

Harrisville City Planning Commission
363 West Independence Boulevard
7:00 p.m. – June 10, 2020
Conducting: Chair Holbrook

Commissioners:
Chad Holbrook, Chair
Brenda Nelson
Nathan Averill
Bill Smith
Kevin Shakespeare

Staff:
Bill Morris, City Administrator
Jennie Knight, City Recorder
Ronda Kippen, Community Planner

Visitors: Due to COVID-19 regulations, sign in sheet was not available.

1. Call to Order.

Chair Holbrook called the meeting to order. Roll Call vote was taken. All Commissioners were in attendance.

2. PUBLIC HEARING- The Planning Commission will take public comment in support or opposition to Harrisville Ordinance 510; Mixed Use/In-Fill Commercial Amendments and Harrisville Ordinance 511; Recreational and Commercial Vehicles Amended.

Chair Holbrook opened the public hearing on Ordinance 510; Mixed Use/In-Fill Commercial Amendments.

Bill Morris informed commissioners this is an amendment to the Mixed Use/In-Fill ordinance outlining the requirements for Commercial development. Colliers Real Estate Group came to us with questions regarding how a commercial based development fits with our mixed-use ordinance and where these will fit in. Ronda Kippen sent over some ideas of how to define the commercial elements. We are not looking for action on this item tonight. This requires developments be adjacent to the Large Project Subzones. If the Large Project Subzone does not receive approval, these developments will not be allowed. This is allowing some experimenting off of Highway 89 for the city to try out some areas. The 50% commercial element can include landscaping and open areas.

Sky Hazelhurst with Colliers said he has some quick comments about the ordinance. He said they are trying to do a smaller development to see if this makes sense for the city. He said it sounds like they will be held to what is defined as commercial elements and would like that to be defined more. That will help them make a proposed development work. He asked if they will be held to the existing commercial elements. He also asked questions regarding shared access parking and landscaping and what that means. He said as long as they can get some idea of what the city expects.

Bill Morris said he has some follow up on this and a lot of this can be addressed in the development agreement.

Resident #1 asked about areas north of the Golf Course. He asked what it means to be adjacent to the golf course and will all of this be developed. He further asked for clarification on what is happening with the golf course.

Bill Morris explained the city is waiting for application to be made. Resident #1 asked who is applying. Bill Morris said the individuals who say they have it under contract. Resident #1 said last time he came to a meeting there was discussion about whether the Planning Commission would approve a plan for it to be developed. He asked if that has been resolved. Bill Morris said they have yet to file a zoning application. There have been questions throughout the process but these have been resolved and now this is in the developer's hands.

Chair Holbrook closed the public hearing on Harrisville Ordinance 510; Mixed Use/In-Fill Commercial Amendments.

Bill Morris explained the commercial element in a Mixed Use needs to be conducive with residential. This may need to be clarified before moving on. Ronda Kippen suggested setting up a use table to clarify these commercial uses which would be office space, retail space, and professional services. Bill Morris explained the shared parking and access means a business would be allowed to park where residents park in the evening. This is because UDOT is not going to allow any access onto Highway 89. Transportation Plans will need to be outlined to address this. He also pointed out this ordinance only allows development adjacent to the Mixed-Use Large Parcel Projects. Since we have not received application yet, that zone cannot exist anywhere now.

Chair Holbrook opened the public hearing on Harrisville Ordinance 511; Recreational and Commercial Vehicles Amended.

Lieutenant Moore explained there is an increase of people living in RV's. We recognize there are a lot of people that live like this who do not contribute negatively to the community. We have a number of problems with people who do not have jobs, come into our city with garbage and do not respect the community. They have a very strong tie to the drug culture. They are Weber County residents, that want to live in their motorhome or trailers. Half of the time these vehicles are not registered with expired temp tags, and we receive a lot of complaints from the Walmart area. The rules for searching motorhomes are different from a car or truck. They cannot go into a trailer or motorhome and these people know this and participate in illegal traffic. Walmart's policy is very liberal and includes a caveat they must follow the laws. The previous ordinance does not address this only city and residential properties. We have had a long-standing issue with an individual on 750 West allowing people to live out of trailers. We could not prove they were living there for 5 days; therefore, we lost the case in court. Additionally, employees at Walmart are worried about their cars being broken into. Recently we have not been able to handle calls as usual due to the restrictions in place, and we have a responsibility to protect the city. This is not to restrict people from having family members stay temporarily in their RV's, but to address the issues we currently face. Walmart also has overnight drivers who are restricted by night driving hours. They are not our target either.

Rick Wetz said he appreciates the officers but the way this is written right now, his daughter could not come in her motorhome and stay in his driveway for a week. They say they will not

enforce this, but this is the way it is written now, no more than 24 hours within a 30 day period. , plus she could not park in the driveway on his property. He said this is his house and he pays his taxes. He should not be restricted from parking in his driveway at his house for any amount of time. Also, the way this is written, does this include ATV trailers, as he has an ATV trailer as well, he said this is not very clear. If the ordinance is written to not allow this, he objects to it. He has a trailer he uses all the time to do utility work. If the ordinance is written to not allow that, he objects to it. He is okay with not using a camper as a permanent resident. He agrees with that, because there was a neighbor behind him that was doing that for several years. But he does have objections to the parking and defining where he can put his recreational vehicles. He does not understand why the city is trying to include that in the ordinance.

Gary Robinson said he objects to dealing with Walmart issues, they are private property and have their own regulations. He does not feel they can say RV's are not allowed to park. People come from out of town, he feels this would be a big issue over Thanksgiving weekend. Parking vehicles if you have several trailers, in the side yard only is not possible. Especially in neighborhood like Misty Meadows, they were not intended to have RV parking. Many residents have no RV parking. If this is passed, a lot of residents cannot park in their own yard because there is not access to their backyards. He said Officer Moore might not cite people, but another officer might write a ticket. He objects to removing the 5 days. He feels like the city should take care of the drug problem another way.

Jaron Ball, 1485 N 100 E, said he agrees with the officer as far as crime goes, it is a problem. He sees people doing this. In his work, he also sees this behind the shop. They show up in an RV, they do drugs all night and they leave. They call the police but they cannot search things and they have 48 hours and these people know that. He said that is the problem that needs to be addressed. He acknowledged he is just getting up to speed on this proposed ordinance in the last hour. He believes this is too broad with rules. In his experience he has seen broad rules with one intent, completely going in another intent when it evolves. He lives here because he can have his flatbed trailer and his kids can park cars, they can load the trailer in front of his house, if they want to leave the next day, his dad can stay. He really does not want that bothered. He feels a lot of residents try to take care of their places. He feels is this is written differently to address specific problems it would be better. He does not support this as it is written.

Steve Hood said he agrees with Officer Moore. He feels we need to make the city safe but he objects to the city telling residents what they can do with their property as far as recreational vehicles or utility trailers.

Chair Holbrook closed the public hearing.

3. Discussion/Action/Recommend Harrisville Ordinance 510; Mixed Use/In-Fill Commercial Amendments.

Bill Morris said staff recommendation is to table this ordinance until we find out what is going on with the golf course application. Once application is received, we will have a committee, consisting of two council members and the chair and vice chair of Planning Commission, give recommendation before the large project development has a public hearing.

Commissioner Averill recommended making some changes to the commercial elements before action is taken. Bill Morris explained there were several reasons why the golf course has been delayed. We can bring back some more details and the proposed new changes in August.

MOTION: Commissioner Averill motioned to table Harrisville Ordinance 510; Mixed Use/In-Fill Commercial Amendments. Commissioner Nelson seconded the motion. Voting was unanimous.

4. Discussion/Action/Recommend Harrisville Ordinance 511; Recreational and Commercial Vehicles Amended.

Officer Moore addressed concerns with parking recreational vehicles. He explained personal parking of RV's is not the focus of this ordinance. Residents can park up to three recreation vehicles and this will expand their ability by allowing a gravel surface in the side or rear yard. Commissioner Averill said he is okay with residents parking RV's in the driveway and front yard on a solid surface.

Officer Moore explained Walmart's policy allows for parking of RV's and they want enforcement with individual stores following local ordinances. They have collected their own data for this. Commissioner Averill suggested Walmart put up their own signs. Officer Moore explained we want to avoid not allowing parking, particularly for snow birds traveling through the area. The Riverdale Walmart does not allow any overnight parking. With regard to parking on the roadway, a citation is never issued first; always a warning. Bill Morris explained as a prosecutor, he is not going to prosecute a resident; he is the gateway to the court system. This language is recommended by the Judge to address the issues that were heard in court.

Commissioner Averill recommended residents be required to have a business license to rent out areas for RV parking. Bill Morris said a local neighbor had to deal with drug issues next door because of the way the ordinance is currently written. Commissioner Averill suggested tabling the ordinance because he feels the majority of people are following this appropriately.

Lieutenant Moore explained there are a few that are creating the issues. We do not have a problem with people staying long term. Bill Morris explained this is not only happening at Walmart but other places in the city. Chair Holbrook suggested limiting this to family and friends. Bill Morris suggested Planning Commission look for another model to target this another way. Commissioner Averill suggested targeting the littering with a law. Commissioner Smith said he does not like to nitpick things with an ordinance. This is a broad ordinance that is trying to target too many things. Commissioner Shakespeare said recreational and residency are two different things. He is okay with recreational, not with residency. He would like to see that outlined. Commissioner Nelson said she feels we need to be careful about letting people live in RV's on the side of homes.

Chair Holbrook said he understands what is being said and suggested some kind of accommodation with people coming into private homes and the time frame. Bill Morris explained what occurred in court when a witness was called to testify and could not give the appropriate time line needed to prosecute the case. Lieutenant Moore said the case ended up being an elderly abuse situation that was corrected by other means. Chair Holbrook asked for Bill Morris' attorney opinion. Bill Morris recognized the law enforcement community and the good work they do. He said they see things most people do not see in our community. He said if planning commission tables this, they can look for more models. Commissioner Averill said he feels the issues is not RV's and this is the wrong ordinance to fix the problem. Bill Morris

explained the Judge recommended this change and how this needs to be proven in order to prosecute. He is trying to help them see this from a prosecutor's perspective. Commissioner Averill suggested increasing penalties. Bill Morris explained another case where a family was so scared, they called law enforcement. These are the issues. Commissioner Averill said this could happen with someone living in a shed, he does not feel this is an RV issue. Bill Morris said there is a transient community that comes with RV parking. Chair Holbrook suggested this be tabled and asked for a motion.

MOTION: Commissioner Nelson motioned to table Harrisville Ordinance 511; Recreation and Commercial Vehicles Amended. Commissioner Averill seconded the motion. Voting was unanimous.

5. Commission/Staff Follow-Up.

Commissioner Shakespeare said the Larsen Lane project has been brutal. He has had his cable line cut several times. He understands this is a big project and residents have to make accommodations.

Bill Morris explained although the Caliber Collision proposal fell through, City Council passed the zoning change. He said there has been some interest on 750 West and he is looking to possibly change some zoning to manufacturing on the West side of 750 West that might boost economic development. Planning Commission might have to address that. The golf course should be coming through for a rezone soon. Also, Colliers Development is interested in two pieces north on Highway 89 that are adjacent to the golf course. He informed commissioners City Council adopted the budget at their meeting last night. Some of staff is in quarantine due to COVID-19 issues. He said we do not know what is going to happen in the state in the future; there are a lot of people dealing with a lot of stress in the office.

Bill Morris informed commissioners Dave Green is going to be coming back with a site plan soon. Staff has been reviewing all of the minutes and have sent the information to the private property ombudsman. When that decision is returned, we need to follow the ombudsman recommendation or we will face hefty fines.

6. Adjourn.

Chair Holbrook declared the meeting adjourned at 8:05pm.

Jennie Knight
City Recorder

Chad Holbrook
Chair