

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 10, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Kelly Bennett	Police Lieutenant
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Jessica Hardy	Budget Analyst
	Kim Read	Deputy City Recorder
EXCUSED:	Nancy Dean	City Recorder

VISITORS: David Tomczak, Kristi Bush, Bryan Saxton – Standard Examiner, Kathryn Murray

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

DISCUSSION ON THE CERTIFIED TAX RATE AND THE 2014/2015 FISCAL YEAR BUDGET

Rich Knapp, Administrative Services Director, stated the City had received the certified tax rate from Davis County and indicated the Council should have received an email from Adam Lenhard, City Manager, regarding the rate. He shared a presentation illustrating historical property tax rates and informed the Council the tax rate was reduced when property values increased. He announced staff was proposing to maintain the tax rate of .0018. Mr. Lenhard commented this would be the fourth consecutive year in which the City's tax rate remained the same. He stated staff had adjusted the debt service portion and the general operation from last year to maintain the tax rate at .0018.

Councilmember Bush requested clarification on actual dollars the City would receive. Mr. Knapp responded more funds were going to the debt and less for operations. Mr. Lenhard announced the estimated amounts reflected in the tentative budget were almost right on and nothing much had changed since its approval.

Mr. Knapp commented if the City were able to refund the GO (General Obligation) Bond debt sometime in the coming year, the revenue associated with that portion of the tax rate would also continue to decrease. He mentioned this would be the last time the City would be allowed to refund the bonds. He indicated the City would continue to watch the Sales Tax Revenue Bond which was used to fund the Aquatic Center for refunding opportunities and stated it had approximately fifteen years left for repayment. JJ Allen, Assistant City Manager, commented the Sales Tax Revenue Bond wasn't tied to any property tax.

Mr. Lenhard announced approval of the FY15 budget would come before the Council during its regularly scheduled policy session later in the evening.

DISCUSSION ON TITLE 11, CHAPTER 5 - ADMINISTRATIVE SITE PLAN REVIEW

Scott Hess, Development Services Manager, explained the proposed amendment would allow staff to perform administrative site plan reviews and approvals for projects of minor significance. He informed the Council about the current Site Plan Review process which required approval by the Planning Commission. He mentioned a number of Site Plan Reviews had recently come to the City which was not only burdensome to the applicant but the Planning Commission as well. He added some of those didn't require imposed conditions, were simple in nature and met the definitions of the site plan which made them examples of when Administrative Site Plan review could have been completed by staff.

Mr. Hess referred to the staff report and shared a visual presentation which identified the proposed changes with the Council. He announced site plans eligible for Administrative Review must meet at least two of the following criteria:

- Additions up to 10,000 square feet, or less than 10% of gross area of an existing building, whichever is less
- Exterior modifications to multi-family residential, institutional, commercial, or industrial buildings that do not include additional residential units, or changes to access from state highways or approvals from state or federal agencies
- Minor revisions to site plans previously approved by the Planning Commission that meet the standards of the zoning code, will not expand, intensify, or substantially change any approved site plan, landscape plan, or structure, and are consistent with the intent of the original approval
- Exterior remodeling that affects colors and materials, building design, location of utilities or other mechanical equipment within an existing or approved project that does not substantially change the appearance of the site or its structure
- Changes in use requiring additional parking, where the proposed use will not cause increased impacts on existing infrastructure and public services, as determined by the Zoning Administrator, City Engineer, and Public Works Department, and the use is proposed in existing structures

He shared some examples illustrating the previous points. He requested direction or questions from the Council and stated the item would come before the Council for approval at its June 24, 2014.

Councilmember Bush inquired if there would be a change in fees since the change would eliminate the Planning Commission's decision. He expressed his opinion the City shouldn't decrease the fees since there would still be significant time expended by staff during the review process. He stated the applicant should still cover the costs for the process. Mr. Hess responded the fees had not been discussed during the Planning Commission meeting and explained how the proposed new application/approval process would take place. A discussion took place relative to reducing fees. The Council directed staff to set the fee for Administrative Site Plan review fee at \$400. Mr. Lenhard indicated this would also be the Council's agenda for Tuesday, June 24, 2014.

DISCUSSION ON TITLE 11, CHAPTER 14 - GRAVEL DRIVEWAYS

Scott Hess, Development Services Manager, stated numerous comments had been shared about the gravel driveway ordinance during the Planning Commission meeting. He informed the Council about the Planning Commission's recommended proposed ordinance changes:

- Removing 11-14-5 B2 stating that gravel or crushed rock will no longer be permitted after January 1, 2015.
- Adding the following provision: "Any gravel or crushed rock installed for accessory parking in a residential zone after July 1, 2014, must be a minimum of four inches deep, compacted, placed atop a weed barrier, be maintained to be completely free of grass and weeds, and contained with durable borders."
- Add the following provision: "All new main residential driveways, approaches, and parking spaces required by this Title shall be surfaced with an asphaltic or concrete or other hard surfacing (impermeable) pavement material.
- Legally established and conforming gravel driveways installed prior to July 1, 2014 may continue to be utilized so long as they are maintained and kept completely free of grass and weeds.

Councilmember LeBaron suggested using the terms of asphalt or concrete in place of impermeable pavement material.

Mr. Hess pointed out specifics about comments made during the Planning Commission meeting and explained the difference between driving materials and types of gravel which would work better for the purpose of parking. Mayor Shepherd inquired about the cost difference between concrete compared to gravel for accessory parking. Mr. Hess roughly guessed the difference being between hundreds of dollars to thousands of dollars.

He requested clarification from the Council on the proposed changes to the ordinance and inquired if they accomplished what the Council desired.

Councilmember Bush suggested implementing Councilmember LeBaron's change specific to the "impermeable surface" term. Mr. Hess suggested using "asphalt, concrete or pavers" in place of the "impermeable surface". Councilmember LeBaron expressed agreement with the additional proposed language. Mayor Shepherd liked the change as it proposed the designation of a "standard".

A discussion took place regarding the effective date and the Council determined the amendments could be effective on July 1, 2014.

DISCUSSION ON TITLE 11, CHAPTER 11 - PARKING IN C-1 AND C-2 ZONES

Scott Hess, Development Services Manager, reminded the Council it had adopted the temporary land use regulation specific to commercial parking on Tuesday, April 22, 2014. He mentioned changes would be made between now and Tuesday, June 24, 2014 as staff was trying to draft language which correctly identified stand-alone parking for commercial purposes. He reviewed the following proposed ordinance changes:

- Amend the definition of “Parking Facility, Commercial” to require these types of facilities to be pay lots. The parking would be a conditional use for stand-alone parking within commercial zones which was not tied to any primary use. Amend provisions such that the “Parking Facility, Commercial” use is neither a permitted, nor a conditional use within B-1, C-1, C-2, C-R and D-R zones that will be added/allowed as either a permitted or conditional use in M-1, MU, PF zones.
- Area surrounding UTA Transit station may be one that is viable for a commercial pay lot in the future.
- Amend the definition of “Parking Lot” to require the facility to be provided specifically for a primary use or building on the same property/parcel as the parking will be located, as well as require that the primary use/building served by the parking be entirely located within the City.

Councilmember LeBaron pointed out during the Planning Commission meeting public comment on behalf of Tanner Clinic had been expressed against the above change that the primary use/building being served needed to be located within the City. He explained the clinic desired to install a parking lot on property located within Clearfield City to service its buildings located in Layton City. He expressed his opinion he was still in support of the verbiage specific to that amendment. Mr. Hess responded Tanner Clinic had submitted an application for a commercial parking facility in a C-1 zone after the City adopted the temporary land use regulation in April. He stated a finding had been made to allow Tanner Clinic’s request to be considered under the previous ordinance because although a formal application had not been submitted prior to the enactment of the temporary land use regulation, representatives from the clinic had formally met with City staff and even presented plans of their proposed development for staff review and feedback prior to the enactment of the temporary land use regulation. Brian Brower, City Attorney, expressed his opinion that the Tanner Clinic application use should be considered by the Planning Commission and City Council under the current ordinance still in place, rather than being subject to the temporary land use regulation. He shared an example of applicable case law and how it could be applied under these circumstances.

Mr. Hess continued with the review of the Planning Commission’s recommendations:

- Add a provision to the language for off-site parking to include a requirement that uses must be located within Clearfield City for any new use, structure, building or parcel, required off street parking may be provided on other property not more than a two hundred foot (200’) distance from the nearest point of the parcel, and shall not require persons to cross a public street. The Planning Commission may consider such alternatives

through the site plan process. (Off-site parking shall not be allowed for dwellings or to accommodate parking needs for property located outside Clearfield City).

- Add “Parking Lot, Stand-alone” as a use within the Permitted Uses of the PF zone to assure that there is a legal established parking use within Public Facility Zones. The areas zoned PF may or may not be owned and maintained by Clearfield City. He indicated more discussion was needed on stand-alone parking. He shared some examples of possible circumstances in which it should be considered by the Council.

Mr. Hess explained the difficulty in trying to predict all future changes associated with development and stated staff was attempting to guess what may or may not happen while trying to protect the City’s prime commercial land. Mr. Brower pointed out the City had so few remaining prime commercial development areas. He shared some possible scenarios in which the City might want to service a large facility needing parking. He emphasized the proposed ordinance was attempting to prevent the very limited amount of remaining developable commercial property in Clearfield from turning into stand-alone parking.

The meeting adjourned at 6:45 p.m.

APPROVED AND ADOPTED
This 22nd day of July, 2014

/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 Tuesday, June 10, 2014.

/s/Nancy R. Dean, City Recorder