



HARRISVILLE CITY

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

Harrisville City Planning Commission

Harrisville City Offices

Wednesday, August 11, 2021 – 7:00 p.m.

AGENDA

Join Zoom Meeting

<https://us02web.zoom.us/j/88233703345?pwd=L3Z4RmtoY1dqUURrQ0EvRklIbIhCQT09>

Meeting ID: 882 3370 3345

Passcode: 825258

1. **CALL TO ORDER.**
2. **CONSENT APPROVAL** – of Planning Commission minutes from July 14, 2021.
3. **PUBLIC HEARING** – The Planning Commission will take public comment on proposed Harrisville Ordinance 526; an ordinance amending the A-1 (Agricultural) use standards in the A-1 (Agricultural) zone.
4. **PUBLIC HEARING** – The Planning Commission will take public comment on proposed Harrisville Ordinance 527; an ordinance adopting Internal Accessory Dwelling regulations.
5. **DISCUSSION/ACTION/RECOMMEND** – to recommend adoption of Harrisville Ordinance 526; an ordinance amending the A-1 (Agricultural) use standards in the A-1 (Agricultural) zone.
6. **DISCUSSION/ACTION/RECOMMEND** – to recommend adoption of Harrisville Ordinance 527; an ordinance adopting Internal Accessory Dwelling regulations.
7. **COMMISSION/STAFF FOLLOW-UP.**
8. **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.

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

Harrisville City Planning Commission
363 W. Independence Boulevard
7:00 p.m., July 14, 2021
Conducting: Chair Chad Holbrook

Commissioners: Chad Holbrook, Chair
Nathan Averill
Bill Smith

Staff: Bill Morris (City Administrator)
Jennie Knight (City Recorder)
Cynthia Benson (Deputy Recorder)
Glen Gammel (Public Works)

Visitors: Jake Thompson, Geneva Blanchard, John Hansen, Mark Wilson.

1. Work Session. – Presentation on Copperwoods Development located at approximately 1956 North Highway 89.

Jake Thompson presented the project. He explained the Live Here/Work Here concept with people working from home. This has changed the last few years, but now this is a whole different dynamic due to COVID. Renderings and maps of the project were presented. There is a commercial space for some retail space rendering. They are going to advertise that to some builders they have worked with in the past to get something more than the rough rendering presented. Chair Holbrook asked how many spaces for that retail. Jake said they are proposing four. Once they present this to a builder, they might change the look to make this work better.

Chair Holbrook asked what the thinking is behind this. Jake said this rendering has been done. They do see retail space going there. They are also open to suggestions. Commissioner Averill said he likes this concept. This is similar to the crossing in Pleasant View. Chair Holbrook asked if the commercial building was all one level. Jake said yes.

Commissioner Averill asked about the live/here work/ here. There is only one access to the front on the inside floor plan. Is it possible to put another access into the hallway/stairs area so the people can go down to the commercial area without going outside. Jake said this has been used before and he is not certain why it wasn't on the drawings. Commissioner Averill said the reasoning is so a tenant can unload supplies from the garage to the commercial space. He likes this concept and the ability to have signage is not a concept he has seen before.

Bill Morris asked how we would keep this from turning into living space. Jake said they can keep this separate. Commissioner Averill said we could keep a sign that they must keep the door closed. Bill said yes. Commissioner Averill said to specify this must be used for commercial on the deed to force the commercial to stay commercial.

Commissioner Averill asked if the parks would have public access. Jake said they would be private. There is connectivity throughout the project. They are differentiating the colors between housing to keep it from looking like a cookie-cutter community. Commissioner Averill asked if there will be parking concerns on the highway. Chair Holbrook asked for the parking to be defined. Jake pointed out the parking areas and said they have 112 parking areas created for the development. Discussion about front entrances to the businesses. Concern is to avoid a traffic bubble to obtain access to the business. Jake asked if there was anything the city could do to

prevent parking along Highway 89. Bill said the highway is a state road, we cannot control the curb parking but need to discourage it somehow.

Chair Holbrook asked about what would be happening in the recreational areas. Jake explained that the playground equipment would be according to age and size of the area. A 4-foot fence would be along the front of the playground by Highway 89 to help with screening along Highway 89. Chair Holbrook was concerned with pedestrian traffic. He asked about pickle ball courts for these areas. Commissioner Averill mentioned other options that will be going in around the city.

Chair Holbrook asked for more trees on the east side to the homes and also to buffer the traffic. Jake said the trees might block the signs/advertising in the commercial area. Jake can add more trees later in the project to facilitate the request. Bill asked if they have talked to UDOT about landscaping. Jake replied he had not talked with UDOT about this yet.

Chair Holbrook asked about landscaping plans for the west side; going south along the live here/work here. Jake said that will be a grass space. Bill Morris asked if the HOA would maintain. Commissioner Averill said that would be the front side of the businesses. Chair Holbrook said landscaping does present some challenges. He explained one of the nice things with the golf course and this development would be the tree lined streets. He requested more landscape detail on final plans to add aesthetically. Jake said can put in more trees.

Jake feels this is a great area to fit this concept. He said this works well where they have built this concept before. Chair Holbrook asked what kind of businesses have been successful. Jake said salons, offices, insurance. The concept is an idea to have your own working office within your home without it being a back bedroom. Commissioner Averill said that provides a space to meet customers outside the home.

Chair Holbrook asked about the intersection detail. Jennie Knight explained what was in the traffic study. She stated the right in/right out median be placed with a possible median going down the highway from 2150 to 700. UDOT is waiting to see what is going in to determine the impact from the Ben Lomond development as well before finalizing their requirements. Further discussion occurred about the traffic study and what UDOT would require. Jennie Knight added one consideration is the right only access for the live here/work here areas.

2. Call to Order.

Chair Holbrook called the meeting to order and welcomed all visitors.

3. Consent Approval – of Planning Commission minutes from June 9, 2021.

MOTION: Commissioner Smith motioned to approve the minutes of June 9, 2021 as presented. Commissioner Averill seconded the motion. Voting was unanimous.

4. Discussion/Action/Recommend – to grant Preliminary/Final approval for Berrett Subdivision, a 2-lot subdivision located at approximately 350 West 2000 North.

Bill Morris reviewed the city engineer's memo. His office completed a review for this 2- lot development in the A-1 zone. A boundary adjustment is being recorded in conjunction with the

subdivision. He clarified the small lot subdivision requirements. Commissioner Averill asked if there will be driveways on the lots. Mark Wilson explained the boundary line adjustment. The rest will be maintained as greenbelt. They will share a driveway but have separate utility connections. This subdivision will maintain as a farm. Chair Holbrook asked the history of Berrett Farms. Mark said that he is the sixth generation to live on this land. They intend to leave everything in trust to their children. Bill Smith asked more about Val Berrett. The property will remain as family land as the original farm.

MOTION: Commissioner Smith motioned to grant Preliminary/Final approval for Berrett 2 lot Subdivision located at approximately 350 W 2000 N subject to the Engineer’s Memo dated July 9, 2021 with the included conditions. Chair Holbrook seconded the motion. Voting was unanimous.

5. Discussion/Action/Recommend – to recommend Preliminary approval of Montgomery Farms Subdivision located at approximately 100 E 2200 N.

Bill Morris reviewed the engineer’s memo. This property was on council agenda and annexed last night by City Council. They have currently been meeting with the project management committee to get preliminary approval. The subdivision will be coming in under R-1-10 zoning. The city engineer recommends preliminary approval subject to the outlined conditions. Commissioner Averill asked if they could annex into Harrisville. Bill Morris explained this area is included in our annexation plan, and would connect to our utilities. The development is split between Harrisville and North Ogden.

MOTION: Chair Holbrook motioned to recommend preliminary approval of Montgomery Farms Subdivision located at approximately 100 E 2200 N subject to the City Engineer’s Memo dated July 9, 2021 with the included conditions. Commissioner Averill seconded the motion. Voting was unanimous.

6. Discussion/Action/Recommend – to recommend adoption of Harrisville Ordinance 522; Zoning Map Amendment Copperwoods Zone.

Chair Holbrook expressed some concern with the design with regard to the landscaping. Commissioner Averill said he likes the idea of having a place to work not far from home, that includes a small business to maintain with the HOA taking care of things outside. This is a self-contained community with direct access to the businesses. Chair Holbrook said he would like to see more trees. Commissioner Averill said more trees on the east side; other than that, there is not a lot of space for additional trees. Parking looks good.

Jake further explained the alteration letters on the buildings. The “A” and “B” refer to the designs. The designs will be different in colors and door locations to change the outside appearance somewhat. Chair Holbrook asked the square feet of live here/work here. Defined the square feet of the commercial areas.

MOTION: Commissioner Averill motioned to recommend adoption of Harrisville Ordinance 522; Zoning Map Amendment Copperwoods Zone subject to deed restriction on live here/work here to remain commercial and cannot be counted as residential with the additional street trees but not in line with signage. With the following findings: the

development includes 51.27% commercial elements covering 3.22 acres which are split between 24 live/here work/here units and one commercial pad for retail, office, or service space, there are 2.61 acres of open space which includes two (2) playgrounds and concrete pathways/trails throughout the development, the complete development is included in one (1) phase and will be developed as such, there are no identified wetlands on the site, design and site standards are included for the live/here work/here units and residential units and are outlined in the exhibits, the development has two access points: one northern access onto 2150 North and a southern access onto 2000 North, a traffic study was conducted to identify impact on surrounding roads and is included the exhibits, a median has been included on the plan to control ingress/egress traffic at the 2000 North access, HOA and CC&Rs include regulations/restrictions on business and residential use and is included in the exhibits, live/here work/here and commercial pad are included on the western portion of the development and buffered by open space and parking to lessen the impact to surrounding properties, units bordering the east side are turned to present the least amount of obstructing impact towards existing properties. Commissioner Smith seconded the motion. Voting was unanimous.

7. Commission/Staff Follow Up.

Bill gave training about legislative and administrative functions per the request of the chair.

8. Adjourned.

Chair Holbrook adjourned by common consent at 7:53pm.

Jennie Knight
City Recorder

Chad Holbrook
Chair



HARRISVILLE CITY

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

MAYOR:

Michelle N. Tait

COUNCIL MEMBERS:

Grover Wilhelmsen
Steve Weiss
Blair Christensen
Max Jackson
Kenny Loveland

Notice of Public Hearing

In accordance with Utah Code Section 10-9a-502, notice is hereby provided that the Harrisville Planning Commission will hold a public hearing on August 11, 2021 at 7:00 p.m., in the Harrisville City Legislative Chambers located at 363 West Independence Blvd., Harrisville, Utah, to take public comment for and against the proposed Ordinance 526 allowing veterinary uses in the A-1 Zone; and Ordinance 527 providing for limited Accessory Dwelling Units. Individuals requiring special accommodation (including auxiliary communicative aids and services) should notify the City Recorder at 801-782-4100 at least three (3) days prior to the hearing.

CERTIFICATE MAILING AND POSTING

I hereby certify that the foregoing Notice was duly published in a newspaper of local circulation, mailed to each affected entity, posted on the Utah Public Notice Website, posted on the City website or at four (4) locations in the City as follows: 1) City Hall 2) 2150 North, 3) Harrisville Cabin, and 4) Public Works Building.



City Recorder



Date

**HARRISVILLE CITY
ORDINANCE 526**

A-1 (AGRICULTURAL) ZONE AMENDMENTS

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE A-1 (AGRICULTURAL) USE STANDARDS IN THE A-1 (AGRICULTURAL) 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 Commercial Use Standards to governing land use within the City;

WHEREAS, the City desires to amend Residential Use Standards of Harrisville City as indicated herein;

WHEREAS, after publication of the required notice the planning commission held its public hearing on August 11, 2021, 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: 11.08.020 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 15 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
	A-1	R-1-20	RE-15	R-1-10	
	Animal Raising				
<u>Veterinarian Clinic</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>11.09.020 11.10.020</u>

Section 2: 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 3: 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 _____, 2021.

MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

JENNIE KNIGHT
City Recorder

RECORDED this ____ day of _____, 2021.
PUBLISHED OR POSTED this ____ day of _____, 2021.

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
ORDINANCE 527**

INTERNAL ACCESSORY DWELLING UNIT REGULATIONS

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, ADOPTING INTERNAL
ACCESSORY DWELLING REGULATIONS IN THE LAND USE ORDINANCE;
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City (“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, after publication of the required notice the Planning Commission held its public hearing on _____, to take public comment on this proposed 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 _____, 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 Ordinance that conflict with this Ordinance is repealed.

Section 2. Amendment. The following Section is adopted to read as follows:

Section: 11.20.260. Internal Accessory Dwelling Units.

1. Eligibility. In accordance with Utah Code 10-9a-530.1a, an internal Accessory Dwelling Unit (ADU) is eligible for a permit if such ADC is:
 - a. Located in the primary dwelling;
 - b. Placed within the footprint of the primary dwelling as described in state law at the time the ADU created;
 - c. Not used for vacation rental or short-term rental; and,
 - d. Used only for residential long-term rental of thirty (30) consecutive days or longer.
2. Local Requirements. In accordance with Utah Code 10-9a-530-4, the City:
 - a. Does not require the installation of a separate utility meter for an ADU.
 - b. Each ADU shall be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
 - c. The owner of the primary dwelling creating an ADU shall:
 - i. Include one additional parking on-site parking space, regardless of whether the primary dwelling is existing or new construction; and
 - ii. Replace all parking spaces contained within a garage or carport converted to an ADU.

3. Limitations. The following limitations apply to the creation or occupancy of any ADU:
 - a. Only one (1) ADU per primary dwelling is permitted consistent with this section.
 - b. No ADU shall be created or occupied within a mobile home as defined under Utah Code 57-16-3.
 - c. No ADU shall be created or occupied without the owner of the primary dwelling obtaining all permits and licenses for the ADU from the City and any other affected entity.
 - d. No ADU will be approved in any agriculture zone.
 - e. No ADU will be approved where the primary dwelling is served by a failing septic tank.
 - f. No ADU shall be created or occupied where the primary dwelling is six-thousand (6,000) square feet or less in size.
 - g. No external accessory dwelling unit are allowed.
 - h. No ADU shall be created or occupied unless the primary dwelling is also used as the owner's primary dwelling.
4. Licensing. The owner of any ADU shall obtain a business license in accordance with Title 3 and Chapter 3.15 of the municipal code.

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 shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this _____ day of _____, 20__.

 MICHELLE TAIT,
 Mayor

ATTEST:

 JENNIE KNIGHT
 City Recorder

RECORDED this _____ day of _____, 20__.
 PUBLISHED OR POSTED this _____ day of _____, 20__.

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) The Cabin on the above referenced dates.

 City Recorder

DATE: _____