



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-1449 Fax

PLANNING COMMISSION:

Kevin Jensen
Nathan Averill
Chad Holbrook
Blair Christensen
Brenda Nelson
Roger Shuman
Laurence Boswell – Sec.

"In accordance with the Americans with Disabilities Act, the City of Harrisville will make reasonable accommodations for participation in the meeting. Request for assistance can be made by contacting the City Recorder at 801-782-4100, providing at least three working days advance notice of the meeting."

Planning Commission

Harrisville City Office

Wednesday, January 9, 2019 – 7:00 p.m.

AGENDA

1. **CALL TO ORDER** Planning Commission Regular Meeting at 7:30 PM.
2. **DISCUSSION/ACTION** on Planning Commission Meeting Minutes December 12, 2018.
3. **PUBLIC HEARING AND DISCUSSION/ACTION** on repeal and re-enactment of the Mixed Use Ordinance.
4. **PUBLIC HEARING AND DISCUSSION/ACTION** on repeal and re-enactment of Chapter 11.16 entitled Cluster Subdivision Ordinance.
5. **PUBLIC HEARING AND DISCUSSION/ACTION** on amendment to Section 11.20.250 entitled Recreational and Utility Vehicles Ordinance.
6. **PUBLIC HEARING AND DISCUSSION/ACTION** on application to amend the General Plan from low density to medium density and Zoning Map from RE-15 (Residential) to R-1-10 (Residential) for a property located at 217 East Larsen Lane.
7. **DISCUSSION/ACTION** on conditional use permit for commercial business located at 2458 N Highway 89 by David Skeen.
8. **PUBLIC COMMENTS:** *"This is an opportunity to address the Planning commission regarding our concerns or ideas on land use issues. Comments are limited to three minutes. The Planning commission cannot take action on any item brought to the planning Commissions' attention except to instruct staff to place this item on a future agenda."*
9. **Commission and staff follow-up.**
10. **Adjourn.**

I, Laurence Boswell, certify that I am the Land Use Coordinator of Harrisville City, Utah, and that the foregoing Planning Commission agenda was posted at the following locations: City hall, on the City's website www.cityofharrisville.com and the State Public Meeting Notice website at <http://pmn.utah.gov>.

11.04.010 Establishment of Zones

For the purpose of Title 11 of the municipal code, the city is divided into various zones in which land uses shall be classified and limited as specified in the municipal code. Zone classification may be determined on the basis of location, topographic features, transportation corridors, the natural environment, suitability and sustainability of development, and other reasonable considerations to guide the orderly physical growth, neighborhood compatibility and overall stability of the city.

1. Open-space zone O-1
 2. Agricultural zone A-1
 3. Low Density Residential R-1-20
 4. Residential Estate Zone RE-15.
 5. Single Family Residential Zone R-1-10
 6. Planned Community Commercial Zone CP-2
 7. Planned Manufacturing Zone MP
 8. **Mixed-Use Zone MU**
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Current Mixed-Use Ordinance:

Section 11.10.020 Special Regulations

10. Limited Mixed-use. Subject to successful negotiation of a Development Agreement, and compliance with HMC §11.10.020.11 and §11.14.020, mixed-use is permitted only on properties fronting Washington Boulevard or Wall Avenue.
 - a. Minimum Parcel. The minimum parcel size of any mixed-use development shall be five (5) acres.
 - b. Commercial/Residential Area. The maximum area to be used for residential use shall not exceed 65% of a mixed-use development, with the minimum commercial area being 35% of the total mixed-use area. For parcels under six (6) acres, the minimum commercial area shall be four-hundred (400) feet in depth and consist of the entire frontage of the parcel.
11. Residential in Limited Mixed-use. The following requirements shall be minimum requirements for residential uses in a mixed-use area:
 - a. Development Agreement Required. The Development Agreement shall specify setbacks, parking, traffic flow, connectivity, landscaping, open space, recreation, building materials, utility services, and all other aspects of the development. The development agreement is subject to successful negotiation between the City and applicant.
 - b. Minimum Residential Lot Standard. The minimum residential lot standard is (R-1-6) being 6,000 square feet for the first unit and 1,000 square feet for each additional unit up to a

maximum of 6 units per lot. R-1-6- setbacks and standards apply unless further defined in the development agreement.

- c. Minimum Units Size. Minimum dwelling unit size shall be 1,200 square feet of living space per unit.
- d. Garage and Parking. A two (2) car garage shall be provided for each unit, and one guest parking stall shall be included for every three units within the development.
- e. Landscaped Open Space. A minimum 250 square feet of fully landscaped open space shall be required for per unit. A minimum of one (1) two-inch (2") caliper tree for lot shall be included in the development.
- f. Building Material. Building material shall be as follows:
 - i. Color schemes are to be generally earth-toned in nature and set forth in the development agreement.
 - ii. Forty percent (40%) of the total front exterior structure shall be brick or stone type material.
 - iii. All remaining exterior shall be stucco, hardiboard, or cement board materials.

11.14.020 Special Use Regulations

Limited Mixed-use. Limited mixed-use is permitted on properties fronting Washington Boulevard or Wall Avenue subject to this part and HMC §11.10.020.10. The following requirements shall be minimum requirements for commercial uses in a mixed-use area:

- a. Agreement Required. The Development Agreement shall provide for setbacks, parking, traffic flow, commercial uses, connectivity, landscaping, building materials, utility services, and all other aspects of the development. The development agreement is subject to successful negotiation between the City and applicant.
- b. Area Requirements. The mixed-use area requirements shall comply with HMC §11.10.020.10.
- c. Zoning and Standards. Commercial Zoning for the commercial area in mixed-use development shall be C-2 Zone and shall comply with all development standards and specification of that Zone unless otherwise provided in the development agreement. No mixed-use development is allowed in any manufacturing or industrial zone.

Proposed Language

Section 11.10.020 Special Regulations

Purpose and Intent: The purpose of the mixed use (MU) zone is to establish zoning that allows the development or redevelopment of real estate in a manner that requires projects to be designed and planned to provide a mix of uses created by various commercial, entertainment, recreation, open space and a variety of higher density residential styles that creates a quality design and enables *community connectivity and identity*. The intent is to create self-sustaining villages that become easily accessible neighborhoods in which residents may walk to work, shopping, recreational facilities, and have access to mass transit. These neighborhoods are to provide a variety of housing opportunities and choices that

include a range of household types, family sizes, and incomes. The scale and intensity of a mixed-use development may vary depending on location, types of mixed uses and development theme.

10. Application of Mixed-Use Zone. Subject to successful negotiation of a Development Agreement.

Mixed-use development shall be established under the following:

- a. Permitted on or within:
 - i. Properties fronting Washington Boulevard and Wall Avenue
 - ii. The Ben Lomond Village.
- b. Mixed-use development may not occur in manufacturing and industrial zones.

11. Zoning and Standards:

- a. **Minimum Parcel.** The minimum parcel size of any mixed-use development shall be five (5) acres.
- b. **Commercial/Residential Area.** The maximum area to be used for residential use shall not exceed 65% of a mixed-use development, with the minimum commercial area being 35% of the total mixed-use area. For parcels under five (5) acres, the minimum commercial area shall be four-hundred (400) feet in depth and consist of the entire frontage of the parcel.
- c. **Commercial Zoning for the commercial area in mixed-use development** shall be C-2 Zone and shall comply with all development standards and specification of that Zone unless otherwise provided in the development agreement.
- d. **Minimum Residential Lot Standard.** The minimum residential lot standard is (R-1-6) being 6,000 square feet for the first unit and 1,000 square feet for each additional unit up to a maximum of 6 units per lot. R-1-6- setbacks and standards apply unless further defined in the development agreement.
- e. **Minimum Units Size.** Minimum dwelling unit size shall be 1,200 square feet of living space per unit.
- f. **Garage and Parking.** A two (2) car garage shall be provided for each housing unit, and one guest parking stall shall be included for every three units within the development.
- g. **Landscaped Open Space.** A minimum 250 square feet of fully landscaped open space shall be required per unit. A minimum of one (1) two-inch (2") caliper tree for lot shall be included in the development.
- h. To ensure compatibility, the following types of uses will NOT be allowed in any MU zone:
 - Any business with outdoor storage.
 - Business with drive-through window service.
 - Car wash.
 - Convenience store/service station/auto lube and oil centers.
 - Manufacturing and or industrial uses.

- Motor vehicle or motor recreational vehicle sales and display.
- Motor vehicle repair and service.
- Recycling centers/recycling collection areas.
- Rehabilitation/treatment, protective housing, transitional housing, or boarding house.
- Sexually oriented businesses.
- Short term loan businesses.
- Single retail unit space over forty thousand (30,000) square feet.
- Warehousing as the main use.

12. Development Standards and Requirements:

- a. **Project Master Plan required.** The project master plan articulates the project concept, general design, proposed mix of uses and relationships within the project and with adjacent properties outside of the proposed zone. A proposed master plan project for mixed use (MU) shall include the following:
 - i. A map showing the proposed arrangement of the project, including all buildings, parking, landscaping improvements, the general location of necessary public and/or private roads, development areas, open space areas (including both improved open space and natural open space), public and/or private trails, public and/or private parks and recreational facilities, public building sites, any major stormwater drainageways, any planned waterways, and the anticipated location of any other major public facilities required to serve the project area.
 - ii. A description of the proposed uses for each development area shown on the project master plan map, phasing of development, if applicable, and shall include a description of the residential densities and, or commercial intensities of development that are proposed within each development area or phase.
 - iii. Proposed building elevations showing design, materials and colors being proposed for the buildings.
 - iv. A written description of any specific elements of the proposed project that are required to explain the project master plan map and the uses, densities, and intensities of development. Such descriptions shall include descriptions of any specific public facilities, open space elements, parks, trails, recreational facilities, roads or other improvements, alternative development options, phasing requirements, and any limitations to development due to environmental site conditions or potential impacts on adjacent uses.
 - v. The proposed project master plan, if the development is outside a redevelopment district, shall be reviewed at the same time as the proposed development agreement. The project master plan shall be modified to incorporate any changes required by the city, any conditions or limitations to the development of the land required by the city and any agreements, approvals or other matters anticipated or required by the city as necessary to develop the subject land. The project master plan, with these corrections, shall be deemed approved upon incorporation into a final development agreement that is adopted by an

ordinance in connection with the reclassification of the subject land to mixed use conditional (MU) zoning in accordance with the provisions of this chapter.

- vi. An approved master plan for the complete area within a redevelopment district that has MU zoning, approved by resolution of the redevelopment agency board, is required before new development is permitted for construction. The master plan shall meet the requirements of this section, the standards of this chapter and the purposes of the redevelopment district that has been established for the specific redevelopment district.
- b. **Development Agreement required.** The Development Agreement shall specify setbacks, parking, traffic flow, connectivity, landscaping, open space, recreation, building materials, utility services, and all other aspects of the development. The development agreement is subject to successful negotiation between the City and applicant.
- c. **Site Design**
 - i. **Setbacks:** Buildings with ground level commercial uses should be located next to street property lines in order to create a street edge and give visual preference to pedestrian related access to the structures. Some variation for a portion of the building setback may be considered when outdoor spaces for the ground level use are developed such as outdoor dining or entrance features. Buildings with ground level residential use shall have a landscaped transition space from the street property line to the building which allows porches, stairways, or a common building entrance to create a transition area from the public sidewalk to the building. All other side and rear setbacks will be determined based on potential impacts of noise, service areas, and objectionable views created by the service areas or use impacts. Other setbacks may be required when the design and the appropriate distance mitigation is needed along the perimeter of the development to transition from the mixed use to the surrounding developments.
 - ii. **Compact Design:** Buildings in a mixed-use design need to be clustered so that they are easily accessible for pedestrians and to shared parking areas. Clustering occurs by having the buildings tightly grouped along the street frontage or pedestrian access.
 - iii. **Building Orientation:** Buildings shall be designed so that the front of the buildings are oriented to the street. Development projects with deep parcel depths that have buildings going into the property away from main streets shall also have the buildings placed on either side of a central plaza, green space, natural feature or walkway with the buildings fronting that walkway or plaza. When space is limited it may be necessary to create a secondary entrance from the parking area to the building which faces the street.
 - iv. **Parking-Access Service Areas:** Parking lots shall be located in the central portions of the development and not along streets so that they can service a variety of buildings. Access to the parking areas should be directed to come from secondary streets when possible in order to create a continuity of buildings along the main street frontage. Surface parking lots shall be landscaped with islands which include trees to help unify the parking lot as a visual amenity to the development. The separation of pedestrian access from vehicular traffic is an important design

consideration. Service areas for buildings should be away from pedestrian accesses and public streets. The use of alleys for service of residential parking access is encouraged.

11.14.020 Special Use Regulations (delete)



**HARRISVILLE CITY
ORDINANCE NO. 429**

CLUSTER DEVELOPMENT AMENDMENT

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING
CHAPTER 11.16 RELATING TO CLUSTER DEVELOPMENT
CONCEPTS; SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, Harrisville City is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on September 8, 2010, to take public comment on this proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on September 28, 2010, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

- Section 1: Repealer.** Any chapter, section, word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2: Amendment.** Chapter 11.16 of the *Harrisville Municipal Code* is hereby amended to read as follows:

**Chapter 11.16
CLUSTER DEVELOPMENT CONCEPTS**

Sections:

11.16.010. Purpose and intent.

- 11.16.020. Limitations.**
- 11.16.030. General regulations.**
- 11.16.040. Uses.**
- 11.16.050. Bonus density.**
- 11.16.060. Conformance to law.**

11.16.010. Purpose and intent.

Subdivisions in certain single-family residential zones may be approved under clustering concepts as set forth in this chapter. The purpose of this chapter is to allow a developer to save infrastructure costs that would be incurred in a conventional subdivision, encourage open space conservation, encourage imagination in subdivision development, provide amenities as indicated in this chapter, and provide for efficient utilization of land by providing greater flexibility in the location clustered dwelling units. This chapter also allows a developer to more closely tailor a development project to a specific group of prospective owners, such as retired persons or equestrian oriented developments. The applications of cluster concepts is intended to encourage good neighborhood design and preserve open space while insuring substantial compliance with the intent of the city's land use ordinances.

11.16.020. Limitations.

No petition or other application for a development shall be approved under this chapter unless the development meets the regulations of the single-family residential zone, subject to the concepts and incentives provided in this chapter.

11.16.030. General regulations.

1. **Minimum size.** A minimum of ten (10) acres of land area is required for any clustered subdivision, unless the planning commission enters findings that a smaller but not less than five (5) acre development furthers the purpose and intent of this chapter.
2. **Application and ownership.** A clustered development is initiated by an application filed with the city and forwarded to the project management committee as the initial land use authority. The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
3. **Planning and mitigation.** The initial land use authority shall require that the arrangement of structures, open spaces, and amenities be developed in such a manner to assure that adjacent properties will not be adversely affected, and account for all preliminary subdivision approval requirement and other ordinance set forth in the municipal code.
4. **Planning commission.** Upon recommendation of the project management committee, the planning commission shall make its recommendation to the city council for preliminary action after any required public hearing.
5. **Density.** The maximum number of units, allowed in a clustered development shall be equal to the number of units that can be developed in the current zone,

- plus any applicable bonuses as set forth in this chapter.
6. Lot area, lot width, setbacks and lot coverage regulations shall be determined by approval of the development plan. The minimum distance between any part(s) of the main buildings shall be ten (10) feet, and the minimum side yard for any single lot shall not be less than ten (10) feet.
7. Open space. Every cluster development shall provide open space within the development. No streets, sidewalks, common space, or parking areas will be included as part of the required open space.
- a. The open space may be:
- (1) Totally landscaped.
 - (2) Utilized as agricultural land.
 - (3) Incorporated into recreation areas as agreed by the city.
 - (4) Set aside in accordance with sensitive lands or other policies of the city.
- b. Preservation of the open space area shall be ensured by a perpetual conservation easement deeded to an appropriate entity designated by the city.
- (1) The conservation easement shall be submitted by the applicant with the initial application, or, if the land use authority allows, may be prepared and approved by the city at a later date in conjunction with the final subdivision plat approval.
 - (2) The conservation easement shall address the preservation, use, maintenance, and ownership of all open space within the development.
 - (3) Ownership of the open space may be by:
 - (a) A homeowners' association.
 - (b) A duly created special service district.
 - (c) Harrisville City or its designee.
 - (4) Ownership of the conservation easement may be by:
 - (a) A 501(c)(3) corporation approved by the city.
 - (b) A duly created special service district.
 - (c) Harrisville City or its designee.
 - (5) At no time shall both the open space and conservation easement be owned by the same party.
- c. Notwithstanding other provisions of this section, all common space shall be landscaped by the developer and maintained from the onset through a lawfully organized and fully functional homeowners' association or by the home owner for the duration of the development.
8. General design. The general design of public improvements shall comply with the city's public works standards except where such exceed the quality set forth in the standards or as mutually agreed by the parties in a development agreement approved by the city in order to enhance the development.
- a. Theme. A common building theme shall be required and approved by the

planning commission for each clustered development. The design shall provide unification of exterior architectural style, color, and size of each unit, however, with an appropriate housing mix.

- b. Covenants. The applicant shall provide for covenants, conditions, and restrictions relating to the clustered development as approved by the city.
- c. Site development. Lot layout, setbacks, and site development in a clustered development shall be consistent with the zone closest to the overall average lot size. For example, if the average lot size in the clustered development is 15,000 square feet, then the site development standards of the RE-15 zone (or its successor) apply.
 - (1) Because of the varying nature of lots in a clustered development the location, size and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.
 - (2) Proposed traffic management, storm water management, grading, sewer, secondary water, landscaping, fencing, and all other improvement plans shall be submitted for approval to the land use authority and shall be in a form and manner similar to regulations for a conventional subdivision unless otherwise agreed by a development agreement approved by the city.
 - (3) The proposed development shall be connected to a state approved sewer system.

- 9. Service capabilities. The proposed development shall not exceed the service capabilities of the city or an affected entity, nor shall such be detrimental to the health, safety, or general welfare of persons residing in the vicinity. In the event that service capabilities of the city or any affected entity are exceeded, this will constitute grounds for disapproval. It is presumed that service capabilities are exceeded if the city engineer or an affected entity provides a letter indicating the service capabilities exceeded. Service providers include, but are not limited to the following: North View Fire Department, Bona Vista Water District, Rocky Mountain Power, Questar Gas, Qwest, Pine View Water or secondary irrigation water, U.S. Postal Service, Comcast, city storm water control, Army Corp of Engineers.
- 10. Security and guarantee. The developer is required to follow the escrow and guarantee period requirements set forth in the Subdivision Ordinance and elsewhere in the municipal code for any development in conjunction this chapter.

11.16.040. Uses.

Uses permitted in the cluster development shall conform to the most closely related zone as determined by the land use authority, as identified in a development agreement, or as specified in the covenants, conditions and restrictions for the clustered development so long as said development consists of separate and single-family dwellings.

11.16.050. Bonus density.

The planning commission may award a density bonus of increased units and/or decreased lot size for each clustered development as provided in this section up to a maximum of 100% in bonuses. Density bonuses are available to be awarded as follows upon the planning commission entering a finding that the applicant's subdivision and site plans do substantially comply with the following:

1. Open space preservation. Up to a 50% density bonus shall be awarded if up to a minimum of 50% of the total development remains open space.
2. Building design. A 10% density bonus shall be awarded if the covenants, conditions, and restrictions within the development require a minimum of 70% brick or rock on exterior finishes for homes within the development.
3. Front porch. A 5% density bonus shall be awarded if the covenants, conditions, and restrictions within the development include the construction of front porches that accommodate seating.
4. Landscaped park strips. A 5% density bonus shall be awarded if the applicant includes as part of the development planting approved trees species with minimum 2" caliper every 50 feet in park strips, or by an approved informal placement together with moving the sidewalk 4 feet closer to the homes or by using serpentine sidewalks in a fashion to "meander" through the park strip and front yard areas.
5. Landscaped entrance ways. A 5% density bonus shall be awarded if the applicant provides all entryways to the subdivision development include a landscaped entryway and a city approved monument style identification sign. A maintenance plan is also required to receive this bonus.
6. Amenities. A 25% density bonus shall be awarded if the development provides at least two approved amenities such as playground equipment, volleyball courts, tennis courts, pool, recreation center, community center, or similar amenity.
7. Special amenities. A 75% density bonus shall be awarded if the development provides for a standard golf course or public swimming pool.
8. Park. A 50% density bonus shall be awarded if the development provides for a fully landscaped and developed public park of five (5) or more acres with playground equipment or other features approved by development agreement.
9. Pathways and trails. A 10% density bonus shall be awarded where applicable to pathways and trails as specified on the city trails map.
10. Performance. A 10% density bonus shall be awarded for energy efficient homes and appliances as acceptable to the Planning Commission.

11.16.060. Conformance to law.

A development under this chapter is a special type of subdivision approved by the city which shall meet the public works standards, the subdivision ordinance, land use regulations, and other laws applicable to development.

Section 3: Severability. If any section, paragraph, sentence, clause or phrase of this

Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4: Effective Date. This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this **28th** day of **September, 2010**.


RICHARD HENDRIX, Mayor

ATTEST:

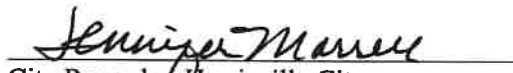

JENNIFER MORRELL, City Recorder

Roll call vote is as follows:		
Mr. Allen	☒ yes	☐ no
Mr. Crowther	☒ yes	☐ no
Mrs. Fowers	☒ yes	☐ no
Mr. Richins	☒ yes	☐ no
Mr. Wilhelmsen	☒ yes	☐ no

RECORDED this 30 day of September, 2010.
PUBLISHED OR POSTED this 4 day of October, 2010

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) 2150 North and 3) City Cabin on the above referenced dates.

 DATE: 10-4-10
City Recorder, Harrisville City



**HARRISVILLE CITY
ORDINANCE NO. ____**

RECREATIONAL AND UTILITY VEHICLES

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING
SECTIONS 11.20.250 AMENDING REGULATIONS FOR
RECREATIONAL AND UTILITY VEHICLES; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter referred to as "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City desires to meet the challenges presented by growth and development by adopting provisions for limited mixed-use development;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on _____, 2019, to take public comment on this Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, 2019, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. *Harrisville Municipal Code* §11.20.250 is hereby amended to read as follows:

11.20.250 Recreational And Utility Vehicles.

1. Recreational Vehicles. Any recreational vehicle including but not limited to a travel trailer, boat, motor home, and/or other vehicle used for recreation purposes, which does not include facilities necessary to be classified as a manufactured home as defined in the

building code adopted by the city, shall not be used, operated, or maintained ~~for more than five (5) days in any residential zone or on any City property in the City~~ at any time for living quarters or occupation.

2. Parking. The parking of not more than three (3) recreational vehicles is permitted on a lot zoned residential or used for residential purposes. Said recreational vehicle or vehicles shall only be parked on a solid surface driveway, or gravel surface in the side or rear yard.
 - a. No parking of any recreational vehicles is allowed in the S.A.P. Zone except in areas designated for such parking as may be established by the home owners association.
 - b. Parking and use of a recreational vehicle in any non-residential zone is governed by the regulations of that zone.
3. Utility Vehicles. No utility vehicle including but not limited to a semi-truck, semi-trailer, dump truck, back hoe, and/or vehicle or equipment over 15,000 gross vehicle weight shall be located ~~for more than three (3) days on a developed residential lot less than one (1) acre in any residential zone~~. Parking of one (1) such utility vehicles in permitted on any residential lot over one (1) acre and must be parked only in shall be in the rear yard, and parking on any non-residential zone is governed by the regulations of that zone.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this ____ day of _____, 2019.

MICHELLE TAIT, Mayor

ATTEST:

JENNIE KNIGHT, City Recorder

RECORDED this ____ day of _____, 2019.

PUBLISHED OR POSTED this ____ day of _____, 2019.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Harrisville City, Utah, hereby certify that foregoing Ordinance was duly passed and published or posted at 1) _____, 2) _____, and 3) _____ on the above referenced

dates.

JENNIE KNIGHT, City Recorder

DATE: _____

**HARRISVILLE CITY
ORDINANCE NO.**

LAND USE ORDINANCE AMENDMENT – BURNS

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE
GENERAL PLAN TO MEDIUM DENSITY RESIDENTIAL AND THE ZONING
MAP TO RE-1-10; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60, 1953, as amended, allows the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, the City received an application from Pat Burns to amend the City’s General Plan and Zoning Map at 217 E Larsen Lane, Harrisville, Utah, for Weber County Parcel Number: 110270034;

WHEREAS, after publication of the required notice the City’s Planning Commission held its public hearing on January 9, 2019, to take public comment on this proposed ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and had held its public meeting on _____, to act upon this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Harrisville as follows:

- Section 1:** **General Plan Map Amendment.** The General Plan Map is hereby amended from Low Density Residential to Medium Density Residential for Weber County Parcel Number: 110270034.
- Section 2:** **Zoning Map Amendment.** The Zoning Map is hereby amended from RE-15 to RE-1-10 for Weber County Parcel Number: 110270034.
- Section 3:** **Severability.** If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in full force and effect.
- Section 4:** **Effective Date.** This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2019.

MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

JENNIE KNIGHT,
City Recorder

RECORDED this ____ day of _____, 2019.

PUBLISHED OR POSTED this ____ day of _____, 2019.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, Utah, hereby certify that foregoing ordinance was duly passed and published, or posted at 1)2150 North 2) the Harrisville Cabin and 3) City Hall on the above referenced dates.

City Recorder DATE: _____

HARRISVILLE CITY

APPLICATION TO AMEND THE HARRISVILLE CITY
GENERAL PLAN / ZONING MAP

Fee Amount \$6000
(General Plan \$300 / Zoning Map \$300)

Receipt Number 049203
Date 12-18-19

Land Serial Number 110270034 ~~110270014~~

Owner(s) of Record Robert L & Wanda Warren Applicant's Name LYNC CONSTRUCTION
Address 217 E Larsen Ln Address 1407 N. Mountain Rd
Phone 801-782-9101 Phone 801-710-2234

Street address or location of property for which a change in zoning is requested. 217 E. Larsen Lane

Present General Plan Land Use designation RE-15 Zoning designation
Present use of the property is: Residential

Proposed General Plan Land Use designation RE-10 Zoning designation
Proposed use of the property is: Residential Homes

Have any Conditional Use Permits been granted for this property? YES ~~NO~~. If YES, give details:

This petition must be signed by the property owner of record or the petitioner must furnish an affidavit from the owner giving authorization to appear before any city administrative or legislative body to act on behalf of the owner in matters pertaining to this petition.

Date 12-26-19

Petitioner: 

- ☒ The petitioner must provide the names and addresses of all property owners within 500 feet of this property. Attach a list and include postage to cover notice to the property owners listed.
- ☒ Petitioner must provide a copy of the county plat and include the legal description of the property to be included in the amendment.
- ☒ Give the reason for requesting an amendment.
- ☒ Explain how the proposed amendment is in harmony with the City General Plan Land Use Map, including what conditions exist in the general area to warrant such a change. How is the change in the public interest as well as the applicant's desire?

Application to amend the Harrisville City General Plan/Zoning Map

We believe Re-Zoning this property is in harmony with the City General Plan as property (110270033) adjacent is already zoned RE-10.

We are requesting this Re-Zone to combine all properties for subdivision to have same zoning. This will ensure more desirable neighborhood with roughly the same size lots.

PART OF N 1/2
SECTION 8, T.6N.,R.1W., S.L.B.&M.

IN HARRISVILLE CITY

SCALE 1" = 100'

TAXING UNIT: 20

ALSO SEE PAGE 27-4,5

27-3

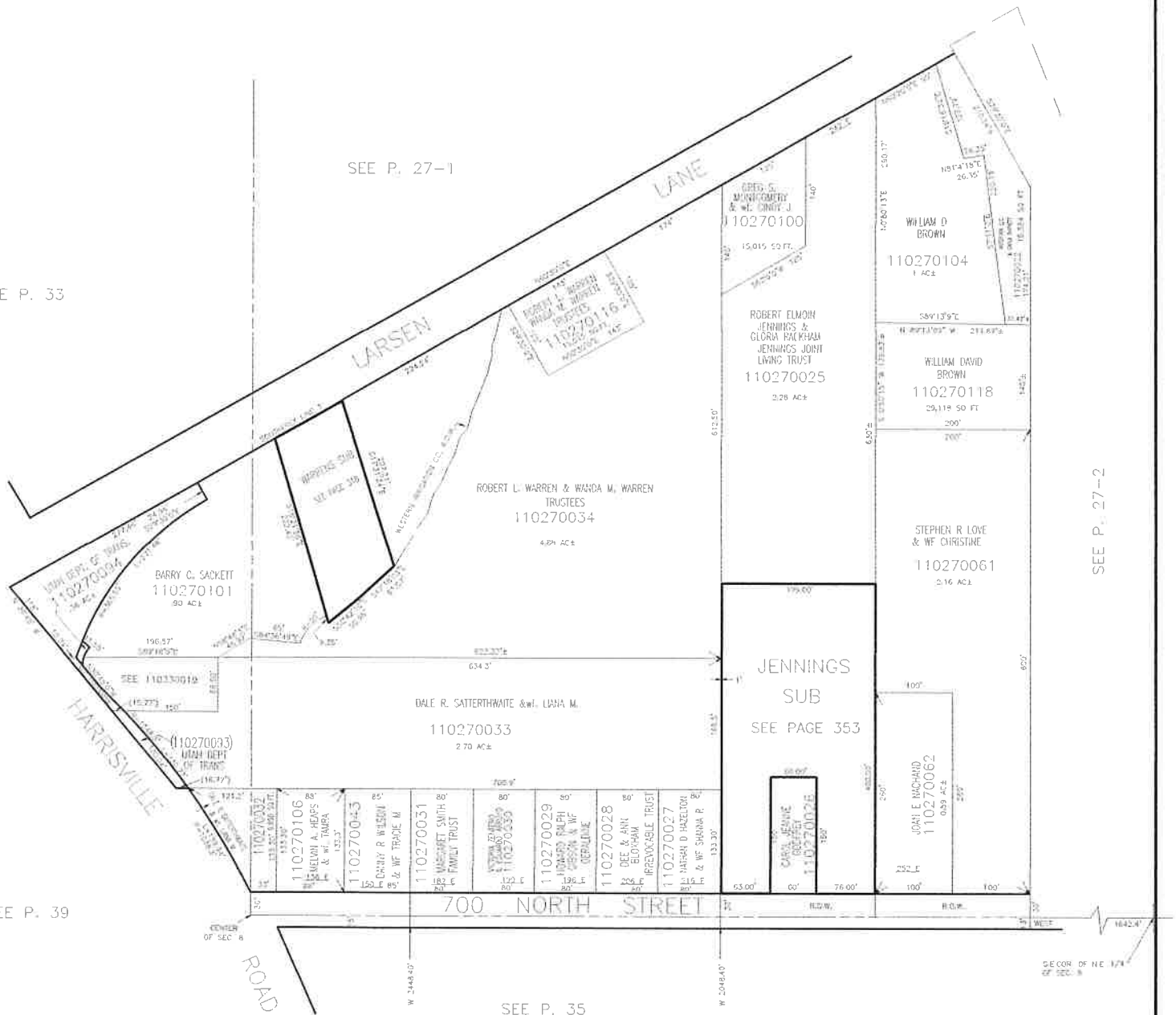
SEE P. 33

SEE P. 27-1

SEE P. 39

SEE P. 27-2

SEE P. 35



SECTION OF NE 1/4
OF SEC. 8



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

PLANNING COMMISSION OFFICE

Date: December 26, 2018

**NOTICE TO PROPERTY OWNERS WITHIN 500 FEET OF THE PROPERTY
LOCATED AT 217 E LARSEN LANE (PARCEL # 110270034) OWNED BY ROBERT &
WANDA WARREN.**

The Planning Commission will review a **rezoning ordinance** for the property located at 217 E Larsen Lane (Parcel # 110270034) at their next meeting. The lot will be rezoned from an RE-15 zone to an R-1-10 zone.

The Planning Commission will meet to discuss the rezoning for this property and make a recommendation for it on **Wednesday, January 9, 2019 at 7:00 p.m.** at the city office, 363 W Independence Blvd, Harrisville, Utah. You are invited to attend this meeting to voice your concerns about, support for or against this rezoning ordinance. You may also contact the city office between the hours of 8:00 a.m. and 5:00 p.m., Monday through Thursday, 8:00 a.m. and 12:00 p.m. Friday, at (801) 782-4100 prior to the meeting.

Sincerely,

A handwritten signature in cursive script that reads 'Laurence Boswell'.

Laurence Boswell
Land Use Coordinator

MARGARET SMITH FAMILY
TRUST
182 E 700 N, OGDEN UTAH
84404

HARRISVILLE CITY
363 W INDEPENDENCE BLVD
HARRISVILLE UTAH 84404

UTAH DEPARTMENT OF
TRANSPORTATION
4501 S 2700 W
SALT LAKE CITY UTAH 841195998

JAROLD & ANTOINETTE
WILLIAMSON
196 E LARSEN LANE
OGDEN UTAH 84404

ANTERTAIN LLC
738 W 2525 S
SYRACUSE UTAH 840759

BUTTERS, C ERNEST
2257 N 515 E
NORTH OGDEN UTAH 84414

IVORY DEVELOPMENT LLC
978 E WOODOAK LANE
SALT LAKE CITY UTAH 84117

UTAH DEPARTMENT OF
TRANSPORTATION
PO BOX 140857
SALT LAKE CITY UTAH 84114

JENNINGS, ROBERT E
234 E 700 N
HARRISVILLE UTAH 84404

BETTY E BUTTERS TRUST
760 N HARRISVILLE RD
OGDEN UTAH 84404

DALE SATTERTHWAITE
1405 N 7425 E
HUNTSVILLE UTAH
843179658

MELVIN & TAMRA HEAPS
136 E 700 N
OGDEN UTAH 84404

ARTHUR & SANDRA BONVIE
937 N MARSHAL LANE
HARRISVILLE UTAH 84404

ROBERT & WANDA WARREN
217 E LARSEN LANE
OGDEN UTAH 84404

ANDREA LLC
755 N HARRISVILLE RD
HARRISVILLE UTAH 84404

BUTTERS PROPERTIES LLC
2257 N 515 E
NORTH OGDEN UTAH 84414

ROBERT ELMOIN JENNINGS
ETAL
3643 N 700 E
NORTH OGDEN UTAH 84414

UTAH DEPARTMENT OF
TRANSPORTATION
4501 S 2700 W
SALT LAKE CITY UTAH 84119

CHAPPLE, BRIAN E & WF
JENNIFER CHAPPLE
184 E LARSEN LANE
HARRISVILLE UTAH 84404

ZENTENO, VICTORIA &
ANTONIO HERNANDEZ VELEZ
190 E 700 N
HARRISVILLE UTAH 84404

RICHARD & JUDY SANDERS
155 E LARSEN LANE
OGDEN UTAH
84404

NATHAN & SHANNA
HAZELTON
216 W 700 N
OGDEN UTAH 84404

BROWN, JUNE A TRUSTEE
170 LARSEN LANE
HARRISVILLE UTAH 84404

NICOLAS & SHANNON RICH
242 E 700 N
HARRISVILLE UTAH 84404

DEE ANN BLOXAM
IRREVOCABLE TRUST
4076 S 950 W
RIVERDALE UTAH 84405

SACKETT, BARRY C
204 HARRISON BLVD
OGDEN UTAH 84404

BROWN, WILLIAM DAVID
5242 E 2500 N
EDEN UTAH 84310

SOLORIO, YURI & HUS
VICTORINO H NOLASCO
238 E LARSEN LANE
HARRISVILLE UTAH 84404

STOREY, DARRELL K & WF
NANCY L STOREY
296 E 700 N
HARRISVILLE UTAH 84404

BROWN LIVING TRUST
160 E LARSEN LANE
OGDEN UTAH 84404

GODFREY, CAROL JEANNE
232 E 700 N
OGDEN UTAH 84404

FIELD, AARON J & TAWNA M
FIELD
238 E 700 N
HARRISVILLE UTAH 84404

NACHAND, JOAN E
252 E 700 N
OGDEN UTAH 84404

SATTERTHWAITE, DALE R &
WF LIANA M SATTERTHWAITE
1405 N 7425 E
HUNTSVILLE UTAH 84317

SMITH, SONRISA
276 E 700 N
HARRISVILLE UTAH 84404

MONTGOMERY, GREG S &
WF CINDY MONTGOMERY
231 LARSEN LANE
OGDEN UTAH 84404

WILSON, DANNY R & WF
TRACIE WILSON
150 E 1700 N
HARRISVILLE UTAH 84404

GIBSON, HOWARD RALPH &
GERALDINE GIBSON
196 E 700 N
OGDEN UTAH 84404

BISEL, ALLAN & MARIE BISEL
940 N MARSHAL LANE
HARRISVILLE UTAH 84404

LOVE, STEPHEN & CHRISTINE
LOVE
264 E 700 N
HARRISVILLE UTAH 84404

BROWN, WILLIAM D
255 LARSEN LANE
HARRISVILLE UTAH 84404



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-1449 Fax

Uniform Land Use & Development Application

For office use

Zone: CE-2 Filing Date: 12/24/18 Fee Paid: 300.00

Cash/Check/Credit Card (Circle One) Receipt #: 007953 Taken by: OK

Applicant's Name: DAVID SKEEN

Applicant's Address: 2458 NO. HWY 89

Property Owner's Name: SAME

Harrisville Property Address: SAME

Name of Project: CAR DEALERSHIP

Project Engineer: _____

Property Acreage: 3

County Parcel Number: 17 - 066 - 0001

Is site in the flood plan YES/NO.

Is the site in a hazard area YES/NO.

Select Type of Application/Action Requested

- ☐ Site Plan/Use Permit
- ☐ Amended Site Plan/Use Permit
- ☒ Conditional Use Permit
- ☐ Amended Conditional Use Permit
- ☐ Home Occupation without Visiting Clientele
- ☐ Home Occupation with Visiting Clientele
- ☐ Other: _____

- ☐ Lot Consolidation
- ☐ Lot Line Adjustment
- ☐ Expand Nonconforming Use
- ☐ Sign Ordinance Review
- ☐ Zoning Map Amendment
- ☐ General Plan Amendment
- ☐ Agriculture Protection Area
- ☐ Vacate Public Right-of-way

Please describe your request: SALE 10 TO 25 CARS A YEAR BEEN USEING RILEY AUTO. IN BRIGHAM LAWS LAWS ARE CHANGING. SHOW 3 CAR AT A TIME HARRIVLLE WOULD RECIEVE SALES TAX.USE OFFICE AND BATHROOM SKEEN CONSTRUCTION WILL BE IN SAME BLDG

Code Compliance (Enter the Code Sections Supporting this Application):

I hereby certify to the best of my knowledge that I have attached all the required plans, met the required codes and regulations, and paid all fees. I understand incomplete applications will be returned unprocessed:

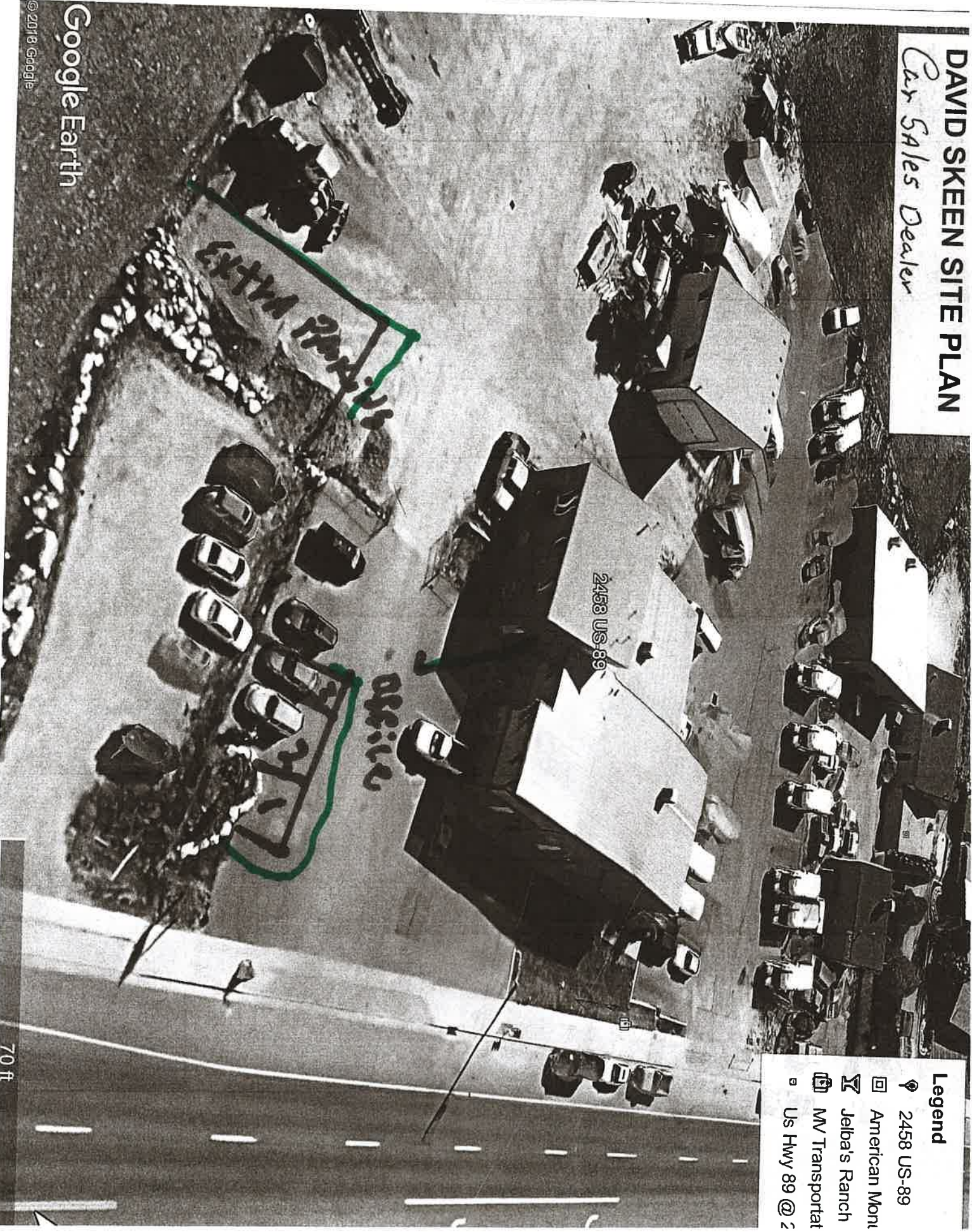
David Skeen
Applicant's Signature

12/21/18
Date

David W. Skeen
Property Owner Signature and Authorization

12/21/18
Date

DAVID SKEEN SITE PLAN *Car Sales Dealer*



- Legend**
- 2458 US-89
 - American Moni
 - Jelba's Ranch
 - MV Transportat
 - Us Hwy 89 @ 2

Google Earth

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