



HARRISVILLE CITY

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

PLANNING
COMMISSION
Chad Holbrook
Brenda Nelson
Nathan Averill
Bill Smith
Kevin Shakespeare

Planning Commission

Harrisville City Office

Wednesday, August 12, 2020 – 7:00 p.m.

AGENDA

**TO COMPLY WITH CDC RECOMMENDATIONS
ELECTRONIC PARTICIPATION IS RECOMMENDED**

Join Zoom Meeting

<https://us02web.zoom.us/j/88518083073?pwd=QTV5Q1JZV1JkYTdPMUJBWTRzdFd6QT09>

Meeting ID: 885 1808 3073

Find your local number: <https://us02web.zoom.us/u/kbuaT1TgVG>

- 1. CALL TO ORDER.**
- 2. CONSENT APPROVAL** – of Planning Commission minutes from July 8, 2020.
- 3. PUBLIC HEARING** – Harrisville Ordinance 512; General Plan Map and Manufacturing Zone Amendments.
- 4. CONTINUE PUBLIC HEARING** – Harrisville Ordinance 511; Recreation and Commercial Vehicle Amended.
- 5. DISCUSSION/ACTION/RECOMMEND** – Harrisville Ordinance 512; General Plan Map and Manufacturing Zone Amendments.
- 6. DISCUSSION/ACTION/RECOMMEND** – Harrisville Ordinance 510; Mixed-Use Commercial Amendments.
- 7. DISCUSSION/ACTION/RECOMMEND** – Harrisville Ordinance 511; Recreation and Commercial Vehicle Amended.
- 8. DISCUSSION/ACTION/RECOMMEND** – Conditional Use Permit for Anne Teuscher located at 190 E Wahlen Circle.
- 9. DISCUSSION/ACTION/RECOMMEND** – Final approval on Jennings Subdivision – 1st Amendment.
- 10. COMMISSION/ STAFF FOLLOW-UP.**
- 11. ADJOURN.**

Certificate of Posting and Notice

I, Jennie Knight, certify that I am the City 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 Recorder at 801-782-4100, x1000, at least three (3) business days prior to any meeting.

Harrisville City Planning Commission Meeting
363 W. Independence Boulevard
7:00 p.m., July 8, 2020
Conducting Vice-Chair Brenda Nelson

Commissioners: Brenda Nelson, Vice-Chair Staff: Bill Morris (City Administrator)
Nathan Averill Jennie Knight (City Recorder)
Bill Smith
Kevin Shakespeare

Visitors: Brandon Child, Whitney Child, Brent Anderton, Grover Wilhelmsen, Mayor Tait.

1. Call to Order.

Vice-Chair Brenda Nelson called the meeting to order. Commissioner Holbrook was excused.

2. Consent Approval of Planning Commission minutes from April 8, 2020 and June 10, 2020.

MOTION: Commissioner Smith motioned to approve the minutes of Planning Commission from April 8, 2020 and June 10, 2020. Commissioner Averill seconded the motion. Voting was unanimous.

3. Discussion/Action/Recommend – Conditional Use Permit for Whitney Hair and Nail Salon located at 2181 N. 700 W.

Bill Morris explained home occupations are no longer required to have a business license unless they have visiting clientele, which requires a conditional use permit. Home occupations are subject to Harrisville Municipal Code 11.10.020(9), which Bill Morris reviewed. Whitney Child informed Planning Commission she limits her business to one client at a time, every two hours to allow for proper cleaning to take place during COVID-19. Her hours of operation are from 8:00-8:30am and no later than 7:00pm. She has a three-car driveway which allows for off street parking.

MOTION: Commissioner Averill motioned to approve the Conditional Use Permit for Whitney Hair and Nail Salon located at 2181 N. 700 W subject to Harrisville Municipal Code 11.10.020(9). Commissioner Smith seconded the motion. Voting was unanimous.

4. Discussion/Action/Recommend – Conditional Use Permit for Classical Strings located at 134 E. 1400 N.

Bill Morris explained Council Member Wilhelmsen was previously a neighbor to Whitney Child. When it came to his attention that a conditional use permit was required for home occupations with visiting clientele, he wanted to make sure he was in compliance. His business hours are from 10:00am-5:30pm, by appointment only. Sometimes they have more than one client at a time, but they have plenty of room to maintain social distancing. Commissioner Averill asked if he uses anything that would have noxious fumes. Council Member Wilhelmsen said he uses rubbing alcohol and other common cleaners. His workshop smells of wood products from the

instruments.

MOTION: Commissioner Averill motioned to approved the Conditional Use Permit for Classical Strings located at 134 E. 1400 N subject to municipal code 11.10.020(9) . Commissioner Shakespeare seconded the motion. Voting was unanimous.

Bill Morris explained there is a 10-day appeal period. Once the 10 days have passed, they will receive a conditional use permit to sign. Jennie Knight will follow up.

5. Discussion – Potential Manufacturing Areas.

Bill Morris explained our city has a small area for manufacturing. With the BDO built out, there is limited manufacturing space. There is area on the west side of 750 West that was recently turned down for residential, staff is considering this area as potential manufacturing. Another consideration is this area borders the Industrial Park, which would adjoin this area. Vice-Chair Nelson asked if this is the area for sale. Bill Morris explained the idea came from Project Management meeting when the city was approached by someone looking for an area to place a certain business. This started the concept discussion. The next step would be to hold a public hearing to receive public input. Commissioner Averill said it makes sense to him to do this. Vice-Chair Nelson asked if this is only one piece or the entire area. Bill Morris said this will help maintain some of the desired open space as well. Commissioner Shakespeare said he likes the idea as well. Bill Morris said staff will prepare an ordinance and bring this back to Planning Commission.

6. Commission/Staff Follow-Up.

Bill Morris explained we are trying to generate revenue sources for the city so we do not have to raise property taxes. One way is creating the CRA on the golf course. Vice-Chair Nelson asked for clarification. Commissioner Averill explained property is assessed and anything above the previously assessed tax can be used for redevelopment of the property. The golf course development is holding a committee meeting next week, and hopefully we will see what the application looks like shortly after. We will hold a public hearing on the golf course to change the zoning to Mixed-Use Large Project. The property on the north might want to come if for Mixed-Use Commercial by the end of the year, this will be tied to the golf course.

Police Department is working on updating the RV ordinance. The auto collision business backed out of that parcel but a car wash is going into the same space.

Vice-Chair Nelson recognized resident Brent Anderton who had a comment about the RV ordinance. He is irritated by the proposed ordinance and has concern with the police being the driving force behind the ordinance. He also has an issue with the limit of three. Bill Morris responded the limit is already in the ordinance. Commissioner Averill said there is a limit before it is considered a junk yard. Bill Morris explained Police Lieutenant Moore was asked to look at models from other cities. Vice-Chair Nelson suggested Mr. Anderton watch the agenda for when this is scheduled. Mr. Anderton said he is not opposed to neighbors having too many and understands the junk yard, but he is irritated with police giving out notices. Commissioner Averill suggested he sign up to receive public notices from the Utah Public Notice Website.

7. Adjourn.

**MOTION: Commissioner Averill motioned to adjourn the meeting at 7:25pm.
Commissioner Smith seconded the motion. Voting was unanimous.**

Jennie Knight
City Recorder

Brenda Nelson
Vice-Chair

**HARRISVILLE CITY
ORDINANCE 512**

GENERAL PLAN MAP AND MANUFACTURING ZONE AMENDMENTS

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE
OFFICIAL GENERAL PLAN MAP; AMENDING THE SITE DEVELOPMENT
STANDARDS IN THE MANUFACTURING ZONE; 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, Utah Code Annotated Title 10 Chapter 9a enables municipalities to regulate land use and development;

WHEREAS, the City has adopted an Official General Plan Map to governing land use within the City;

WHEREAS, the City desires to amend the General Plan Map of Harrisville City as indicated herein;

WHEREAS, the map identified in the attached Exhibit "A" delineates the area of the proposed for amendment to the General Plan Map;

WHEREAS, after publication of the required notice the planning commission held its public hearing on _____, to take public comment on the proposed ordinance, after which the commission gave its recommendation to approve this Ordinance;

WHEREAS, the council received the recommendation from the planning commission and held its public meeting on _____;

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

Section 1: General Plan Map Amendment. That the City's Official General Plan Map for the area in the attached Exhibit "A", incorporated herein by this reference, is hereby changed from "Semi-rural Residential" and "Rural Residential" to "General Commercial" in part and "Manufacturing" in part.

Section 2: 11.12.020 Uses

4. Any use in the following table is permitted if such use has a "P" designation in the zone where the use is listed. A "C" designation indicates that a conditional use permit is required according to the procedures of Chapter 11.18 of this Land Use Ordinance before the use can be allowed. An "N" indicates the use is not allowed in the specific zone

where it is listed. If the last column in the use table includes a number this refers to a section in Chapter 11.14 to a specific regulation that is required to be followed in order to allow the use in the specific zone.

Land Use	Zone		Specific Use Regulation
	CP-2	MP-1	
RECREATION AND ENTERTAINMENT			
Sexually oriented business limited to adult arcade, cabaret or theater.	P <u>N</u>	P <u>C</u>	11.14.020.1
SALES			
Sexually oriented business limited to adult book, novelty or video store.	P <u>N</u>	P <u>C</u>	11.14.020.1
SERVICES			
Night Club.	E <u>N</u>	P <u>C</u>	11.14.020.1
Sexually oriented business limited to dance agency or escort service.	P <u>N</u>	P <u>C</u>	11.14.020.1

Section 3: 11.13.020 Main Building Development Standards.

1. Lot Area and Frontage Requirements. Each lot or parcel in the respective zone shall comply with the minimum requirements of this regulation as provided below except when such lot or parcel has a noncomplying right.

	CP-2	MP-1
Minimum lot area	3,000 square feet	20,000 square feet
Minimum lot width	None	100 feet <u>None</u>

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 _____, 2020.

MICHELLE TAIT, Mayor

Harrisville City

ATTEST:

JENNIE KNIGHT
City Recorder

RECORDED this ____ day of _____, 2020.
PUBLISHED OR POSTED this ____ day of _____, 2020.

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)Martin Henderson Harris Cabin and 3) 2150 North on the above referenced dates.

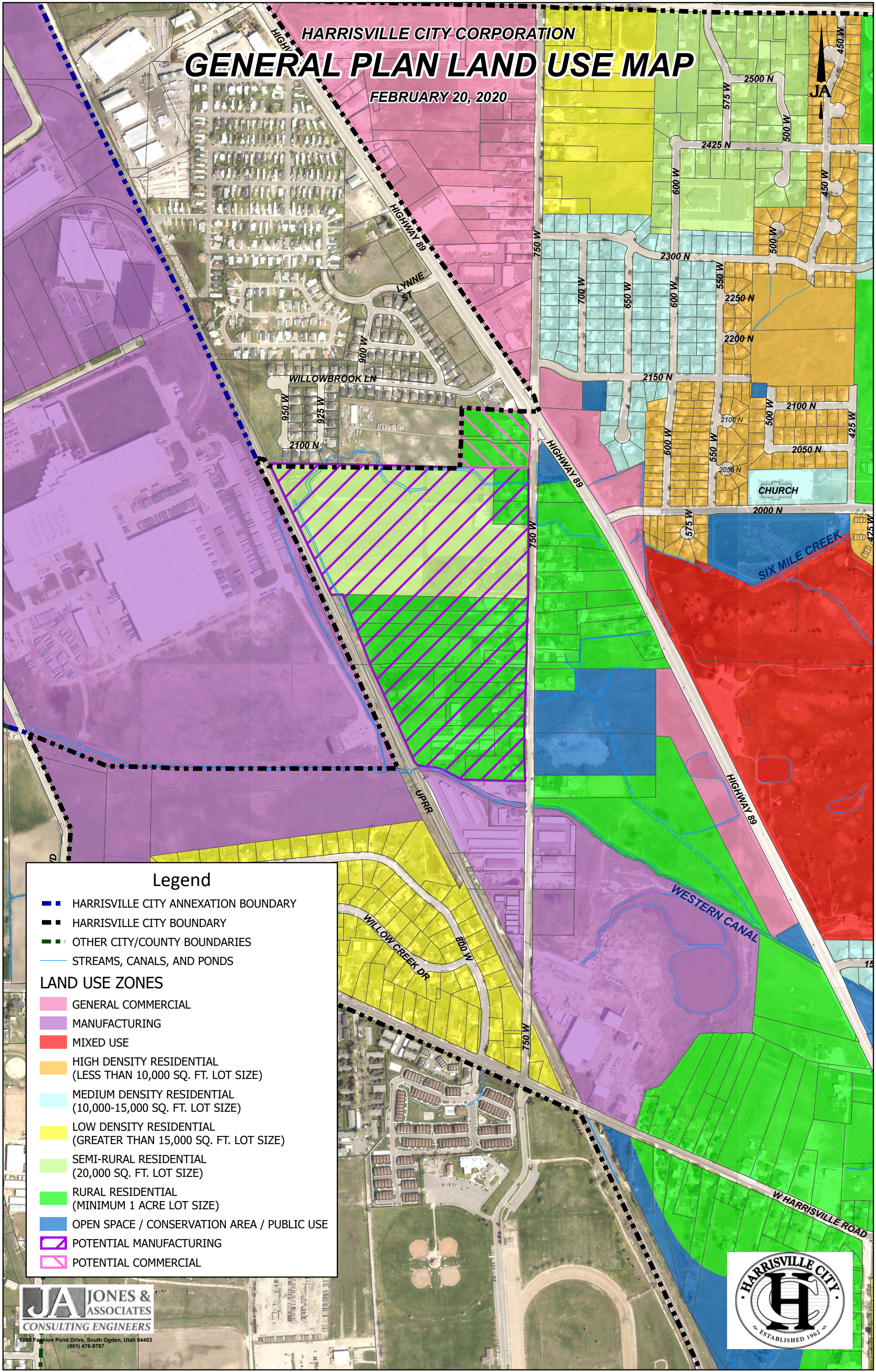
City Recorder

DATE:_____

HARRISVILLE CITY CORPORATION

GENERAL PLAN LAND USE MAP

FEBRUARY 20, 2020



Legend

- HARRISVILLE CITY ANNEXATION BOUNDARY
- HARRISVILLE CITY BOUNDARY
- OTHER CITY/COUNTY BOUNDARIES
- STREAMS, CANALS, AND PONDS

LAND USE ZONES

- GENERAL COMMERCIAL
- MANUFACTURING
- MIXED USE
- HIGH DENSITY RESIDENTIAL
(LESS THAN 10,000 SQ. FT. LOT SIZE)
- MEDIUM DENSITY RESIDENTIAL
(10,000-15,000 SQ. FT. LOT SIZE)
- LOW DENSITY RESIDENTIAL
(GREATER THAN 15,000 SQ. FT. LOT SIZE)
- SEMI-RURAL RESIDENTIAL
(20,000 SQ. FT. LOT SIZE)
- RURAL RESIDENTIAL
(MINIMUM 1 ACRE LOT SIZE)
- OPEN SPACE / CONSERVATION AREA / PUBLIC USE
- POTENTIAL MANUFACTURING
- POTENTIAL COMMERCIAL



6080 Fashion Point Drive, South Ogden, Utah 84403
(801) 476-9767



**HARRISVILLE CITY
ORDINANCE 511**

RECREATIONAL AND COMMERCIAL VEHICLES AMENDED

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING SECTION
11.20.250 RELATING TO RECREATIONAL AND UTILITY VEHICLES;
MAKING TECHNICAL CHANGES; 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 traffic circulation and parking recreational and utility vehicles in the City and in certain zones;

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 _____, 2020, to take public comment on this Ordinance, and subsequently gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, 2020, and now 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.** Section 11.20.250 of the *Harrisville Municipal Code* is hereby adopted to read as follows:

11.20.250 Recreational and Commercial ~~Utility~~ Vehicles.

- 1) Recreational vehicles. ~~Any~~ No recreational vehicle (RV), ~~including~~ includes but is not limited to, a travel trailer, boat, motor home, and/or other vehicle used for recreation purposes, ~~or any vehicle~~ 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 in any residential zone, commercial zone, or on any City property at any time for living quarters or occupation. An RV and any commercial vehicles, including semi trucks and/or trailers, are limited to twenty-four (24) hours within a thirty (30) day period for occupation in any zone. Overnight parking of any RV or commercial vehicle on any City property is prohibited, except where authorized for special events or

otherwise by the City. ~~A conditional use permit not to exceed five (5) days in a thirty (30) day period may be obtained by registering with the City.~~

- 2) Commercial Delivery. Commercial vehicles delivering to a business in the City where the drive is limited in operation by governing regulations may continue to park in commercial zones not to exceed forty-eight (48) hours.
- 3) 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 in the side or rear yard, and on a solid surface driveway, or gravel driveway surface in the side or rear yard.
 - a) No parking of any recreational vehicles is allowed in the S.A.P. Zone or Mixed-use/In-fill sub-zones except in areas designated for such parking as may be established by the development agreement recorded with the county home owners association.
 - b) Parking and use of any recreation, commercial, or utility vehicle in any ~~non-residential~~ commercial or manufacturing zone is governed by the regulations of ~~that~~ such zones.
- 4) Utility Vehicles. No utility or commercial 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 in any residential zone. Except parking of one (1) such utility vehicle is permitted on any lot over one (1) acre and must be parked only 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 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 ____, 20__.

MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

JENNIE KNIGHT, City Recorder

RECORDED this ____ day of ____, 2020.

PUBLISHED OR POSTED this ____ day of ____, 2020.

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) Harrisville Cabin on the above referenced dates.

City Recorder

DATE: _____



MEMORANDUM

To: Harrisville Planning Commission
From: Jennie Knight, City Recorder
Date: August 6, 2020
Subject: Harrisville Ordinance 510; Mixed-Use and In-Fill Amendments

A Public Hearing was held on June 10, 2020, for Harrisville Ordinance 510; Mixed-use and Infill Amendments. During the comments there was feedback received. The primary concern was relating to the "Commercial Element" with it needing to be further defined to identify what commercial uses would be permitted.

Staff was assigned to clarify this issue. Staff has now clarified and included the types of commercial uses as part of the Commercial Element. Now the types of commercial permitted uses include: retail, food and beverage service, personal service, professional and medical services, gym and recreation, educational, or institutional.

Staff also added standards that can be added as conditions for these uses to mitigate adverse effects of certain uses on residential uses in the mixed-use area. These standards may include mitigating: noise, environmental concerns, light, odor, dust, hours of operation, and related impacts.

**HARRISVILLE CITY
ORDINANCE NO. 510**

MIXED-USE/INFILL COMMERCIAL AMENDMENTS

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING
SECTION 11.11.030 TO MIXED-USE/INFILL IN CERTAIN
COMMERCIAL AREAS; MAKING TECHNICAL CHANGES;
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 additional regulations for mixed-use in certain commercial areas;

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 June 10, 2020, to take public comment on this Ordinance, and subsequently gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, 2020, and now 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. Section 11.11.030 of the *Harrisville Municipal Code* is hereby adopted to read as follows:

Section 11.11.030

11.11.030 Sub-zoning.

2. Mixed-use Commercial (MU-C) Sub-zone.

- a. Eligibility Requirement. Any commercial zone or area planned for commercial in the General Plan that is immediately adjacent to MU-LP Sub-zone, including City roads, but excluding Highway 89, may be considered as a MU-C Subzone subject to this part.
- b. Commercial Requirements. A minimum 50% of the total area of the proposed MU-C shall include commercial elements. Commercial elements include any areas used for a commercial use, landscaping, open space, and parking. Proposed commercial uses shall be specified in the Plan. Commercial uses are limited to: retail, food and beverage service, personal service, professional and medical services, gym and recreation, educational, or institutional. Conditional uses are permitted subject to conditions. Standards for conditions include those which mitigate noise, environmental, light, odor, dust, hours of operation, and mitigate other adverse impacts on residential uses.
- c. Plan Map Requirements. A proposed plan map is required to show the area of the project, proposed lots, roadways, trails, and proposed uses blended to adjoining areas, including 20% landscaping and/or open space which is required as part of the application. Parking and residential areas are to be obscured by the commercial uses on the first level for all frontage, except where secondary residential levels are proposed. Height limits up to two (2) stories, except intersections directly fronting Highway 89 may include up to three (3) stories for a maximum length of one-hundred (100) feet of Highway 89 frontage. Plans shall follow all other requirements of the municipal code as possible, such as landscaping, architecture, and screening standards. A favorable Plan will incorporate architectural variation, exceptional design, quality construction, LEEDS standards, dark sky compliant lighting, pedestrian and accessibility concepts, and other unique trends that support the community.
- d. Master Development Plan. A proposed Master Development Plan (Plan) must be prepared and submitted with the application. The Plan shall include a proposed map with detailed phasing plans, trails map, transportation plans and studies, sensitive lands map, geo-technical and wetland reports, conservation plan, proposed land uses, proposed site standards, architectural renderings of commercial and residential buildings and landscaping designs and owner association, covenants (CC&Rs), historical resources and preservation, maintenance plans, and any other documents associated with the Plan.
- e. Fee. A fee equal to the costs incurred by the City for the processing the application shall be paid by the applicant. This fee is related to this Chapter only and does not include other fees imposed by the City during the totality of the development process.

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 ____, 20__.

MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

JENNIE KNIGHT, City Recorder

RECORDED this ____ day of ____, 2020.

PUBLISHED OR POSTED this ____ day of ____, 2020.

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) Harrisville Cabin on the above referenced dates.

City Recorder

DATE: _____



Conditional Use Application

Date / Time

07/13/2020

Phone Number

801-628-9240

Applicant's Address

190 E Wahlen Circle

State

Utah

Property Owner's Name

Nathan and Anne Teuscher

Present Zoning of Property

RE-15

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

Spray Tanning services in my home. 1 client will be serviced at a time.

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

Anne Teuscher

Email Address

sunshinetoosure@gmail.com

City

Harrisville

Zip Code

84404

Harrisville Property Address

190 E Wahlen Circle

List any conditional uses previously granted for this property and the date they were approved:

Applicant's Signature

Customers Information

Company Name

Glow Studio Utah



WATKINS

220

956

190

948

205

940