general plan amendment request by John Warnick with Destination Homes to change the general plan designation for the subject properties from Commercial to Residential.
3. **Move to table GPA 2020-110029** and request additional time to consider the request.

CITY COUNCIL ACTIONS – ZONING MAP AMENDMENT

1. **Move to approve RZN 2020-110029**, a zoning map amendment request by John Warnick with Destination Homes to rezone the subject properties from A-1 (Agricultural) and C-2 (Commercial) to R-3 (Residential).
2. **Move to deny RZN 2020-110029**, a zoning map amendment request by John Warnick with Destination Homes to rezone the subject properties from A-1 (Agricultural) and C-2 (Commercial) to R-3 (Residential).



3. **Move to table GPA 2020-110029** and request additional time to consider the request.

PLANNING COMMISSION RECOMMENDATION

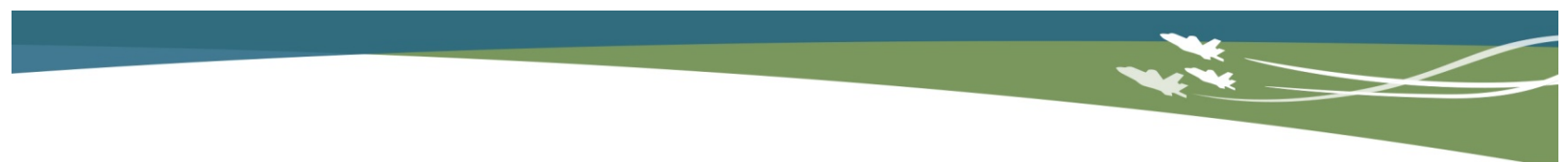
On March 3, 2021, the Clearfield Planning Commission forwarded a recommendation of denial for **GPA 2021-020033** and **RZN 2021-020033** for the proposed general plan amendment and zoning map amendments as requested.

DESCRIPTION / BACKGROUND

The applicant is requesting a general plan amendment as well as two rezone requests for the subject properties. This request would permit the applicant to master plan the subject properties with townhome residential to the side and rear and commercial (Convenience Store) on the corner. Additionally, if the requests are approved the applicant is proposing to convert the existing storm water basin into a city park. The properties are designated as commercial on the future land use map of the Clearfield City General Plan. To approve the rezone request of 5.739 acres of the properties from A-1 (Agricultural) to R-3 (Residential) a general plan amendment to change the future land use designation from commercial to residential is required. The portion of the properties located at the corner of 1000 East and Antelope Drive is the area where the applicant is requesting the rezone from A-1 (Agricultural) to the C-2 (Commercial) zone which complies with the general plan with a future land use designation of commercial.

CITY COUNCIL WORK SESSION

On March 16, 2021, the City Council reviewed the application for the proposed general plan and zoning amendments. The City Council reviewed the future viability of the entire site as commercial and discussed those elements that would need to be addressed to consider approval of the request. Concerns about consistency with the general plan were discussed as well as infrastructure demands and the type of housing that could be provided here. The applicant indicated a desire to have the amendments approved subject to a development agreement that would outline all the details for the proposed project. If approved, the applicant would need to prepare more detailed plans and a development agreement that can be submitted to the City for review by the Planning Commission and City Council. Additionally, staff was provided a letter of support from the developer of the Clearfield Station Transit-Oriented Development (TOD) site. The letter indicated this project would support future commercial and retail at the station and the park would provide additional amenities for those who live within the Clearfield TOD site.



PUBLIC COMMENT

A property notice was posted on February 19, 2021 with mailed notices also sent that same day. No public comment was provided at the Planning Commission meeting and as of the date of this report, no public comment has been received.

GENERAL PLAN AND ZONING MAP AMENDMENT ANALYSIS

As outlined in Section 11-6-3 and 11-6-4 of the Clearfield City Land Use Ordinance, the Planning Commission shall review the petition to change the land use title or zoning map and provide recommendation to the City Council for each request. The Planning Commission may recommend adoption of the proposed zoning map amendment when it finds that the proposed amendment is in accordance with one of the two considerations listed in the table below.

Review Consideration	Staff Analysis
<i>The proposed amendment is in accordance with the General Plan and Map; or</i>	The overall requested amendments are inconsistent with the General Plan as this area has a future land use designation of Commercial. The rezone of the corner 1.899 acres is consistent with the General Plan, but the request would need to be made separate of the R-3 (Residential) zoning request to be considered on its own merits.
<i>Changed conditions make the proposed amendment necessary to fulfill the purposes of this Title.</i>	These properties are located south of the Clearfield Frontrunner Station which will see an increase in residential uses over the coming years as approved with the Master Development Plan for that site. Due to the increase of residential uses to the north and additional mixed-use opportunities in the Layton and Clearfield area, it is important to maintain commercial areas near these future mixed-use areas. Additionally, continued residential development to the west in Clearfield and Syracuse with access provided by the Antelope Drive corridor will better support the commercial viability of these properties. Changed conditions make it more important to provide the most appropriate commercial uses on these properties that will serve current and future residents in the area.

Development Agreement

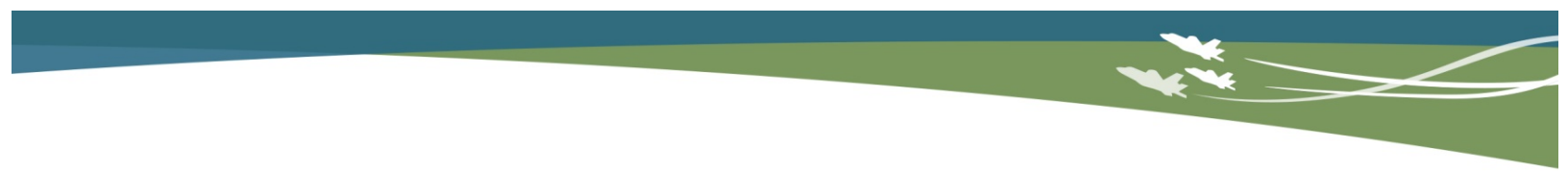
As outlined in Section 11-9D-11 D of the Land Use Title, a development agreement may be required for all new development in the R-3 Zone. As such the application for rezone, preliminary plat, or site plan approval is conditioned upon final approval of the agreement by the City Council. The R-3 Zone allows townhomes under the definition of multi-family dwellings which are, “Three (3) or more attached dwelling units in any configuration.” The applicant is requesting the rezone to R-3 to develop the back 5.739 acres of the subject properties with townhomes. If the general plan amendment and rezone is approved, staff recommends that a development agreement be required to limit the housing type to townhomes as the multi-family dwelling units constructed on this property.

GENERAL PLAN ANALYSIS

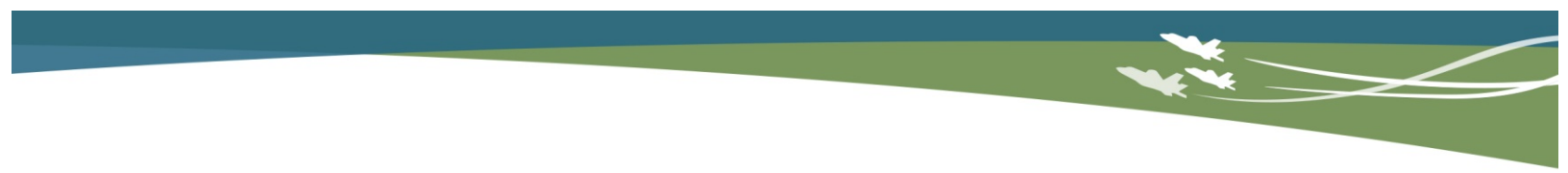
The Clearfield City General Plan outlines the overall community vision and provides land use guidelines located in Chapter 2 - Land Use Element, which should be followed throughout the City. Chapter 3 – Transportation, addresses goals and policies to ensure balance between future transportation needs that come with future land use development. The following three sections are an analysis of the land use guidelines, the applicable land use goal and policy, and transportation aspects of the General Plan.

A. Land Use Guidelines

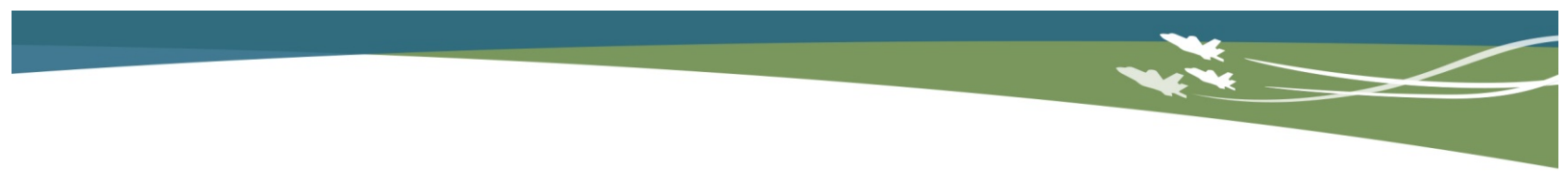
Land Use Guideline	Staff Analysis
1. <i>The identity of Clearfield City should be strengthened by land uses which improve the image of the community and foster a positive, healthy living environment conducive to long-term residency.</i>	Rezoning most of the land of these properties to the R-3 (Residential) zone will provide more of the same type of housing in this area. Although there is a need to provide entry level housing in the region, there is a substantial amount of housing being provided at the Frontrunner Station to the north and along the SR 126 corridor within the City.
2. <i>The relationship of planned uses should reflect consideration of existing development, environmental conditions, service and transportation needs, and fiscal impacts.</i>	It is important to provide residential supportive commercial for this area as well as the future residential uses at the Frontrunner Station.



3. <i>Redevelopment should emphasize the reuse of developed areas and existing community resources in such a way as to increase the livability and aesthetics of the City.</i>	Providing additional residential uses in this area would likely require improvements to 1000 East to maintain the standard of livability and access the residents have become accustomed to.
4. <i>The Land Use Plan should provide for a full range and mix of land uses including residential, commercial, manufacturing, and public use areas.</i>	Rezoning this property to support mostly residential will not provide additional mixing of uses but more of a continuation of the same land use pattern to the north. Additional housing units coming to the area should support additional commercial investment in the area.
5. <i>Transitions between differing land uses and intensities should be made gradually with compatible uses, particularly where natural or man-made buffers are not available. Adequate screening and design should be provided to protect existing residential areas from more intense land uses.</i>	Both medium-density residential and commercial uses in this area will support a gradual transition between land uses from higher density residential to the north and lower density residential to the south.
6. <i>Development approval should be tied to the construction of culinary water, sewer, storm drainage, and circulation systems.</i>	The current capacity of infrastructure in this area would be strained in supporting the additional residential units in the area. Improvements for infrastructure upgrades for the Frontrunner Station development are planned but are likely a few years down the road. Until that infrastructure is provided to support additional residential units, uses in this area that have a minimal impact on the existing infrastructure is recommended.
7. <i>Density increases should be considered only after adequate infrastructure and resource</i>	The increases of density on this land should only be considered in the future after infrastructure upgrades have been made to support the Frontrunner Station.



<i>availability have been sufficiently demonstrated.</i>	
<i>8. An interconnecting public open space system should be provided, including pedestrian linkages, recreational areas, natural areas, on-road cycling facilities, and drainage ways.</i>	The proposed rezone would include the intent to provide connections to and from the city park and to connect the recreational trails and park spaces along Antelope Drive and to the Frontrunner Station.
<i>9. Commercial and manufacturing uses should be highly accessible, clustered near the center of their service areas, and developed in harmony with the uses and character of surrounding districts.</i>	This guideline supports the construction of additional commercial uses in this area.
<i>10. The Land Use Plan should promote and encourage land use patterns that provide a high quality of life to all and offer choice in mobility and transportation.</i>	Medium-density residential as part of the R-23 Zone increases housing choice and offers multiple choices in mobility and transportation. Due to the location of the property, pedestrian and active transportation choices are increased to the Frontrunner Station and trail system. Improvements to 1000 East would need to be made to accommodate the increase traffic and pedestrian demands for this corner.
<i>11. The remaining vacant properties in the City should be developed at their highest and best use to maximize their value to the landowner and the City.</i>	The highest and best use of property is driven by market demands and realities. Development with medium-density residential uses may provide the highest and best return to the property owners, but may provide an additional impact on services for the City.
<i>12. The quality and usefulness of parks and open space should be maximized. Open spaces that are small, inaccessible, difficult to maintain, or encumbered by</i>	The retention basin is quite deep and would have excessive slopes as a park amenity. Although the area may be provided as a park, the user experience for patrons may be diminished due to the slope and use of the land for storm water storage.



<i>utilities, drainage basins, or excessive slopes should not be encouraged.</i>	
<i>13. Manufacturing and industrial activities should be limited to those areas already zoned for such uses.</i>	Not applicable.
<i>14. Properties registered with the County or State for agricultural or industrial protection should be recognized by the City to allow such land uses.</i>	The property is designated for commercial future land uses and has had the agricultural use limited in the preceding years.
<i>15. Land use decisions should be based on a comprehensive understanding of their effects on the environment and surrounding areas.</i>	Understanding the increase of residential uses at the Frontrunner Station, along SR 126, and within other areas of the city are important to consider as part of this request. Adding additional residential uses by reducing areas for future commercial uses at this location may provide a greater demand on resources while not providing needed commercial uses for current and future residents in this area.

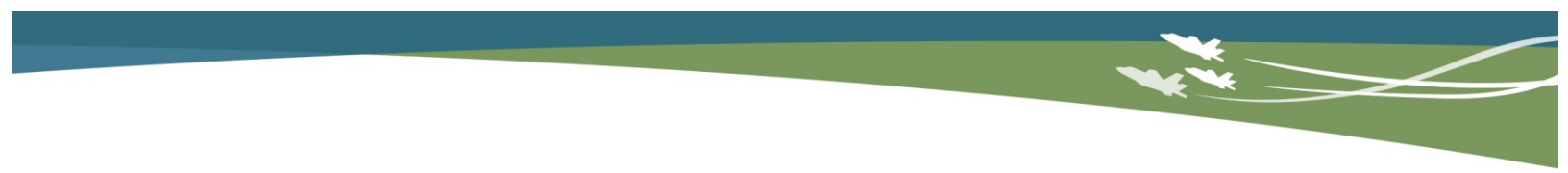
B. Goals and Policies of Land Use

The General Plan includes four land use goals with policies and implementation measures associated with each. Out of the four goals, Goal 4 most closely aligns with the proposed rezone request and is provided as part of the following analysis.

Goal 4: *Revitalize Neighborhoods and Commercial Districts with a focus on a Downtown Core.*

Policy: *Encourage redevelopment and renovation of deteriorating neighborhoods and commercial districts.*

Implementation Measure #1: *Facilitate the redevelopment of downtown Clearfield City through public-private partnerships. Continue funding of the Façade and Site Improvement Grant program for downtown businesses. Incentivize redevelopment of the downtown area by using tax increment financing.*



Implementation Measure # 2: *Create land use ordinances that allow and encourage infill redevelopment. Envision downtown as public places that have the potential to become destinations for pedestrians.*

Implementation Measure #3: *Prioritize code enforcement and property maintenance throughout the City. Hold regular coordination meetings with code enforcement and the planning office, to ensure compliance with City ordinances.*

Implementation Measure #4: *Adopt small area (district) plans to focus on neighborhoods and provide specific goals and strategies to enhance the positives and improve upon those items of concern.*

Implementation Measure #5: *Encourage the mixing of uses along a corridor, including jobs and housing in close proximity to one another.*

This goal, policy, and implementation measure has a specific focus on creating a downtown core but also encourage redevelopment and investment to local neighborhoods and commercial districts. The policy associated with this goal is applicable to this neighborhood as there is a need to support existing and future residential uses with neighborhood commercial uses. Although families in the townhomes, mobile homes, single-family homes, and other residential uses in the area cannot be forced to support the commercial in this area, with additional housing opportunities coming to this area the viability for long-term sustainability of local businesses will increase.

CORRESPONDING POLICY PRIORITY (IES)

Improving Clearfield's Image, Livability and Economy

Denial of the proposed general plan and zoning map amendments will improve *Clearfield's Image, Livability, and Economy* by tying future land uses with the General Plan goals and objectives.

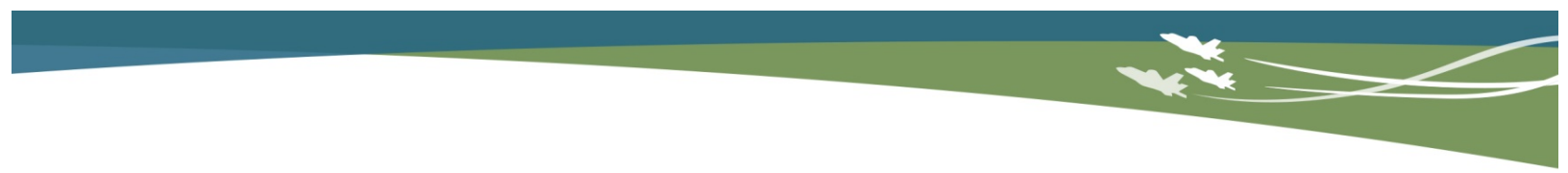
FINDINGS & CONCLUSION

Based upon analysis of this request and the Clearfield City General Plan, the following findings support denial of the proposed general plan amendment and zoning map amendments.

1. The proposed general plan and zoning map amendment is inconsistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan.
2. Commercial uses are needed to support existing and planned residential increases to the north.

FISCAL IMPACT

None



ALTERNATIVES

Alternatives for this request were provided at the beginning of the Staff report.

SCHEDULE / TIME CONSTRAINTS

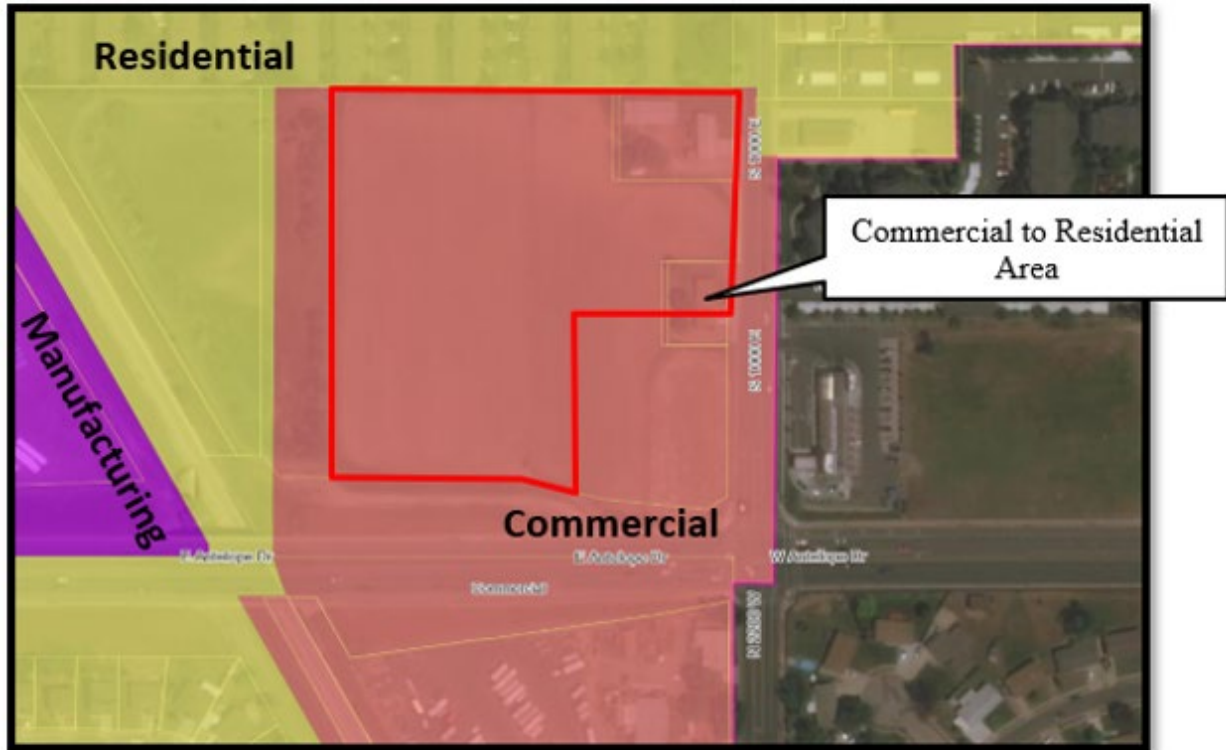
If the City Council chooses to table the item to direct staff to perform research for further information on this item, the item will need to be tabled to a date specific to comply with public hearing notice requirements.

LIST OF ATTACHMENTS

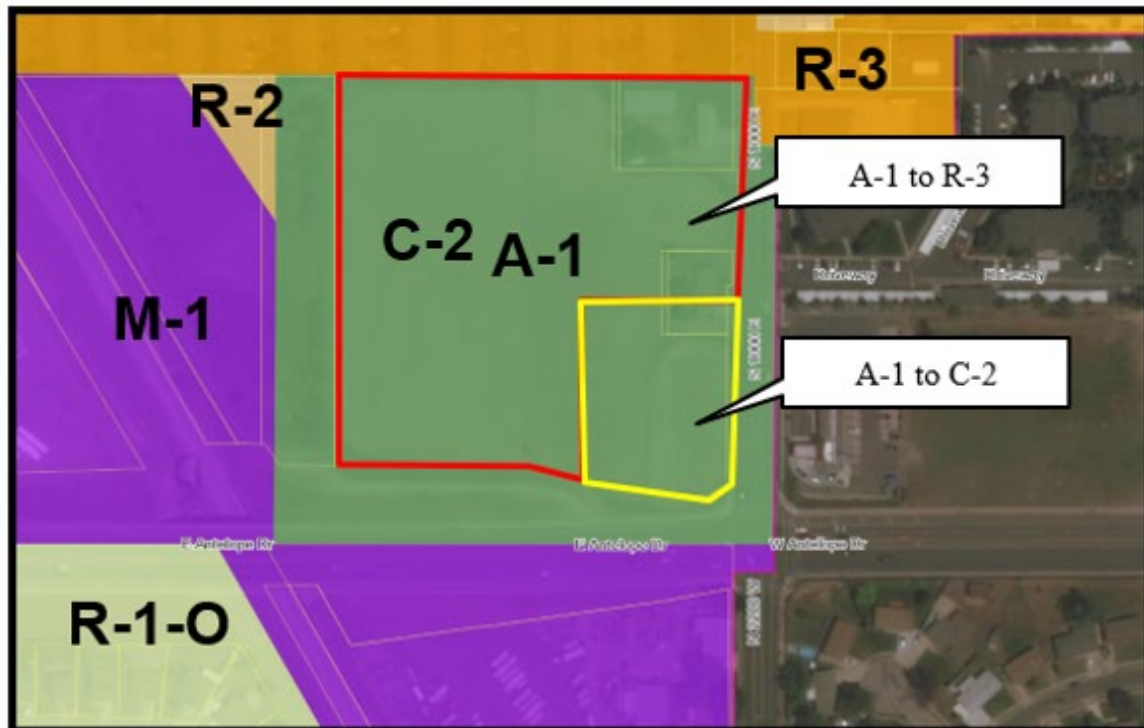
1. General Plan Map
2. Zoning Map
3. Site Exhibits



GENERAL PLAN



ZONING



Trail Connections

Legend

- Clearfield Station
- Existing Paths
- Proposed Connections

Clearfield Frontrunner Station

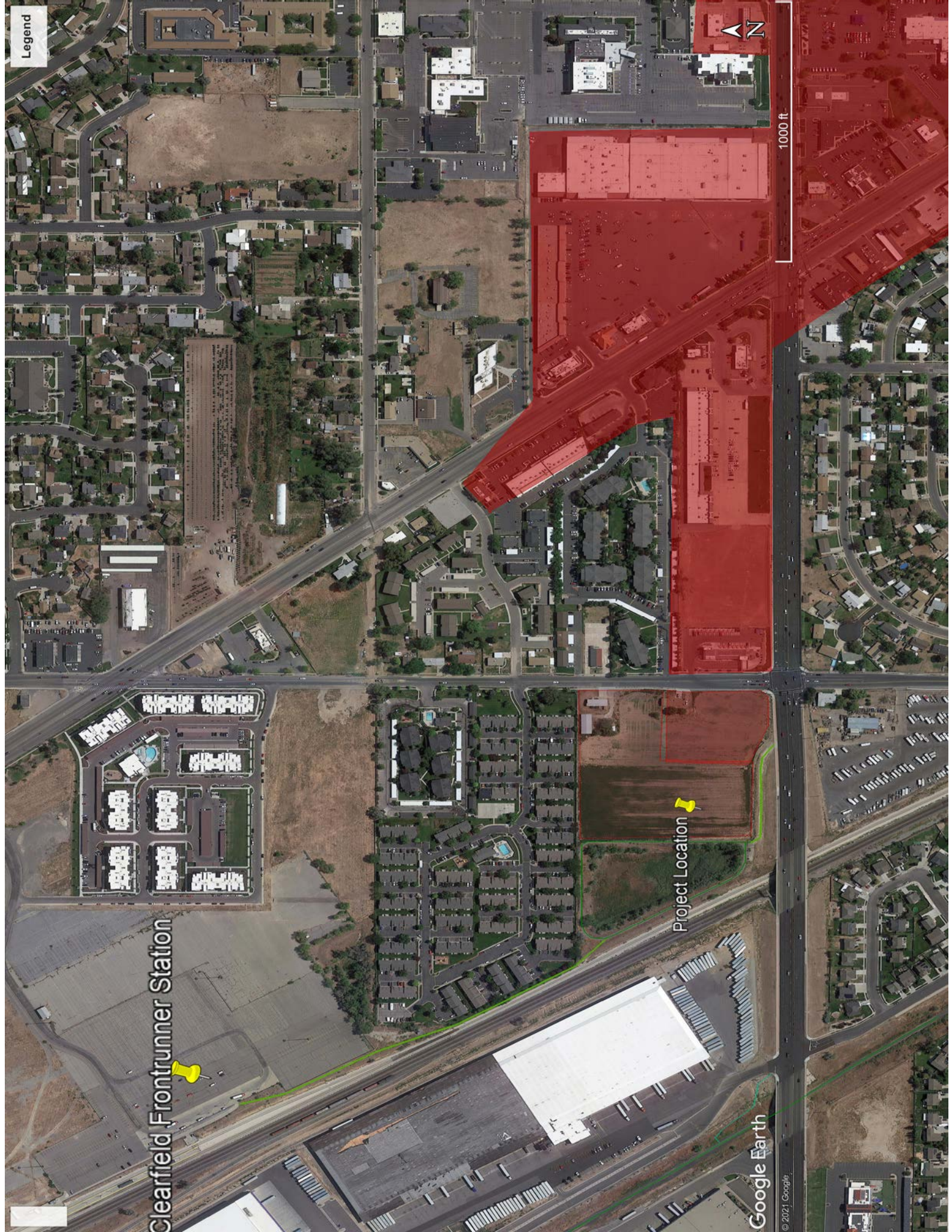
Project Location

Google Earth

© 2020 Google

400 ft





Legend



1000 ft

Clearfield Frontrunner Station

Project Location

Google Earth

© 2021 Google

FOR:

CONTACT:

PHONE:

CLEARFIELD PARK AT ANTELOPE

A TOWNHOME NEIGHBORHOOD

1000 EAST ANTELOPE DRIVE

CLEARFIELD, UTAH

SEAL

PROJECT NO.
DESIGNED BY: X.X.

ISSUED:

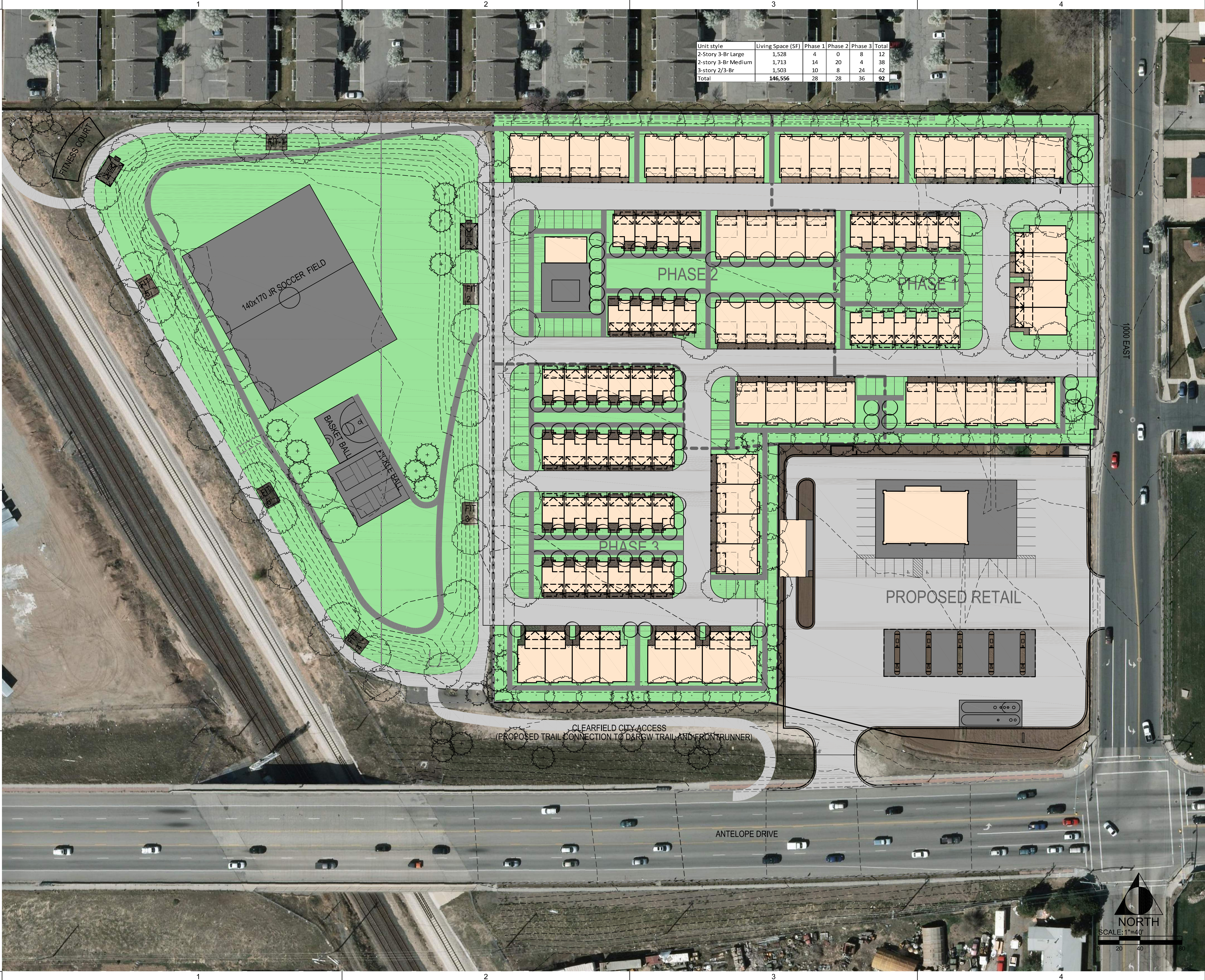
NO.	DATE	DESCRIPTION

REVISIONS:

NO.	DATE	DESCRIPTION
△		
△		
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SHEET NUMBER

Unit style	Living Space (SF)	Phase 1	Phase 2	Phase 3	Total
2-story 3-Br Large	1,528	4	0	8	12
2-story 3-Br Medium	1,713	14	20	4	38
3-story 2/3-Br	1,503	10	8	24	42
Total	146,556	28	28	36	92



CLEARFIELD CITY ORDINANCE 2021-06

AN ORDINANCE AMENDING THE CLEARFIELD CITY GENERAL PLAN

PREAMBLE: This Ordinance changes the land use classification from Commercial to Residential on the Future Land Use Map in the Clearfield City General Plan for the properties located at 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098).

WHEREAS, the properties located at approximately 1598 South 1000 East (TIN: 12-066-0096, 12-066-0097, and 12-066-0098) currently have a land use designation of Commercial on the Future Land Use Map in the Clearfield City General Plan; and

WHEREAS, the property owner has requested an amendment to the Future Land Use Map of the General Plan to change the properties' land use designation from Commercial to Residential; and,

WHEREAS, the lack of successful commercial development on these properties creates a history which indicates that the commercial zoning designation of the properties may not be the singular zoning designation that is the highest and best use for the properties based in whole or in part on the limited accessibility to the properties, as well as the topographical issues and physical limitation of the properties being adjacent to a transportation corridor to the South, and a regional detention basin and a rail line to the west; and

WHEREAS, the applicant believes that a mix of uses including strategically located commercial and a multi-family residential zoning designation is the highest and best use because the properties are closely connected to a TOD (Transit-Oriented Development) site, can be developed in such a way as to tie into a regional trail network connecting to the TOD, can create a new city park, is adjacent to a multi-family residential development, and is consistent with the Opportunity Zone assigned to the properties; and

WHEREAS, after a public hearing on the matter, the Clearfield City Planning Commission recommended the Clearfield City Council deny the applicant's request to change the future land use from Commercial to Residential for the properties located at 1598 South 1000 East (TIN: 12-066-0096, 12-066-0097, and 12-066-0098); and

WHEREAS, the Clearfield City Council received and reviewed the recommendation by the Clearfield City Planning Commission; and

WHEREAS, following proper notice, as set forth by state law, the City Council held a public hearing on the matter and received input thereon; and

WHEREAS, after the public hearing, the City Council carefully considered any comments made during the public hearing; and

WHEREAS, following its public deliberation, the City Council has determined that changing the future land use classification on the Future Land Use Map of the City's General Plan from Commercial to Residential for all but approximately 1.899 acres of the properties located at 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) 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: The future land use classification for the properties located at 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-066-0098) be changed from Commercial to Residential for all but approximately 1.899 acres of the properties and that said change be incorporated into and reflected by the City's General Plan and its Future Land Use Map conditioned upon the following stipulations:

- 1) a site plan and subdivision plat for the properties be lawfully approved;
- 2) a development agreement with the City be lawfully executed and recorded against the properties;
- 3) execution and completion of the project, including site and building improvements; and,
- 4) the applicant shall provide proof of having obtained and maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

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

DATED this 23rd day of March, 2021, 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:

CLEARFIELD CITY ORDINANCE 2021-07

AN ORDINANCE REZONING THE PROPERTIES LOCATED AT 1598 SOUTH 1000 EAST (TINS: 12-066-0096, 12-066-0097, and 12-066-0098) IN CLEARFIELD, DAVIS COUNTY, UTAH, FROM A-1 (AGRICULTURAL) TO C-2 (COMMERCIAL) FOR 1.899 ACRES AND FROM A-1 (AGRICULTURAL) TO R-3 (MULTI-FAMILY RESIDENTIAL) FOR 5.739 ACRES AND AMENDING THE CLEARFIELD CITY ZONING MAP ACCORDINGLY.

PREAMBLE: This Ordinance rezones the properties located at 1598 South 1000 East (TINs: 12-066-0096, 12-066-0097, and 12-067-0098) in Clearfield, Davis County, Utah, from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (multi-family Residential) for 5.739 acres and amends the City's Zoning Map to reflect those changes. The new zoning designation set forth in this ordinance, which will only take effect after the developer meets the stated conditions precedent, is in accordance with the City's General Plan and Future Land Use Map and maintains consistency between the City's Land Use Ordinance and the General Plan.

WHEREAS, pursuant to an application received by the City's Community Development office, the City Council must consider a change in the zoning for the properties located at 1598 South 1000 East; and

WHEREAS, after a public hearing on the matter, the Clearfield City Planning Commission recommended to the Clearfield City Council that the rezone be denied because it is inconsistent with the land use guidelines, goals, and objectives of the Clearfield City General Plan; and

WHEREAS, following proper notice, as set forth by state law and the City's Land Use Ordinance, the City Council held a public hearing on the application for a change in the zoning for this properties and allowed for public comment thereon; and

WHEREAS, after the public hearing, the City Council carefully considered any comments made during the public hearing, the developer/landowner's position, the properties' location in an Opportunity Zone, as well as the Planning Commission's recommendations regarding the proposed rezone; and

WHEREAS, following its public deliberation, the City Council has determined that upon the developer meeting certain conditions precedent as set forth herein, the zoning changes listed below are in the best interests of Clearfield City and its residents and will most effectively implement the City's planning efforts while allowing the subject properties to be put to its highest and best use;

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

Section 1. Zoning Changes: The zoning for the following properties will be hereby changed as specified below:

After the developer has met the conditions precedent recommended by the City's Staff, including but not limited to the following: 1) approval of application GPA 2021-020033; 2) a site plan and subdivision plat for the properties being approved; 3) a development agreement with the City being approved, fully executed, and recorded against the properties as currently configured; 4) execution and completion of the project, including site and building improvements; and, 5) the applicant providing proof of having obtained and maintained all applicable local, state and federal permits; then the properties located at 1598 South 1000 East (TIN: 12-066-0096, 12-066-0097, and 12-066-0098) in Clearfield, Davis County, Utah, will be rezoned from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (multi-family Residential) for 5.739 acres.

Section 2. Amendments to Zoning Map: Once the conditions precedent as set forth in Section 1 above have been met by the developer and the properties has been rezoned from A-1 (Agricultural) to C-2 (Commercial) for 1.899 acres and from A-1 (Agricultural) to R-3 (multi-family Residential), then the Clearfield City Zoning Map will be amended to reflect the changes in zoning outlined in Section 1 above and the City's Community Development Director is hereby asked to have a new Zoning Map prepared showing said rezoning.

Section 3. Effective Date: This Ordinance shall become effective only upon the developer's meeting of the conditions precedent as those set forth above and its posting in three public places within Clearfield.

Dated this 23rd day of March, 2021, 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: Chief Kelly Bennett, Police Department
MEETING DATE: March 23, 2021
SUBJECT: Pre-Disaster Mitigation Plan

RECOMMENDED ACTION

Approve Davis County's request to support the Davis County Emergency Services Division's intent to utilize a FEMA Grant to update the Davis County Pre-Disaster Mitigation Plan.

DESCRIPTION / BACKGROUND

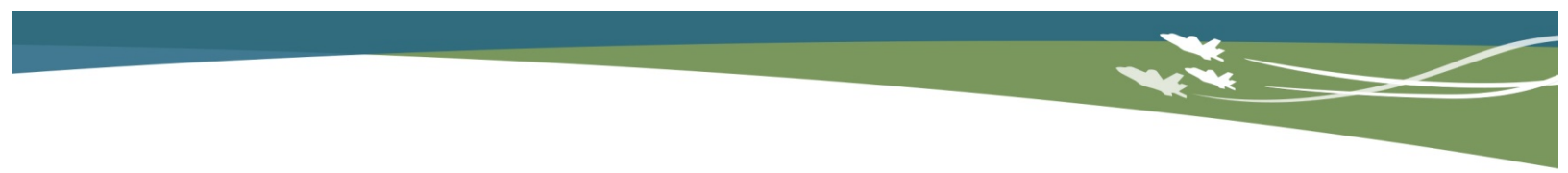
Davis County developed a Pre-Disaster Mitigation Plan in 2016. Clearfield City adopted the Pre-Disaster Mitigation Plan as part of the Clearfield City Emergency Operations Plan. The County needs to update the existing plan before it expires in late 2021. Davis County received a grant in support of its initiative in part because local staff time that can be dedicated toward this work is limited. A Pre-Disaster Mitigation Plan involves a significant amount of data analysis and coordination between numerous state agencies, municipalities in and adjacent to Davis County. For Davis County to move forward with the grant and the modifications to the current plan, a formal statement of support and agreement from primary stakeholder agencies is required. Davis County has retained a consultant to help with this initiative. Emergency Services Manager John Meek will provide additional information to the consultant by utilizing an interactive website where documents can be uploaded and reviewed.

HEDGEHOG ANALYSIS

Clearfield City utilizes the Davis County Pre-Disaster Mitigation Plan due to the cost associated with the creation and update of the plan. The recommendation to support Davis County was evaluated using the Hedgehog Prioritization Tool and the recommendation is a high value (score 21).

CORRESPONDING POLICY PRIORITY (OR PRIORITIES)

Supporting the Davis County Emergency Services with the Pre-Disaster Mitigation Plan corresponds with providing quality municipal services to the residents of Clearfield City. A Pre-Disaster Mitigation Plan protects or reduces the vulnerability of Clearfield residents, critical city facilities, infrastructure, and private property. In addition, the plan is required by the Federal Emergency Management Agency (FEMA) and the plan must comply with their requirements. This plan along with other requirements, allows Clearfield City to continue to apply for the Emergency Management Performance Grant



(EMPG). The plan is also required in the event there is a need to apply for federal funding relevant to disaster relief. Additionally, supporting Davis County is fiscally responsible due to the cost savings relative to the grant award.

FISCAL IMPACT

There is no fiscal impact since Davis County will be utilizing a FEMA Grant. The cost to create a Pre-Disaster Mitigation Plan ranges from \$75,000 - \$100,000.

ALTERNATIVES

Clearfield City would have to hire a third party to create a Clearfield City Pre-Disaster Mitigation Plan.

SCHEDULE / TIME CONSTRAINTS

n/a

LIST OF ATTACHMENTS

Letter from the Davis County Sheriff's Office

Davis County Pre-Disaster Mitigation Plan, 2021 Update

Resolution 2021R-05



Davis County Sheriff's Office

Kelly V. Sparks
Sheriff

Arnold Butcher
Chief Deputy
Corrections

Susan M. Poulsen
Chief Deputy
Administration

Andrew Oblad
Chief Deputy
Law Enforcement

Clearfield City Council
c/o John Meek, john.meek@clearfieldcity.org

February 1, 2021

RE: DAVIS COUNTY PRE-DISASTER MITIGATION PLAN

A Pre-Disaster Mitigation Plan (PDM) is intended to promote sound public policy and protect or reduce the vulnerability of the citizens, critical facilities, infrastructure, private property, and the natural environment within the County. A PDM is required by the Federal Emergency Management Agency (FEMA), and the updated Pre-Disaster Mitigation Plan MUST comply with FEMA rules.

Davis County developed a PDM that FEMA approved in 2016. The County has a strategic imperative to have its existing plan updated and approved before it expires in late 2021. They have received a grant in support of its initiative in part because local staff time that can be dedicated toward this work is limited.

The process to develop a PDM involves a significant amount of data analysis and coordination between numerous state agencies, municipalities in and adjacent to Davis County, many special service districts, and other community organizations. For the plan to gain this support, the project will need to be managed carefully, information will need to be communicated clearly, and time will need to be reserved for revisions and for the various local adoption processes.

In order for this initiative to proceed, Davis County needs a formal statement of support and agreement to participate from the primary stakeholder agencies. We have attached content that we would suggest for your jurisdiction's resolution of support.

Davis County has retained a consultant to help with this initiative (Mike Hansen, Rural Community Consultants). Their team will likely be contacting your office throughout this planning process. Due to the pandemic, they will be focusing most of our interaction through online resources that will be associated with the <https://DavisHazardPlan.Org/> website.

Chad Monroe
Emergency Manager, Davis County
(801) 451-4129 (office)
(714) 655-3620 (cell)

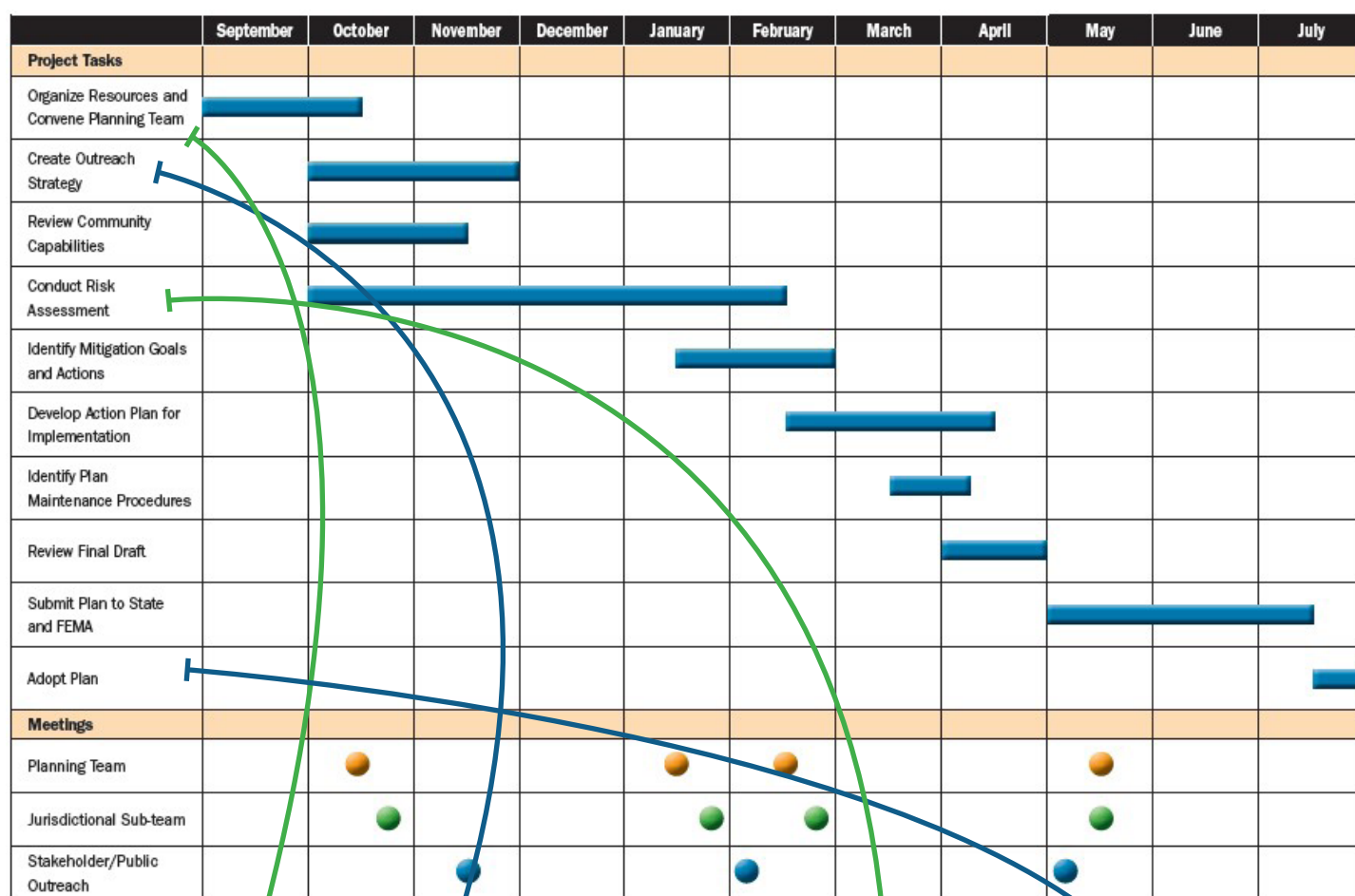
DAVIS COUNTY PRE-DISASTER MITIGATION PLAN, 2021 UPDATE

A Pre-Disaster Mitigation Plan is intended to promote sound public policy and protect or reduce the vulnerability of the citizens, critical facilities, infrastructure, private property, and the natural environment within the County. A PDM is required by the Federal Emergency Management Agency, and the updated Pre-Disaster Mitigation Plan MUST comply with FEMA rules.

Davis County developed a PDM that FEMA approved in 2016. The County has a strategic imperative to have its existing plan updated and approved before it expires in late 2021. They have received a grant in support of its initiative in part because local staff time that can be dedicated toward this work is limited.

The process to develop a PDM involves a significant amount of data analysis and coordination between numerous state agencies, every municipality in Davis County, and many special service districts. In order for the plan to gain this support, the project will need to be managed carefully, information will need to be communicated clearly, and time will need to be reserved for revisions and for the various local adoption processes.

DavisHazardPlan.org



FEMA recommends a MOU at the beginning of the process in order to set expectations for Emergency Managers.

The uncertainty with COVID will drive us to focus the public interaction to be primarily online. (NEED = local social media accounts, newsletters, etc).

We intend to invest in the conversion of the project site into an ongoing resource that will be useful to the public.

Each jurisdiction needs to formally approve/adopt the final plan before FEMA will adopt it.

CLEARFIELD CITY RESOLUTION 2021R-05

A RESOLUTION SUPPORTING AND PARTICIPATING IN THE UPDATE TO THE DAVIS COUNTY PRE-DISASTER MITIGATION PLAN

WHEREAS the health, safety, and welfare of the residents of Clearfield City are matters of paramount importance to the City Council; and

WHEREAS the Clearfield City Council recognizes the threat that natural hazards pose to people and property within their jurisdiction; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has required that municipalities review and revise their local multi-hazard mitigation plan every five years to reflect changes in development, progress in local hazard mitigation efforts, and changes in mitigation priorities and submit their revised multi-hazard mitigation plan for review and approval by FEMA to remain eligible for pre-disaster mitigation grant funding; and

WHEREAS the Emergency Services Division of Davis County has received a grant from FEMA to prepare a multi-jurisdictional hazard mitigation plan in accordance with the requirements of 44.C.F.R. 201.6 and the FEMA “Local Mitigation Planning Handbook”; and

WHEREAS these requirements include obtaining formal resolutions of participation and support from stakeholder jurisdictions.

NOW THEREFORE, BE IT RESOLVED that the Clearfield City Council hereby intends to support the Plan update initiative by participating with the committee intended to develop revisions and updates to the Davis County Pre-Disaster Mitigation Plan.

This Resolution shall take effect upon passage.

Passed and adopted by the City Council at its regular meeting on the 23rd day of March, 2021.

ATTEST

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:



STAFF REPORT

TO: Mayor Shepherd and City Council Members

FROM: Brad McIlrath, Senior Planner

MEETING DATE: Tuesday, March 23, 2021

SUBJECT: Discussion and possible action on **FSP 2021-010025**, an amended subdivision plat request by Brock Loomis with J. Fisher Companies, LLC for the Sand Ridge Village Townhomes subdivision at the subject location. **Location:** 180 S. State Street (TIN: 15-038-0142). **Parcel Area:** 1.79 acres. **Zone:** U-R (Urban Mixed Residential). **Planner:** Brad McIlrath (**Administrative Action**).

STAFF RECOMMENDATION

Staff recommends that the Clearfield City Council **approve as conditioned FSP 2021-010025**; an amended subdivision plat request by Brock Loomis with J. Fisher Companies, LLC for the Sand Ridge Village Townhomes subdivision located at 180 S. State Street (TIN: 15-038-0142). This recommendation is based on the subdivision discussion and findings in the Staff Report.

PLANNING COMMISSION RECOMMENDATION

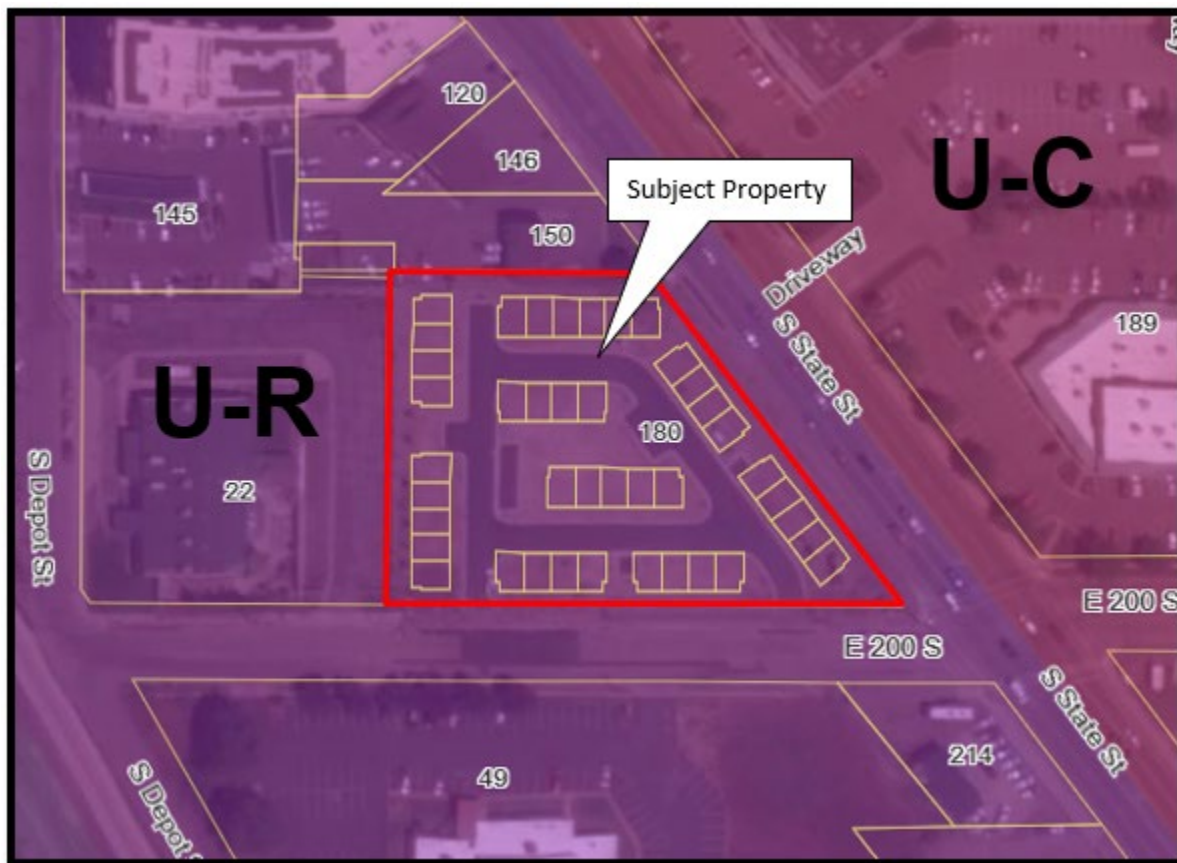
On March 3, 2021, the Planning Commission forwarded a recommendation of **approval** to the City Council for **FSP 2021-010025 as conditioned**.

DESCRIPTION / BACKGROUND

Project Information	
Project Name	Sand Ridge Village Amended Plat
Site Location	180 S. State Street
Tax ID Number	15-038-0142
Applicant	Brock Loomis, J. Fisher Companies, LLC
Property Owner	JF Clearfield, LLC
Proposed Actions	Amendment to Final Plat
Current Zoning	U-R (Urban Mixed Residential)
Site Area	1.79 Acres

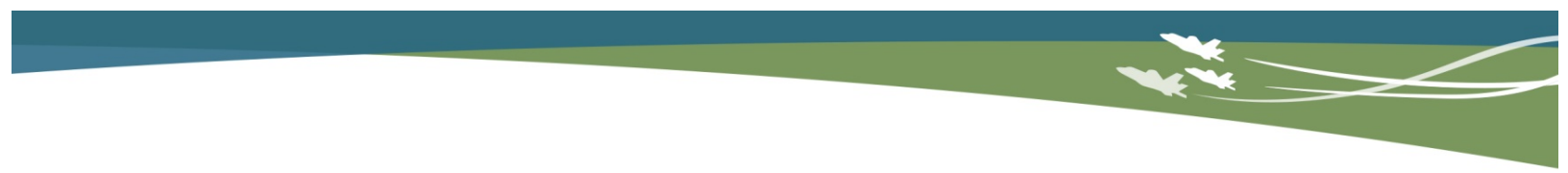
Surrounding Properties and Uses:		Current Zoning District	General Plan Land Use Classification
North	Commercial	T-R (Town Residential)	Mixed-Use
East	Commercial/Retail	T-C (Town Commerce)	Mixed-Use
South	Auto Sales/Counseling	C-C (Commercial Corridor)	Mixed-Use
West	Commercial Event Center	T-R (Town Residential)	Mixed-Use

Aerial Image & Zoning



BACKGROUND & OVERVIEW

The Sand Ridge Village Townhomes subdivision was approved by Clearfield City in July 2019 and recorded at the county in May 2020. As shown in the image above and on the attached recorded plat, the end townhome units each have a recessed corner which is recessed from the front



elevation by about ten and a half feet (10.5') and from the sides of two feet (2'). To provide greater living spaces for the townhomes, the architectural plans for the units were revised to remove that recess and square off all of the corner units (see attached amended plat). Due to this change, the unit footprints on the subdivision plat need to be amended to ensure each townhome unit does not cross a property line and fits within the platted unit area recorded with the county. This slight modification does not have a substantial impact on the project design or open space area and will provide greater living areas for the owners and residents of the townhomes.

AMENDED PLAT REVIEW

The subdivision plat submission includes a plat, demolition and site plan, a grading, drainage, and utility plan, and an erosion control plan. The Clearfield City Engineer has reviewed the plans and provided a review letter which is included as an attachment to this report. As required by ordinance, the applicant will need to provide a geotechnical report for review by the City Engineer. Public Works staff along with the North Davis Fire District have been provided with the plans to review but have not provided comment to date.

PUBLIC COMMENT

Public notices were posted on February 19, 2021. The notice signs will remain in place until the public hearing with the City Council is completed. No public comment has been received to date regarding the plat amendment.

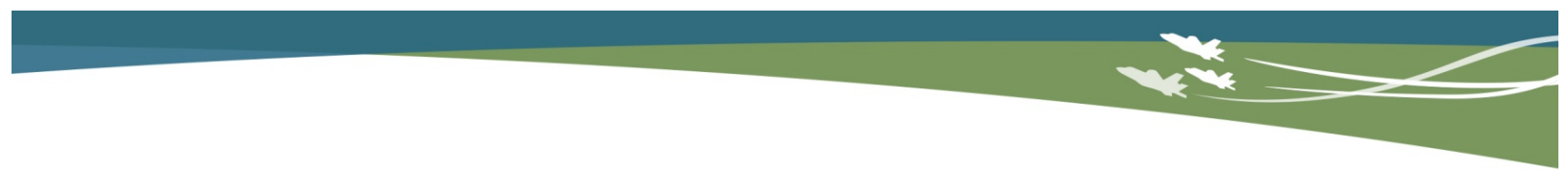
CORRESPONDING POLICY PRIORITY (IES)

The proposed subdivision will improve *Clearfield's Image, Livability, and Economy* by creating development lots and improvements that will beautify this area and provide additional home ownership options in the City.

CONDITIONS OF APPROVAL

Based upon review of Clearfield City ordinances and the proposed amended subdivision plat, Staff recommends that the City Council **APPROVE as conditioned FSP 2021-010025**, an amended subdivision plat request by Brock Loomis with J. Fisher Companies, LLC for the Sand Ridge Village Townhomes subdivision located at 180 S. State Street (TIN: 15-038-0142). This recommendation is based on the findings and discussion in the staff report and subject to the following conditions:

- 1) The plat and plans shall be revised to address Clearfield City Engineering requirements with revisions noted in a response letter to obtain final approval.

- 
- 2) The applicant shall have prepared plat on mylar and obtain the necessary signatures prior to recording the amended plat with the Davis County Recorder's Office.

LIST OF ATTACHMENTS

1. Sand Ridge Village Townhomes Recorded Plat
2. Sand Ridge Village Townhomes Amended Plat
3. Engineering Review Letter dated 9 February 2021

SAND RIDGE VILLAGE TOWNHOMES - A PLANNED UNIT DEVELOPMENT

APRIL 2020

LOCATED IN THE NORTHWEST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.
CLEARFIELD CITY, DAVIS COUNTY, UTAH

CURVE TABLE (CENTERLINE)					
CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD BEARING
C1	30.00'	27.36'	52°14'42"	14.71'	S 63°18'57" E 26.42'
C2	50.00'	32.74'	37°31'14"	16.98'	S 18°25'58" E 32.16'

150 SOUTH PLAZA LLC
PARCEL ID.: 12-001-0161

PAICE HOLDING LLC
PARCEL ID.: 12-001-0171

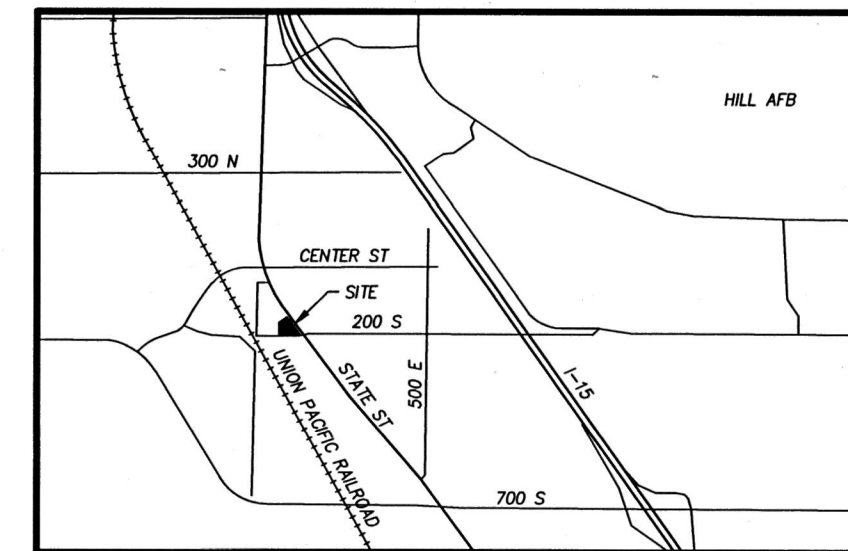
RIGHT-OF-WAY EASEMENT
IN FAVOR OF MOUNTAIN
STATES TELEPHONE AND
TELEGRAPH COMPANY
ENTRY NO. 885259 IN
BOOK 1341 AT PAGE 62

TULAPROD LLC
PARCEL ID.: 12-001-0206

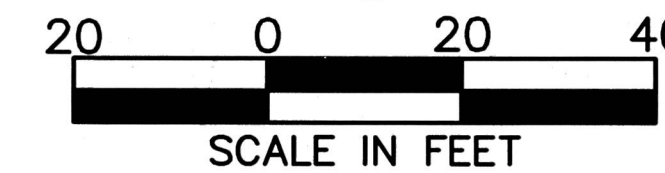
WITNESS CORNER TO THE
WEST QUARTER CORNER OF
SECTION 1, T4N, R2W, S1B&M
(FOUND BRASS CAP MONUMENT)

P.O.B.

WEST QUARTER CORNER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST,
SALT LAKE BASE AND MERIDIAN
(CALCULATED MONUMENT LOCATION)



VICINITY MAP



- LEGEND**
- BOUNDARY LINE
 - SECTION LINE
 - CENTER LINE
 - RECORD PARCELS
 - EXIST. IMPROVEMENTS
 - NO HATCH COMMON AREA
 - LIMITED COMMON AREA (LC# FOR ASSIGNED UNIT)
 - PRIVATE AREA
 - STREET MONUMENT TO BE SET
 - (PR-) RECORD BEARING/DISTANCE AS REPRESENTED ON REFERENCE DOCUMENT SURVEY

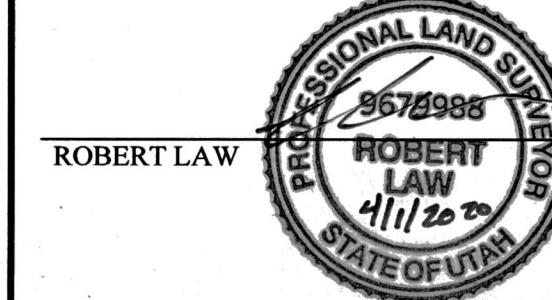
REFERENCE DOCUMENT
THIS FINAL PLAT IS BASED ON A BOUNDARY SURVEY
PREPARED BY DIAMOND LAND SURVEYING, LLC
JOB NUMBER: 17-199-4, DATED: 1/15/18
BY: NATHAN B. WEBER, LICENSE NO. 5152762

- NOTES**
- ALL COMMON AREA AND PRIVATE STREETS SHALL BE A PUBLIC UTILITY EASEMENT (P.U.E.).
 - ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A DRAINAGE EASEMENT (ABOVE AND UNDERGROUND) TO ALLOW CONVEYANCE OF STORM WATER ACROSS PARCEL/LOT BOUNDARIES.
 - ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A CROSS ACCESS EASEMENT TO ALLOW VEHICULAR ACCESS ACROSS PARCEL/LOT BOUNDARIES.
 - IF ANY SECOND FLOOR BALCONIES THAT EXTEND INTO THE SHARED ACCESS/P.U.E. AREA ARE TO BE INCLUDED AS A PART OF THE PRIVATE OWNERSHIP AREA.
 - ALL PRIVATE STREET IMPROVEMENTS AND MAINLINE UTILITIES INCLUDING WATER LINES, SEWER LINES AND DRAINAGE LINES ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. INDIVIDUAL SANITARY SEWER AND CULINARY WATER LATERALS ARE TO BE MAINTAINED BY INDIVIDUAL LOT/UNIT OWNER.
 - ALL PARK STRIPS ALONG STATE STREET AND 200 SOUTH ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
 - ALL INTERIOR LOTS/UNITS HAVE A SQUARE FOOTAGE OF 605 SQ. FT. AND ALL END LOTS/UNITS HAVE A SQUARE FOOTAGE OF 651 SQ. FT.

SURVEYOR'S CERTIFICATE
I, ROBERT LAW, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR WITH PEPG CONSULTING, LLC, AND THAT I HOLD CERTIFICATE NO. 9679988 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREINAFTER TO BE KNOWN AS: SAND RIDGE VILLAGE TOWNHOMES - A PLANNED UNIT DEVELOPMENT; AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION
BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH STREET; SAID POINT BEING SOUTH 89°45'34" EAST, ALONG THE SECTION LINE, 270.0 FEET AND NORTH 00°14'26" EAST, 33.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE NORTH 00°14'26" EAST, 256.60 FEET; THENCE SOUTH 89°27'34" EAST 206.53 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE STREET; THENCE SOUTH 37°11'34" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 321.79 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 200 SOUTH STREET; THENCE NORTH 89°45'34" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 402.12 FEET TO THE POINT OF BEGINNING.

CONTAINS: 1.79 Acres (or 77,872 Sq. Ft.)



ROBERT LAW

04/01/2020
DATE

OWNERS' CERTIFICATE AND DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, OWNER(S) OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON, AND SHOWN ON THIS PLAT, HAVE CAUSED A SURVEY AND THIS PLAT TO BE MADE OF THE PROPERTY AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. THE UNDERSIGNED OWNER(S) CONSENTS TO RECORDATION OF THIS PLAT (SEE UTILITY DEDICATION BELOW).

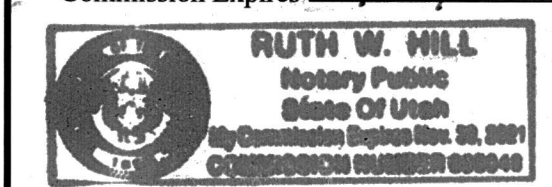
IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 1st DAY OF April, A.D. 20

OWEN FISHER, (Manager)
OF CLEARFIELD LLC

ACKNOWLEDGMENT
STATE OF UTAH } S.S.
COUNTY OF DAVIS }
ON THE 1st DAY OF APRIL, A.D. 2020, PERSONALLY APPEARED BEFORE ME THE SIGNER OF THE FOREGOING CERTIFICATE AND DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

Commission Number 698048
Signed (A Notary Public Commissioned in Utah)

Commission Expires 11/30/2021
Print Name of Notary



UTILITY DEDICATION
THE ABOVE NAMED OWNERS OF THE ABOVE DESCRIBED PARCEL OF LAND DO HEREBY OFFER AND CONVEY TO THE CITY OF CLEARFIELD PERMANENT PUBLIC UTILITY EASEMENTS AND RIGHT-OF-WAYS AS SHOWN BY THE AREAS MARKED "COMMON AND LIMITED COMMON AREA" ON THE PLAT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES INCLUDING, BUT NOT LIMITED TO, SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER LINE APPURTENANCES, CABLE AND OTHER PUBLIC UTILITIES, TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO. IT IS HEREBY UNDERSTOOD THAT ALL UNITS HAVE A CROSS-EASEMENT THROUGH EACH OTHER FOR THE PLACEMENT OF NECESSARY UTILITIES TO SERVE ADJACENT UNITS. IF THE ABOVE EASEMENT IS NOT UTILIZED DURING INITIAL CONSTRUCTION FOR FIRST OCCUPANCY, THE EASEMENT SHALL BE DEEMED VACATED.

RESERVATION OF COMMON AREAS
BY RECORDING THIS PLAT, THE ABOVE NAMED OWNERS HAVE DESIGNATED CERTAIN AREAS OF LAND AS COMMON AREA INTENDED FOR USE BY CERTAIN OF THE OWNER(S) IN A MODA CLEARFIELD TOWNHOMES, A PLANNED RESIDENTIAL DEVELOPMENT, FOR INGRESS, EGRESS, RECREATION, AND OTHER RELATED ACTIVITIES (AND NOT FOR USE BY THE GENERAL PUBLIC) FOR THE COMMON USE AND ENJOYMENT OF SUCH OWNERS AS MORE FULLY PROVIDED IN THE DECLARATION OF PROTECTIVE EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS APPLICABLE TO SAND RIDGE VILLAGE TOWNHOMES, A PLANNED UNIT DEVELOPMENT.

SAND RIDGE VILLAGE TOWNHOMES A PLANNED UNIT DEVELOPMENT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.
CLEARFIELD CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER
ENTRY NO. 3251552 FEE PAID \$132.00
FILED FOR RECORD & RECORDED THIS 15th DAY OF May, 2020, AT
TIME 12:04pm IN BOOK 7514 OF OFFICIAL RECORDS PAGE 12
Richard Maughan
DAVIS COUNTY RECORDER

PREPARED BY:
PEPG CONSULTING
9270 SOUTH 300 WEST • SANDY, UT 84070
PHONE: (801) 362-2527 • FAX: (801) 362-2551
DATE: APRIL 1, 2020 FILE: 1041.1819.dwg/plat-01

CITY ATTORNEY'S APPROVAL
APPROVED THIS 24th DAY OF April, 2020,
BY THE CLEARFIELD CITY ATTORNEY
CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL
APPROVED THIS 13th DAY OF April, 2020,
BY THE CLEARFIELD CITY PLANNING COMMISSION.
CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

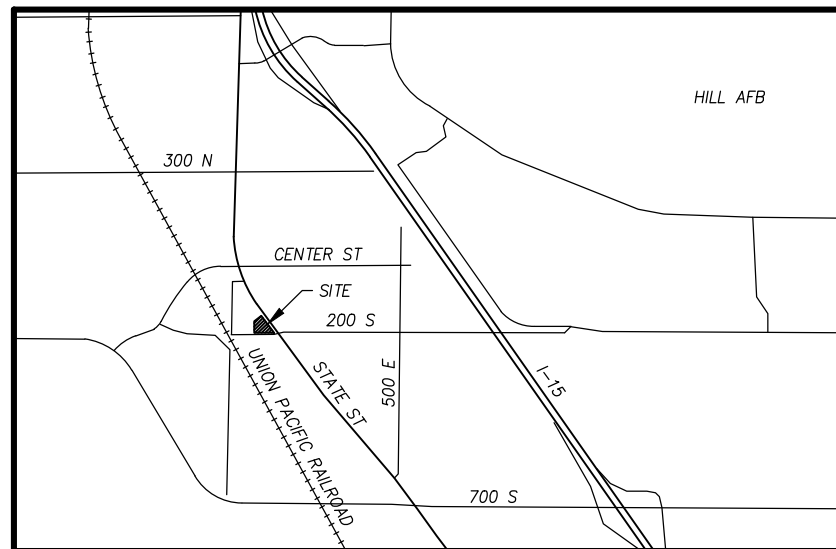
CITY ENGINEER'S APPROVAL
APPROVED THIS 15th DAY OF April, 2020,
BY THE CLEARFIELD CITY ENGINEER.
I HEREBY CERTIFY THAT THE "OFFICIAL CITY ENGINEER" HAS
EXAMINED THE FOREGOING PLAT AND IN OUR OPINION, THE
INFORMATION CONVEYED HEREON, COMPLIES WITH THE PUBLIC
WORKS STANDARDS AND SPECIFICATIONS OF THE CITY.
N. SCOTT NELSON
CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL
APPROVED THIS 23rd DAY OF July, 2019, BY THE CLEARFIELD CITY COUNCIL.
ATTEST: Marny R. Dean
CLEARFIELD CITY RECORDER
CLEARFIELD CITY MAYOR

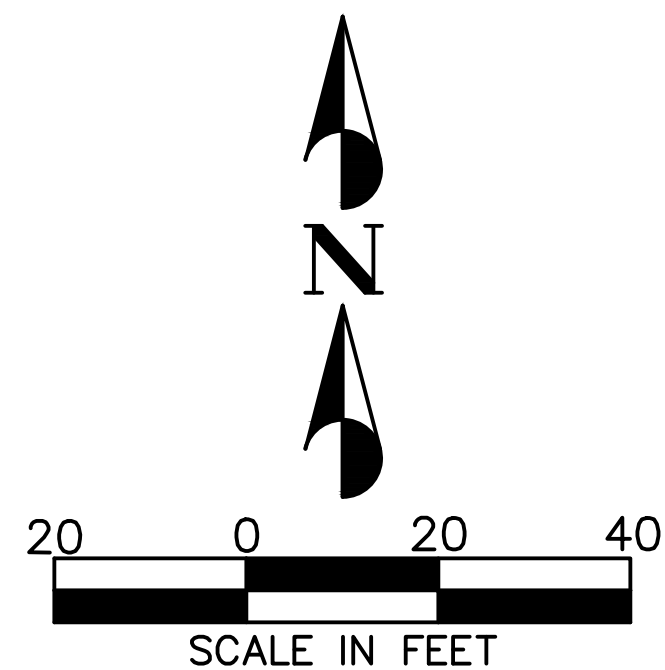
SAND RIDGE VILLAGE TOWNHOMES A PLANNED UNIT DEVELOPMENT - AMENDED

AMENDING SAND RIDGE VILLAGE TOWNHOMES - A PLANNED UNIT DEVELOPMENT
ENTRY NO. 3251550 IN BOOK 7514, PAGE 12
LOCATED IN THE NORTHWEST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.
CLEARFIELD CITY, DAVIS COUNTY, UTAH

JANUARY 2021



VICINITY MAP



LEGEND

- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RECORD PARCELS
- EXIST. IMPROVEMENTS
- NO HATCH COMMON AREA
- LIMITED COMMON AREA (LC# FOR ASSIGNED UNIT)
- PRIVATE AREA

- STREET MONUMENT TO BE SET
- RECORD BEARING/DISTANCE AS REPRESENTED ON REFERENCE DOCUMENT SURVEY

REFERENCE DOCUMENT

THIS FINAL PLAT IS BASED ON A BOUNDARY SURVEY
PREPARED BY DIAMOND LAND SURVEYING, LLC
JOB NUMBER: 17-199-4, DATED: 1/15/18
BY: NATHAN B. WEBER, LICENSE NO. 5152762

NOTES

- ALL COMMON AREA AND PRIVATE STREETS SHALL BE A PUBLIC UTILITY EASEMENT (P.U.E.).
- ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A DRAINAGE EASEMENT (ABOVE AND UNDERGROUND) TO ALLOW CONVEYANCE OF STORM WATER ACROSS PARCEL/LOT BOUNDARIES.
- ALL AREAS SHOWN HEREON, EXCEPTING BUILDING AREAS, ARE A GROSS ACCESS EASEMENT TO ALLOW VEHICULAR ACCESS ACROSS PARCEL/LOT BOUNDARIES.
- IF ANY SECOND FLOOR BALCONIES THAT EXTEND INTO THE SHARED ACCESS/P.U.E. AREA ARE TO BE INCLUDED AS A PART OF THE PRIVATE OWNERSHIP AREA.
- ALL PRIVATE STREET IMPROVEMENTS AND MAINLINE UTILITIES INCLUDING WATER LINES, SEWER LINES AND DRAINAGE LINES ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. INDIVIDUAL SANITARY SEWER AND CULINARY WATER LATERALS ARE TO BE MAINTAINED BY INDIVIDUAL LOT/UNIT OWNER.
- ALL PARK STRIPS ALONG STATE STREET AND 200 SOUTH ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- ALL INTERIOR LOTS/UNITS HAVE A SQUARE FOOTAGE OF 608 SQ. FT. AND ALL END LOTS/UNITS HAVE A SQUARE FOOTAGE OF 660 SQ. FT.

SURVEYOR'S CERTIFICATE

I, ROBERT LAW, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR WITH PEPG CONSULTING, LLC, AND THAT I HOLD CERTIFICATE NO. 9679988 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S), I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREINAFTER TO BE KNOWN AS: SAND RIDGE VILLAGE TOWNHOMES - A PLANNED UNIT DEVELOPMENT - AMENDED AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT. I FURTHER CERTIFY THAT ALL LOTS MEET FRONTAGE WIDTH AND AREA REQUIREMENTS OF THE APPLICABLE ZONING ORDINANCES.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 200 SOUTH STREET; SAID POINT BEING SOUTH 89°45'34" EAST, ALONG THE SECTION LINE, 270.0 FEET AND NORTH 00°14'26" EAST, 33.00 FEET FROM THE WEST QUARTER CORNER OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN; AND RUNNING THENCE NORTH 00°14'26" EAST, 256.60 FEET; THENCE SOUTH 89°27'34" EAST 206.53 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE STREET; THENCE SOUTH 37°11'34" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 321.79 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID 200 SOUTH STREET; THENCE NORTH 89°45'34" WEST, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 402.12 FEET TO THE POINT OF BEGINNING.

CONTAINS: 1.79 Acres (or 77,872 Sq. Ft.)

ROBERT LAW

DATE

OWNERS' CERTIFICATE AND DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) OF ALL OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE HEREON AND HAVE CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, BLOCKS, STREETS AND EASEMENTS, AND DO HEREBY DEDICATE THE STREETS AND OTHER PUBLIC AREAS AS INDICATED HEREON FOR PERPETUAL USE OF THE PUBLIC. THE UNDERSIGNED OWNER(S) CONSENTS TO RECORDATION OF THIS PLAT (SEE UTILITY DEDICATION BELOW).

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF ____, A.D. 20__

JF Clearfield LLC, (Manager)

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF DAVIS } S.S.

ON THE ____ DAY OF ____, A.D. 20__, PERSONALLY APPEARED BEFORE ME THE SIGNER OF THE FOREGOING CERTIFICATE AND DEDICATION WHO DULY ACKNOWLEDGED TO ME THAT THEY DID EXECUTE THE SAME IN THE CAPACITY INDICATED.

Commission Number _____

Signed (A Notary Public Commissioned in Utah)

Commission Expires _____

Print Name of Notary

UTILITY DEDICATION

THE ABOVE NAMED OWNERS OF THE ABOVE DESCRIBED PARCEL OF LAND DO HEREBY OFFER AND CONVEY TO THE CITY OF CLEARFIELD PERMANENT PUBLIC UTILITY EASEMENTS AND RIGHT-OF-WAYS AS SHOWN BY THE AREAS MARKED "COMMON AND LIMITED COMMON AREA" ON THE PLAT FOR CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES INCLUDING, BUT NOT LIMITED TO SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER LINE APPURTENANCES, CABLE AND OTHER PUBLIC UTILITIES, TOGETHER WITH THE RIGHT-OF-WAY ACCESS THERETO. IT IS HEREBY UNDERSTOOD THAT ALL UNITS HAVE A CROSS-EASEMENT THROUGH EACH OTHER FOR THE PLACEMENT OF NECESSARY UTILITIES TO SERVE ADJACENT UNITS. IF THE ABOVE EASEMENT IS NOT UTILIZED DURING INITIAL CONSTRUCTION FOR FIRST OCCUPANCY, THE EASEMENT SHALL BE DEEMED VACATED.

RESERVATION OF COMMON AREAS

BY RECORDING THIS PLAT, THE ABOVE NAMED OWNERS HAVE DESIGNATED CERTAIN AREAS OF LAND AS COMMON AREA INTENDED FOR USE BY CERTAIN OF THE OWNER(S) IN MODA CLEARFIELD TOWNHOMES, A PLANNED RESIDENTIAL DEVELOPMENT, FOR INGRESS, EGRESS, RECREATION, AND OTHER RELATED ACTIVITIES (AND NOT FOR USE BY THE GENERAL PUBLIC) FOR THE COMMON USE AND ENJOYMENT OF SUCH OWNERS AS MORE FULLY PROVIDED IN THE DECLARATION OF PROTECTIVE EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS APPLICABLE TO SAND RIDGE VILLAGE TOWNHOMES, A PLANNED UNIT DEVELOPMENT.

SAND RIDGE VILLAGE TOWNHOMES A PLANNED UNIT DEVELOPMENT-AMENDED

AMENDING SAND RIDGE VILLAGE TOWNHOMES - A PLANNED UNIT DEVELOPMENT
ENTRY NO. 3251550 IN BOOK 7514, PAGE 12
LOCATED IN THE NORTHWEST QUARTER OF SECTION 1,
TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.
CLEARFIELD CITY, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR RECORD & RECORDED THIS ____ DAY OF ____, 20__, AT

TIME _____ IN BOOK _____ OF OFFICIAL RECORDS PAGE _____

DAVIS COUNTY RECORDER

PREPARED BY:

PEPG CONSULTING LLC
9270 SOUTH 300 WEST • SANDY, UT 84070
PHONE: (801) 562-2521 • FAX: (801) 562-2551

CITY ATTORNEY'S APPROVAL

APPROVED THIS ____ DAY OF ____, 20__,
BY THE CLEARFIELD CITY ATTORNEY

CLEARFIELD CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS ____ DAY OF ____, 20__,
BY THE CLEARFIELD CITY PLANNING COMMISSION.

CHAIRMAN, CLEARFIELD CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS ____ DAY OF ____, 20__,
BY THE CLEARFIELD CITY ENGINEER.
I HEREBY CERTIFY THAT THE "OFFICE OF THE CITY ENGINEER" HAS
EXAMINED THE FOREGOING PLAT AND IN OUR OPINION THE
INFORMATION CONVEYED HEREWITH, COMPLIES WITH THE PUBLIC
WORKS STANDARDS AND SPECIFICATIONS OF CLEARFIELD CITY.

CLEARFIELD CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS ____ DAY OF ____, 20__, BY THE CLEARFIELD CITY COUNCIL.

ATTEST:

CLEARFIELD CITY RECORDER

CLEARFIELD CITY MAYOR

DATE: JANUARY 8, 2021

FILE: 1041.1819\dwg\plat-01_amend

9 February 2021

Clearfield City
55 South State Street
Clearfield City, Utah 84015

Attn: Brad McIlrath, Senior Planner
Proj: **Sandridge Village Townhomes**
Subj: Recommended Approval on the Proposed Amended Plat - Concept

Dear Brad,

I reviewed the recently submitted concept changes, to amend the "Plat" of the Sand Ridge Townhomes, - A Planned Unit Development.

In my opinion the "Concept" should not present a major problem if the Developers Engineer can solve two potential issues.

1. On Lot #133 the extension of the building will be very near the location of the propose new curb & gutter. The complex of five building could be moved westerly as long as the movement did not affect the underground storm water facility or any other utility.
2. With the extension on all buildings of the "private area and the limited common area" all utilities, roof drains and storm water collection facilities must continue to function as designed and may need to be adjusted. No portion of any building or foundation will be allowed over the top of said improvements.

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

Sincerely,

CEC, Civil Engineering Consultants, PLLC.



N. Scott Nelson, PE.

City Engineer

Cc. Adam Favero, Public Works Director
Braden Felix, PE., Deputy Public Works Director
Brad Wheeler, Street Superintendent
Kenny England, Utility Superintendent
Jared Justensen, EIT., Community Services Engineer



STAFF REPORT

TO: Mayor Shepherd and City Council Members
FROM: Spencer W. Brimley, Community Development Director
MEETING DATE: Tuesday, March 23, 2021
SUBJECT: Planning Commission Appointments

RECOMMENDED ACTION

Staff is recommending the following actions be taken regarding appointments to the Clearfield City Planning Commission.

- Reappoint Commissioner Bobby Austin as a Planning Commission Alternate.
- Reappoint Commissioner Karen Blackwood as a regular member.
- Appoint Commissioner Brogan Fullmer as a regular member of the Planning Commission, to fill the remaining term left by the resignation of Nicole Bigelow.
- Appoint Amber Brink as the youth ambassador to the Clearfield City Planning Commission.

DESCRIPTION / BACKGROUND

Since the appointments that took place in 2020, there have been some additional changes and turnover with the regular members of the Commission. Commissioner Jones left the commission in 2020 and was replaced by moving Commissioner Blackwood from an alternate to a full member. Additionally, Commissioner Bigelow resigned from the Commission and her seat has not been filled. Commissioners Fullmer and Austin have been acting in the role of alternate members since their appointment to the Commission and staff would recommend that Commissioner Fullmer be appointed as a regular member, and a new alternate be added to serve alongside commissioner Austin. Notice will be provided to solicit interest from residents to fill the alternate member of the Commission left available by Commissioner Fullmer's appointment as regular member. All previous applicants have been unresponsive to staff inquiries on the matter. The youth ambassador's term ended in March of 2020. Youth Commissioner, Amber Brink, has expressed an interest in being appointed to fill this vacancy.

The Commission has been using an alternate member as a regular member each meeting since the resignation of Nicole Bigelow. It is anticipated that Commissioner Fullmer would be appointed as a regular member, for the duration of Nicole Bigelow's term, which would end in February of 2023.

CORRESPONDING POLICY PRIORITY (IES)

The appointments to the Planning Commission supports the Policy Priority of "Providing Quality Municipal Services" by placing interested and involved community members in positions of responsibility. These residents provide feedback and input that will have a direct impact in the City.

ALTERNATIVES

Appoint Commissioner Austin as a regular member to the Planning Commission and keep Commissioner Fullmer as an alternate member.

ATTACHMENTS

Current PC Members Roster

TERM EXPIRATION	NAME - Status	Proposed Action
February 2024	Chris Uccardi - Chair	
February 2024	Kathryn Murray - Member	
February 2021	Karen Blackwood - Member	Reappoint as Regular Member for 5-year term
February 2022	David Bloomfield - Vice-Chair	
February 2023	Nicole Bigelow - Member	Resigned- Term to be filled by Brogan Fullmer
February 2022	Robert Browning - Member	
February 2025	Brett McAllister - Member	
February 2022	Brogan Fullmer	Appoint as Regular Member. Provide notice obtain new applicant pool for alternate commissioner.
February 2021	Bobby Austin	Reappoint as Alternate for 5-year term
March 2020	Youth Ambassador – Vacant Position	Discussion and consideration for appointment of member