

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
August 31, 2021

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Vern Phipps Tim Roper	Councilmember Councilmember Councilmember
PRESENT VIA ZOOM:	Nike Peterson	Councilmember
EXCUSED:	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Adam Favero Kenny England Spencer Brimley Nancy Dean	City Manager Assistant City Manager City Attorney Police Chief Public Works Director Utility Superintendent Community Development Director City Recorder

Mayor Shepherd called the meeting to order at 6:07 p.m.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE CLEARFIELD PARK AT ANTELOPE SUBDIVISION LOCATED AT APPROXIMATELY 1608 SOUTH 1000 EAST

Spencer Brimley, Community Development Director, stated the Clearfield Park at Antelope Subdivision was located at approximately 1608 South 1000 East. He explained the zoning was currently A-1 (Agricultural) and C-2 (Commercial); however, the R-3 (Residential) zoning had been approved conditioned upon the execution of a development agreement. He noted the final subdivision plat would consolidate three current parcels into two parcels. Mr. Brimley noted the 2-lot subdivision included Lot 102 for future townhome development and Lot 101 on the corner for a future convenience store and gas station. He reviewed the final subdivision plat. Mr. Brimley indicated the Planning Commission reviewed the plat at its meeting on August 18, 2021 and forwarded a recommendation of approval with the following conditions:

- The plat title shall be revised to remove “A Townhome Neighborhood.”
- Future development of these lots shall comply with all applicable City regulations.

Councilmember Bush asked about the access on 1000 East and what the public access easement was for surrounding much of the subdivision. Mr. Brimley responded the developer was proposing a public park on the west side of the property; therefore, the ten-foot public utility and

drainage easement was necessary to allow for public access because the subdivision was private property. He explained the access on 1000 East was a private access that allowed for public use.

Councilmember Bush wondered where the parking for the live / work units would be. Mr. Brimley responded there was parking along the frontage, but the site plan was currently not available so the parking layout could be reviewed.

Councilmember Bush questioned if a curb cut access would be allowed on Antelope Drive. Mr. Brimley answered yes. He noted the developer had discussed the matter with Utah Department of Transportation (UDOT). He recalled it would be a right-in / right-out access. He acknowledged it was not addressed in the plat; but it would be included with the development agreement.

Mr. Brimley stated the final subdivision plat was planned for the Council's consideration on September 14, 2021.

Councilmember Bush asked if utility easements were needed between the two lots. Mr. Brimley responded all the utilities would run around the properties in the 10-foot easement so none would be needed between the two parcels.

DISCUSSION ON THE WILCOX FARMS SUBDIVISION DEVELOPMENT AGREEMENT FOR THE PROPOSED 101-LOT SINGLE-FAMILY SUBDIVISION LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST

Spencer Brimley, Community Development Director, stated the Wilcox Farms development project had received approval for the rezone from A-1 (Agricultural) to R-3 (Residential) pending the execution of a development agreement. He acknowledged staff had been working with the developer on the development agreement and the most up to date version was not included with the agenda packet. He explained staff would include the current version with the agenda packet prior to its consideration.

Mr. Brimley reviewed the concept plan for the Wilcox Farms Subdivision located at approximately 1550 South 1000 West. He highlighted the key elements included in the proposed development agreement. He mentioned the developer had created a pattern book for overseeing the regulation of the various standards of the development. Mr. Brimley continued it would consist of an architectural review board (ARB) to ensure all houses met the standards prior to construction. He indicated the ARB would have representatives from the homeowner's association (HOA) and the development team.

Mr. Brimley noted public road standards varied slightly from City standards; however, the Public Works department had accepted the reduced widths. He acknowledged the development agreement established the single-family development would have no more than 101 residential units and would have an HOA to manage its private streets, alleys, and common open spaces. He mentioned the R-3 zone required 25 percent open space, but the current design provided for 19 percent. He stated there had been a discussion about open space requirements and the Planning Commission was comfortable with no less than 15 percent open space as long as the developer

was willing to provide amenities that would create more activity around the site. He commented the development agreement currently proposed not less than 15 percent open space, but staff was open to further direction from the Council. Mr. Brimley indicated the Council was scheduled to consider the development agreement on September 14, 2021.

Councilmember Peterson read a portion of the development agreement: “B. Residential Units shall be stamped approved...by the Wilcox farms Homeowners Association prior to the City issuing any Building Permits.” She pointed out that she had never heard of an HOA being part of building permit issuance process. Mr. Brimley replied the HOA was part of the approval process prior to the issuance of permits. He explained the HOA would assist in reviewing the architectural standards for the units to ensure compliance before the developer was issued a permit by the City. He noted recent legislation mandated cities could no longer regulate single-family design.

Councilmember Peterson asked if staff could speak to the reduced road and gutter widths. Mr. Brimley responded the developer, City Planner and staff from Public Works had been working on this, but his understanding was the reduced road widths and wider sidewalks and parkstrips were to create more walkability and allow for additional landscape beautification throughout the development. Mayor Shepherd reiterated the reduced street widths would allow for bigger sidewalks. Mr. Brimley confirmed the overall width was similar to the City’s standard, but the streets had been reduced slightly and sidewalks and curb and gutter widened.

Councilmember Peterson asked what individuals would comprise the HOA. Mr. Brimley answered the board would consist of the developers who were creating the pattern book prior to residents living there. He acknowledged staff had requested to be part of the ARB but had not heard back from the developer yet. He hoped to have a response from the developer before the meeting on September 14, 2021, to have more information.

Councilmember Bush stated the development agreement language reflected there would be 101 residential units. He suggested it should be updated to single-family residential units. Mr. Brimley responded the newest version of the development agreement contained residential units so it might be important to specify single-family. He acknowledged there was more specificity on single-family in the current version so staff would make sure it was clearly identified as a single-family residential development and distinguish that point.

Councilmember Bush recalled the pattern book had a standard of 10 feet for the front yard. Mr. Brimley agreed. Councilmember Bush expressed concern with the setbacks specifically those four lots on the north end facing 1000 West. He voiced his worry it would appear inconsistent with the neighboring houses along 1000 West that had setbacks closer to 30 feet. He wondered if it would be possible to have a 20-foot setback rather than a 10-foot setback on those lots along 1000 West. Mr. Brimley answered the developer’s proposal was a consistent design throughout the subdivision and there would be other accommodations that would be impacted by a shift there. He mentioned there could be discussions with the developer about a change. He acknowledged the buildings along 1000 West were two story buildings.

Councilmember Bush pointed out the plans had the street within the development as 1000 West and 1000 West identified as 1100 West. He requested corrections so there would not be two streets named 1000 West. Mr. Brimley agreed it would need to be corrected.

Councilmember Peterson expressed her opinion that in making concessions with the developer it would be better to have a two-story building along 1000 West than a 30-foot setback. She stated the renderings included in the pattern book did not appear to show a jarring difference with the setback of the existing home to the south; however, the roof heights would be a more noticeable trait than the difference in the setback. Mayor Shepherd agreed it would be better to have two-story buildings. He voiced his opinion the offset in setbacks was not too much to worry about.

Mr. Brimley clarified that Councilmember Bush would rather have the setbacks greater than 10 feet yet Councilmember Peterson was okay where the setbacks were currently. Mayor Shepherd commented that the renderings appeared to have greater than a 10-foot setback. Mr. Brimley responded the setbacks throughout the developments were standardized at 10 feet and the concepts were not to scale.

Mayor Shepherd mentioned Councilmember Peterson had asked a question about the HOA's involvement on design verification process. Mr. Brimley stated the City needed to be mindful that other than the development agreement it had no rights concerning architectural standards for the development. He explained the development agreement did standardize the appearance of the buildings. He continued the developer had been asked if the ARB could include a member of staff because until there were residents there would be no community involvement on the HOA board. He acknowledged the developer should not have issues with a member of staff on the review board because the standards were already identified so it would just ensure all the homes were consistent throughout the project.

Mayor Shepherd appreciated that the developer was willing to establish an HOA. He commented the development agreement would establish the standards and the HOA would hold the developer to those standards.

Councilmember Phipps asked staff to talk about the reduction of open space. Mr. Brimley stated the developer was proposing a linear park and some additional open space on the site. He reported the current calculations included 19 percent open space for the project and the developer was willing to increase the park amenities and not go below 15 percent; however, if the Council was not willing to make concessions below the 25 percent required, then that could be communicated to the developer. Councilmember Phipps commented it appeared the developer had not done the math until after the design was completed. Mr. Brimley reported the developer seemed initially to think there would not be a problem in meeting the open space requirement. He explained in working with the developer throughout the land use process, there did not seem to be as much concern about needing the additional 6 percent of open space as long as the developer was willing to provide additional amenities on open space available.

Councilmember Bush wondered what the planned amenities were for the project. Mr. Brimley responded the City Planner had been working with the developer and not certain if the amenities had been determined.

Councilmember Bush questioned what areas counted toward the open space percentage. Mr. Brimley answered all common areas were counted towards the open space. Councilmember Bush indicated there were smaller landscaped areas on each lot that possibly should be counted towards the open space requirement. Mayor Shepherd voiced his opinion the landscaped area on each lot could be counted towards the open space requirement because the layout did not have fenced off lots and it was a zero-lot line subdivision.

Councilmember Peterson expressed her opinion she was favorable to a reduction of open space as long as there was some enhancement to the open space. Mayor Shepherd agreed. Councilmember Roper added his support as well. Mr. Brimley reviewed the language of the development agreement referring to the open space standard. The consensus of the Council was to leave it as it was drafted and no changes were necessary.

Councilmember Bush wondered if the HOA would allow homeowners to add fences between the properties. Mr. Brimley responded the pattern book would guide the design standards; however, he was unsure and would try to find out before the next meeting after a review of the HOA documents.

Mr. Brimley highlighted the following exhibits of the Development Agreement:

- Exhibit A – Legal Description
- Exhibit B – Acreage Exhibit
- Exhibit C – Pattern Book
- Exhibit D – Landscape and Irrigation Plans
- Exhibit E – HOA Documents
- Exhibit F – Storm Water Maintenance
- Exhibit G – Architectural Review Stamps

Mr. Brimley acknowledged the Planning Commission recommended approval of the Development Agreement with the following conditions:

1. The development agreement and exhibits shall be finalized prior to review by the Clearfield City Council policy session.
2. The pattern book (Exhibit C) shall be revised to include the proposed open spaces and amenities that will be included within the development.
3. As part of the reduction of open space from 25 percent to a minimum of fifteen percent shall be addressed with increased amenities provided in the open space areas and as outlined in the pattern book.

Mr. Brimley stated the Council would consider the development agreement on September 14, 2021. He indicated staff should have all of the finalized documents soon which should address some of the questions of the Council during the meeting.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE WILCOX FARMS SUBDIVISION PHASE ONE LOCATED AT APPROXIMATELY 1550 SOUTH 1000 WEST

Spencer Brimley, Community Development Director, stated the preliminary plat was approved previously by the Planning Commission. He explained there would be a phased approach for each section of the project. He indicated there was a total of 101 single-family lots with 52 lots in phase one. He mentioned there would be two public streets which connected to 1600 South and 1000 West. Mr. Brimley acknowledged the public street design varied from the City's standard but it was accepted by Public Works as part of the development agreement. He continued a major portion of the park space would be constructed with phase one.

Mr. Brimley stated the final subdivision plat for Wilcox Farms Subdivision Phase One would be considered by the Council during the September 14, 2021 policy session.

DISCUSSION ON WATER CONSERVATION PLANNING

Adam Favero, Public Works Director, stated City staff received a letter from Weber Basin Water Conservancy District (WBWCD) explaining its plan to conserve drinking water for next year's use. He reported earlier today City staff along with Councilmember Bush toured the WBWCD watershed and learned more about the importance of planning.

Mr. Favero reported the City had been doing its part to conserve water in the current season and there had been reductions to water usage. He acknowledged WBWCD planned to terminate irrigation water deliveries for secondary and agricultural uses by September 20, 2021. He mentioned the City did not manage any water systems that would be considered secondary or agricultural uses other than the water purchased for Steed Pond and pulled from the 200 South well for Mabey Pond. He acknowledged staff discussed water conservation efforts and created some options for the Council's consideration which had been included with the staff report that could provide staff direction moving forward.

Mr. Favero reviewed the following options for the Council's consideration:

- Option 1 – Continue to encourage residents to conserve and continue to water City property as needed.
- Option 2 – Encourage residents to water minimally and continue to water City property as needed.
- Option 3 – Require a stop to all irrigation, public, and private water use for irrigation purposes.

Mr. Favero mentioned staff recommended options one or two. He explained the biggest concern for staff was that the sports fields were safe and in playable condition. He noted option two was favorable because the essential sports fields would remain watered but the outer areas could dry out where it was not as critical. He felt this approach was something residents could be encouraged to mimic.

Mayor Shepherd commented WBWCD would likely have a result it did not anticipate because residents in areas with secondary water could begin using house water for its lawn irrigation. He

felt water conservation was the right thing to do. He suggested the City needed to focus on its messaging so residents understood the dire need to conserve water. He expressed his opinion option number two would be best.

Mayor Shepherd commented there were programs and rebates available to residents for water conservation. He indicated the City should be doing what it could now to pitch those types of programs so by next spring additional conservation efforts could be in place. There was a discussion about water conservation efforts, available rebates, and grant programs.

Councilmember Bush asked if the City's ordinance allowed residents to replace the grass in the park strip areas with drought tolerant materials. Spencer Brimley, Community Development Director, responded yes because the City's current ordinance did not stipulate to the type of fill material.

Councilmember Phipps questioned whether the 57 percent of normal calculation for water usage was for the City as a whole. Mr. Favero explained the percentage was calculated from the City's sprinkling system tracking water usage at the parks. He noted the City's system was new and the measurements could be slightly off but there had been significant reductions by using the weather tracking system.

Councilmember Phipps wondered how the City had done as a whole in conservation during the current year. Kenny England, Utility Superintendent, responded the City had ten percent less water usage than prior years so far. Mayor Shepherd acknowledged a ten percent reduction was significant.

There was a discussion about the impacts of the season's drought.

The consensus of the Council was to implement option number two. Mayor Shepherd recommended messaging be a key part of helping residents understand the importance of conservation. JJ Allen, City Manager, stated the staffing in the communications division was limited but current staff would work to get the message out until the division manager position was filled by the end of September. Mayor Shepherd suggested a visual message could be good. There was a discussion about the messaging tactics that could be utilized.

DISCUSSION ON MONTHLY REPORTS PROVIDED TO THE CITY COUNCIL

JJ Allen, City Manager, asked if the Mayor and Council would prefer to discuss the monthly reports at a future date when more of the Council would be present. The consensus of the Council was to table the discussion until a future date.

Councilmember Bush moved to adjourn at 7:15 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, and Roper. Voting NO – None. Councilmember Thompson was not present for the vote.