

CLEARFIELD CITY COUNCIL AND PLANNING COMMISSION
JOINT MEETING MINUTES
6:00 P.M. WORK SESSION
May 19, 2021

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder

PLANNING COMMISSION MEMBERS PRESENT VIA ZOOM MEETING: David Bloomfield, Karen Blackwood, Robert Browning, Brogan Fullmer, Kathryn Murray, Chris Uccardi – Chair

NOT PRESENT: Nicole Bigelow, Bobby Austin, Brett McAllister

VISITORS: Mark Morris – VODA Landscape and Planning, Annaliese Eichelberger – VODA Landscape and Planning, Benj Becker – Zions Public Finance

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

OPEN MEETING TRAINING

Nancy Dean, City Recorder, provided a training exercise for the City Council and Planning Commission to review and discuss open meeting law in accordance with State Law.

DISCUSSION ON GENERAL PLAN AMENDMENTS

Spencer Brimley, Community Development Director, stated the Planning Commission had been meeting and reviewing the General Plan for a few months and felt it was time to join with the City Council to review efforts to date and get some feedback on the amendments planned for the General Plan.

Mark Morris, VODA Landscape and Planning, reviewed the schedule for the General Plan updates. He mentioned the following were the General Plan update elements that were a focus for the Planning Commission:

- Introduction plus Plan Vision
- Land Use
- Transportation
- Housing – large and most time-consuming focus
- Economic Development
- Open Space and Trails
- Environment and Sustainability

Mr. Morris stated the current General Plan was heavily focused on Land Use and Transportation; however, the goal for the updates had been to cover more topics. He reviewed the proposed 2021 General Plan update for land use planning framework and its simplified map. He explained the following concepts were included in the land use framework map:

- Focus retail at key locations within Clearfield
- Support residential uses in growth centers including infill development.
- Develop more variety in residential land uses and zoning designations.
- Consider existing context surrounding development when evaluating infill opportunities.

Commissioner Fullmer asked about Legend Hills which was primarily office space and wondered what the plans were for that area and if housing would be a component. Mr. Morris explained the land use framework map had it labeled as mixed-use. He noted from a development standpoint it had office uses but if there was housing it should remain compatible with existing uses. Mr. Brimley answered there were 225 apartments planned for the development known as The Towers of Legend Hills. He mentioned housing had been approved but the City was hoping for more commercial uses in the area; however, there was potential for some mixed-use opportunities. There was a discussion about horizontal or vertical types of mixed uses. Mr. Morris indicated the mixed-use options were driven by economic viability.

JJ Allen, City Manager, stated in the middle of the map it was labeled as Office Park and wondered what was intended by it for the area just east of H-Street near the City's Maintenance and Operations Center. Mr. Brimley stated it was currently listed as business park and asked what the Council and Commission preferred for the area.

Mr. Allen indicated it currently had an industrial feel and could carry over the uses from the Freeport Center. Councilmember Peterson commented it was like a flex industrial. Mr. Morris stated it could be defined as such with its proximity to the Freeport Center. There was a discussion about the current uses, the challenges with the area, and its development historically.

Councilmember Peterson expressed her opinion it should be defined, carved out, and clear for all parties as to its uses for future development. Mr. Morris said it would be good to understand the City's goals and make those clear in the designation. Councilmember Peterson suggested the term mixed-use should not be allowed in the areas known as flex industrial because it would not blend well. She noted the only residential use currently in the area was legal non-conforming and

it would not be a good use within the geographical boundaries of that specific area. Commissioner Fullmer stated it might be good to consider some type of wildlife corridor for the area as well since it was a connection spot.

Mr. Morris reviewed the proposed 2021 General Plan update for economic development planning framework and its simplified map. He explained the following concepts were included in the economic development framework map:

- Concentrate and promote redevelopment at key locations throughout the City in order to ensure highest and best use.
- Create an economic development strategic plan with detailed implementation steps.
- Develop an understanding of target markets, including demographic projections and household characteristics, to better understand opportunities.
- Consider quality-of-life factors, such as housing choices, amenities, and recreation access.

Councilmember Phipps asked if the economic development strategy plan was embedded in the General Plan or a standalone document because he was not sure where it fit. Mr. Morris responded it was basically a recommendation for a next step that would need to be funded to create a formal plan for the City.

Councilmember Peterson questioned how comprehensive the economic development element would be in the General Plan since the largest piece was absent or needed further research and funding to generate a separate economic development strategic plan. Mr. Morris stated the element that Benj Becker had put together focused on the key elements that currently existed, the obstacles, and things the City should consider when it came to land use choices. He continued there would be elements that would be key tools to consider for economic development but not the full breadth that would be included with a strategic plan.

Councilmember Peterson asked how much of the economic data collected over the past years would be incorporated into the information updates. Mr. Morris answered much of the information provided during the update had incorporated the historical information and would be included into the final element. Mr. Becker stated there had been a lot of information presented that would not be found in the General Plan, but it would clarify future land uses and why there might be gaps. He noted there were constantly updates to the tools, but it was important to carry forward past research. There was a discussion on what the element for economic development would include and what opportunities were available that could be included into the context of the document.

Councilmember Thompson commented small businesses were the heart of the City and wondered if the strategic plan would speak to them specifically. Mr. Becker responded yes, an economic strategic plan would help the City to identify the diversified tax base and see what was needed or how various types of businesses would respond. He noted a plan would suggest the highest and best use and see what the best mix would be for the City. There was a discussion about sales tax revenues; the tracking and trending data; as well as, carefully understanding the equations that helped distinguish between the needs of the developer, fiscal impacts to the City, and best use for the community.

Councilmember Phipps questioned if the strategy and analysis that was presented would be included in what was approved when the General Plan updates were finalized. Mr. Morris responded there would be an economic development element to the General Plan that would have the data from previously developed economic plans and high-level vision for the City but not to the specificity of an economic strategic plan.

Councilmember Phipps asked if there would be a refresh of the old data. Mr. Morris stated yes, the data gathered before would be updated to be as current as possible. Mr. Brimley stated the element or chapter included in the General Plan would be a high-level broad look at opportunities for the City not a deeper dive into strategic planning.

Mr. McIlrath stated the economic development section was discussed with the Planning Commission more in depth and the recommendations were developed based on the discussions and the section would be helpful in the decision-making process.

Mr. Morris reviewed the proposed 2021 General Plan update for transportation planning framework and its simplified map. He explained the following concepts were included in the transportation framework map:

- Identify opportunities to improve connections across barriers.
- Continue to engage with UDOT on SR-126 improvement options.
- Continue to expand street connectivity.
- Improve conditions for those traveling by active modes to incentivize mode shifts.
- Update transportation master plan to show future connections.

Councilmember Phipps asked if the proposed active transportation routes on the map were generated in concert with the City's efforts of developing an Active Transportation Implementation Plan (ATIP). Mr. Morris answered that was correct and reported the input from the ATIP was a collaborative planning effort of multiple cities in the region.

Commissioner Fullmer wondered if there could be a feasible transportation network planned to connect the west side of the City east to Falcon Hill. Mr. Morris answered he would check to see why the transportation maps were configured the current way and wondered if there were constraints because of the military base. Mr. McIlrath stated base representatives were consulted throughout the active transportation planning process. He explained there were challenges with the base needing controlled access points but perhaps there could be continued conversations to address the issues and concerns for having a pedestrian access.

Mr. Allen asked if the transportation framework should include public transit. Mr. Morris responded it could be included and the list included in the presentation was a short list, but certainly transit could be included not just the Frontrunner Station. Mr. McIlrath suggested many maps could be included with the section to help differentiate between the streets, transit, and other ways to map transportation routes, so it was easily understood and incorporated into the transportation section. There was a discussion regarding transportation issues throughout the City and the related impacts. Mr. Morris stated whenever streetscaping was introduced it would be a

good time to evaluate what other functionality could be introduced to make active transportation a comfortable network rather than just painting lines along the roadside.

Mr. Morris reviewed the proposed 2021 General Plan update for housing planning framework and its simplified map. He stated early in the planning process it was identified that the City could benefit from a better definition and variety to the guidelines of housing and to ensure the context was driving the conversations. He explained the following concepts were included in the housing framework map which was closely paired with the land use map:

- Establish key nodes in the City for concentration of new housing which included low, medium, and high concentration areas.
- Develop context-sensitive policy for residential infill projects throughout the City.
- Establish housing land uses that correlated with future transportation investments.
- Provide housing policy flexibility to respond to market conditions.

Chair Uccardi suggested the housing framework map include some of those higher density areas that already existed which had not been included. Annaliese Eichelberger, consultant, stated the framework map was for forecasting and those higher density areas would be included on other maps included in the General Plan. Mr. Morris explained the intent of the framework maps to provide ease in communicating the City's plans in a simplified way.

There was a discussion about various housing types, the current and future housing markets, and reducing the barriers to entry without compromising the integrity of neighborhoods. Mr. Morris stated needs would change over time and it would be important to complement neighborhoods and support the needs with various housing types.

Mr. Allen suggested the housing framework map should increase the greyed-out area representing the Freeport Center over across SR 193 to include the flex industrial area that was discussed during the land use element framework because it was not intended to be a residential area. Mr. Morris stated it could be updated.

Commissioner Bloomfield requested the commercial areas of the City also be identified on the map so developers did not try to put residential in areas that were designated as commercial. There was a discussion about the maps and context included in a General Plan that would help define the areas where density was allowed and let zoning guide the development of those areas.

Mr. Morris expressed appreciation for the discussion and input. He indicated the City Council would be surveyed to share any additional comments or feedback related the elements reviewed.

The Council and Commission took at break at 7:53 p.m.

The joint meeting reconvened at 8:07 p.m.

DISCUSSION ON PLANNING COMMISSION AND CITY COUNCIL ROLES, RESPONSIBILITIES, AND VISION

Spencer Brimley, Community Development Director, asked for feedback on a recent training

attended about a topic relating to disagreeing better. Councilmember Phipps shared some of the content from the training. Mr. Brimley stated one of the tag lines from the presenter's book was "do not disagree less, just disagree better." There was a discussion about disagreement, perspective, and civility.

Mr. Brimley expressed gratitude and recognition for the following groups:

- The City Council for handling major decisions with long term implications and representing its community.
- The Planning Commission for catching on quickly, taking responsibility seriously, and coming prepared to each meeting.
- High quality City staff with great expertise and skills. He mentioned Brad McIlrath, Senior Planner, recently pass his AICP certification exam.

Mr. Brimley explained everyone had a role to play. He highlighted the following Council and Planning Commission responsibilities:

Council (Legislative)

- Adoption/amendment of General Plan
- Adoption/amendment of Land Use Ordinance
- Zoning/rezones
 - Development Agreements
- Annexations

Planning Commission (Administrative)

- Land Use Authority
- Building Permits
- Site Plan Review
- Conditional Use Permits
- Subdivision Plats
 - Currently Final Plat resided with City Council
- Land Use application approvals

Mr. Brimley stated it was important to learn your role and understand it, but also just as important to stay in your own lane. Chair Uccardi commented the role of the Planning Commission was not to make its decisions because it would be what the Council wanted but rather be an advisory body for the Council.

Mr. Brimley reported the Planning Commission and City Council did a good job of working well with each other. Mayor Shepherd explained the importance of having two bodies and having them function independently of one another.

Mr. Brimley highlighted the following roles of each body:

Council (Legislative)

- Provide the vision for the City
- Set policy

- Approve and adopt Citywide Plans and Ordinances
- Appoint players for the other bodies
- ONLY YOU could do all this.

Planning Commission (Administrative)

- Required by LUDMA (Land use authority)
- Advisory Body
- Prepare and make recommendations on:
 - General Plan
 - Land Use Regulations
 - Amendments and Rezones
- Council cannot act without this body

Commissioner Murray expressed her opinion there needed to be communication between the two bodies. Mayor Shepherd commented the Planning Commission Chair had been attending meetings to provide input to the Council on the decision making or recommendation of the Planning Commission. He stated the Council should trust the ability of the Planning Commission, but it also had a responsibility to the voters of the City.

Commissioner Murray stated if the Council ever disagreed with the recommendation, then that should not be taken personally. Mayor Shepherd mentioned if the Council ever decided to override the Planning Commission's recommendation it would be important in the future to go back and let them know why. Councilmember Peterson stated when she served as the Chair for the Planning Commission, she appreciated Councilmember Phipps stating if the Council deviated from the Planning Commission's recommendation there should be sound reasoning to support it and why should be articulated.

Stuart Williams, City Attorney, recommended staff or the Planning Commission Chair report back to Planning Commission rather than the Council.

Commissioner Blackwood commented the prior training on roles and responsibilities had explained the Planning Commission should not be subjective but make its reasoning on the guiding documents of the City; however, City Council could be discretionary. Mr. Allen pointed out that sometimes issues came because of a disagreement or differences of interpretation; yet both could have valid reasoning.

Mr. Brimley stated staff was here to help. He explained the roles of staff included meeting with residents to resolve issues or concerns, not taking things personally, and pointed out that staff was also not required by LUDMA. He gave some examples of recent conflicts between the analysis of staff, Planning Commission recommendations, and Council decisions.

Mr. Brimley highlighted some of the following additional roles of staff in helping the Council and Planning Commission:

- Maintain and assist with the creation of City documents
- Help the community to create a broad vision and plans for growth and development

- Research and analyze information for ordinance creation or updates, development plans, etc.
- Advise bodies on decisions to be made regarding land use matters and policies
- Meet with developers and contractors for projects
 - Not decision makers
 - Staff was hired to give analysis and insight as professional – not binding
 - Planning Commission and City Council did not have the time to oversee and manage all aspects development and regulations
 - Staff reports provided recommendation and analysis.

Mayor Shepherd stated staff was in a difficult position working with developers, advisory boards, and the City Council. Mr. Allen commented on occasion some developers even went directly to the governing body which complicated matters even more. There was a discussion about the challenges, roles, responsibilities, and how best for staff, advisory bodies, and elected officials to work cohesively to obtain the best outcomes for the City.

Mayor Shepherd thanked the members of the Planning Commission for their work and compared it to what was happening in other communities.

Mr. Brimley stated conflict was more likely when the Council, Planning Commission, and staff did not stay in their lanes. Mayor Shepherd stated it was good for all bodies to understand the various roles because then communication was easier. He indicated the meeting had been helpful in getting everyone in the same room to learn together about those roles and responsibilities. He noted it would be good to have joint discussions in the future where visioning could be shared.

Mr. McIlrath stated the vision of the City was fluid as things changed in the market or with elected officials. Councilmember Phipps commented staff brought continuity because elected officials and planning commissioners would come and go.

Mayor Shepherd pointed out that some of the projects that were planned could have been done better, but unfortunately all problems could not be foreseen. He noted it would be important to learn from mistakes and do better in the future where possible. There was a discussion about some approved projects and the lessons learned regarding spacing, parking, density, and setbacks.

Mr. Allen commented there could be many things over time that stood out as problems, but all projects were done to accomplish the vision of the City; therefore, it would be important not to lose sight of the big picture along the way. There was a discussion about the challenges and responsibility associated with applying the Code and needs from time to time to make changes to the Code so it could better accomplish the vision for the City.

Mr. Brimley stated the positions of staff, elected officials, and advisory boards were not easy, but it was important to understand the various roles and responsibilities. He indicated there was a difference between community perspective and professional perspectives. He acknowledged there could be disagreements on perspective or interpretation, but he requested the bodies not shoot the messenger. Mr. Brimley commented it was important to take ownership of the

decisions made, respect individuals or bodies while disagreeing, and maintaining relationships without artificial harmony.

Councilmember Bush stated each role was different but having served in all three positions expressed his opinion each was also fun. Mr. Brimley thanked the bodies for their participation and support of staff.

There being no further business to come before the Council and the Commission,
Councilmember Bush moved to adjourn at 9:16 p.m., seconded by Councilmember Thompson. All voted AYE.

**APPROVED AND ADOPTED
This 7th day of March 2022**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Wednesday, May 19, 2021.

/s/Nancy R. Dean, City Recorder