



HARRISVILLE CITY

363 W. Independence Blvd · Harrisville, Utah 84404 · 801-782-4100
www.cityofharrisville.com

PLANNING
COMMISSION:

Nathan Averill
Chad Holbrook
Brenda Nelson
William Smith
Brad Elmer
Jordan Read

Harrisville City Planning Commission

Harrisville City Offices

Wednesday, September 13, 2023

AGENDA

[Zoom Meeting Link](#)

Meeting ID: 859 0169 5714

Passcode: 446989

1. **CALL TO ORDER**
2. **CONSENT APPROVAL** – of Planning Commission minutes from August 9, 2023.
3. **ELECT** – Chairman and Vice Chairman for remaining 2023 calendar year.
4. **DISCUSSION/ACTION/RECOMMEND** – to approve Conditional Use Permit # 140 an application for a home occupation with visiting clientele for life coaching business located at approximately 239 W 1974 N.
5. **DISCUSSION/ACTION/RECOMMEND** – to approve Conditional Use Permit # 141 an application for a home occupation with visiting clientele for permanent makeup located at approximately 245 E Larsen Lane.
6. **PUBLIC COMMENTS - (3 minute maximum)**
7. **COMMISSION/STAFF FOLLOW-UP.**
 - Land Use Training – City Attorney Brody Flint
8. **ADJOURN.**

Certificate of Posting and Notice

I, Cynthia Benson, certify that I am the Deputy Recorder of Harrisville City, Utah, and that the foregoing Planning Commission agenda was posted and can be found at City Hall, on the City's website www.cityofharrisville.com, and at the Utah Public Meeting Notice Website at <http://pmn.utah.gov>. Notice of this meeting has also been duly provided as required by law. In accordance with the Americans with Disabilities Act (ADA), the Harrisville City will make reasonable accommodations for participation in the meeting. Please make a request for accommodation with the City Offices at 801-782-4100, x1004, at least three (3) business days prior to any meeting.



Harrisville City Planning Commission Minutes

Harrisville City Offices

Wednesday, August 9, 2023 – 7:00 pm

Commissioners: Nathan Averill
Chad Holbrook
Bill Smith
Jordan Read

Staff: Jennie Knight (City Administrator)
Cynthia Benson (Deputy Recorder)
Justin Shinsel (Public Works Director)

Excused: Brad Elmer
Brenda Nelson

Visitors: Greg Montgomery, Madalyn Haas, Joshua Haas, David Skeen

1. CALL TO ORDER

Vice-Chair Averill welcomed all in attendance. He excused Commissioner Brad Elmer and Commissioner Brenda Nelson.

2. CONSENT APPROVAL – of Planning Commission minutes from July 12, 2023.

MOTION: Commissioner Holbrook motioned to approve Planning Commission minutes from July 12, 2023 as written. Commissioner Smith seconded the motion.

Nathan Averill	Yes
Chad Holbrook	Yes
Bill Smith	Yes
Jordan Read	Yes

All voted in the affirmative.

3. PUBLIC HEARING – to take public comment for and/or against proposed

Harrisville Ordinance #542; Home Occupation Standards Amendments.

Vice-Chair Averill reviewed the rules for a public hearing before turning the time over to Jennie Knight, City Administrator, to introduce the application. An application was received from applicant, Madalyn Haas, for a Text Change Amendment to the Land Use Ordinance. This application is in reference to the Home Occupation Standards Amendments for a proposed home occupation located at approximately 245 Larsen Lane.

MOTION: Commissioner Read motioned to open the public hearing. Commissioner Smith seconded.

Nathan Averill	Yes
Chad Holbrook	Yes
Bill Smith	Yes
Jordan Read	Yes

All voted in the affirmative.

Madalyn Haas explained the difference between the service of permanent make-up and tattooing for the commissioners to understand what she is requesting with the amendment.

MOTION: Commissioner Holbrook motioned to close the public hearing. Commissioner Read seconded.

Nathan Averill	Yes
Chad Holbrook	Yes
Bill Smith	Yes
Jordan Read	Yes

All voted in the affirmative.

4. DISCUSSION/ACTION/RECOMMEND – to recommend adoption of proposed Harrisville Ordinance #542; Home Occupation Standards Amendments.

Vice-Chair Averill opened the discussion between the commissioners and asked staff to give an overview of the application. Jennie Knight, City Administrator, began with the proposed code update requests including a Permanent Makeup Machine (PMU) as an allowed use for a home occupation in a residential zone. The regulations already require a conditional use permit for any home occupation with visiting clientele. The City Attorney recommends this use be outlined as a permitted use defined under “Personal Services” within the home occupation code.

Discussion between the staff and the commissioners centered on allowing this use in all zones. Ms. Knight added the city attorney recommended the restriction to remove the potential of other business applications occurring outside of the home occupations. The staff had concerns with the state regulations since they are licensed by the state as a tattooing parlor due to needles being utilized. The state regulations do not differentiate between the two business types.

MOTION: Commissioner Averill motioned to send a positive recommendation to City Council to adopt proposed Harrisville Ordinance #542; Home Occupation Standards Amendments. Commissioner Holbrook seconded.

Nathan Averill	Yes
Chad Holbrook	Yes
Bill Smith	Yes
Jordan Read	Yes

All voted in the affirmative.

5. PUBLIC COMMENTS - (3 minute maximum)
Vice-Chair Averill opened the public comment period.

No public comments were given.

Vice-Chair Averill closed the public comment period.

6. COMMISSION/STAFF FOLLOW-UP.

Ms. Knight scheduled a Land Use Training on September 13, 2023 meeting by Brody Flint, City Attorney as requested by the commissioners. The commissioners asked nominations to appoint a chair and vice-chair for the remaining of 2023 be added to the next meeting agenda.

Commissioner Holbrook asked for an update on the Ben Lomond Subdivision. Ms. Knight said phase 2D was approved at the City Council meeting of August 8, 2023. Commissioner Smith asked if there was any way to help the project move forward. Ms. Knight and Commissioner Read mentioned the temperature of the market has changed causing various types of delays. Concerns were expressed for the weeds and possible fire hazard.

Commissioner Holbrook asked about an update on Ordinance #540 discussion from the City Council meeting from August 9, 2023. The height requirements portions were removed from the ordinance, meaning the height for commercial buildings has not changed. The only portion of the proposed ordinance which was adopted was the portion on the access limitations.

7. ADJOURN.

Commissioner Averill declared the meeting adjourned at 7:21 PM.

Nathan Averill
Vice-Chair

Cynthia Benson
Deputy Recorder



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PLANNING
COMMISSION:

Kevin Shakespeare
Nathan Averill
Chad Holbrook
Brenda Nelson
Bill Smith
Brad Elmer

Staff Report

Conditional Use Permit Application
Home Occupation
August 31, 2023

To: Harrisville Planning Commission
From: Jennie Knight, City Administrator
RE: Conditional Use Permit #140 – Home Occupation
Parcels: 173440012

A. Summary and Background.

On August 11, 2023 an application was received for a Conditional Use Permit for a Home Occupation at approximately 239 West 1975 North, Harrisville, which is zoned SAP. In accordance with Harrisville Municipal Code 11.10.020(9)(a) a conditional use permit is required for visiting clientele. The application is to for a Life Coaching business with three (3) to five (5) clients visiting per week for one (1) hour increments between the hours of 11:00am to 3:00pm. The address is located within an HOA and a letter of permission has been received from the HOA Board.

B. Analysis.

Analysis of the application with regard to the Municipal Code is as follows:

1. HCMC §11.18.050 Basis For Issuance of Conditional Use Permit.

1. That such use will not, at the particular location be detrimental to the health, safety, and general welfare of persons nor injurious to property or improvements of the surrounding land uses or community, but will be compatible with the existing surrounding uses, buildings, and structures. In determining compatibility and mitigation of detrimental effects, the planning commission shall consider:

a. The location of parking lots, access ways, delivery areas and onsite vehicle circulation patterns created by the site design and their relationship to adjoining uses and whether or not such site design adversely impacts the surrounding uses by exposing them to loss of privacy, objectionable views of large paved or graveled areas or loading and unloading areas and whether or not there are design considerations or property improvements that can mitigate these impacts;

b. The location of the use does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. In determining unusual patterns the planning commission shall consider:

i. the orientation of driveways and if they direct traffic to the major streets or the local streets and if directed to the local streets the impact it creates to the safety, purpose and character of the local street;

- ii. parking locations and size and if they encourage street side parking and walking to the proposed use which impacts adjacent land uses; and
 - iii. hours of peak land use creating traffic volumes at times of the day or night that would impact the surrounding uses.
 - c. The design of the building or buildings and the exterior building materials proposed to be used on the building and if the design and materials are similar in visual qualities such as, but not limited to, roof line shapes, building material color, reflectivity, and other visual qualities in order to ensure that the building design is not out of character with the surrounding area or creates a visual nuisance that impacts adjacent properties;
 - d. The hours of operation of the proposed use when compared with the hours of activity of the surrounding uses and the potential of such hours of operation to create noise, light or other nuisances not acceptable to the enjoyment of the existing surrounding uses or common to the surrounding uses;
 - e. The location and size of outdoor storage areas and their relationship to adjacent land uses and if such storage creates adverse impacts to the surrounding uses in terms of visual appearance, noise, dust, odor, fire potential or hazardous material storage and the safe distances or other measures taken to screen or absorb the impacts on the proposed site; and
 - f. The location of exterior lighting and signage will not be directed to or impact adjacent residential uses.
2. That the proposed use will comply with the land use regulations specified in this Ordinance for such use in the specific zone the use is proposed in;
 3. That the proposed location does not have any unresolved actual or alleged violations of the municipal code.
 4. That the proposed use conforms to the goals, policies and governing principles and land use of the Master Plan for Harrisville City.
 5. That the proposed use will not lead to the deterioration of the environment by emitting pollutants to the ground or air of such a type or of such a quantity so as to detrimentally effect, public or private property including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole.

2. HCMC § 11.10.020(9) Home Occupation. A home occupation is the use of a portion of a single family dwelling, and/or accessory building, for a business, office, daycare, preschool, personal services such as hair care, common trade, or crafts. The following conditions shall be met in order to obtain a home occupation:

- a. Any home occupation with visiting clientele requires a conditional use permit.**
- b. The employees at a home occupation site are limited to those who reside at the dwelling where the home occupation occurs with the exception of a preschool and deliveries.**
- c. The dwelling is the primary residence and no more than twenty-five (25%) percent of the floor space of the dwelling is devoted solely to the home occupation, excepting daycare.**
- d. There is no outdoor storage of any materials.**
- e. There is no vehicle or trailer repair or body work of any kind and no parking or placement of vehicles which are being repaired.
- f. All work of the home occupation occurs in an enclosed structure.**
- g. There is no wholesale or retail sales of products, actual product display or warehousing of product directly from the home or accessory building except those items that are created on the property or from a common trade or craft.**
- h. No offensive noise, vibration, smoke, dust, odor, heat, or glare shall be produced and**

activities shall not include any activities which create a nuisance or hazard.

i. The home occupation is limited to hours of operation between 7 a.m. and 10 p.m.

j.Daycare is limited to a maximum of eight (8) children at anyone time who do not live in the dwelling between the hours of 6 a.m. and 10 p.m.

k. Preschool in a residence that operates four (4) or less hours per day, per session, up to two (2) sessions per day, and teaches more than nine (9) children, but not more than fourteen (14) children, plus supervisory personnel. The preschool area of the home shall also conform to the applicable standards of any building code.

l. All home occupations shall comply with all acceptable State codes and licensing requirements as well as have a home occupation business license from Harrisville City.

m. All home occupations shall comply with all health building and fire codes and regulations for the particular use on the property.

n. No home occupation, specifically trades and crafts, shall interfere with the predominately residential purpose and uses of the residential zone where a home occupation is to be located.

o. With compliance to Weber Morgan Health Department regulations, the use of a Permanent Makeup Machine (PMU) for use of cosmetics in addition to scar coverings.

p. Notwithstanding the provisions of this section, the following are not considered home occupations requiring a permit or license:

i. Typical and occasional babysitting.

ii. Neighborhood yard care.

iii. Lemonade stands and similar stands operated by youth.

iv. Newspaper, delivery and other such services.

v. Occasional garage or yard sales not to exceed four (4) times per year, per residence.

C. Conditions.

1. Compliance with Harrisville Municipal Code including HCMC §11.10.020(9) and all other staff or agency comments.

D. Recommendation.

Staff recommends approving the conditional use permit based on compliance with Harrisville Municipal Code subject to the outlined conditions in this report being met.



Conditional Use Application

Date / Time

08/11/2023

Phone Number

18016684220

Applicant's Address

239 W 1975 N #61

State

ut

Property Owner's Name

Dawn Shultz

Present Zoning of Property**Please describe the proposed conditional use or uses for the property:**

I have a Life Coaching business that is mainly done online but I do occasionally have clients that would come to my residence for in person sessions. Typically 3 to 5 clients/week for an hour at a time. I got it cleared from the HOA to do the business at home. I have been renting a space in Ogden City prior to now. The clients would park in my extra parking space and it would be very minimal traffic. The hours would be from 11am to 3pm.

Property Owner Signature and Authorization (If you are not the property owner, please upload a signed letter from the property owner giving authorization to process this conditional use permit with Harrisville City)

Full Name

Dawn Renee Shultz

Email Address

drstorey1@gmail.com

City

Harrisville

Zip Code

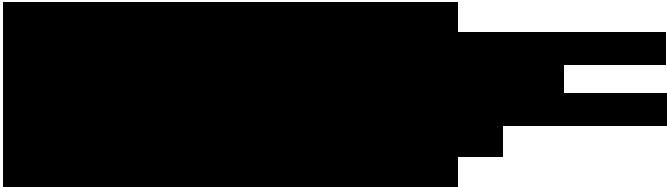
84414

Harrisville Property Address

239 W 1975 N #61

List any conditional uses previously granted for this property and the date they were approved:**Applicant's Signature****Harrisville City Municipal Code §11.18.030**

Three bedroom town house located at 239 W 1975 N, end unit 61. Will be using the spare bedroom located on the second floor as an office.

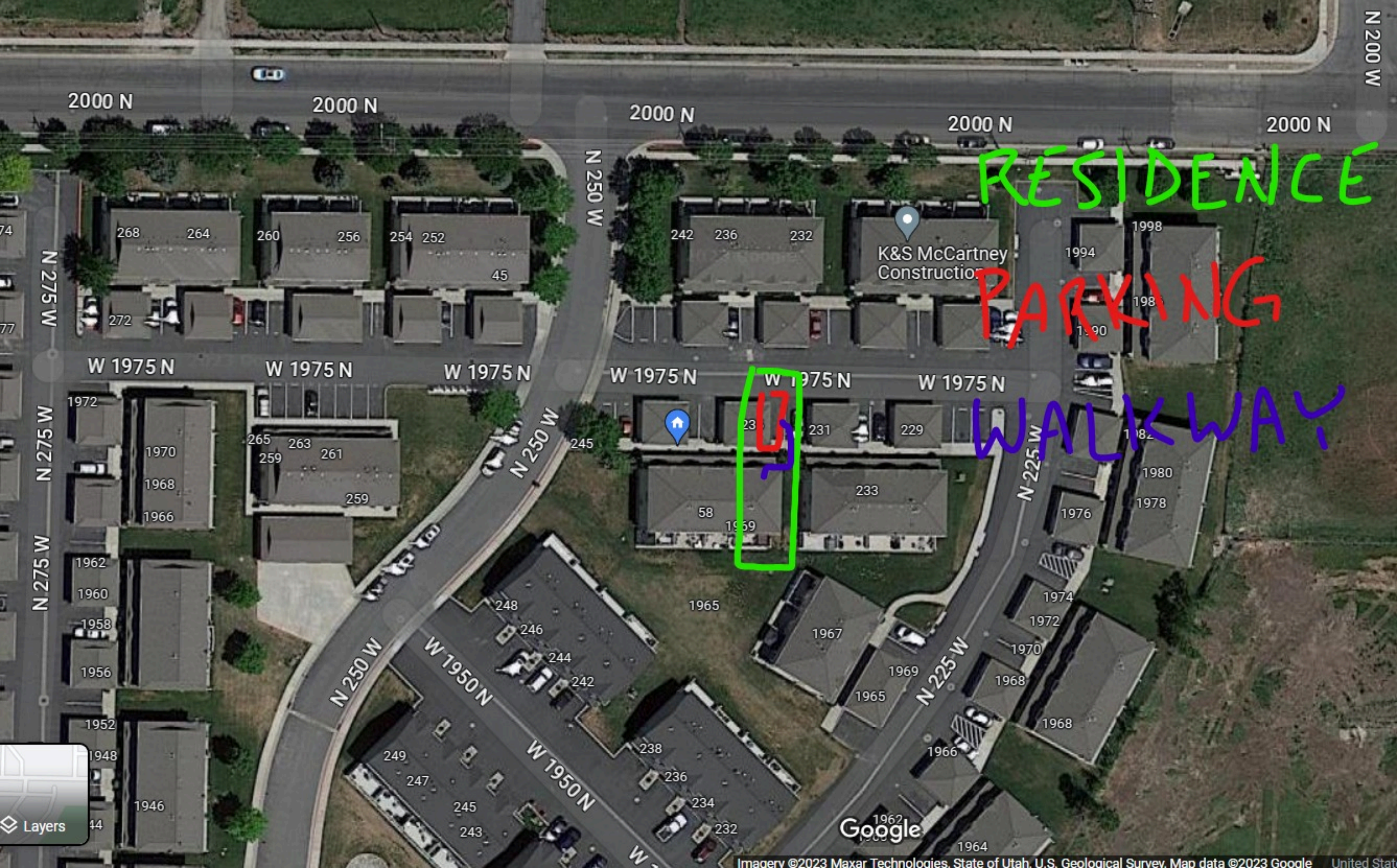
Detailed location, Site, and/or Building Plan

Customers Information

Company Name

Journey to Joy with Dawn





RESIDENCE

PARKING

WALKWAY

Jennie Knight

From: Joel Prince <joel@utahmanagement.com> on behalf of Joel Prince
Sent: Wednesday, August 16, 2023 12:06 PM
To: Jennie Knight; Dawn Storey
Subject: Golf View HOA - Harrisville City Business license

Jennie,

The HOA board at Golf View HOA has approved Dawn to have a Life Coaching business at her home allowing 3-5 clients per week and operating from 11 a.m. - 3 p.m.

Let me know if you have any other questions.

Thank you.

Joel Prince

Operations



o:[801-605-3000](tel:801-605-3000) | c:[801-800-9600](tel:801-800-9600)



joel@utahmanagement.com



www.utahmanagement.com



930 E., Chambers St. #2, South Ogden, Utah, 84403

UTAH
MANAGEMENT



HARRISVILLE CITY

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PLANNING
COMMISSION:

Kevin Shakespeare
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Chad Holbrook
Brenda Nelson
Bill Smith
Brad Elmer

Staff Report

Conditional Use Permit Application
Home Occupation
August 31, 2023

To: Harrisville Planning Commission
From: Jennie Knight, City Administrator
RE: Conditional Use Permit #141 – Home Occupation
Parcels: 114410003

A. Summary and Background.

On August 14, 2023 an application was received for a Conditional Use Permit for a Home Occupation at approximately 245 East Larsen Lane, Harrisville, which is zoned RE-15. In accordance with Harrisville Municipal Code 11.10.020(9)(a) a conditional use permit is required for visiting clientele. The application is for a Permanent Makeup Business with visiting clients between the hours of 8:00am to 6:00pm.

B. Analysis.

Analysis of the application with regard to the Municipal Code is as follows:

1. HCMC §11.18.050 Basis For Issuance of Conditional Use Permit.

1. That such use will not, at the particular location be detrimental to the health, safety, and general welfare of persons nor injurious to property or improvements of the surrounding land uses or community, but will be compatible with the existing surrounding uses, buildings, and structures. In determining compatibility and mitigation of detrimental effects, the planning commission shall consider:

- a. The location of parking lots, access ways, delivery areas and onsite vehicle circulation patterns created by the site design and their relationship to adjoining uses and whether or not such site design adversely impacts the surrounding uses by exposing them to loss of privacy, objectionable views of large paved or graveled areas or loading and unloading areas and whether or not there are design considerations or property improvements that can mitigate these impacts;
- b. The location of the use does not create unusual pedestrian or vehicle traffic patterns or volumes that would not be expected with the development of a permitted use. In determining unusual patterns the planning commission shall consider:
 - i. the orientation of driveways and if they direct traffic to the major streets or the local streets and if directed to the local streets the impact it creates to the safety, purpose and character of the local street;
 - ii. parking locations and size and if they encourage street side parking and walking to the proposed use which impacts adjacent land uses; and

- iii. hours of peak land use creating traffic volumes at times of the day or night that would impact the surrounding uses.
 - c. The design of the building or buildings and the exterior building materials proposed to be used on the building and if the design and materials are similar in visual qualities such as, but not limited to, roof line shapes, building material color, reflectivity, and other visual qualities in order to ensure that the building design is not out of character with the surrounding area or creates a visual nuisance that impacts adjacent properties;
 - d. The hours of operation of the proposed use when compared with the hours of activity of the surrounding uses and the potential of such hours of operation to create noise, light or other nuisances not acceptable to the enjoyment of the existing surrounding uses or common to the surrounding uses;
 - e. The location and size of outdoor storage areas and their relationship to adjacent land uses and if such storage creates adverse impacts to the surrounding uses in terms of visual appearance, noise, dust, odor, fire potential or hazardous material storage and the safe distances or other measures taken to screen or absorb the impacts on the proposed site; and
 - f. The location of exterior lighting and signage will not be directed to or impact adjacent residential uses.
2. That the proposed use will comply with the land use regulations specified in this Ordinance for such use in the specific zone the use is proposed in;
 3. That the proposed location does not have any unresolved actual or alleged violations of the municipal code.
 4. That the proposed use conforms to the goals, policies and governing principles and land use of the Master Plan for Harrisville City.
 5. That the proposed use will not lead to the deterioration of the environment by emitting pollutants to the ground or air of such a type or of such a quantity so as to detrimentally effect, public or private property including the operation of existing uses thereon, in the immediate vicinity or the community or area as a whole.

2. HCMC § 11.10.020(9) Home Occupation. A home occupation is the use of a portion of a single family dwelling, and/or accessory building, for a business, office, daycare, preschool, personal services such as hair care, common trade, or crafts. The following conditions shall be met in order to obtain a home occupation:

- a. Any home occupation with visiting clientele requires a conditional use permit.**
- b. The employees at a home occupation site are limited to those who reside at the dwelling where the home occupation occurs with the exception of a preschool and deliveries.**
- c. The dwelling is the primary residence and no more than twenty-five (25%) percent of the floor space of the dwelling is devoted solely to the home occupation, excepting daycare.**
- d. There is no outdoor storage of any materials.**
- e. There is no vehicle or trailer repair or body work of any kind and no parking or placement of vehicles which are being repaired.
- f. All work of the home occupation occurs in an enclosed structure.**
- g. There is no wholesale or retail sales of products, actual product display or warehousing of product directly from the home or accessory building except those items that are created on the property or from a common trade or craft.**
- h. No offensive noise, vibration, smoke, dust, odor, heat, or glare shall be produced and activities shall not include any activities which create a nuisance or hazard.
- i. The home occupation is limited to hours of operation between 7 a.m. and 10 p.m.**

j. Daycare is limited to a maximum of eight (8) children at any one time who do not live in the dwelling between the hours of 6 a.m. and 10 p.m.

k. Preschool in a residence that operates four (4) or less hours per day, per session, up to two (2) sessions per day, and teaches more than nine (9) children, but not more than fourteen (14) children, plus supervisory personnel. The preschool area of the home shall also conform to the applicable standards of any building code.

l. All home occupations shall comply with all acceptable State codes and licensing requirements as well as have a home occupation business license from Harrisville City.

m. All home occupations shall comply with all health building and fire codes and regulations for the particular use on the property.

n. No home occupation, specifically trades and crafts, shall interfere with the predominately residential purpose and uses of the residential zone where a home occupation is to be located.

o. With compliance to Weber Morgan Health Department regulations, the use of a Permanent makeup Machine (PMU) for use of cosmetics in addition to scar coverings.

p. Notwithstanding the provisions of this section, the following are not considered home occupations requiring a permit or license:

i. Typical and occasional babysitting.

ii. Neighborhood yard care.

iii. Lemonade stands and similar stands operated by youth.

iv. Newspaper, delivery and other such services.

v. Occasional garage or yard sales not to exceed four (4) times per year, per residence.

C. Conditions.

1. Compliance with Harrisville Municipal Code including HCMC §11.10.020(9) and all other staff or agency comments.

D. Recommendation.

Staff recommends approving the conditional use permit based on compliance with Harrisville Municipal Code subject to the outlined conditions in this report being met.



Conditional Use Application

Date / Time

08/14/2023

Phone Number

8016457165

Applicant's Address

245 E Larsen Lane

State

ut

Property Owner's Name

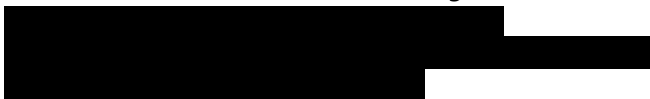
Madalyn Haas

Present Zoning of Property

RE-15

Please describe the proposed conditional use or uses for the property:

I want to do a home occupation of Permanent Makeup and Scar Covering with the use of a PMU machine. To be in compliance with the conditional use I would be the only employee. I would also only have one client at a time and they are allowed to bring one guest with them. This is also in compliance with Weber-Morgan Health Department. Traffic would not increase on Larsen Lane. Clients are able to park on the street since it would be in the times that allow parking, they can also park in my driveway or my roundabout. Times for clients would be normal business hours from 8 am to 6 pm. Clients would enter through my side basement door, where I would use a newly remodeled 11.5x 12.6 square foot room with no carpet and easy-to-wipe surfaces. This is also in compliance with Weber-Morgan Health Department. I will have a separate bathroom clients are able to use as well.

Property Owner Signature and Authorization (If you are not the property owner, please upload a signed letter from the property owner giving authorization to process this conditional use permit with Harrisville City)**Detailed location, Site, and/or Building Plan****Full Name**

Madalyn Haas

Email Address

madalynmontgomery@live.com

City

Harrisville

Zip Code

84404

Harrisville Property Address

245 E Larsen Lane

List any conditional uses previously granted for this property and the date they were approved:**Applicant's Signature****Harrisville City Municipal Code §11.18.030**

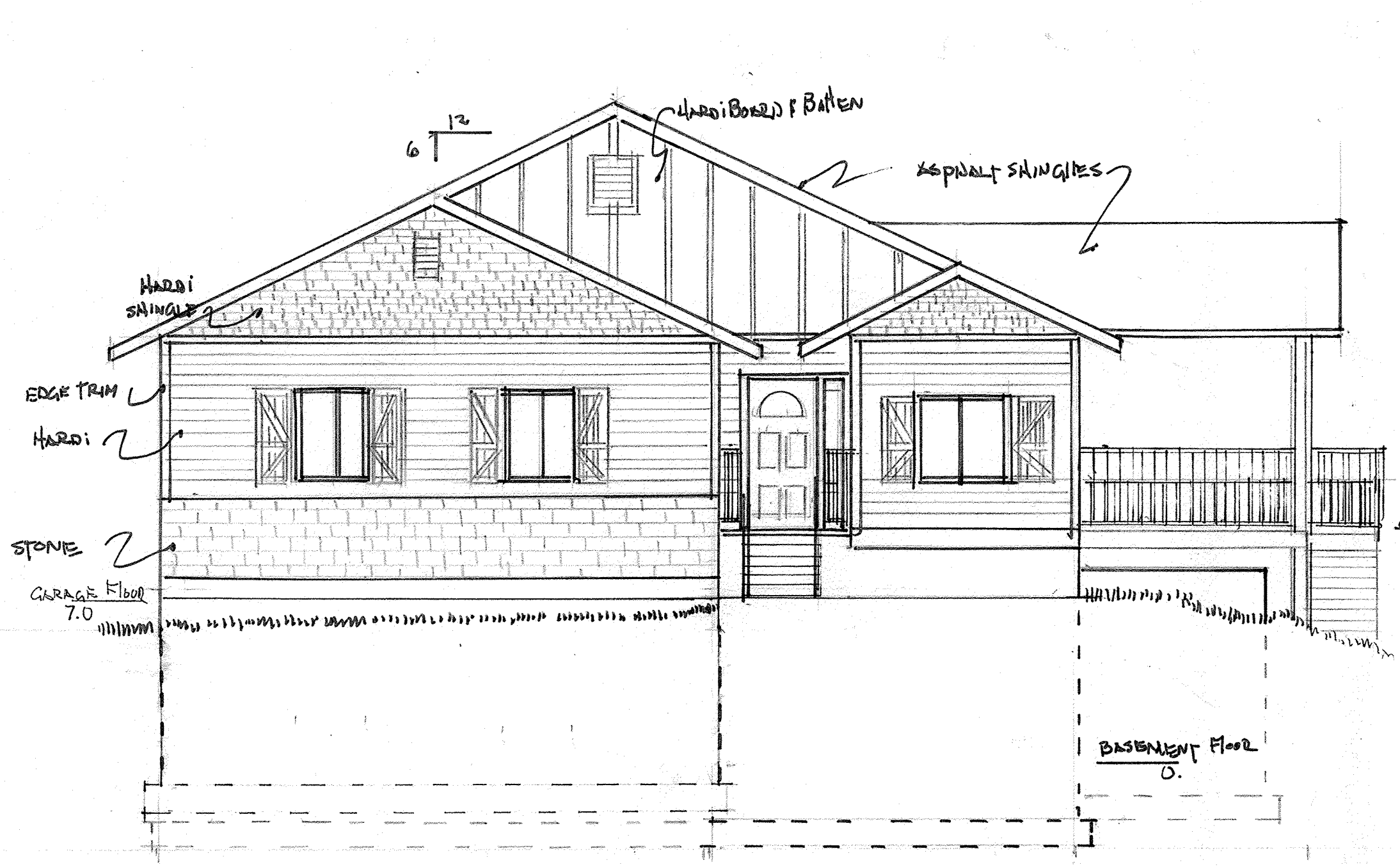
See attached house plans that show my home and the side entrance including in the basement either bedroom #1 or #2 that I will be using for the business.

Customers Information

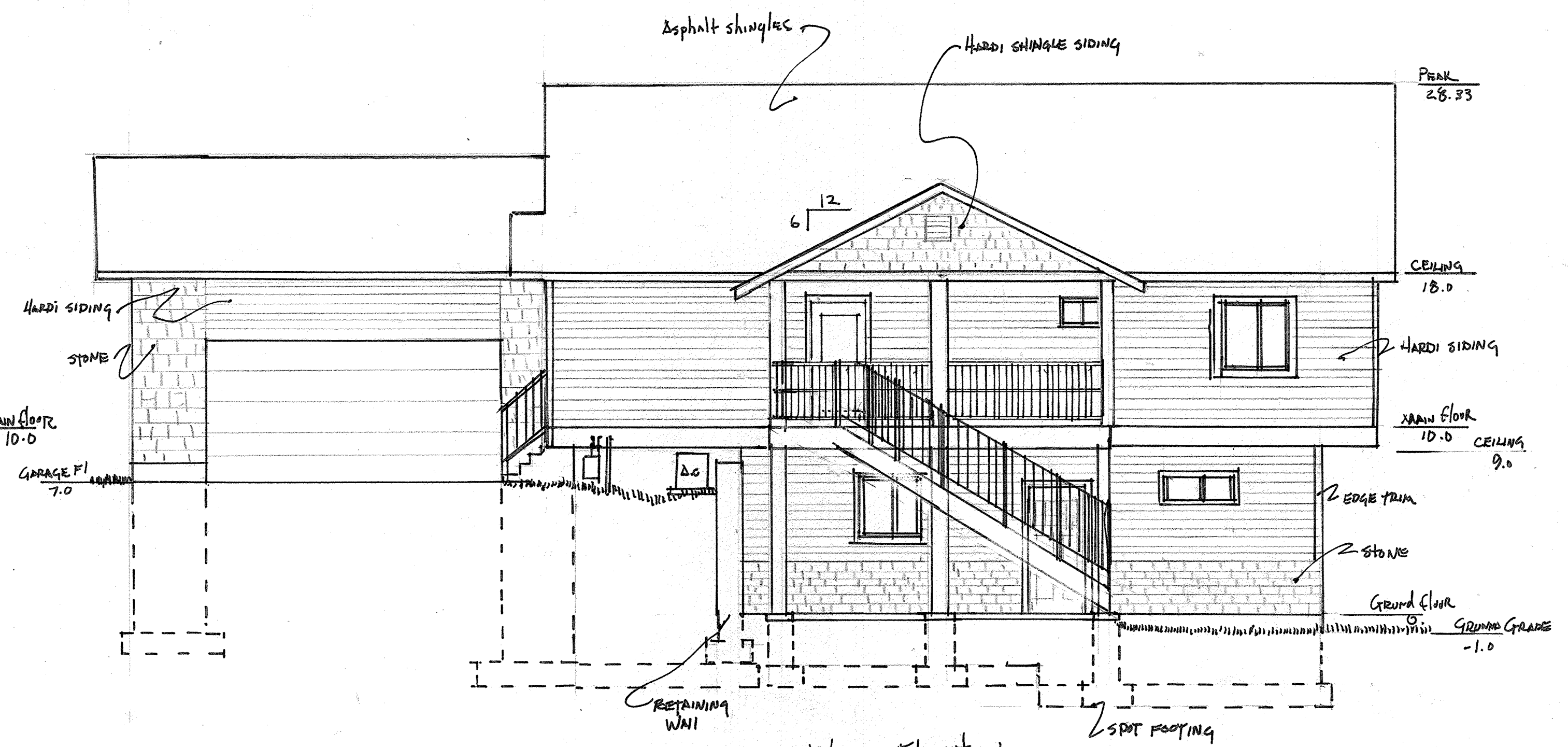
Company Name

Received from: </environmental/customers/show?id=9>

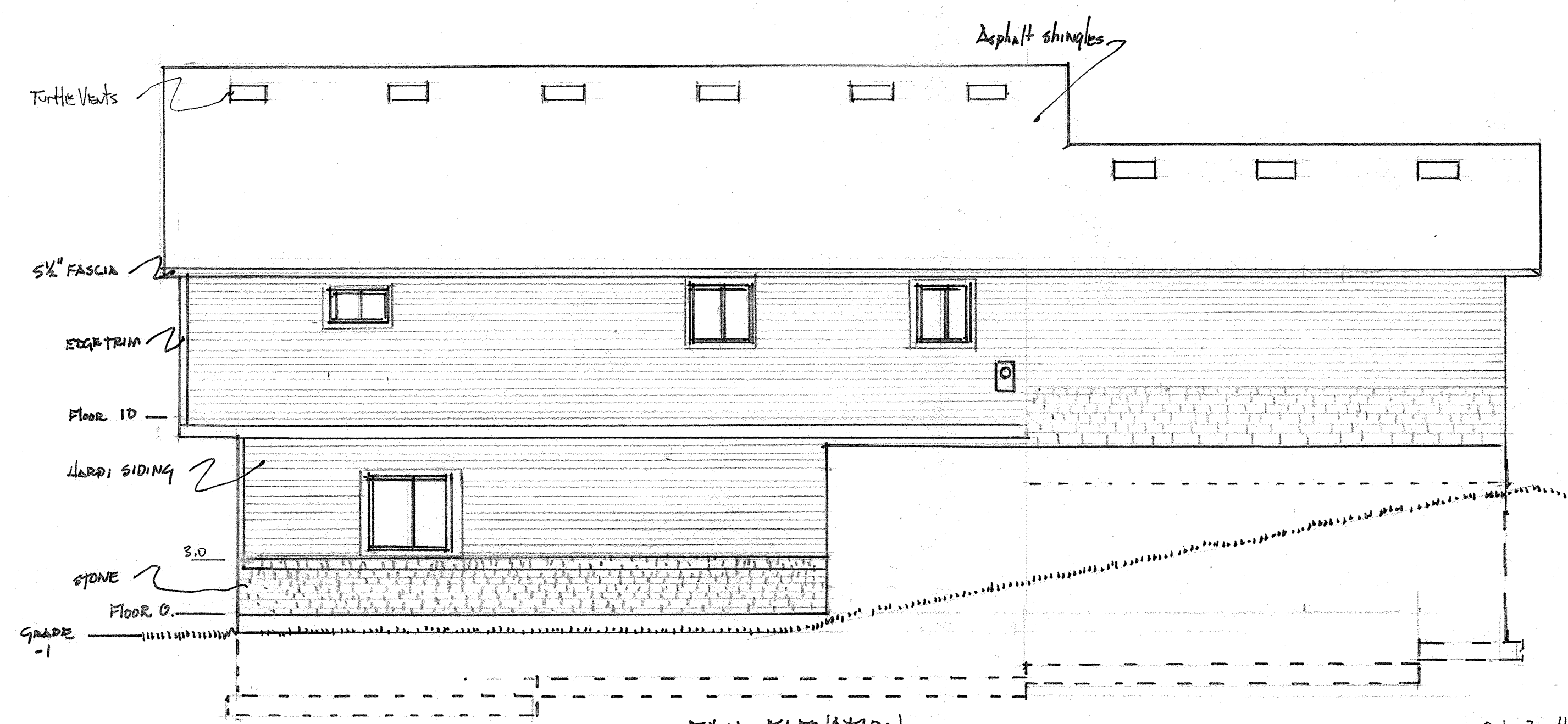
HAAS RESIDENCE



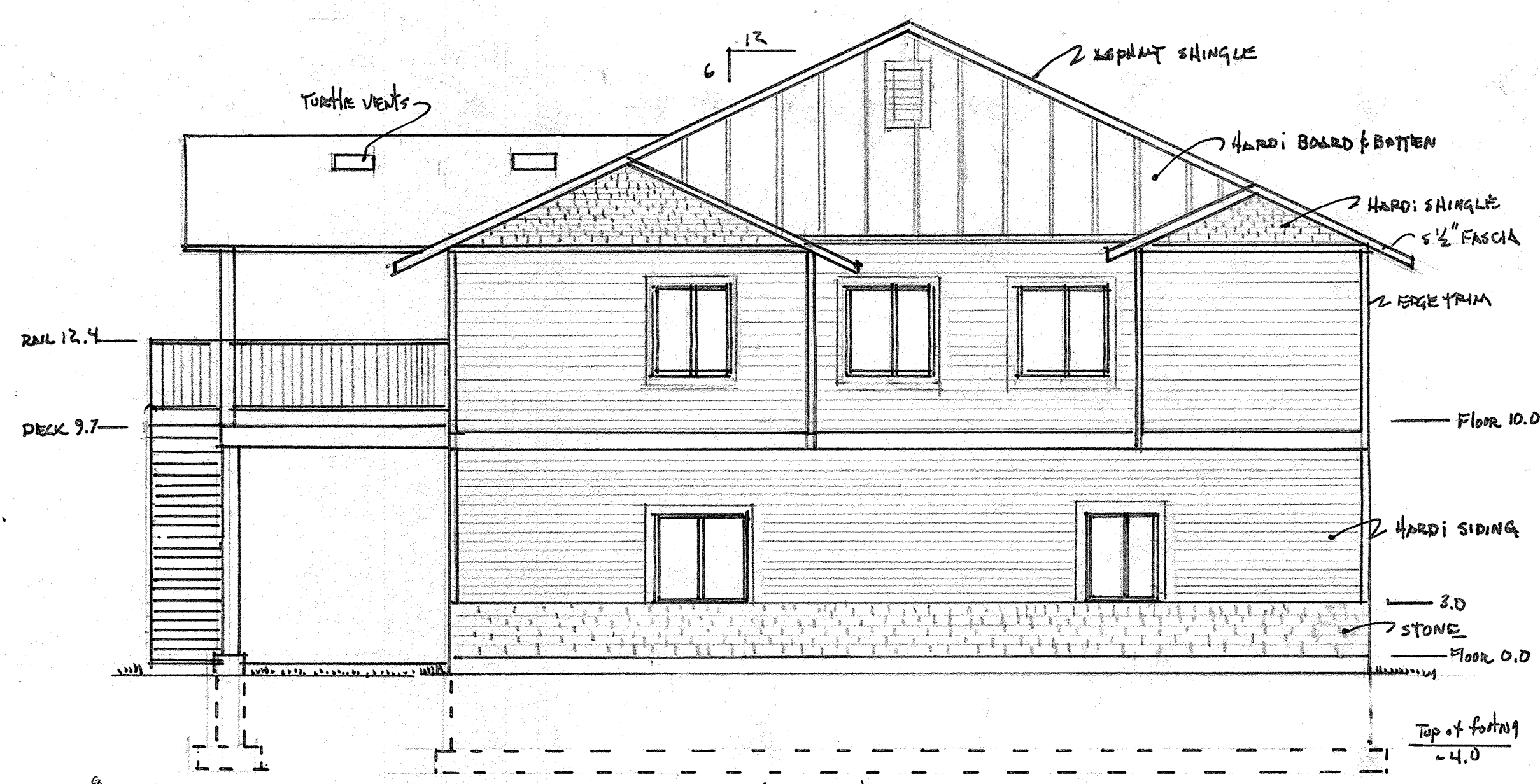
NORTH ELEVATION



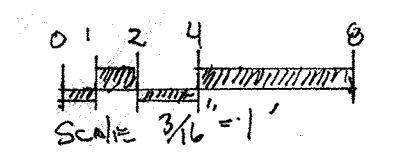
WEST ELEVATION

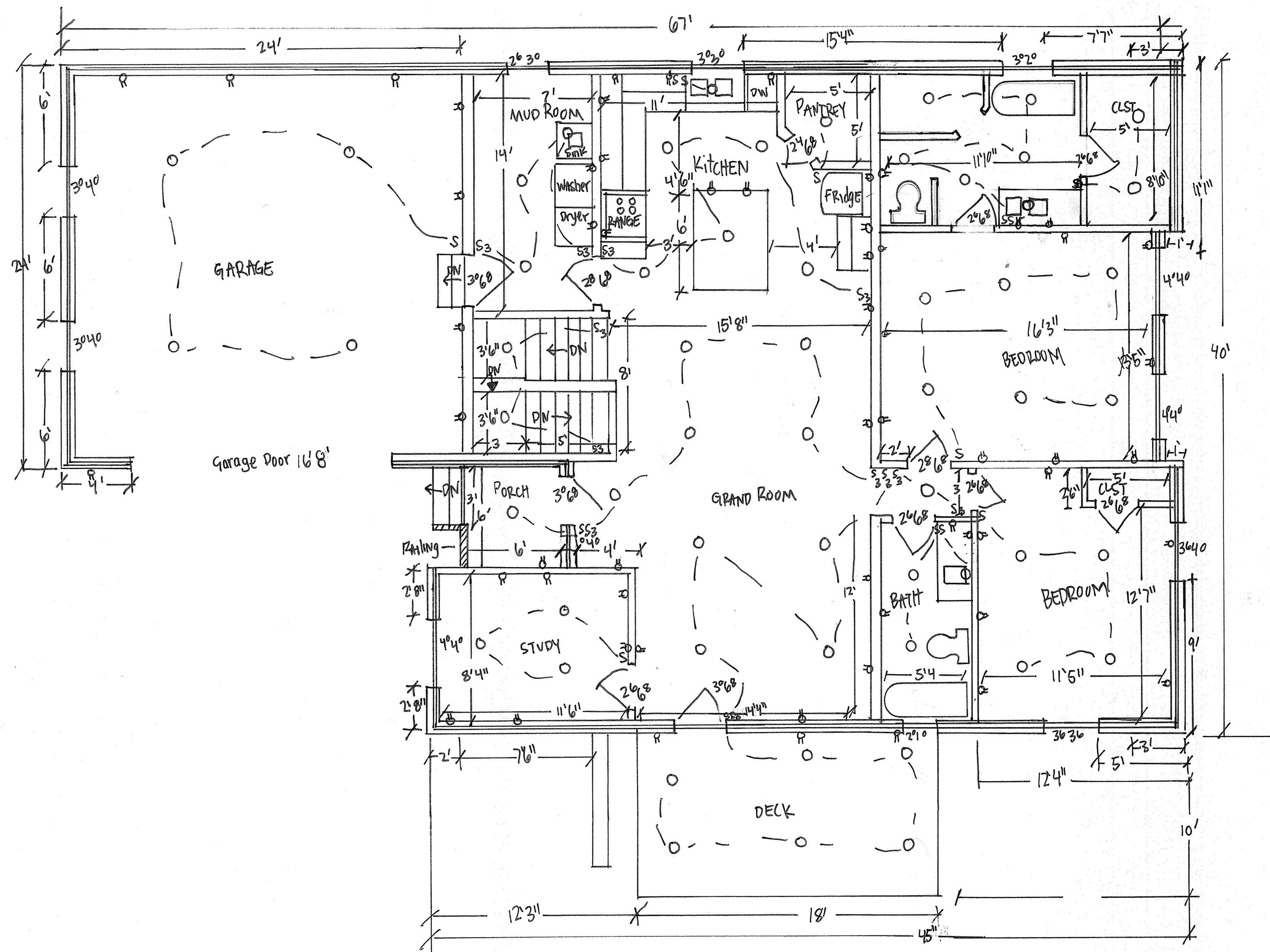


EAST ELEVATION



SOUTH ELEVATION

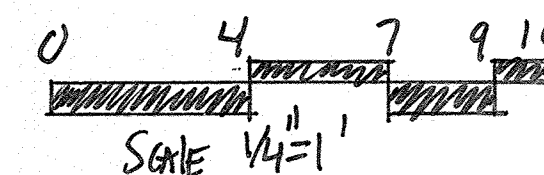


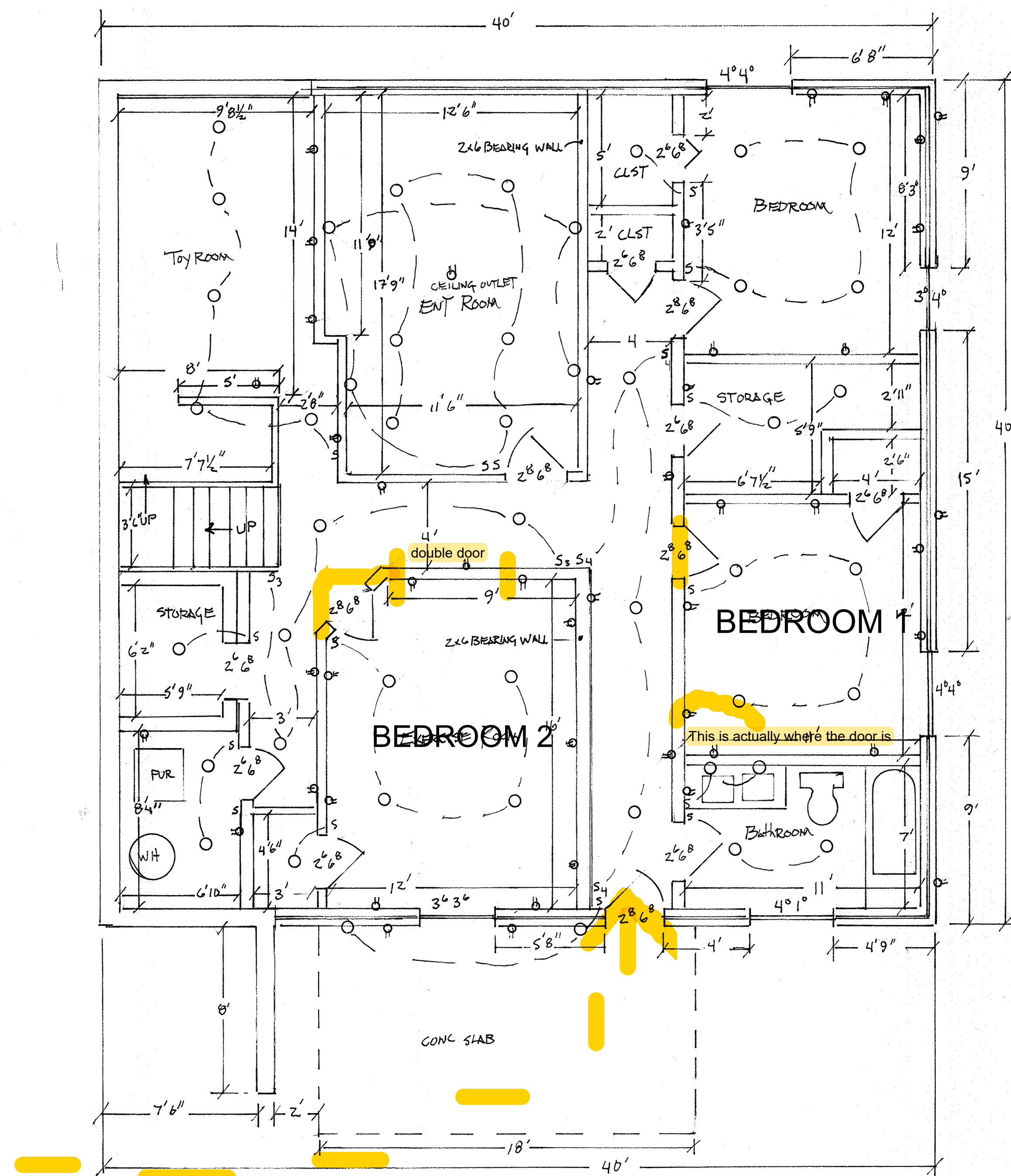


MAIN FLOOR

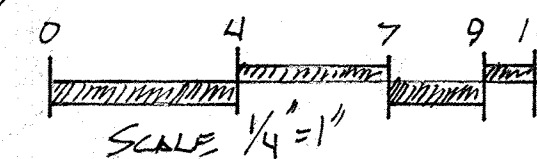
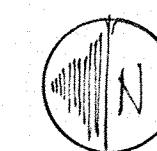


HAAS RESIDENCE

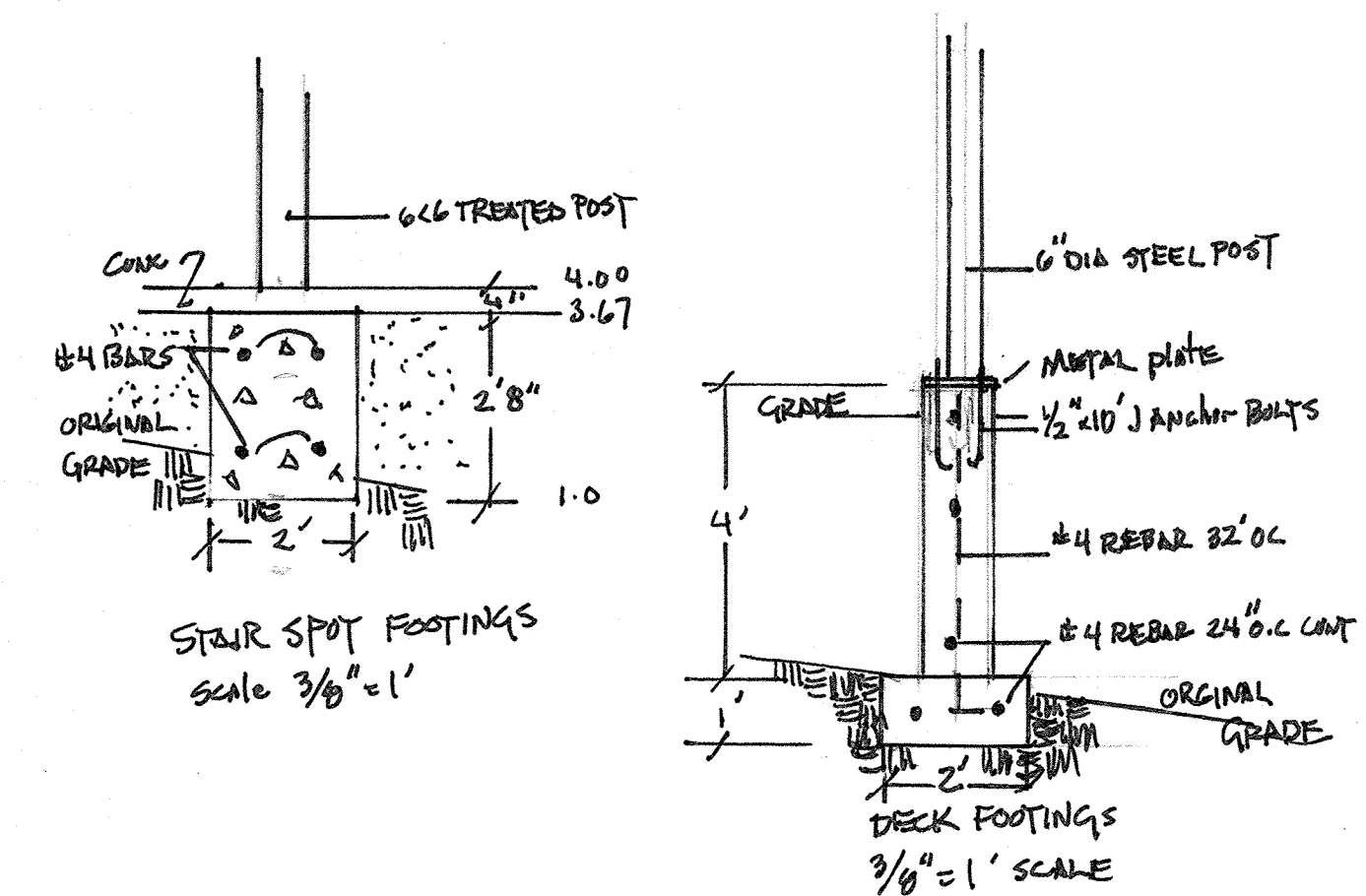
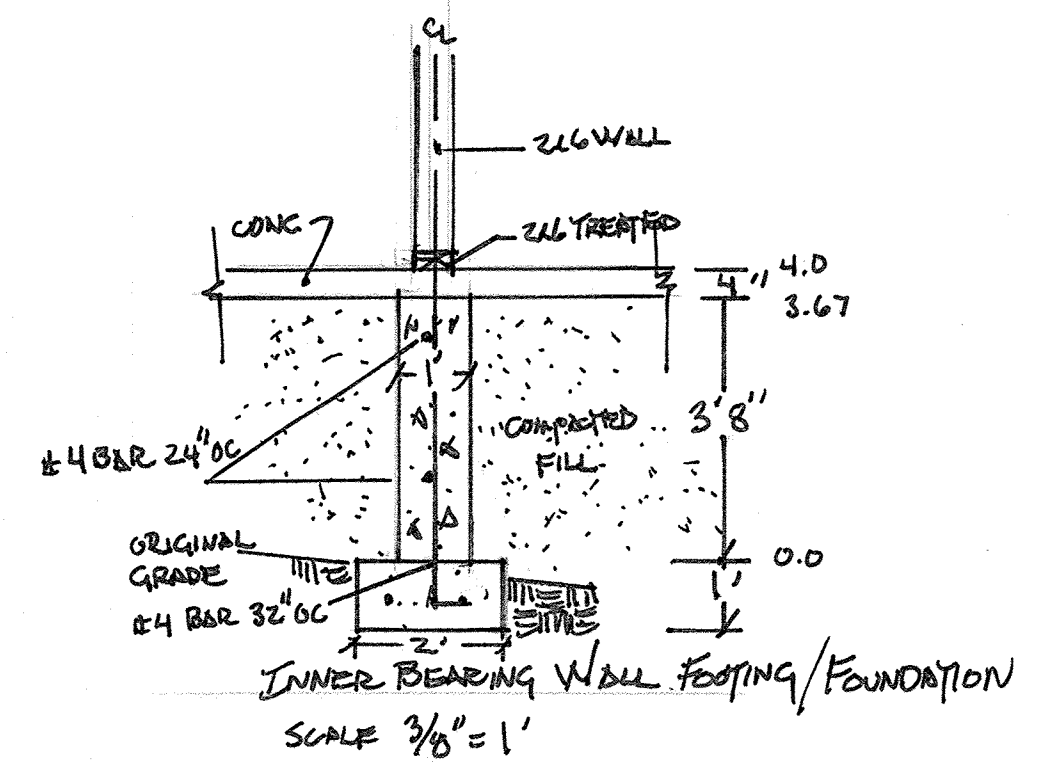
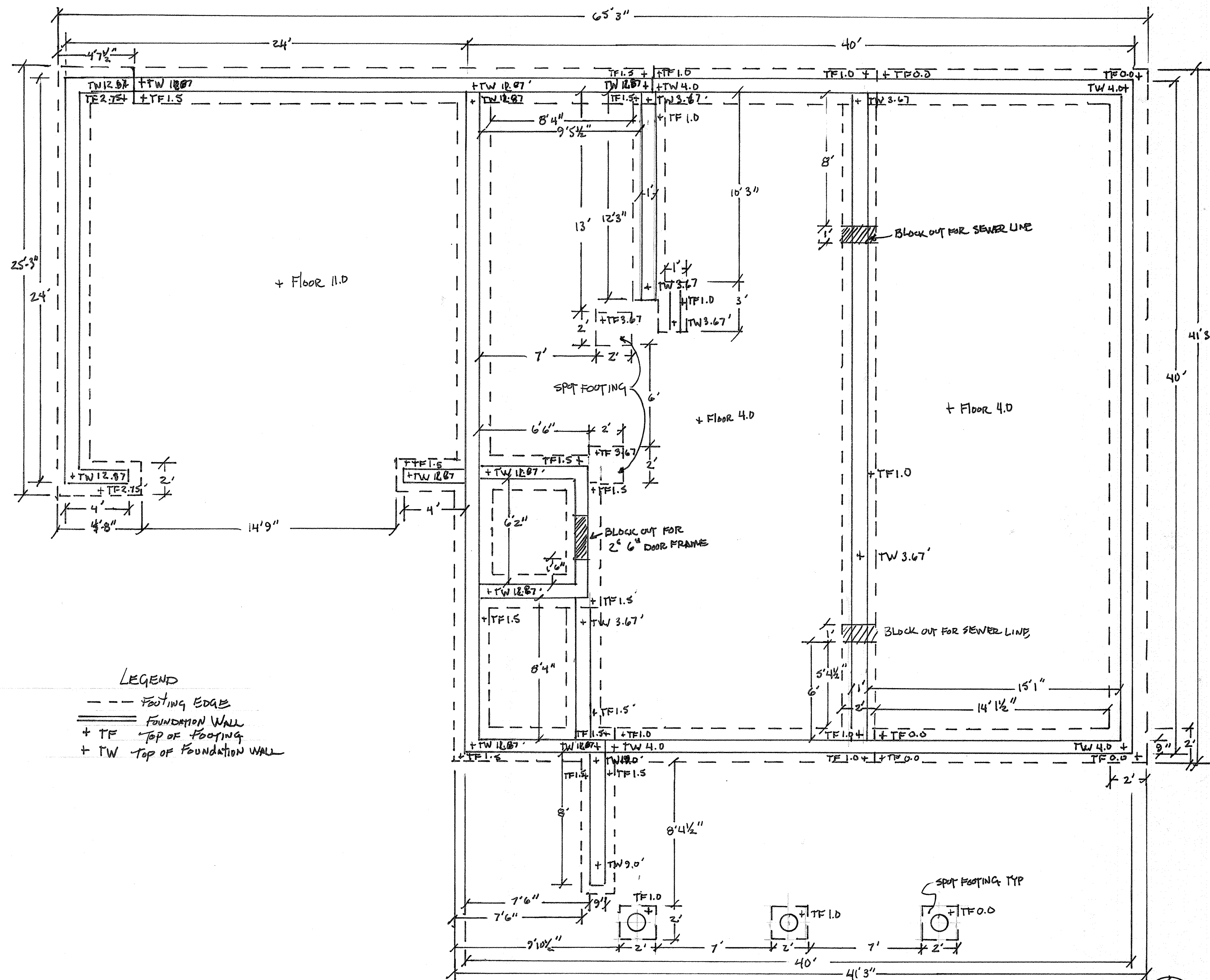




LOWER LEVEL



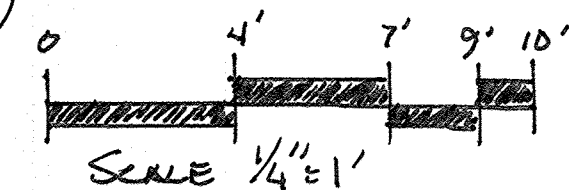
HAYS RESIDENCE

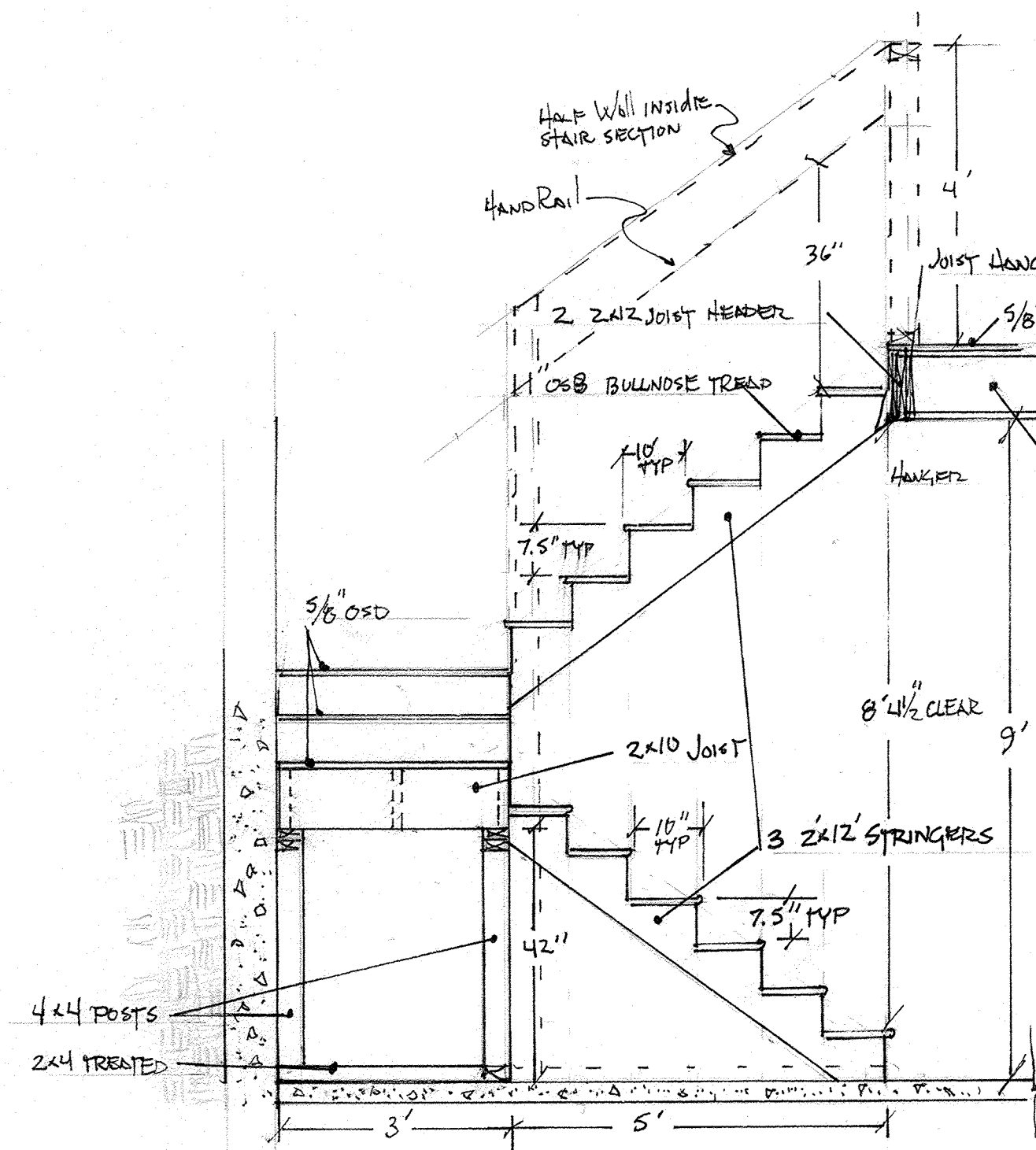


NOTES

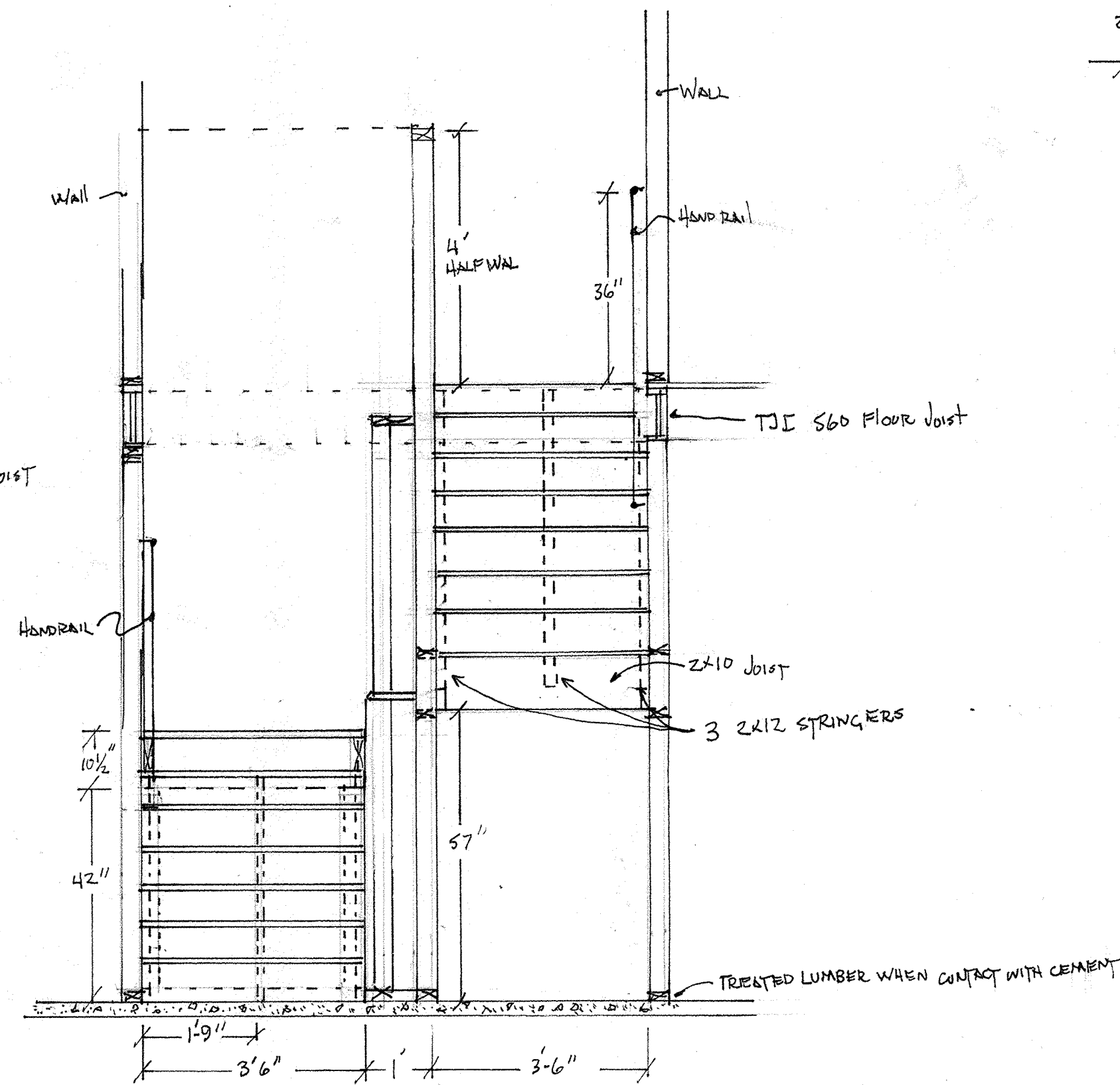
1. ALL FOOTINGS MINIMUM 30" BELOW GRADE
2. ALL FOOTINGS LOCATED 12" BELOW ORIGINAL GRADE (BASE)
3. ALL REBAR SECURELY TIED & HELD 3" ABOVE EARTH
4. ALL REBAR SHALL COMPLY WITH ASTM A 615 GRADE
5. CONCRETE TO BE 5 1/2 BAG MIX 3000 PSI
6. TOP OF FOUNDATION WALLS EITHER 4 FEET OR 12.875 FEET (12' 10 1/2") ABOVE SOUTHERN TOP OF FOOTING AS REFERENCE ELEVATION TO MAINTAIN FOOTINGS ON ORIGINAL GRADE

HAS RESIDENCES

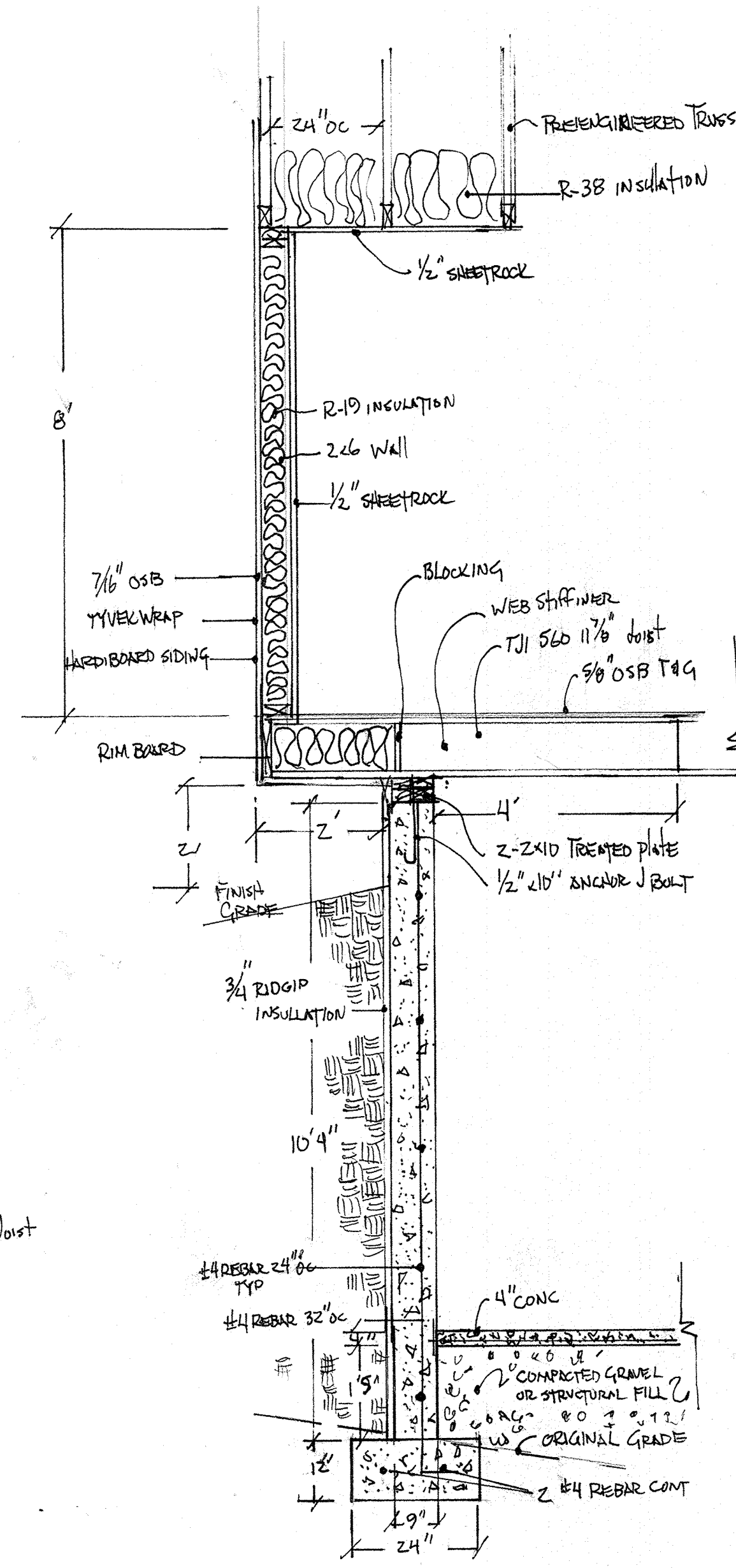




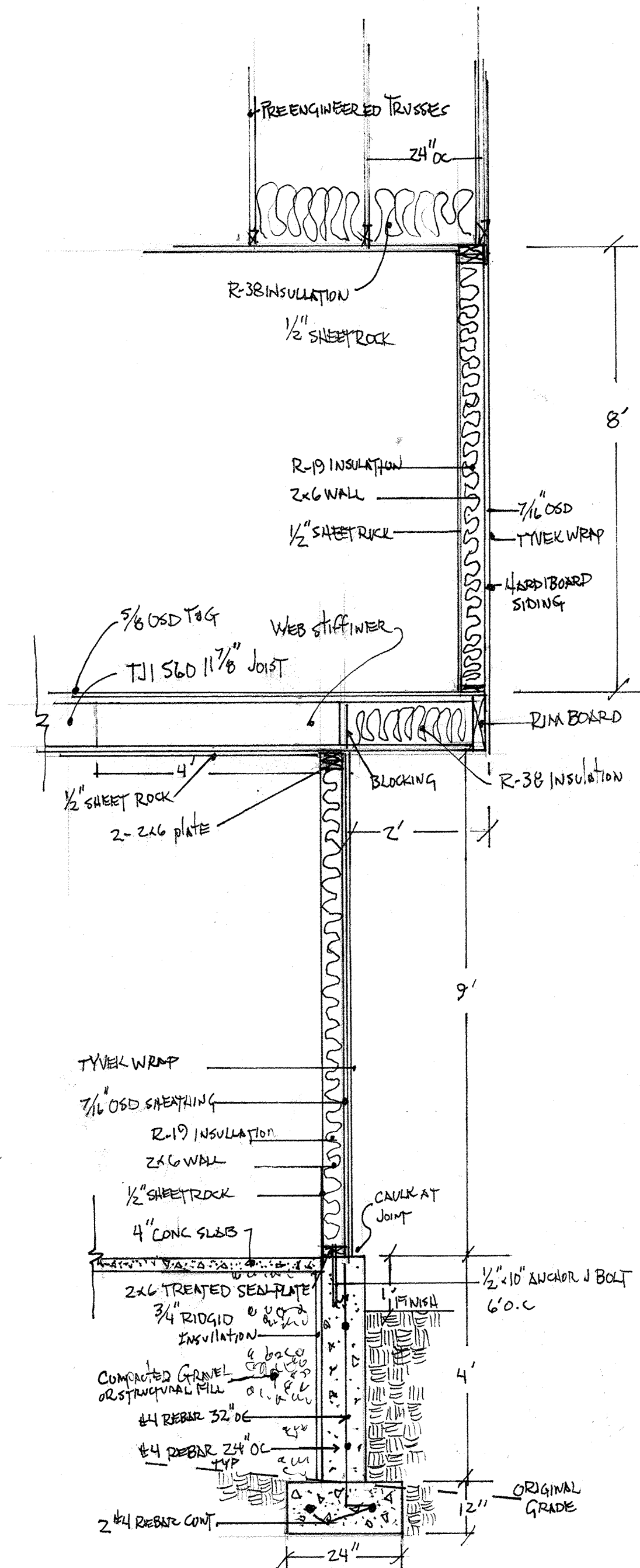
STAIR DETAIL SIDEVIEW
1/2" = 1'



STAIRWELL END VIEW
1/2" = 1'



North Wall
Scale 1/2" = 1'



South Wall
Scale 1/2" = 1'

HAAS RESIDENCE
DETAILS