



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, June 7, 2023**, on the **3rd 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
 - February 15, 2023
 - May 17, 2023

DECISION ITEMS

Scheduled Items:

1. Discussion and Possible Action on **CUP 2023-0501**, a conditional use permit request by Hugo Suarez of HS Luxury Metal Works for a home occupation business to fabricate mailboxes within an attached garage at the subject property. **Location:** 2681 South 200 East (TIN: 12-411-0218). **Parcel Area:** 0.14 Acres. **Zone:** R-1-8 (Residential) **Staff:** Tyson Stoddard (**Administrative Action**).

DISCUSSION ITEMS

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

*****PLANNING COMMISSION MEETING ADJOURNED*****

Dated this 9th day of May 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/, the Clearfield City Website - 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 & 801-525-2718.

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 February 15, 2023

3 6:30 P.M. – Work Session

4
5 PRESIDING: Chris Uccardi Chair

6
7 PRESENT: Megan Ratchford Vice Chair
8 Kathryn Murray Commissioner
9 Robert Browning Commissioner
10 David Bloomfield Commissioner
11 Brogan Fullmer Commissioner
12 Chad Mortensen Commissioner (Alternate)

13
14 ABSENT: Lauren DeSpain Commissioner
15 Zach Gaines Commissioner (Alternate)

16
17 STAFF PRESENT: Shawn Robinson Assistant City Attorney
18 Spencer Brimley Community Development Director
19 Brad McIlrath Senior Planner
20 Tyson Stoddard Planner

21
22 VISITORS: None

23
24 Chair Uccardi called the meeting to order at 6:30 p.m. Seeing that Commissioners DeSpain and
25 Gaines weren't present, he said that Commissioner Mortensen would be voting tonight.

26
27 DISCUSSION ON THE APPROVAL OF MINUTES FROM THE SEPTEMBER 21, 2022 AND
28 OCTOBER 5, 2022 PLANNING COMMISSION MEETINGS.

29
30 Commissioner Browning gave a few suggestions related to the minutes for the Moderate Income
31 Housing topic from the September 21, 2022 meeting. He suggested adding some more context,
32 defining acronyms, and revising the content so that it would be easier to follow. Staff noted the
33 input and said they would incorporate the suggestions and revise the minutes accordingly.

34
35 DISCUSSION ON SP 2023-0102, A SITE PLAN REVIEW REQUEST BY ALLIE PLATT WITH
36 LOTUS COMPANY FOR PHASE 2 OF THE LOTUS ANTHEM DEVELOPMENT TO
37 CONSTRUCT SIXTY-FOUR (64) TOWNHOMES AT 240 EAST 350 SOUTH (TIN: 15-072-
38 0001). PARCEL AREA: 4.069 ACRES. ZONE: U-R (URBAN MIXED RESIDENTIAL).

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40 Commissioner Browning noted that the proposed number of units was less than the original. Mr.
41 McIlrath said that they did reduce the units because they couldn't meet the required setbacks. Mr.
42 McIlrath explained that the majority of townhomes were 2 bedrooms, and that it looked like they
43 were proposing about thirteen 3-bedroom townhomes.

44
45 Commissioner Fullmer asked if the dates from the development agreement, specifying when the
46 property would have to transfer ownership from Clearfield City to the developer, were finalized
47 with the City Council. Mr. McIlrath replied that he asked the Assistant City Manager, Summer

1 Palmer, if the property was sold. She said that the purchase agreement was executed but they
2 were waiting for it to be recorded. Mr. McIlrath explained that the City Council decided a
3 deadline for the purchase of the property didn't need to be in the development agreement because
4 it was already in a purchase contract. Mr. McIlrath also explained that a subdivision amendment
5 would be forthcoming to dedicate the public street that would be part of Phase 2.

6
7 Commissioner Fullmer asked why the developer wanted to make a smaller street with a larger
8 park strip. Mr. McIlrath explained that the rationale for that was that they wanted to have more of
9 a buffer between the sidewalk and the street, and allow for the landscaping to be more prominent.

10
11 Commissioner Ratchford said she liked the provision in the Code that would require the bike
12 racks and thought that was important with the Clearfield Station TOD (Transit Oriented
13 Development) that would be nearby. Mr. McIlrath said that with the extension of Depot Street to
14 the Clearfield Station TOD, there would be a direct path that bikes could travel to the Frontrunner
15 Station from the Lotus development.

16
17 Commissioner Browning asked if they were putting power lines underground across from the
18 Junior High. Mr. McIlrath replied that the power was going underground, but that the
19 telecommunication lines weren't ready to go underground. He said they had been slower to work
20 with and that the need to splice lines made the undergrounding more complicated for the
21 telecommunication companies.

22
23 Commissioner Bloomfield said he was concerned that the width of the street would be 34 feet
24 instead of the 36 foot standard in the Code. He said he thought they should meet the Code. Mr.
25 McIlrath responded that the development agreement for the project already allowed the exception
26 for 34 feet, so it wasn't something that could be changed during the site plan review.

27 Commissioner Bloomfield said he was concerned that truck traffic would go through the site
28 because he'd seen more trucks driving on 450 South. Mr. McIlrath responded that 450 South
29 wouldn't connect into the site, but it would come to a 'T' intersection at State Street. The
30 commission followed with discussion about truck routes in the City and enforcement of those
31 routes.

32
33 DISCUSSION ON CUP 2023-0104, A CONDITIONAL USE PERMIT REQUEST BY
34 CHRISTOPHER YOUNG TO OPERATE A CHURCH AT THE SUBJECT LOCATION.
35 LOCATION: 936 WEST 1700 SOUTH SUITE B (TIN: 12-508-0022). PARCEL AREA: 1.72
36 ACRES. ZONE: C-2 (COMMERCIAL).

37
38 Commissioner Browning asked how long the church had been at the location. Mr. Stoddard
39 responded that he thought they'd been there about 18 months to 2 years. He explained that they
40 decided to locate there and got a building permit for tenant improvements, but Planning wasn't
41 made aware, so a conditional use permit wasn't required at that time. He said that planning
42 became aware when the church applied for a sign permit and discussed the conditional use permit
43 process with the applicant at that time. Commissioner Browning asked if a legal nonconforming
44 use would apply to the situation. Mr. Stoddard responded no, because the church was a new use
45 and the property had a business there prior to that.

46
47 Commissioner Fullmer asked if there was any progress with the dog boarding place next door.

1 Mr. Stoddard replied that they had submitted for a building permit for tenant improvements and
2 were still moving along. Chair Uccardi mentioned that they had a sign up saying that the dog
3 boarding business would be coming soon.
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5 **Chair Uccardi asked for any other questions. Seeing none, he moved to adjourn the work**
6 **session. Seconded by Commissioner Fullmer.**
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CLEARFIELD PLANNING COMMISSION MEETING

February 15, 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
Chad Mortensen Commissioner (Alternate)

ABSENT: Lauren DeSpain Commissioner
Zach Gaines Commissioner (Alternate)

STAFF PRESENT: Spencer Brimley Community Development Director
Shawn Robinson Assistant City Attorney
Brad McIlrath Senior Planner
Tyson Stoddard Planner

VISITORS: Allie Platt

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

Planning Commission Chair Statement.

APPROVAL OF MINUTES FROM THE SEPTEMBER 21, 2022 AND OCTOBER 5, 2022
PLANNING COMMISSION MEETINGS.

Commissioner Murray moved to approve the minutes of the September 21, 2022 and October 5, 2022 Planning Commission meeting with some edits as discussed in the work session. Seconded by Commissioner Ratchford. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and Mortensen. Voting NAY: None.

DISCUSSION AND APPROVAL OF SP 2023-0102, A SITE PLAN REVIEW REQUEST BY
ALLIE PLATT WITH LOTUS COMPANY FOR PHASE 2 OF THE LOTUS ANTHEM
DEVELOPMENT TO CONSTRUCT SIXTY-FOUR (64) TOWNHOMES AT 240 EAST 350
SOUTH (TIN: 15-072-0001). PARCEL AREA: 4.069 ACRES. ZONE: U-R (URBAN MIXED
RESIDENTIAL).

Brad McIlrath, Senior Planner, presented the following:

- Introduced Phase 2 of the Lotus Anthem Development.

- For the remainder of the City owned Clearfield Mobile Home Park property which would be sold to Lotus Company in the coming months.
- 64 two and three bedroom townhomes.
- Zone: U-R (Urban Mixed Residential). Previously T-R (Town Neighborhood Residential).
- Development Agreement
 - Carter Lane to have 34' wide pavement width as opposed to Code standard of 36' wide.
 - Allowed to have a maximum of 12 townhomes connected. Measured per building façade.
 - Front-loaded townhomes permitted on north side of Carter Lane and to have minimum depth of 20' and a minimum width of 30.'
- Subdivision submittal forthcoming for dedication of Carter Lane.
- Coordinating the design of the detention basin with Clearfield City Parks and Open Space as well as Engineering.
- Showed site plan and renderings.
- Showed Civil Site Plan.
 - Stated that corner build to zone could not be greater than 10' and pointed out two areas on the plans that would need to be revised to meet the standard.
 - Said a couple of areas needed spacing adjustments with the streetlights, and one area needed a streetlight added.
- Detention Basin to be used as more of a recreational space. Developer and City working together to provide a public dog park in the basin, and to have more water efficient landscaping in the basin.
- Showed landscape plan for the entire site and pointed out some changes that would have to be made.
- Recommended approval of the site plan with conditions.

Commissioner Murray said that some of the townhomes showed the kitchen on the 3rd floor and the bedrooms on the 2nd floor and asked why they did that. Mr. McIlrath said he thought it was a mislabel. Allie Platt, from Lotus Company, said that they actually did design a few of the units that way. She explained that it was something they'd seen before and they wanted to try it, in order to give a nice 3rd floor balcony and view that could be an amenity for residents. Spencer Brimley, Community Development Director, said that he'd seen this done in townhomes in Salt Lake County and that it was done to provide a unique amenity allowing to entertain with the kitchen and living room and a top story balcony.

Commissioner Fullmer commended the use of the detention basin for a dog park and asked about another section of turf near the main entrance to see if they were open to a more water efficient landscape design. Ms. Platt said they were planning to put a monument sign in that area. She said she didn't want to put an amenity that close to State Street but that they'd be willing to do something like what was suggested.

Commissioner Browning asked Ms. Platt if there were any conditions proposed that gave her concern. She replied that she didn't like condition number six regarding a requirement for windows to be detailed with a trim or molding at least four inches wide and an accent detail. She

1 explained that depending on the materials being used and the style of design proposed, the
2 requirement could make the product look a lot worse than if they didn't have to meet it.
3 Commissioner Browning said he asked because he wanted to know if there were any Code
4 requirements that needed to be tweaked in the future.

5
6 Commissioner Fullmer asked if the development would have trash cans for each unit. Ms. Platt
7 responded that they liked to have individual trash cans for the units, but there was one area for the
8 east townhomes that didn't have a good spot for a turnaround for a garbage truck to get individual
9 cans. She replied that they were currently planning a trash enclosure for that area instead.
10 Commissioner Fullmer asked about 220-volt outlets for charging stations. She responded that
11 they would have charging stations in their parking areas but not the townhome garages.

12
13 Commissioner Bloomfield brought up the issue of lithium batteries exploding. He cautioned
14 about the risk when considering charging stations in garages.

15
16 Commissioner Ratchford asked about parking for the development. Ms. Platt pointed out two
17 areas of visitor parking and replied that all the units had two car garages, and a few of the units
18 had driveways. She said that for the units without driveways, visitors would have to park in the
19 area near the public park.

20
21 **Commissioner Fullmer moved to approve SP 2023-0102, a site plan review request by Allie**
22 **Platt with Lotus Company for Phase 2 of the Lotus Anthem Development to construct sixty-**
23 **four (64) townhomes at the subject location. The approval was based on the discussion of**
24 **the staff report and the following conditions.**

- 25 1. The streetlight spacing along Carter Lane shall be revised to comply with the
26 minimum and maximum distances required by Code.
- 27 2. The street trees along Carter Lane shall be revised to comply with the minimum and
28 maximum spacing and tree types required by Code.
- 29 3. Townhomes that include a corner build-to-zone shall be revised to comply with the
30 0–10 foot build-to-zone required by Code.
- 31 4. The townhome elevations shall be revised to provide the minimum clear floor height
32 of nine feet (9') as required by Code.
- 33 5. The townhome building materials shall be called out and comply with the primary
34 and secondary façade materials required by Code. Stucco may be utilized as allowed
35 per the development agreement.
- 36 6. The upper story windows for the townhomes shall be revised to comply with the
37 minimum Code standards. As required by Code, the upper story windows shall be
38 detailed with a trim or moulding at least four inches (4") wide and one of the accent
39 details outlined in Code.
- 40 7. The landscape plans shall be revised to comply with the following:
 - 41 a. Turf grass shall be removed from all areas that are less than eight feet (8')
42 wide.
 - 43 b. The building locations shall be revised so all townhome buildings have the
44 required minimum five-foot (5') planting strip for areas that do not include
45 an entrance or utilities. As required by Code, the planting strip cannot be less
46 than the minimum setback of five feet (5') for the side and rear yards.
 - 47 c. The plant selections shall be revised so all plants are water wise.

- 1 d. The plant selections shall be revised to comply with the minimum sizing
2 standards as called out in the plans for the multi-trunk tree and the evergreen
3 tree.
4 e. The parking lot buffer shall be provided between the parking spaces at the
5 northeast end of the project area and the adjacent properties as outlined in
6 the staff report.
- 7 8. The plans shall be revised to provide a minimum of thirteen (13) bike rack spaces for
8 the townhomes in compliance with the design standards outlined in the Code.
- 9 9. The plans will need to indicate the location and size of snow stacking areas for the
10 parking lots as well as the alleys. The size and location of the snow stacking areas
11 shall comply with the minimum standards as outlined in Clearfield City Code
12 Section 11-13-5 G.
- 13 10. A subdivision plat shall be submitted to subdivide this north property necessary to
14 provide the right-of-way dedication for the remaining stretch of Carter Lane that
15 will connect to Depot Street.
- 16 11. The plans should be revised to address engineering requirements outlined in the
17 provided review letters.
- 18 12. The applicant shall obtain North Davis Fire District approval prior to the issuance of
19 a building permit.
- 20 13. The applicant shall obtain a building permit prior to construction.

21 Seconded by Commissioner Murray. The motion carried on the following vote. Voting
22 AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and
23 Mortensen. Voting NAY: None.

24
25 DISCUSSION AND APPROVAL OF CUP 2023-0104, A CONDITIONAL USE PERMIT
26 REQUEST BY CHRISTOPHER YOUNG TO OPERATE A CHURCH AT THE SUBJECT
27 LOCATION. LOCATION: 936 WEST 1700 SOUTH SUITE B (TIN: 12-508-0022). PARCEL
28 AREA: 1.72 ACRES. ZONE: C-2 (COMMERCIAL).
29

30 Tyson Stoddard, Planner, presented the following:

- 31 • Zone: C-2 (Commercial)
32 • Applicant opened a church at the subject property.
33 • Located in an existing building.
34 - Suite B of 936 West 1700 South
35 • Applicant got a building permit for tenant improvements.
36 - Permit approved and issued in 2021
37 • Showed an aerial image and zoning of the property.
38 • Showed site plan with 56 existing parking spaces.
39 • Required parking for church use was 14 stalls.
40 • Showed floor plan of the church.
41 • Recommended approval.

42
43 Chair Uccardi asked for any questions or discussion amongst the Commission.

44
45 Commissioner Ratchford moved to approve CUP 2023-0104, a conditional use permit
46 request by Christopher Young to operate a church at the subject property. The approval

1 **was based on the findings and discussion in the staff report and subject to the following**
2 **condition.**

- 3 **1. Any signs must meet Chapter 11-15 “Sign Regulations” standards. Signs are not**
4 **included as part of this site plan approval. Separate review and approval will be**
5 **required.**

6 **Seconded by Commissioner Fullmer. The motion carried on the following vote. Voting**
7 **AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and**
8 **Mortensen. Voting NAY: None.**

9
10 STAFF COMMUNICATIONS

11
12 Mr. McIlrath said the April 5, 2023 Planning Commission meeting would be canceled.

13
14 COMMISSIONERS MINUTE

15
16 Chair Uccardi: Said it was great that Clearfield City supported new businesses opening up in the
17 community by helping to communicate their openings. Mr. Brimley and Mr. McIlrath said that
18 Community Development couldn't take credit, but that the Communications staff did an excellent
19 job with those efforts.

20
21 Vice Chair Ratchford: Said she was excited to see progress on the Argentine Corner restaurant's
22 new location.

23
24 Commissioner Murray: Nothing.

25
26 Commissioner Browning: Said he thought he knew his intent for proposed revisions to the bylaws
27 of the Planning Commission. He said he was working on it, and that it would be good for a
28 system that would help mentor Commissioners to get experience and opportunities to chair
29 meetings.

30
31 Commissioner Bloomfield: Nothing.

32
33 Commissioner Fullmer: Thanked staff for the preparation of the reports and the attention to detail.

34
35 Commissioner Mortensen: Thanked everyone for the continued education.

36
37 There being no further business to come before the Planning Commission, **Chair Uccardi moved**
38 **to adjourn. Seconded by Commissioner Murray.**

1 **CLEARFIELD PLANNING COMMISSION MEETING**

2 May 17, 2023

3 6:30 P.M. – Work Session

4
5 PRESIDING: Chris Uccardi Chair

6
7 PRESENT: Megan Ratchford Vice Chair
8 Kathryn Murray Commissioner
9 Robert Browning Commissioner
10 David Bloomfield Commissioner
11 Brogan Fullmer Commissioner
12 Lauren DeSpain Commissioner
13 Chad Mortensen Commissioner (Alternate)

14
15 ABSENT: Zach Gaines Commissioner (Alternate)

16
17 STAFF PRESENT: Shawn Robinson Assistant City Attorney
18 Brad McIlrath Senior Planner
19 Tyson Stoddard Planner

20
21 VISITORS: None

22
23 Chair Uccardi called the meeting to order at 6:30 p.m.

24
25 DISCUSSION ON THE APPROVAL OF MINUTES FROM THE APRIL 19, 2023 PLANNING
26 COMMISSION MEETING.

27
28 Tyson Stoddard, Planner, said that Commissioner Murray communicated a couple of corrections.
29 He stated that one of them was a grammatical correction and the other was to restructure a
30 sentence to provide better clarity. There were no other questions or comments.

31
32 DISCUSSION ON RZN 2023-0403, A REQUEST BY DEAN GARRETT WITH MORGAN
33 PAVEMENT TO REZONE THE SUBJECT PROPERTY FROM P-F (PUBLIC FACILITIES) TO
34 M-1 (MANUFACTURING). LOCATION: 593 SOUTH MAIN STREET (TIN: 12-003-0098).
35 PARCEL AREA: 0.26 ACRES.

36
37 Chair Uccardi introduced the item and asked if there was any discussion or questions.
38 Commissioner Fullmer asked why it was zoned P-F (Public Facilities) in the first place. Mr.
39 McIlrath, Senior Planner, explained that before the City's MOC (Maintenance Operations Center)
40 was built, the road wasn't where it was now. He said that the area was zoned P-F because it was
41 next to the Public Works shops at the time.

42
43 Commissioner Browning said he wasn't a fan of parking lots, but he said that Morgan Pavement
44 seemed to be doing a good job with their operations and facilities. Commissioner Ratchford
45 agreed and said she saw them paving a new area near their facilities that looked nice.

46
47 Mr. McIlrath stated that the City would like to clean up the zoning in that area and that there

1 might be another application come through to the Planning Commission. Mr. Stoddard said that
2 on the zoning map there were several parcels along 700 South that were remnant parcels from
3 when the bridge was built. Because the parcels weren't buildable lots, or were already being used
4 by Morgan Pavement, Mr. Stoddard said it would be nice to have them rezoned to match the M-1
5 (Manufacturing) zoned properties in the area. The Commission and staff continued with a general
6 discussion of the area, including the old church on South Main. Mr. McIlrath said that the church
7 was considered historical but was not listed on any registry.
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9 **Chair Uccardi moved to adjourn the work session. Seconded by Commissioner Fullmer.**
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CLEARFIELD PLANNING COMMISSION MEETING

May 17, 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 (Alternate)

ABSENT: Zach Gaines Commissioner (Alternate)

STAFF PRESENT: Shawn Robinson Assistant City Attorney
Brad McIlrath Senior Planner
Tyson Stoddard Planner

VISITORS: None

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

Planning Commission Chair Statement.

APPROVAL OF MINUTES FOR THE APRIL 19, 2023 PLANNING COMMISSION MEETING.

Commissioner Murray moved to approve the minutes of the April 19, 2023 Planning Commission meeting. Seconded by Commissioner Ratchford. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and DeSpain. Voting NAY: None.

PUBLIC HEARING, DISCUSSION AND RECOMMENDATION OF APPROVAL TO THE CLEARFIELD CITY COUNCIL FOR RZN 2023-0403, A REQUEST BY DEAN GARRETT WITH MORGAN PAVEMENT TO REZONE THE SUBJECT PROPERTY FROM P-F (PUBLIC FACILITIES) TO M-1 (MANUFACTURING). LOCATION: 593 SOUTH MAIN STREET (TIN: 12-003-0098). PARCEL AREA: 0.26 ACRES.

Chair Uccardi declared the public hearing open and turned the time over to staff for a presentation.

Tyson Stoddard, Planner, presented the following:

- Subject property recently acquired by Morgan Pavement.
- Prior residence had been removed.
- Current zoning designation was P-F (Public Facilities).

- Request for a rezone to M-1 (Manufacturing)
- Would allow for the expansion of Morgan Pavement operations
- Showed a before picture with the residence and a current picture with the property vacant
- Showed aerial image and zoning of the surrounding properties
- General Plan designates property as Business Park
- Change of use from residential to manufacturing is more consistent with the General Plan
- M-1 Zone established to provide areas in the City where processing, assembling, warehousing, and storage activities may take place, and for incidental facilities that serve the manufacturing area
- Rezone will create consistency with other Morgan Pavement parcels in the area
- Gave a recommendation of approval and asked if there were any questions

Chair Uccardi asked if there was any public comment. Seeing none, he declared the public hearing closed. He then asked for any discussion amongst the Commission.

Commissioner Fullmer moved to recommend approval to the Clearfield City Council for RZN 2023-0403, a request by Dean Garrett with Morgan Pavement to rezone the subject property from P-F (Public Facilities) to M-1 (Manufacturing). Seconded by Commissioner DeSpain. The motion carried on the following vote. Voting AYE: Commissioners Uccardi, Ratchford, Murray, Browning, Bloomfield, Fullmer, and DeSpain. Voting NAY: None.

Chair Uccardi asked what date the item would go to the City Council. Mr. McIlrath responded it was scheduled for the policy session on June 13, 2023

STAFF COMMUNICATIONS

No communications.

COMMISSIONERS MINUTE

Chair Uccardi: Said next Friday would be graduation for Clearfield High and that the seniors would be getting over 3 million dollars in scholarships including a national merit scholar that would be attending Harvard. He said he would have a senior graduating as well.

Vice Chair Ratchford: Said that the Tru Hotel ranked in the top 1% of all all Tru Hotels in the United States this quarter. She said that as part of Clearfield, that was something to commend.

Commissioner Murray: Nothing.

Commissioner Browning: Nothing.

Commissioner Bloomfield: Nothing

Commissioner Fullmer: Nothing

Commissioner DeSpain: Nothing

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2 Commissioner Mortensen: Nothing
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4 There being no further business to come before the Planning Commission, **Chair Uccardi moved**
5 **to adjourn. Seconded by Commissioner Murray.**

DRAFT



Planning Commission

STAFF REPORT

AGENDA ITEM

1

TO: Clearfield City Planning Commission

FROM: Tyson Stoddard, Planner
tyson.stoddard@clearfieldcity.org
(801) 525-2718

MEETING DATE: Wednesday, June 7th, 2023

SUBJECT: Discussion and Possible Action on **CUP 2023-0501**, a conditional use permit request by Hugo Suarez of HS Luxury Metal Works for a home occupation business to fabricate mailboxes within an attached garage at the subject property. **Location:** 2681 South 200 East (TIN: 12-411-0218). **Parcel Area:** 0.14 Acres. **Zone:** R-1-8 (Residential). **(Administrative Action).**

RECOMMENDATION

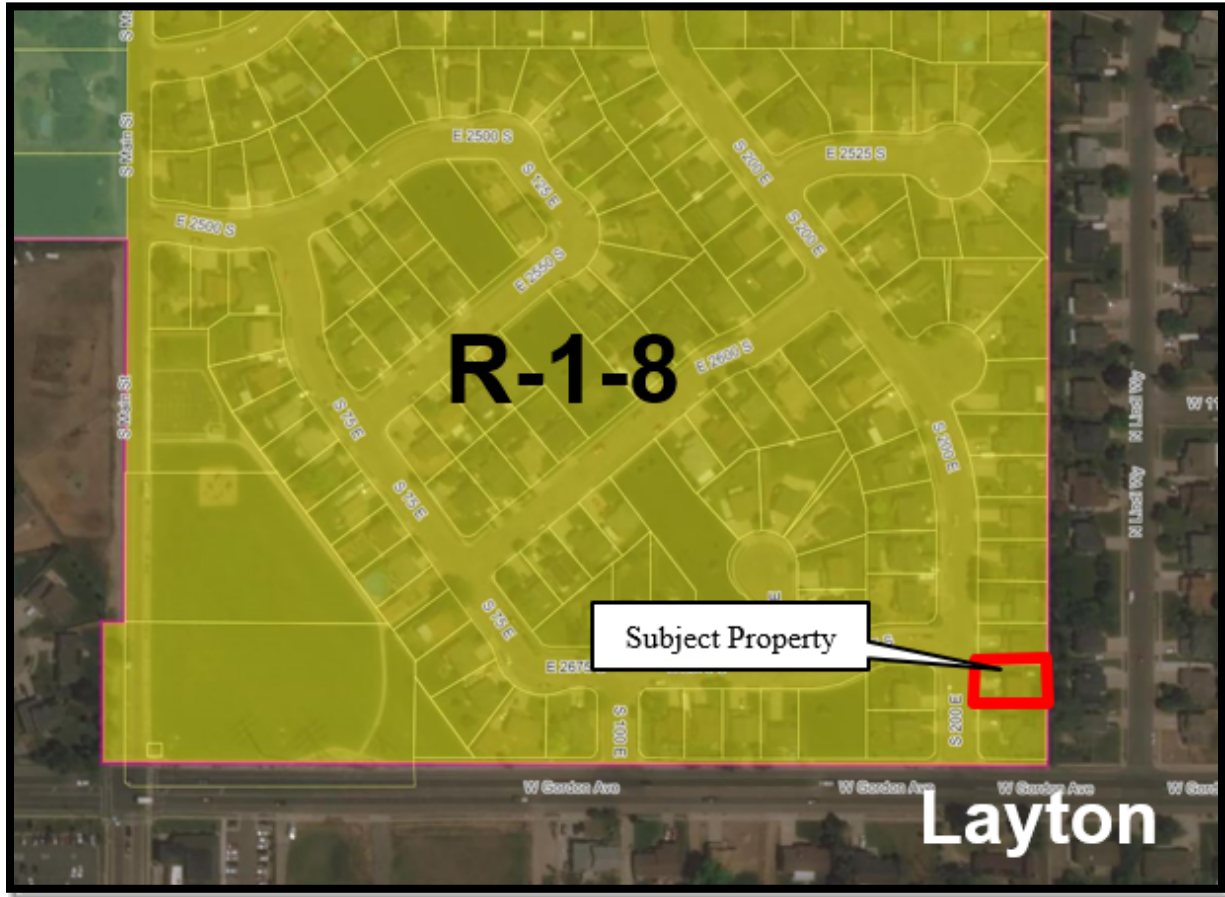
Staff recommends that the Planning Commission **approve as conditioned, CUP 2023-0501**, a conditional use permit request by Hugo Suarez of HS Luxury Metal Works for a home occupation business to fabricate mailboxes within an attached garage at the property addressed 2681 South 200 East (TIN: 12-411-0218). This recommendation is based on the findings and discussion in the staff report.

PROJECT SUMMARY

Project Information	
Project Name	HS Luxury Metal Works
Site Location	2681 South 200 East
Parcel ID	12-411-0218
Applicant	Hugo Suarez
Property Owner	Susam Ruiz
Proposed Actions	Conditional Use Permit – Home Occupation (Use of Attached Garage)
Current Zoning	R-1-8 (Residential)
Parcel Area	0.14 Acres

Surrounding Properties and Uses:		Zoning District	General Plan Land Use Classification
North	Residential	R-1-8 (Residential)	Residential
East	Residential	Layton City	Layton City
South	Residential	R-1-8 (Residential)	Residential
West	Residential	R-1-8 (Residential)	Residential

Aerial Image and Zoning



BACKGROUND

Hugo Suarez received conditional use permit approval to conduct a home occupation business out of an accessory structure located on the subject property in February of 2022. Because the home occupation associated with the approval did not commence within one year, the permit expired. Mr. Suarez has now reapplied for conditional use permit approval, with the proposed workspace being in the attached garage instead of the accessory structure. The proposed business is for artistic welding and the fabrication of mailboxes. The property is located in an R-1-8 (Residential) neighborhood that is located near Clearfield's far south boundary. The property has a lot area of 6,098 square feet (0.14 acres) and contains a single-family dwelling. Home occupations are permitted in all residential zones and subject to standards outlined in Chapter 11-16 of the 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 welding and mailbox fabrication, staff has 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 a change of the residential character of the neighborhood and to mitigate any adverse impacts to the area.

REVIEW CONSIDERATIONS

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 according to adopted standards of those fields of expertise.</i>	The proposed conditions are based upon ordinance standards.

CITY DEPARTMENT / AGENCY REVIEW

The plans were shared for review by the Planning Division, Building Division, and the North Davis Fire District on May 18th, 2023. The Building Division didn't have any concerns with the proposed home occupation. The Fire District responded that as long as the business isn't open to receive walk-in customers, there aren't any code concerns.

PUBLIC NOTICE

Public notice was placed on the property on May 26th, 2023. No public comment has been received to date.

CONDITIONS OF APPROVAL

The Conditional Use Permit may be revoked upon failure to comply with the below listed conditions of approval.

- 1) The business shall be conducted entirely within the garage.
- 2) No more than one (1) nonresident may be employed on the premises, at any time.
- 3) The home occupation shall not physically change the dwelling to the extent that it would alter the residential character of the neighborhood in which it is located.
- 4) The home occupation shall not allow any walk-in customers and shall be by appointment only.
- 5) 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.
- 6) Storage of material must be entirely within an enclosed structure.
- 7) There shall be no external display of goods or materials upon the premises.
- 8) The home occupation shall not generate vehicular traffic significantly in excess of that which is normally generated by a residential use. The home occupation shall not generate frequent deliveries by large vehicles.
- 9) There shall be complete conformity with the currently adopted building code, fire code, and any other applicable codes.
- 10) 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.
- 11) To protect the residential character of the neighborhood, the business shall operate only between the hours of 8:00 a.m. and 8:00 p.m.
- 12) The applicant shall obtain a Clearfield City business license prior to the commencement of business operations from this location.

ATTACHMENTS

- Site Plan & Floor Plan

HS Luxury Metal Works

Conditional Use Permit Request

Legend

HS Luxury Metal Works

