



## Community Development

PLANNING, BUILDING INSPECTIONS,  
CUSTOMER SERVICE, AND CODE COMPLIANCE

### CLEARFIELD CITY PLANNING COMMISSION MEETING AGENDA

Notice is hereby given that the Clearfield City Planning Commission will hold a regularly scheduled meeting at **7:00 P.M., Wednesday, October 18, 2023**, on the **3<sup>rd</sup> floor** in the City Council Chambers of the Clearfield City Municipal Building, located at 55 S. State Street, Clearfield, UT 84015.

#### WORK SESSION – 6:30 PM – Executive Conference Room

Review of agenda items to address questions.

#### REGULAR SESSION – 7:00 PM- Council Chambers

- CALL TO ORDER – PLEDGE OF ALLEGIANCE
- PLANNING COMMISSION CHAIR STATEMENT
- APPROVAL OF MINUTES
  - October 4, 2023

#### DECISION ITEMS

##### Scheduled Items:

1. Discussion and Possible Action on **CUP 2023-0901**, a conditional use permit request by Randy Covington for a home occupation business to manufacture parts for firearms within an attached garage. **Location:** 160 North Main Street Unit #22 (TIN: 15-033-0022). **Parcel Area:** 0.02 Acres. **Zoning:** T-C (Town Mixed Commerce) **Staff:** Tyson Stoddard, Planner (**Administrative Action**).

#### DISCUSSION ITEMS

1. Staff Discussion
2. Staff Communications
3. Commissioner's Minute

#### **\*\*PLANNING COMMISSION MEETING ADJOURNED\*\***

Dated this 13<sup>th</sup> day of October 2023.

/s/Brad McIlrath, Senior Planner

Meetings of the Planning Commission 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 in City Code § 1-6-4H for electronic meetings.

Clearfield City, in accordance with the 'Americans with Disabilities Act', provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting accommodations for City sponsored public meetings, service programs, or events, should call the Customer Service Center at 801-525-2701, giving the City a 48 hour notice.

The Work Session meeting is a public meeting; however, public comments are only received in the formal Planning Commission meeting. The Planning Commission Public Meeting is a public forum where the Planning Commission may receive comment from applicants, the public, applicable agencies and city staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

The complete public notice is posted on the Utah Public Notice Website - [www.utah.gov/pmn/](http://www.utah.gov/pmn/), the Clearfield City Website - [clearfield.city](http://clearfield.city), and at Clearfield City Hall, 55 South State Street, Clearfield, UT 84015. To request a copy of the public notice or for additional inquiries please contact Tyson Stoddard at Clearfield City, [tyson.stoddard@clearfieldcity.org](mailto:tyson.stoddard@clearfieldcity.org) & 801-525-2718.

## **CLEARFIELD PLANNING COMMISSION MEETING**

October 4, 2023

## 7:00 P.M. – Regular Session

PRESIDING: Chris Uccardi Chair

PRESENT:	Megan Ratchford	Vice Chair
	Kathryn Murray	Commissioner
	Robert Browning	Commissioner
	David Bloomfield	Commissioner
	Brogan Fullmer	Commissioner
	Lauren DeSpain	Commissioner
	Chad Mortensen	Commissioner

ABSENT: Jaylee Bouwhuis Youth Ambassador

STAFF PRESENT: Stuart Williams City Attorney  
Spencer Brimley Community Development Director  
Brad McIlrath Senior Planner  
Tyson Stoddard Planner

VISITORS: Susie Petheram, Julia Surkis (Via Teams)

Chair Uccardi called the meeting to order and led the Pledge of Allegiance.

APPROVAL OF MINUTES FOR THE MAY 3, 2023, JUNE 21, 2023, AND SEPTEMBER 20, 2023 PLANNING COMMISSION MEETINGS.

Chair Uccardi asked for any discussion on the minutes. Commissioner Browning noted that there were minor grammatical corrections needed.

**Commissioner Ratchford moved to approve the minutes of the May 3, 2023, June 21, 2023, and September 20, 2023 Planning Commission meetings. Seconded by Commissioner Murray. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and DeSpain.**

## STAFF DISCUSSION ABOUT THE RESULTS OF A COMMUNITY SURVEY FOR THE GENERAL PLAN UPDATE.

Brad McIlrath, Senior Planner, introduced Susie Petheram and Julia Surkis with FFKR Architects. He stated that they were the consultants working with the City on the update to the General Plan. He turned the time over to Ms. Petheram and said that she would lead a discussion related to the General Plan and the results of a recent community survey.

Ms. Petheram led the group in an online survey. She asked questions taken from the recent community survey and allowed the Commissioners to respond.

1 Ms. Petheram turned the time over to Ms. Surkis and said that she would talk about the findings  
2 from the community survey. Ms. Surkis said that there were 360 responses from business owners  
3 and Clearfield residents. She said almost all the respondents were Clearfield residents and that  
4 there were 26 business owners and summarized the common themes of the responses.

5  
6 Ms. Petheram said that most people took the survey as a result of the mailer that was sent out by  
7 Communications staff. Commissioner Ratchford asked if there would be a follow up survey to try  
8 and reach out to more people, noting that this first survey only got responses from about 1% of  
9 residents. Ms. Petheram replied that the results would be shared, and after taking the results and  
10 creating a General Plan draft, the city would schedule an open house in person to see how the  
11 input was linked to the content of the plan.

12  
13 Ms. Petheram continued to lead the group with questions related to the survey and allowed the  
14 Commissioners to respond.

15  
16 Mr. McIlrath discussed a stakeholder group that would be formed to provide feedback and asked  
17 for a volunteer to be a Planning Commission liaison to the stakeholder group. Commissioner  
18 Browning volunteered.

19  
20 Ms. Petheram shared the timeline and remaining steps to finish out the General Plan update. She  
21 said that they were a month or two behind the initial timeframe. She thanked everyone for their  
22 participation and commitment to Clearfield City.

23  
24 STAFF COMMUNICATIONS

25  
26 Mr. McIlrath informed the Commissioners that there would be a Planning Commission meeting  
27 on October 18, 2023, and that there would be one item on the agenda, a conditional use permit  
28 request for a home occupation business to use an attached garage to manufacture parts for  
29 firearms.

30  
31 He said that the General Plan stakeholder group would also be meeting on October 18, 2023.

32  
33 COMMISSIONERS MINUTE

34  
35 Chair Uccardi: Thanked everyone for their participation that evening and said they gave good  
36 feedback for the General Plan update.

37  
38 Commissioner Ratchford: Said she enjoyed the APA Conference and found it very informative.

39  
40 Commissioner Murray: Nothing

41  
42 Commissioner Browning: Apologized for missing the APA Conference and thanked FFKR for  
43 their presentation.

44  
45 Commissioner Bloomfield: Said he enjoyed the APA Conference and learned a lot. He suggested  
46 that the Commission look at the UDOT construction on SR 193 in Layton. He said they put in a  
47 median to impede lefthand turns.

1  
2 Commissioner Fullmer: Said that Think Wednesday was airing a documentary about Utah that  
3 evening.  
4  
5 Commissioner Mortensen: Said he the APA Conference was awesome. He enjoyed meeting other  
6 Planning Commissioners from other cities.  
7  
8 Commissioner DeSpain: Nothing  
9  
10 There being no further business to come before the Planning Commission, **Chair Uccardi moved**  
11 **to adjourn. Seconded by Commissioner Murray.**



# Planning Commission

## STAFF REPORT

AGENDA ITEM

#1

**TO:** Clearfield City Planning Commission

**FROM:** Tyson Stoddard, Planner I  
[tyson.stoddard@clearfieldcity.org](mailto:tyson.stoddard@clearfieldcity.org)  
(801) 525-2718

**MEETING DATE:** Wednesday, October 18<sup>th</sup>, 2023

**SUBJECT:** Discussion and Possible Action on **CUP 2023-0901**, a conditional use permit request by Randy Covington for a home occupation business to manufacture parts for firearms within an attached garage. **Location:** 160 North Main Street Unit #22 (TIN: 15-033-0022). **Parcel Area:** 0.02 Acres. **Zone:** T-C (Town Mixed Commerce). **(Administrative Action)**.

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### RECOMMENDATION

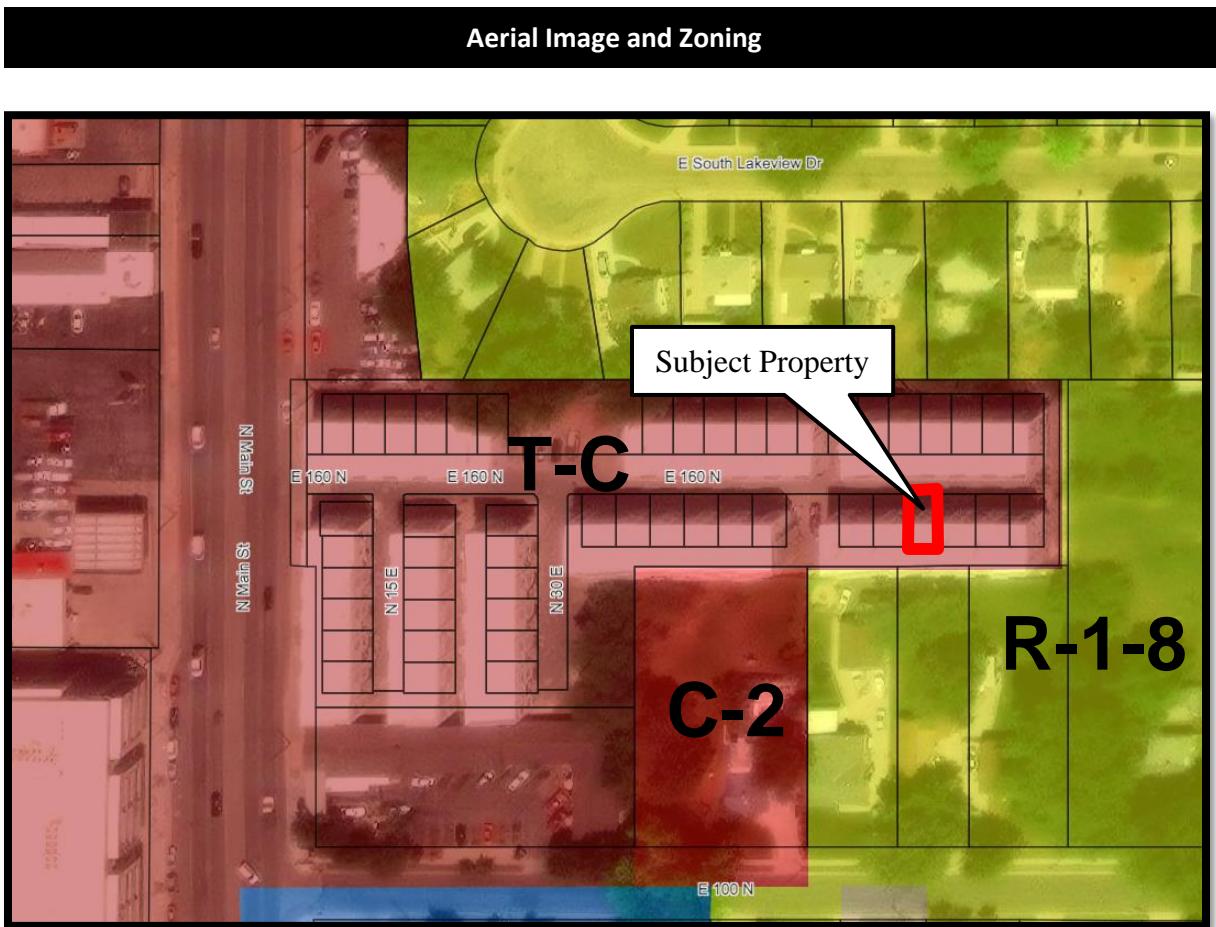
Staff recommends that the Planning Commission **approve as conditioned, CUP 2023-0901**, a conditional use permit request by Randy Covington for a home occupation business to manufacture parts for firearms within an attached garage at the property addressed 160 North Main Street Unit #22 (TIN: 15-033-0022). This recommendation is based on the findings and discussion in the Staff Report.

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### PROJECT SUMMARY

Project Information	
Project Name	Katanga Arms
Site Location	160 North Main Street Unit #22
Parcel ID	15-033-0022
Applicant	Randy Covington
Property Owner	Mayfly Rise, LLC
Proposed Actions	Conditional Use Permit – Home Occupation (Use of Attached Garage)
Current Zoning	T-C (Town Mixed Commerce)
Parcel Area	0.02 Acres

Surrounding Properties and Uses:		Zoning District	General Plan Land Use Classification
North	Residential	T-C (Town Mixed Commerce)	Mixed Use
East	Residential	T-C (Town Mixed Commerce)	Mixed Use
South	Residential	R-1-8 (Residential)	Residential
West	Residential	T-C (Town Mixed Commerce)	Mixed Use



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#### BACKGROUND AND ANALYSIS

Randy Covington is seeking conditional use permit approval to conduct a home occupation business out of an attached garage at the subject property, which is a townhome located in the Mayfly Rise development. The proposed business is for the manufacturing of parts for firearms. The manufacturing of the parts will include the use of power tools and MIG welding. The different parts will be packaged as a kit that customers would purchase and assemble on their own.

Home occupations are permitted in all residential zones and subject to standards outlined in Chapter 11-16 of Clearfield City Code. Typically, a home occupation is conducted wholly within the primary structure of the premises. When the use of a garage or accessory structure is proposed as part of a home occupation, conditional use permit approval is required. The purpose of a conditional use permit is to allow for a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may be compatible as long as certain conditions are met to mitigate or eliminate any detrimental impacts.

Section 11-16-3 of the Home Occupation ordinance gives general regulations that all home occupations shall comply with. One of the regulations states that the home occupation shall not alter the residential character of the neighborhood in which it is located. Given the specific nature of the manufacturing of parts for firearms, staff have included conditions of approval to address hours of operation, parking, noise, and storage. The home occupation code standards together with the recommended conditions are

intended to prevent change of the residential character of the neighborhood and to mitigate any adverse impacts to the area.

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## REVIEW CONSIDERATIONS

### Parking

The Mayfly Rise development, where the subject property is located, was approved with a standard of two parking spaces per unit. The proposed garage floor plan shows the work areas for the business along the walls, with space to park a vehicle and a small utility trailer. The applicant has stated that he only has one vehicle, and that no one else residing in the townhome has a vehicle. To ensure that sufficient parking is maintained on the site, a condition of approval is provided that the garage floor plan will be revised to provide parking for a second vehicle if such a need arises.

### Conditional Use Permit Review

Clearfield Land Use Ordinance Section 11-4-4 establishes the following review considerations that the Planning Commission shall review while determining to approve Conditional Use Permits.

REVIEW CONSIDERATION		Staff Analysis
CONSIDERATIONS: The Land Use Authority may allow a conditional use to be located in any zoning district in which the particular use is allowed as a conditional use by this title. In authorizing any conditional use, the Land Use Authority shall impose such requirements and conditions to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards provided in this chapter or elsewhere in this title necessary for the protection of adjacent properties and the public welfare. The Land Use Authority shall determine the following:		
1)	<i>At the specified location, [the proposed use] is in harmony with the general intent and purpose of the Clearfield City General Plan and the applicable zoning district regulations;</i>	With conditions, the proposed use is in harmony and compliance with the General Plan and zoning ordinance regulations.
2)	<i>[The proposed use] is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community and neighborhood;</i>	With conditions, the proposed use will contribute to the general well-being of the community.
3)	<i>Such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and</i>	With conditions, the use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.
4)	<i>Conditions imposed by the Land Use Authority are based upon ordinance standards outlined in this title [Title 11, Land Use] or as otherwise determined to be necessary by the City Engineer, Building Official, or any applicable State or Federal Agency</i>	The proposed conditions are based upon ordinance standards.

	<i>according to adopted standards of those fields of expertise.</i>	
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#### **CITY DEPARTMENT / AGENCY REVIEW**

The plans were shared for review by the Planning Division, Building Division, and the North Davis Fire District. There were no concerns with the proposed use.

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#### **PUBLIC COMMENT**

Public notice was placed on the property on October 9th, 2023. No public comment has been received as of the writing of this report.

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#### **CONDITIONS OF APPROVAL**

*The following conditions of approval shall be addressed by the applicant and shown on a set of revised plans prior to issuance of final land use approval unless otherwise noted.*

- 1) The manufacturing of parts for firearms shall take place wholly within the garage.
- 2) The use shall not unreasonably disturb the peace and quiet of the neighborhood by reason of signage, color, design, materials, construction, lighting, sound, noises, or vibrations.
- 3) The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health, which are emitted and may be discernable beyond the premises. The home occupation shall not create a hazard by using or storing flammable, explosive, or other dangerous materials in quantities that exceed those which may normally be found in a residence.
- 4) The business shall operate only between the hours of 8:00 a.m. and 8:00 p.m.
- 5) Storage of material shall be entirely within the garage.
- 6) The garage shall meet the parking needs of the residents of the subject property. The garage floor plan will need to be revised to accommodate an additional vehicle if such a need arises at a future date.
- 7) The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.
- 8) The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

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#### **ATTACHMENTS**

1. Site Plan & Floor Plan

## SITE PLAN

Katanga Arms  
160 N Main Street Unit #22

